



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 16, 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, February 16, 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 February 16, 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 on behalf of Ezequiel Reyna Jr. to rezone 3701 S. Westgate. Also being West Tract S330' & E440'-S495'-N990' Farm Tract 795 15 AC GR 14.77 AC NET, Weslaco, Hidalgo County, Texas from R-2 Duplex and apartment district to M-1 Mobile home subdivision district.
- B. To solicit input on behalf of Ezequiel Reyna Jr. to rezone 3702 S. Westgate. Also being West Tract E1065'-S501.97' Farm Tract 790 being 12.27 AC GR 11.92 AC NET Weslaco, Hidalgo County, Texas from R-2 Duplex and apartment district to M-1 Mobile home subdivision district.
- C. To solicit input on behalf of Rush Transportation LLC to rezone 703 & 705 W. 6th St. Also being lot 24 & 25, Block 4, Glendale Addition, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling to R-2 Duplex and apartment district.
- D. To solicit input on behalf of Ricardo Guerra to approve a Conditional Use Permit to obtain an Off-Premise Wine and Beer Retailer's Permit at 2720 N Westgate, also being Lot 1 & 2, Block 5, Sun Country Estates Subdivision, 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 February 2, 2021
(Staffed by City Secretary Department.) Attachment.
- B. Approval on Resolution 2021-19 to apply to the FY22 Local Border Security Program (LBSP) Grant #3407205 in the amount of \$150,000 with **NO MATCH Required** to fund Overtime for enhanced patrol, jailers, dispatchers, clerical/assistance and accountant/finance to complete goals and objectives outlined in this grant and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

- C. Approval on Resolution 2021-20 to apply to the FY22 National Incident-Based Reporting System (NIBRS) Program Grant #4272301 in an amount not to exceed \$200,000 with **NO MATCH Required** for the purchase of hardware and software to complete Weslaco NIBRS Project and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

V. OLD BUSINESS

- A. Discussion and consideration to approve Tax Abatement Application and Evaluation Report and authorize the Mayor to execute any related documents. Possible action. (There was no action February 2, 2021; staffed by Airport Department.) Attachment

VI. PRESENTATION

- A. Presentation and discussion on the Public Safety Building (Fire/Police) project. (Staffed by City Manager.)
- B. Presentation and discussion on the Pleasantview 11th Street drainage project. (Staffed by Engineering Department.)

VII. NEW BUSINESS

- A. Discussion and consideration to approve a Professional Services Agreement with Montalvo Insurance Agency for Loss Control and Risk Management in an amount of \$36,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment
- B. Discussion and consideration after public hearing on behalf of Ezequiel Reyna Jr. on Ordinance 2021-05 to rezone 3701 S. Westgate also being West Tract S330' & E440'-S495'-N990'FT 795 15 AC GR 14.77 AC NET, Weslaco, Hidalgo County, Texas from R-2 Duplex and apartment district.to M-1 Mobile home subdivision district and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-05. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- C. Discussion and consideration after public hearing on behalf of Ezequiel Reyna Jr. on Ordinance 2021-06 to rezone 3702 S. Westgate also being West Tract E1065'-S501.97' Farm Tract 790 being 12.27 AC GR 11.92 AC NET Weslaco, Hidalgo County, Texas from R-2 Duplex and apartment district to M-1 Mobile home subdivision district. and authorize the Mayor to execute any related documents. First

reading of Ordinance 2021-06. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment

- D. Discussion and consideration after public hearing on behalf of Rush Transportation L.L.C on Ordinance 2021-07 to rezone 703 & 705 W. 6th St. also being lot 24 & 25, Block 4, Glendale Addition, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-07. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- E. Discussion and consideration after public hearing on behalf of Ricardo Guerra to approve a Conditional Use Permit to obtain an Off-Premise Wine and Beer Retailer's Permit at 2720 N Westgate, also being Lot 1 & 2, Block 5, Sun Country Estates Subdivision, 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 to convert a section of South Border Avenue from a public roadway to a private roadway, heading south from the intersection of Border Avenue and Tierra Santa Blvd to the floodway, Weslaco, Hidalgo County, Texas authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- G. Discussion and consideration on Hold Harmless Agreement between City of Weslaco and BFI Waste Services of Texas regarding residential garbage services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- H. Discussion and consideration to approve Ordinance 2021-08 amending Ordinance 2011-28 adopting rates for brush and bulky items to multifamily structures effective April 1, 2021 and authorize Mayor to execute any related documents. First reading on Ordinance 2021-08. Possible action. (Staffed by Public Works Department.) Attachment
- I. Discussion and consideration of award of bid RFB No.:2020-21-05 Industrial Employee Uniform Service Contract to AlSCO Linens and Uniform Rental Services for 3 years and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- J. Discussion and consideration to authorize the solicitation of bids for construction of the Regional Detention Facility for the Pleasantview Drainage project and authorize

the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment

- K. Discussion and consideration to amend the SWG Professional Service Agreement for design services for the Pleasantview Regional Detention Facility and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) 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 Interim Human Resources Director for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.

C. 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.

- D. Legal Consultation -- Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas Government Code.
- E. 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.
- F. Economic Development - Consultation with City Attorney regarding financial offer or other incentives for Project Z & L as authorized by section §551.087 of the Texas Government Code.
- G. Legal Consultation - Consultation with City Attorney on potential litigation from Beto Perez as authorized by §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 on Dragon Fly Street as authorized by section §551.072 of the Texas Government Code.
- I. Real Property-- Consultation with City Attorney on the acquisition of real property legally described as 36.56 acres net and 1 acre net out of Farm Tract 1056 and the acquisition of the adjacent east 46.57 net acres as authorized by §551.072 of the Texas Local Government Code.
- J. Real Property – Consultation with City Attorney on the purchase, exchange, lease or value of real property located on the Northeast corner of Interstate 2 and North Airport Drive intersection 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 12th day of February 2021 on or before 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:

CANCELLED