



A REGULAR MEETING OF THE WESLACO CITY COMMISSION TUESDAY, JANUARY 19, 2021

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, January 19, 2021 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 January 19, 2021. 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. 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.

III. PUBLIC HEARING

- A. To solicit input in compliance with the Consolidated Plan for Community Planning and Development (CDBG) Urban County Program Fiscal Year 34 (2021) Needs Assessment Plan. Attachment
- B. To solicit input on behalf of Tax Ranch, LLC to rezone 1630 Canyon Drive. Also being, Lot 171, Westgate Village Ph II, Weslaco, Hidalgo County, Texas from M-1 Mobile home subdivision district to a B-1 Neighborhood Business district
- C. To solicit input on behalf of Blake Box to rezone 515 S. Airport Drive. Also being 18.680 acres out of Farm Tract 21 & 22, West Tract Subdivision and out of an abandoned canal R.O.W., Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to I Industrial district.
- D. To solicit input on behalf of Jessica Aguilar to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit and Beverage Cartage Permit at 260 S. Texas Blvd. Suite 105, Also being a 98'x90' Tract, Block 18, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas.

IV. CONSENT AGENDA

The following items are 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 January 5, 2021.
(Staffed by City Secretary Department.) Attached
- B. Approval on second and final reading of the following:
 - 1) Approval of Ordinance 2021-01 for a Budget Amendment on transfer of \$450,000 from the General Fund to the Economic Incentive Fund in accordance to the Memorandum dated November 09, 2020 and authorize the Mayor to execute any related documents. (First reading held January 5, 2021; staffed by Finance Department.) Attachment
- C. Approval to terminate a Mid Valley Airport Ground Lease Agreement with Tenant Roger Witaker for Hangar W-19 and approval of a Mid Valley Airport Ground Lease Agreement with Tenant Scott Fuller for Hangar W-19 and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment
- D. Authorization to purchase Crime Scene Equipment for a Laser Scanner Focus 350 for

an amount not to exceed \$34,938.73 from FARO Technologies Inc, GSA Contract GS-07F-197GA with no reoccurring costs which will be reimbursable through Criminal Justice Program grant #4003001 and authorize the Mayor to execute any related documents (Staffed by Police Department.) Attachment

- E. Authorization to purchase ALPR (Automated License Plate Reader) Equipment for two units and purchase two ALPR trailers in the amount not to exceed \$149,890 under GSA Contract GS-07F-0031W which will be reimbursable under the Regional Law Enforcement Technology Assistance Initiative Grant #2020-RZ-BX-0018 with no reoccurring costs and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- F. Authorization for the Solicitation of Bids for the Construction of the Weslaco Mid Valley Airport's Corporate Hangars and Related Infrastructure Improvements. (Staffed by Airport Department.)

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2021-03 appointing members to the Tower of Honor Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- B. Discussion and consideration to approve Resolution 2021-04 confirming one appointment by the Chief Executive Officer to an expired term on the Weslaco Civil Service Commission as per Local Government Code §143.006 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment

VI. OLD BUSINESS

- A. Discussion and consideration on agreement with Custom Controls Unlimited LLC for Control System Reprogramming and SCADA Conversion materials and services for the Weslaco Water Treatment Plant and authorize the Mayor to execute any related documents. Possible action. (This item was tabled January 5, 2021; staffed by City Manager.)

VII. NEW BUSINESS

- A. Discussion and consideration on Interlocal Agreement between Hidalgo County and City of Weslaco to provide support for on-site emergency operations in response to a public health emergency and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.) Attachment

- B. Discussion and consideration to approve Ordinance 2021-02 reducing the size of an existing 15-foot utility easement along the south property line of Lot 14 Block A Pecan Grove Subdivision Phase I to a 10-foot utility easement and authorize the Mayor to execute any related documents. First reading on Ordinance 2021-02. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- C. Discussion and consideration after public hearing on behalf of Tax Ranch, LLC on Ordinance 2021-03 to rezone 1630 Canyon Drive also being, Lot 171, Westgate Village Ph II, Weslaco, Hidalgo County, Texas from M-1 Mobile home subdivision district to a B-1 Neighborhood Business districts and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-03. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- D. Discussion and consideration after public hearing on behalf of Blake Box on Ordinance 2021-04 to rezone 515 S. Airport Drive also being 18.680 acres out of Farm Tract 21 & 22, West Tract Subdivision and out of an abandoned canal R.O.W., Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to I Industrial district and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-04. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- E. Discussion and consideration after public hearing on behalf of Jessica Aguilar to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit and Beverage Cartage Permit at 260 S. Texas Blvd. Suite 105, Also being a 98'x90' Tract, Block 18, Original Townsite of Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- F. Discussion and consideration for the Final Plat for Sierra Estates – being 25.00 acre of lot 15 & 16 Block 147, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately the northwest corner of Mile 4 West and Mile 12 North. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- G. Discussion and consideration for the Final Plat for Emily Villarreal Subdivision – being 4.00 acre out of Farm Tract 711, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately the northeast corner of Mile 5 North Rd and Midway Rd. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- H. Discussion and consideration for six-month extension for the Final Plat for San Jacinto Estates No.10. Phase II Subdivision – being 13.49-acre tract of land out of Farm Tract 94, West & Adams Tract Subdivision, Hidalgo County, Texas. Approximately on the Northwest corner of Mile 10 North Road and Mile 4 West Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning &

Code Enforcement Department.) Attachment

- I. Discussion and consideration for six-month extension for the Final Plat for San Pedro Estates Subdivision – being 20 acre tract of land out of Farm Tract 647, West & Adams Tract Subdivision, Hidalgo County, Texas. Approximately 2,964 ft. North of the Intersection of 18th and Milanos Rd. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- J. Discussion and consideration on Resolution 2021-05 to authorize the Transfer of Authority of the Weslaco Foreign Trade Zone No. 156 to the Hidalgo County Regional Foreign Trade Zone and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment

VIII.

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. Personnel - Discussion regarding the goals, objectives, and evaluation of the City Attorney for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.
- C. Personnel - Discussion regarding the goals, objectives, and evaluation of the Police

Chief for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.

- D. Personnel - Discussion regarding the goals, objectives, and evaluation of the Fire Chief for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.
- E. 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.
- F. 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.
- G. Legal Consultation -- Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas 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. Real Property – Consultation with City Attorney on the acquisition of real property located North of Industrial Park, North East of Mile 9 and International Blvd. and Adams Tract FT 1026 as authorized by §551.072 of the Texas Local Government Code.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

X. 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 14th day of January 2021 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: