



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, OCTOBER 6, 2020**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting on Tuesday, October 6, 2020 at 5:30 pm pursuant to Section 551.045 of the Texas Open Meetings Act.

This meeting will be closed to in person attendance by the public. A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a 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 October 6, 2020. A staff member will contact you with instructions via phone call to address your public comment.

I. CALL TO ORDER

- A. Certification of Public Notice.
- B. Invocation.
- C. Pledge of Allegiance.
- D. Mayoral Recognition.
 - Proclamation - Dyslexia Awareness Month.
 - Recognition of Mario Valdez, Airport employee
- 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 following:
 - 1) Minutes of the Special Meeting on September 10, 2020;
 - 2) Minutes of the Regular Meeting on September 15, 2020. (Staffed by City Secretary's Department.) Attachment.

- B. Approval on second and final reading of the following:
 - 1) Approve Ordinance 2020-31 a rezone request for 3702 S. Westgate also being West Tract E1065'-S501.97' Farm Tract 790 being 12.27 AC GR 11.92 AC NET Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. First reading held September 15, 2020; staffed by Planning & Code Enforcement Department.) Attachment

- C. Approval of Special Services Agreement on Hotel/Motel Room Occupancy tax proceeds between City of Weslaco and the following:
 - 1) Weslaco Chamber of Commerce for \$242,135;
 - 2) Frontera Audubon Society for \$20,000; and
 - 3) Lower Rio Grande Valley Nature Center for \$25,000and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment

- D. Approval on the renewal of a Public Purposes Services Contract with Weslaco Bicultural Museum, d.b.a. Weslaco Museum of Local History and Cultural Art in an amount not to exceed \$63,100 effective October 1, 2020 through September 30, 2021 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment

- E. Approval on the renewal of a Public Purposes Services Contract with the Boys and Girl Club of Weslaco in the amount not to exceed \$75,000 for the public purposes services and activities in this contract, effective October 1, 2020 through September 30, 2021 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment

- F. Approval to accept a reimbursement award of \$1,401.88 from the Texas State Library and Archives Commission for Inter-library Loans made to Texas Public Libraries in State Fiscal Year 2020, accept additional funding if awarded, permission to apply for the program fiscal year 2021 and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment

- G. Approval of a Memorandum of Understanding with Region One for provision of free GED, ESL, and other adult education classes within the library and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment
- H. Authorization to accept the 2020 COPS Office School Violence Prevention Program (SVPP) Grant #2020SVWX0124 in the amount of \$330,450.00 with **NO MATCH REQUIRED** and all reoccurring costs paid by WISD to purchase approved radio equipment and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- I. Approval of Memorandum of Understanding between Weslaco Police Department First Offender Program (WPD FOP) and Weslaco Counseling Center (WCC), PLLC and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- J. Authorization to accept Office of Justice Programs and Department of Justice Edward Byrne Memorial Justice Assistance Grant Program Award #2020-DJ-BX-0825 in the amount of \$10,633.00 with **NO MATCH REQUIRED** to purchase equipment and supplies for the Crime Victims Program and First Offender Program and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- K. Approval of Memorandum of Understanding between Weslaco Police Department Crime Victims Compensation (WPD CVC) Program and Weslaco Counseling Center (WCC), PLLC and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- L. Authorization and approval to continue Memorandum of Understanding between the City of Weslaco and Uniting Neighbors in Drug Abuse Defense Unidad Coalition to agree to collaborate to increase prevention efforts focusing on reducing tobacco, underage drinking, prescription drug abuse, synthetic, and marijuana use in Hidalgo County and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- M. Authorization and approval to continue Memorandum of Understanding between City of Weslaco and Behavioral Health Solutions to agree to collaborate in the effort to increase the effectiveness and visibility of prevention efforts focusing on alcohol, tobacco, and other drug misuse and behavioral health issues as well as educate communities and contribute to the reduction of substance abuse among youth and adults and authorize the Mayor to execute any related documents (Staffed by Police Department.) Attachment
- N. Approval to amend a Weslaco Mid Valley Airport lease agreement with Tenant Felipe Leal, from hangar E4 to E7, and authorize the Mayor to execute any related

documents. (Staffed by Airport Department.) Attachment

- O. Approval of Mid Valley Airport Ground Lease Agreements with Tenant John Garric for hangars W23, W27, W33 and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment

IV. APPOINTMENTS

- A. Discussion and consideration to accept the resignation of Ismael Quiroz from the Parks and Recreation Advisory Board and consider Resolution 2020-28 appointing a member to fill the unexpired term and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment

V. OLD BUSINESS

- A. Discussion and consideration after public hearing on behalf of Juan Gonzalez to approve a Conditional Use Permit to operate an indoor shooting range at 2949 N. Texas Blvd., also being Lot C-1, Amended Apostolic Assembly Church Subdivision, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (There was no action on September 15, 2020; staffed by Planning & Code Enforcement Department.) Attachment
- B. Discussion and consideration on approval on the size of the Police and Fire Public Safety Building and authorize the Mayor to execute any related documents. Possible action. (There was no action September 15, 2020; staffed by City Manager.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration to Purchase an Air Curtain Burner / Brush incinerator in the amount of \$191,217.53 from Air Burners Inc. GSA Contract 47QMCA20D000C and authorize Mayor to execute any related documents. Possible action. (Staffed by City Manager/Public Works.) Attachment
- B. Discussion and consideration to authorize staff to submit a Permit by Rule (PBR) application to Texas Commission on Environmental Quality (TCEQ) Air Permit Division (APD) for burn permit located at 5220 S Midway Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- C. Discussion and consideration on contract agreement for Election Services with Hidalgo County Election Administrator to conduct the General and Special Election on November 3, 2020 for the City of Weslaco and authorize the Mayor to execute any

related documents including interlocal joint agreement with the Weslaco Independent School District as related to this election. Possible action. (Staffed by City Secretary Department.) Attachment

- D. Discussion and consideration on amendments and extension from October 7, 2020 to November 7, 2020 for Disaster Declaration (COVID-19) and any reports related to such executive orders and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)
- E. Discussion and consideration on request from Rotary Club of Weslaco to display flags on Veteran's Day, Memorial Day, Flag Day and 4th of July along 18th Street at Harlon Block Sports Complex Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- F. Discussion and consideration on the purchase of a Quint Fire Truck through HGACBuy Contract FS12-19 at a cost of \$878,232.97 out of the Fire Department Apparatus Replacement Program fund and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment
- G. Discussion and consideration to select a Broker from the Request for Qualifications for services to advertise, market and manage the possible sale of real property located at 400 South Illinois and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- H. Discussion and consideration on naming the Northside Fire Station and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment

VII. REPORTS

- A. Report by Public Works.
- B. Report by Parks & Recreation.
- C. Report by Fire Department.
- D. Report by Police Department.

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. 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.
- C. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of property from the Lions Club located at 307 W. 3rd Street legally described as E28'-W108'-Lots 11, 12 and E32' out of Lots 11-12, Block 23, Weslaco Original Townsite as authorized by section §551.072 of the Texas Government Code.
- D. Potential Litigation - Consultation with City Attorney regarding Texas Tort Claims Act Notice by Blanca Ramirez as authorized by §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.

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 2nd day of October 2020 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.

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| Removed from Bulletin Board | Date: | Initials: |
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