



A REGULAR MEETING OF THE WESLACO CITY COMMISSION TUESDAY, MARCH 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, March 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 seventy-nine (79) 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 March 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 Domingo Gonzalez to rezone 313 W Pike Blvd. Also being Lot 18-19, Block 19, Esplanada Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 secondary and highway business district.
- B. To solicit input on behalf of Marally Guajardo to approve a Conditional Use Permit to operate an event center at 501 S Texas Blvd., also being Lot 43-44, Block 42, 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 March 2, 2021
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Approval on Ordinance 2021-05 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 and authorize the Mayor to execute any related documents. (First reading held March 2, 2021 staffed by Planning & Code Enforcement Department.) Attachment
 - 2) Approval 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 held March 2, 2021; staffed by Planning & Code Enforcement Department.) Attachment
 - 3) Approval 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 held March 2, 2021; staffed by Planning & Code Enforcement Department.) Attachment
 - 4) Approval on 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 held March 2,

2021; staffed by Public Works Department.) Attachment

- 5) Approval on Ordinance 2021-09 for a Budget Amendment in the amount of \$450,000 in the General Fund for purchase of an Ambulance (COVID 19) and authorize the Mayor to execute any related documents. (First reading held March 2, 2021; staffed by Finance Department.) Attachment
- 6) Approval on Ordinance 2021-10 a Budget Amendment in an amount not to exceed \$25,000 for proposed professional engineering services and authorize the Mayor to execute any related documents. (First reading of Ordinance held March 2, 2021; staffed by Engineering Department.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2021-23 appointing a member to an unexpired term to the Parks and Recreation Advisory Board and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment

VI. PRESENTATION

- A. Presentation and discussion on the Public Safety Building (Fire/Police) project. (Staffed by City Manager.)

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Domingo Gonzalez on Ordinance 2021-11 to rezone 313 W Pike Blvd. Also being Lot 18-19, Block 19, Esplanada Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 secondary and highway business district and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-11. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- B. Discussion and consideration after public hearing on behalf of Marally Guajardo to approve a Conditional Use Permit to operate an event center at 501 S Texas Blvd., also being Lot 43-44, Block 42, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- C. Discussion and consideration to approve a variance from the Subdivision Ordinance 26-37, on behalf of Heriberto Garcia, to defer the assessment of park fees for San Pedro Estates Subdivision from the developer to the contractor/owner during the construction stage of the property and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement

Department.) Attachment

- D. Discussion and consideration to approve the Final Plat for Pike District Subdivision—being 36.052 acres out of Farm Tract 163, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately the southeast corner of W. Pike Blvd and Milanos Rd. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- E. Discussion and consideration to approve the Final Plat for Gonzalez-Vasquez Subdivision— being 2.24 acres out of Lot 1, Kevin Subdivision, Weslaco, Hidalgo County, Texas located approximately 733 FT west of Westgate drive on Mile 10 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- F. Discussion and consideration to accept and award Insight Public Sector as the vendor for Basic Maintenance of Internal Connections in response to the Library's Request for Proposal within the E-Rate Year 24 cycle, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.) Attachment
- G. Discussion and consideration to approve Ordinance 2021-12 to abandon 10' of Right-of-Way located at the Southeast corner of Lot 14, Block 161, West Tract Subdivision and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-12. Possible action. (Staffed by Engineering Department.) Attachment
- H. Discussion and consideration to accept and award the purchase of a Mobile Column Lift, as specified on RFB No. 2020-21-07 to the lowest and most advantageous bidder Arnold Oil Company, in an amount not to exceed \$59,644.02 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- I. Discussion and consideration to ratify Purchase Order No. 21-2698 to contract OMT Utilities for emergency repairs on a collapsed manhole located at 18th St. & Airport Dr. in the amount of \$112,500 and authorize the Mayor to execute all related documents. Possible action. (Staffed by Public Works Department.) Attachment
- J. Discussion and consideration on Resolution 2021-24 designating the Mayor as authorized representative to execute any and all documents for the Cleckler-Heald and B Garza Regional Detention Pond drainage project 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. Legal Consultation -- Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas Government Code.
- C. Legal Consultation -- Consultation with City Attorney regarding any and all necessary legal action to dispose of abandoned aircraft located at Mid Valley Airport, 1901 Joe Stephens near Hanger B as authorized by section §551.071 of the Texas Government Code.
- D. Legal Consultation -- Consultation with City Attorney regarding the Commercial Contract and Tax Abatement agreement related to the sale of real property located at 400 Illinois Street 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 on Dragon Fly Street as authorized by section §551.072 of the Texas Government Code.
- F. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease, or value of real property located at 216 S. Kansas Avenue as authorized by section §551.072 of the Texas 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 March 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:
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