



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 3, 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, August 3, 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 August 3, 2021. A staff member will contact you with instructions via phone call to address your public comments.

NOTE: If during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, the Weslaco City Commission will convene in such executive or closed session whether or not such item is posted as an executive session item at any time during the meeting when authorized by the provisions of the Texas Open Meetings Act.

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 July 20, 2021 (Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Approval of Ordinance 2021-25 to rezone 403 W Pike Blvd. Also being Lot 2-3, Block 20, Esplanada Subdivision, Weslaco, Hidalgo County, Texas 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 held on July 20, 2021; Staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) Approval of Ordinance 2021-27 for the Voluntary Annexation of Weslaco Industrial Park Subdivision – being a 146.09 acre tract of land out of Farm Tract 1056, 1057, and 1058, Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located at the Northeast Intersection of Mile 9 & FM 1015 and authorize the Mayor to execute any related documents. (First reading held July 20, 2021; Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval on amendments and extension from August 7, 2021 to September 7, 2021 for Disaster Declaration (COVID-19) and any reports related to such executive orders and authorize the Mayor to execute any related documents. (Staff by City Manager.)
- D. Approval on Resolution 2021-38 towards financing the Economic Development Corporation of Weslaco for the Real Estate Project and financing in part thereof, by Texas Regional Bank in the amount of \$12,000,000 authorizing the EDC Executive Director, EDC Board President and Mayor to execute any related documents. (Staffed by City Manager.) Attachment.
- E. Approval to renew the Host Agency Agreement with AARP Senior Community Service Employment Program and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.)

- F. Approval to renew the Federal Work-Study America Reads Challenge, Community Service Challenge, and Community Service Agency agreements with the University of Texas Rio Grande Valley and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment.
- G. Approval to renew the Lease Agreement with the Weslaco Youth Football League for the use of Isaac Rodriguez multi-purpose fields and Harlon Block Sports Complex practice area for a term beginning August 1, 2021 - February 18, 2022 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment.
- H. Approval on Resolution 2021-39 for closure of streets affecting state right-of-way on Texas Blvd/FM 88 between U.S. Business Highway 83 and Sixth Street on the third (3) Thursday, of the month from August 2021 to February 2022 for Alfresco Weslaco Music & Art and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation. (Staffed by Weslaco Economic Development Corporation.) Attachment.

IV. APPOINTMENTS

- A. Discussion and consideration on Resolution 2021-40 appointing three members to expired terms on the Drainage Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.

V. OLD BUSINESS

- A. Discussion and consideration to approve proposed change order #11 in the amount of \$35,000 for the Pleasantview & 11th St Drainage Improvements Project and authorize Mayor to execute any related documents. Possible action. (There was no action on this item on July 6; Staffed by Engineering Department.) Attachment.
- B. Discussion and consideration after public hearing on behalf of Felix De La Cruz on Ordinance 2021-26 to rezone 105 Adelita St. Also being Lot 8-10, San Francisco Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District and R-2 Duplex and apartment district to B-1 neighborhood business district and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-26. Three-fourths vote required. Possible action. (This item was tabled July 20, 2021; Staffed by Planning & Code Enforcement Department.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration on first and final reading of Ordinance 2021-29 authorizing Issuance of Certificates of Obligation 2021B and approving and authorizing the execution of the Bond Purchaser Agreement; and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2021-29.

Possible action. (Staffed by Finance Department.) Attachment.

- B. Discussion and consideration to accept the calculation of the No New Revenue (effective) and Voter Approval (Rollback) tax rates for 2021 tax year by Hidalgo County Tax Assessor-Collector Pablo Villarreal and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- C. Discussion and consideration to award the most advantageous proposal for financing of the purchase of Weslaco Fire Department 2021 Fire Ladder Truck and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- D. Discussion and consideration to award the most advantageous proposal for financing of the purchase of Solid Waste Collection Department 12,000 trash can bins and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- E. Discussion and consideration on House Bill 1927 regulating signage on City buildings for the carrying of handguns during public meetings and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- F. Discussion and consideration to authorize staff solicit bids for a city-wide project for installation of pavement markings and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.
- G. Discussion and consideration on acceptance and dedication of Utility Easement(s) to the City of Weslaco from O.E. Investments Inc., Roberto C. and Elvia E Elissetche and E.M. Payne a/k/a Edwin M. Payne out of Farm Tract 719 and Farm Tract 719, Block 176, West Tract Subdivision located on Milanos Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.
- H. Discussion and consideration on proposed budget for the American Rescue Plan Act of 2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.

VII. REPORTS

- A. Report by Engineering Department. - Pleasantview project.
- B. Report by Siemens: Year 2 Annual Performance Assurance report. Attachment.
- C. Report by Parks and Recreation.

D. Report by Public Works.

E. Report by Emergency Management - COVID-19.

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 Professional Services Agreement for Municipal Court Judge Samuel V. Sanchez 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 Police Union (Weslaco Municipal Police Association) as authorized by section §551.071 of the Texas Government Code.
- D. Legal Consultation - Consultation with City Attorney relating to the lawsuit with CDM as authorized by section §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas Government Code.
- F. Legal Consultation - Consultation with City Attorney relating to 380 Agreement between City of Weslaco and SDI Weslaco Holdings, LLC. as authorized by section §551.071 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 30th day of July 2021 on or before 4:00 pm 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: