



A REGULAR MEETING OF THE WESLACO CITY COMMISSION TUESDAY, MAY 4, 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, May 4, 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 May 4, 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. 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 April 20, 2021
(Staffed by City Secretary Department.) Attachment.
- B. Approval of Lease Agreement renewal with Weslaco Little League for the use of the Issac Rodriguez Park Sports Fields and Harlon Block Sports Complex baseball/softball fields and authorize the Mayor to execute any related documents.
(Staffed by Parks and Recreation Department.) Attachment.
- C. Approval of Lease Agreement with the Weslaco Youth Football League to use Harlon Block Sports Complex East and West sports fields for youth 7 on 7 and Flag Football and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment.
- D. Approval to purchase two 2021 Chevy Tahoe PPV under BuyBoard Contract #601-19 in the amount of \$73,750 (2 units), police emergency equipment for two units under BuyBoard Contract #388654 in the amount of \$47,088 and two police radios (installed) under BuyBoard Contract #'s 603-20/604-20 in the amount of \$5,741 and authorize the Mayor to execute any related items. (Staffed by Police Department.) Attachment.
- E. Approval to Purchase Two 2021 Chevy Tahoe PPV with emergency equipment under Buy Board Contract #601-19 (unit), Buy Board 603-20 (Equipment) in the amount of \$47,101 each, for a total of \$94,202 These units are replacement units in the Fire Marshals Office and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.
- F. Approval to authorize staff to purchase a Certificate of Deposit from Navy Army Credit Union in the amount of \$240,000 for a term of 12-months utilizing the Library Marion Booth Endowment Funds; approve Resolution 2021-31 authorizing signatories to conduct business and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment.
- G. Approval to authorize staff solicit bids for the purchase of a 40 cubic yard brush truck and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

IV. APPOINTMENTS

- A. Discussion and consideration on Resolution 2021-32 appointing three members for terms set to expire June 8, 2021 on the Weslaco Mid-Valley Airport Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.

V. OLD BUSINESS

- A. Discussion and consideration on final reading of Ordinance 2021-14 amending ordinance Number 200 the City of Weslaco Traffic Ordinance; Codified as Chapter 134 of the Weslaco Code of Ordinances, adopting new regulations regarding the stopping, standing or parking vehicle near mailboxes; and ordaining other matters and authorize the Mayor to execute any related documents. (First reading held April 20, 2021; staffed by City Manager.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration on Ordinance 2021-15 authorizing the issuance of "City of Weslaco Certificates of Obligation, Series 2021"; entering into a certificate of obligation purchase agreement and a paying agent/registrar agreement; and approving all matters related thereto and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-15. Possible action. (Staffed by Finance Department.) Attachment.
- B. Discussion and consideration on an Interlocal Agreement between Hidalgo and Cameron Counties Irrigation District No. 9 and City of Weslaco for hike and bike trails and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.
- C. Discussion and consideration on realignment of drainage ditch at Mayor Pablo Pena City Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.
- D. Discussion and consideration on the submission of a proposal to the Community Project Funding Request to Congressman Vicente Gonzalez in the amount of \$1,120,630 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)
- E. Discussion and consideration on Inter-local Agreement between the City of Edcouch and City of Weslaco for lease space at 1912 Joe Stephens for the use, maintenance and operation of the Mid-Valley Regional Communications Corporation (Center) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.

- F. Discussion and consideration to award RFB No. 2020-21-12 for a New 4x4 Backhoe Loader to the most lowest and most advantageous bidder Doggett Heavy Machinery, in an amount not to exceed \$89,651 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- G. Discussion and consideration to award the purchase of Four (4) Pickup Trucks RFB No. 2020-21-14 to the most advantageous bidder(s) Caldwell Country Chevrolet (\$34,775), GUNN Buick GMC LTD (\$86,894), Boggus Ford (\$30,784), and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- H. Discussion and consideration to reject bids received under RFB 2020-21-11 and authorize staff to rebid for the purchase of a Low Boy Trailer and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- I. Discussion and consideration to approve an Amendment to the Municipal Materials Management Agreement with BFI dba Republic Services of Rio Grande Valley and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- J. Discussion and consideration to authorize staff to install speed humps at varies locations and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- K. Discussion and consideration on agreement with Texas Parks and Wildlife for access into Estero Llano Grande for proposed Pleasantview drainage improvements at the FM 1015 crossing and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.

VII. 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 Professional Services Agreement for Municipal Court Judge Samuel V. Sanchez as authorized by section §551.074 of the Texas Government Code.
- C. Legal Consultation - Consultation with City Attorney relating to the lawsuit with CDM 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. Legal Consultation - Consultation with City Attorney regarding litigation styled *Ruben Cantu v City of Weslaco, Texas et al; Cause No. 7:21-cv-155* as authorized by section §551.071 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. Economic Development - Consultation with City Attorney regarding financial offer or other incentives for Project Falcon as authorized by section §551.087 of the Texas Government Code.
- H. Economic Development - Consultation with City Attorney regarding financial options for Project Green Light as authorized by section §551.087 of the Texas Government Code.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

IX. 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 30th day of April 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: