



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, NOVEMBER 1, 2016**

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, November 1, 2016 at 5:30 PM for the purpose of discussing the following items:

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. PUBLICCOMMENTS

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.

If you are discussing 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. CONSENTAGENDA

The following items are of a 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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: Attachment.

- 1) Record of Workshop Meeting on October 18, 2016; Attachment
 - 2) Minutes of the Regular Meeting on October 18, 2016. (Staffed by the City Secretary's Office.) Attachment.
- B. Approval on second and final reading of the following:
- 1) Ordinance 2016-38 rezoning 2615 E. Sugarcane Dr., also being the 29.41 acres out of Farm Tract 62, West Tract Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to R-2 Duplex and Apartments District. (First reading of Ordinance 2016-38 held October 18, 2016; Staffed by Planning and Code Enforcement Department.) Attachment.
 - 2) Ordinance 2016-39 rezoning 209 W. Sugarcane Dr., also being the 1.20 acre tract of land being the W132'-E528'-N396' out of Farm Tract 117, West Tract Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to R-2 Duplex and Apartments District. (First reading of Ordinance 2016-39 held October 18, 2016; Staffed by Planning and Code Enforcement Department.) Attachment.
- C. Approval on First Reading of Ordinance 2016-42 authorizing and allowing, under the act governing the Texas Municipal Retirement System, "Update Service Credits" in said system on an annual basis for service performed by qualifying members of such system who at the effective date of the allowance are members of the City of Weslaco; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the City; and establishing an effective date of January 1, 2017 for such actions. First Reading of Ordinance 2016-42. (Staffed by Finance Department.) Attachment.
- D. Acceptance of donated funds from Mr. and Mrs. Santos Villanueva for exterior benches. (Staffed by Library Department.) Attachment

IV. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2016-62 appointing one member to the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department). Attachment.
- B. Discussion and consideration to approve Resolution 2016-63, 2016-64 and 2016-65 appointing members to the Economic Development Corporation of the Weslaco Board of Directors and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Economic Development Corporation). Attachment.

- C. Discussion and consideration to accept the resignation of Alan Gonzalez and approve Resolution 2016-66 appointing one member to an unexpired term on the Weslaco Mid Valley Airport Advisory Committee. Possible action. (Staffed by Airport.) Attachment.

V. NEWBUSINESS

- A. Discussion and consideration to amend the contract with Severn Trent Services to adjust the annual base fee and compensation effective as of the adjustment date for the budget year 2016-2017 and authorize the Mayor to execute any related documents. Possible action. (Requested by Severn Trent.) Attachment
- B. Discussion and consideration to approve sludge hauling at the Water Treatment Plant and authorize the Mayor to execute any related documents. Possible action. (Requested by Severn Trent.)
- C. Discussion and consideration to order a new 2017 Fire Truck under the Weslaco Fire Department Apparatus Replacement Program as budgeted at a cost not to exceed \$670,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment
- D. Discussion and consideration to authorize the solicitation of proposals for the demolition of the Old City Shop and related infrastructure, located at 306 South Bridge Street. Possible action. (Staffed by City Manager's Office.)
- E. Discussion and consideration to approve final payment to Pavement Markings, LLC for the 6th Street Striping Project for an amount not to exceed \$129,709.20 and authorize Mayor to execute any related documents. Possible Action. (Staffed by Planning and Code Enforcement Department) Attachment.
- F. Discussion and consideration on update on the Boys and Girls Club building. Possible action. (Requested by Mayor David Suarez).
- G. Discussion and consideration to allow the Mayor Joe V Sánchez Public Library to implement a Food for Fines program supporting local food drives and the RGV Food Bank during the Holiday Season and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.) Attachment.

VI. REPORTS

- A. Quarterly Investment Report - Finance Department. Possible action to accept and file.

- B. Report by Weslaco Area Chamber of Commerce.
- C. Report by Economic Development Corporation of Weslaco.
- D. Report by Severn Trent.
- E. Report by Planning and Code Enforcement.
- F. Report by Public Works.
- G. Report by Parks and Recreation Department.
- H. Report by Fire Department.
- I. Report by Library.

VII. EXECUTIVESESSION

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 §551.074 of the Texas Government Code.
- B. Economic Development – Consultation with City Attorney regarding Economic Development opportunities and incentive programs related to industrial prospects, including Project Chicken Hatch "B", as well as retail and airport development as authorized by §551.087 of The Texas Government Code.
- C. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related for retail development Project Ocean as authorized by §551.087 of The Texas Government Code.

- D. Pending Litigation - Consultation with City Attorney regarding *City of Weslaco v. Briones Consulting and Engineering* as authorized by §551.071 of the Texas Government Code.
- E. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at 1411 W. 18th Street, Weslaco, Texas as authorized by §551.072 of the Texas Local 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 28th day of October, 2016 at 4:30 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/ Elizabeth M. Walker, City Secretary

NOTE: If any accommodation for a disability is required, please notify the City Secretary's Office at (956) 968-3181, Ext. 3100 prior to the meeting date.

Regular Meetings of the Weslaco City Commission stream live online at <http://www.weslacotx.gov/Agendas.html>. Archived video of some meetings are also available.

Removed from Bulletin Board

Date:

Initials: