



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JANUARY 17, 2017**

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, January 17, 2017 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. 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.

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. PUBLIC HEARING

- A. To solicit input on behalf of Lynnette Rodriguez for a Conditional Use Permit to operate a daycare at 915 E. Sugarcane Dr., also being 0.37 acres S200.88'-E80'-W211' out of Farm Tract 58, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Attachment

- B. To solicit input on behalf of T-Mobile with Eco-Site represented by SSC to rezone 131 S. Pleasantview Dr., also being Lot 1, Rev. M. Perez Dream Acres Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District. Attachment
- C. To solicit input on behalf of Ivan Garcia P.E. R.P.L.S. to rezone 1411 N. Westgate Dr., also being a 0.9426 acre tract of land out of Farm Tract 146, Block 179, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-2 Secondary and Highway Business District. Attachment

IV. **CONSENT AGENDA**

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:
 - 1) Minutes of the Regular Meeting on January 3, 2017 and
 - 2) Record of the Workshop Meeting on January 3, 2017 (Staffed by City Secretary's Office.). Attachment
- B. Approval on second and final reading of the following:
 - 1) Approval of Ordinance 2017-01, a budget amendment in an amount not to exceed \$25,000.00 from Court Technology Fund, for E-Citation equipment. Possible action. (First reading held on January 3, 2017; staffed by Municipal Court.) Attachment
- C. Approval of the renewal of the lease agreement with the Weslaco Mid Valley Civic Theatre now known as the ITheatre effective January 1 - December 31, 2017 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment
- D. Approval of the renewal of the Professional Services Contract for Emergency Medical Services Director in an amount not to exceed \$40,000.00 per year for a two-year term and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment
- E. Approval for the Mayor Joe V. Sanchez Public Library to advertise and solicit

prospective vendors to submit Request for Proposals (RFPs) for internet access services within the confines of the Schools and Libraries Program of the Universal Service Fund (E-rate). Possible action. (Staffed by the Library Department.) Attachment

V. OLD BUSINESS

- A. Discussion and consideration to approve the request from the Boys & Girls Club for additional funding in an amount not to exceed \$25,000.00 for furniture. Possible action. (This item was tabled on January 3, 2017; Requested by Boys & Girls Club.) Attachment
- B. Discussion and consideration to authorize the solicitation for the Request for Qualifications for Architectural Design Services for a New Fire Station and Combined Police Station / Central Fire Station. Possible action. (This item was tabled on January 3, 2017; Staffed by City Manager's Office.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Lynnette Rodriguez to approve Conditional Use Permit to operate a daycare at 915 E. Sugarcane Dr., also being 0.37 acres S200.88'-E80'-W211' out of Farm Tract 58, West Tract Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration after public hearing on behalf of T-Mobile with Eco-Site represented by SSC to approve Ordinance 2017-02 rezoning 131 S. Pleasantview Dr., also being Lot 1, Rev. M. Perez Dream Acres Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2017-02. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration after public hearing on behalf of Ivan Garcia P.E., R.P.L.S. to approve Ordinance 2017-03 rezoning 1411 N. Westgate Dr., also being 0.9426 acre tract of land out of Farm Tract 146, Blk 179, West and Adams Tract 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 2017-03. Possible action. (Staffed by Planning and Code Enforcement.) Attachment

- D. Discussion and consideration to approve the Final Plat for The Villages at Westgate Subdivision, being a 39.87-acre tract of land out of Farm Tract 131, Block 162, West Tract Subdivision, Weslaco, Hidalgo County, Texas located along the west right-of-way of Westgate Drive and approximately 1445 feet North of Interstate 2 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Planning and Code Enforcement Department.) Attachment
- E. Discussion and consideration to adopt Ordinance 2017-04 to reduce a detention pond easement line by 66 feet on Lot 2, Bonita Homes Subdivision. First reading of Ordinance 2017-04. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- F. Discussion and consideration to approve Ordinance 2017-05, amending Ordinance 2016-26, codified as Article V Section 134-259 Designation of Truck Routes to include Bridge Avenue from Business Highway 83 to Witmer Street. First Reading of Ordinance 2017-05. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- G. Discussion and consideration to direct staff to prepare an annexation plan for the New Fire Station property on north F.M. 88. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- H. Discussion and consideration to approve a Professional Services Agreement with Montalvo Insurance Agency for Loss Control and Risk Management Services related to Workers Compensation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment
- I. Discussion and consideration to extend or solicit proposals for the 125 Cafeteria Plan (short/long term disability (UNUM), vision (Eyetopia), and cancer, accident, hospital indemnity, critical illness, with inclusion of flexible spending account (Colonial), dental and basic life & AD&D (Lincoln Financial) for the City of Weslaco employees for an additional year at no cost to the City, effective April 1, 2017 to March 31, 2018, and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Human Resources Department.) Attachment
- J. Discussion and consideration to award the lowest and most advantageous bidder for Street Materials Request for Bid Number 2016-17-10 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department). Attachment

- K. Discussion and consideration to nominate a member of the Weslaco community who has made significant civic contributions and achievements to the Rio Grande Valley Walk of Fame as part of BorderFest 2017 and authorize the Weslaco City Commission to sign the nomination form. Possible action. (Requested by City Manager's Office.) Attachment
- L. Discussion and consideration to approve the renewal of the lease agreement with Weslaco Little League for use of Isaac Rodriguez Park Multi-Purpose Field and Minor Field and Concession Stands and Harlon Block/Sports Complex Field #1, Field #2 and Concession Stands effective February 1, 2017 through July 31, 2017 and authorize the Mayor to execute any related documents. Possible action. (Requested by Weslaco Little League.) Attachment
- M. Discussion and consideration to approve the renewal of the lease agreement with Weslaco Softball/Baseball League and approve the use of the Softball/Baseball Field 1, 2 and 3 and Concession Stand at Mayor Pablo G. Peña City Park effective February 1, 2017 through July 31, 2017 and authorize the Mayor to execute any related documents. Possible action. (Requested by Weslaco Softball/Baseball League.) 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 §551.074 of the Texas Government

Code.

- B. 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.
- C. Economic Development - Discussion regarding Project "Rolling On" as authorized by §551.087 of the Texas Government Code.
- D. Potential Litigation - Consultation with City Attorney regarding Balch Machine Company as authorized by §551.071 of the Texas Government Code.
- E. Economic Development - Discussion regarding Project Smile as authorized by §551.087 of the Texas Government Code.
- F. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project PanAm as authorized by §551.087 of the Texas Government Code.
- G. Potential Litigation - Consultation with City Attorney regarding Tom Mason as authorized by §551.071 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 13th day of January, 2017 at 5:00 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/ 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: