



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, DECEMBER 15, 2020**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting in the Legislative Chamber of City Hall, Located at 255 South Kansas Avenue on Tuesday, December 15, 2020 at 5:30 pm pursuant to Section 551.045 of the Texas Open Meetings Act.

A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. In conjunction with the guidance and provisions provided by the Governor and in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19), there will be a **limit of twenty-five (25) in person attendance to include staff and the governing body.** These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring a large group setting and in accordance with Section 418.016 of the Texas Government Code. The meeting will be recorded and uploaded to the City website following the conclusion of the meeting.

Telephonic conferencing capabilities will be utilized to allow member of the public to participate remotely via Toll Free Dial In Number: 1-877-853-5247; Meeting ID: 946 1533 4573.

Members of the public who wish to participate in Public Comment on an agenda item must send their name, address and phone number via email to nacantu@weslacotx.gov by 12:00 pm on December 15, 2020. A staff member will contact you with instructions via phone call to address your public comments.

I. CALL TO ORDER

- A. Certification of Public Notice.
- B. Invocation.
- C. Pledge of Allegiance.
- D. Mayoral Recognition.
- E. Roll Call.

II. PRESENTATION

- A. Presentation by Inframark on the Annual Maintenance and Repair Cap underspent funds in the amount of \$7,888.58. (Requested by Inframark.)

III. REPORTS

- A. Presentation from Emergency Operations Center (EOC) and discussion on related matters with COVID-19 and vaccinations. (Staffed by EOC.)

IV. PUBLIC COMMENTS

The Public Comments portion of the meeting promotes a fair and open process for the governance of the City. This portion of the meeting is not intended to be an extended discussion or a debate and is limited

to three minutes for each presenter. Due to the Texas Open Meetings Act, the Mayor and City Commissioners do not reply; they listen. Matters under litigation are not to be addressed and comments regarding specific City employees and elected officials may be prohibited.

The Public may comment on anything on the agenda, however if you comment on something not included on the agenda, the Commission cannot take any formal action until it is placed on an agenda and notice of the meeting is properly posted. Registration for Public Comments must be submitted to the City Secretary before the City Commission meeting is called to order. As the Mayor calls upon those who submitted a registration form with the City Secretary, please step to the podium and state your name and address before beginning your presentation.

V. PUBLIC HEARING

- A. To solicit input on behalf of Israel Lee Rivas to rezone 1402 W Sugarcane Dr. Also being 6.06 acres out of the East 13.49 acres of Farm Tract 141, Block 161, West Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.
- B. To solicit input on behalf of Petra Garza to rezone 1819 N. Border Ave. Also being 1 acre out East 170'-N256.23' of Farm Tract 131, Block 162, West and Adams Tract, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.
- C. To solicit input on the proposed demolition order for unoccupied building located at 101 S. Kansas,, Lots 24-25, Block C, Weslaco Original Townsite, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225.
- D. To solicit input on the proposed demolition order for unoccupied building located at 123 N. Missouri St., Lot 15, Block 15, Stallworth, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225.
- E. To solicit input on the proposed demolition order for unoccupied building located at 117 Zamora, Lots 25-26, Block 4, Guadalupe Subdivision, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225.
- F. To solicit input on the proposed demolition order for unoccupied building located at 716 E. Shane, lots 7-8, Block 1 Ramon, an addition to the City of Weslaco, Hidalgo

County, Texas as dilapidated, substandard, unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225.

- G. To solicit input on the proposed demolition order for unoccupied building located at 312 N. Cedro Lot 5, Block 6, Northside, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225.
- H. To solicit input on the proposed demolition order for unoccupied building located at 2219 N. Texas Blvd. All of Lots 1&2, San Francisco Subdivision an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225.

VI. CONSENT AGENDA

The following items are of a routine or administrative nature. The City Commission has been furnished with background and support material on each item, and/or it had been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote. Possible action.

- A. Approval of the Minutes of the Regular Meeting on December 1, 2020.
(Staffed by City Secretary Department.) Attachment.
- B. Approval of the Memorandum of Understanding (MOU) between Weslaco Police Department and BCFS Health and Human Services (BCFS HHS) and other the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- C. Approval on ratification of second amendment to the Cares Act Interlocal Cooperation Agreement between County of Hidalgo and Cities in Hidalgo County and authorize the Mayor to execute any related documents. (Staffed by City Manager.) Attachment
- D. Approval of volunteer work proposed by Brad Swinnea to clean and paint the Harlon Block Iwo Jima Memorial located at the Texas National Guard Armory on Vo-tech Drive and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation.) Attachment
- E. Approval to terminate a Weslaco Mid Valley Airport Ground Lease Agreement with Tenant John M. Pate for Hanger W2 and approval of a Weslaco Mid Valley Ground

Lease Agreement with Tenant Arthur E. Beckwith for Hangar W2 and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment

VII. APPOINTMENTS

- A. Discussion and consideration on Resolution 2020-37 appointing five members to the Planning and Zoning Commission and authorize the Mayor to execute any related documents. Possible action. (This item was tabled November 17 and December 1, 2020; staffed by Planning and Code Enforcement Department.) Attachment

VIII. OLD BUSINESS

- A. Discussion and consideration to revoke the Conditional Use Permit for Sr Mostacho located at 2307 W Interstate 2. Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas for violating approved conditions and authorize the Mayor to execute any related documents. Possible action. (There was no action December 1, 2020; staffed by Planning & Code Enforcement Department.) Attachment
- B. Discussion and consideration to accept, open, award or reject the sole proposal received for Grease Trap Waste Collection for the city from Liquid Environmental Solutions and authorize the Mayor to execute any related documents. Possible action. (Action on November 17, 2020 open, evaluate and back for recommendation; staffed by Planning and Code Enforcement Department.) Attachment

IX. NEW BUSINESS

- A. Discussion and consideration to approve the official 2020 Tax Roll totals as prepared by Hidalgo County Tax Assessor and Collector per section 26.09(e) of the Texas Property Tax Code and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- B. Discussion and consideration to approve change order #3 for the Pleasantview & 11th St Drainage Improvements Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment
- C. Discussion and consideration to approve proposed Change Order #4 for the Pleasantview & 11th St Drainage Improvements project and authorize Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment

- D. Discussion and consideration to purchase extended warranty for six residential and five commercial garbage trucks in the amount of \$49,742.00 and approve Ordinance 2020-37 for a budget amendment for the purchase of residential and commercial garbage units (approved on 12/1/20) in the total amount of \$3,260,276.17 and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-37. Possible action. (Staffed by Public Works Department.) Attachment
- E. Discussion and consideration to approve the best value for the most advantageous bid to purchase a front-end wheel Loader for air burner operations and consider Ordinance 2020-38 a budget amendment in the amount not to exceed \$140,878.32 and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-38. Possible action. (Staffed by Public Works Department.) Attachment
- F. Discussion and consideration on request from City of Mercedes for a thirty-day extension from January 4, 2021 to February 3, 2021 on the terminated Interlocal Agreement regarding housing of prisoners at City of Weslaco's Municipal Jail and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment
- G. Discussion and consideration of Project "Tower of Honor: Weslaco's Legacy of Military Heroes" not to exceed \$24,500 and direct staff to prepare and present a resolution to appoint a committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment
- H. Discussion and consideration to accept the proposal from UTSA- Center for Urban and Regional Planning Research for preparation of amendments to the Weslaco 2040 Comprehensive Plan and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- I. Discussion and consideration after public hearing on behalf of Israel Lee Rivas to approve Ordinance 2020-39 a rezone request for 1402 W Sugarcane Dr. also being 6.06 acres out of the East 13.49 acres of Farm Tract 141, Block 161, West Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district, and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-39. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- J. Discussion and consideration after public hearing on behalf of Petra Garza to approve Ordinance 2020-40 a rezone request for 1819 N. Border Ave. also being 1 acre out East 170'-N256.23' of Farm Tract 131, Block 162, West and Adams Tract, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-40. Possible action. (Staffed by Planning & Code Enforcement

Department.) Attachment

- K. Discussion and consideration for the Final Plat for Viridian Estates– being a 19.599 acre land out of the North 20 acres of Farm Tract 193, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1,980' North of mile 10 North east of Mile 6 West and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- L. Discussion and consideration for the Final Plat for MMN # 1 – being the south 5.00 acre of the east 20 acres of Farm Tract 98, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately the southwest corner of Mile 1/2W Rd. and Olivarez St. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- M. Discussion and consideration for the Final Plat for The Woods Subdivision– being a 0.75 gross acre out of Farm Tract 1076, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 600 ft west of FM 1015 along the North side of Hernandez St, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- N. Discussion and consideration on the variance request on the rear setback for Verona Subdivision– being a 20 acres out of Farm Tract 1038, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1800 ft. North of Mile 8 on FM 1015, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- O. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building located at 101 S. Kansas,, Lots 24-25, Block C, Weslaco Original Townsite, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, and unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- P. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building located at 123 N. Missouri St., Lot 15, Block 15, Stallworth, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, and unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- Q. Discussion and consideration after public hearing to authorize the demolition order for

an unoccupied building located at 117 Zamora, Lots 25-26, Block 4, Guadalupe Subdivision, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, and unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- R. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building located at 716 E. Shane, lots 7-8, Block 1 Ramon, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, and unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- S. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building located at 312 N. Cedro Lot 5, Block 6, Northside, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, and unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- T. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building located at 2219 N. Texas Blvd. All of Lots 1&2, San Francisco Subdivision, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, and unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

X. EXECUTIVE SESSION

Texas Government Code, Section 551 Open Meetings:

§551.145. Closed Meeting Without Certified Agenda or Tape Recording; Offense; Penalty

(a) A member of a government body commits an offense if the member participates in a closed meeting of the governmental body knowing that a certified agenda of the closed meeting is not being kept or that a tape recording of the closed meeting is not being made.

(b) An offense under Subsection (a) is a Class C misdemeanor.

§551.146. Disclosure of Certified Agenda or Tape Recording of Closed Meeting; Offense; Penalty; Civil Liability

(a) An individual, corporation, or partnership that without lawful authority knowingly discloses to a member of the public the certified agenda or tape recording of a meeting that was lawfully closed to the public under this chapter:

(1) commits an offense; and

(2) is liable to a person injured or damaged by the disclosure for:

- (A) actual damages, including damages for personal injury or damage, lost wages, defamation, or mental or other emotional distress;
 - (B) reasonable attorney fees and court costs; and
 - (C) at the discretion of the trier of fact, exemplary damages.
- (b) An offense under Subsection (a)(1) is a Class B misdemeanor.
- (c) It is a defense to prosecution under Subsection (a)(1) and an affirmative defense to a civil action under Subsection (a)(2) that:
- (1) the defendant had good reason to believe the disclosure was lawful; or
 - (2) the disclosure was the result of a mistake of fact concerning the nature or content of the certified agenda or tape recording. (Added by Acts 1993, 73rd Leg., ch 268, § 1, eff. Sept. 1, 1993.)

NOTE: Any documentation related to the following items will be maintained as part of the certified agenda.

- A. Personnel - Discussion regarding the goals, objectives, and evaluation of the City Manager for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.
- B. Contract Negotiations – Discussion with the City Manager and City Attorney relating to the City’s rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Fire Union (IAFF-WFFA Local 3207) as authorized by section §551.071 of the Texas Government Code.
- C. Legal Consultation -- Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas Government Code.
- D. Legal Consultation - Consultation with City Attorney regarding contract deed on Estate of Gilberto Garza and naming the North Side Park on Mile 11th North as authorized by section §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney regarding potential litigation relating to Walmart incident as authorized by section §551.071 of the Texas Government Code.
- F. Legal Consultation - Consultation with City Attorney regarding possible hiring of an Attorney as legal counsel relating to Texas Parks & Wildlife easement issue for Pleasantview & 11th Street Drainage Improvements project as authorized by section §551.071 of the Texas Government Code.
- G. Economic Development - Consultation with City Attorney regarding financial offer or other incentives for Project Myra as authorized by section §551.087 of the Texas Local Government Code.
- H. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of real property located at Mid Valley Airport, 1901 Joe Stephens relating to Hanger B as authorized by section §551.072 of the Texas Government Code.

- I. Legal Consultation - Consultation with City Attorney relating to the lawsuit with CDM as authorized by section §551.071 of the Texas Government Code.

XI. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

XII. ADJOURNMENT

I hereby certify this **Notice of a Regular Meeting of the Weslaco City Commission** was posted in accordance with the Open Meetings Act on the outside bulletin board at City Hall of the City of Weslaco, located at the 255 South Kansas Avenue entrance, visible and accessible to the general public during and after regular working hours. This notice was posted on this 11th day of December 2020 at 4:00 p.m. and will remain so posted continuously for at least 72-hours preceding the scheduled time of this meeting in accordance with Chapter 551 of the Texas Government Code.

/s/ Norma A. Cantu, City Secretary

NOTE: If any accommodation for a disability is required, please notify the City Secretary Department at (956) 968-3181, Ext. 1001 prior to the meeting date.

Regular Meetings of the Weslaco City Commission stream live online at <http://www.weslacotx.gov/open-government/open-meetings>. Archived video of some meetings are also available.

Removed from Bulletin Board	Date:	Initials:
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