



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 14, 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, February 14, 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. REPORT

- A. Presentation by County Commissioner David Fuentes regarding Hidalgo County Precinct 1.

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Minutes of the Regular Meeting on January 17, 2017.
(Staffed by City Secretary's Office.)

- B. Approval on second and final reading of the following:
 - 1) 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 held January 17, 2017; Staffed by Planning and Code Enforcement Department.) Attachment

 - 2) 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 held January 17, 2017; Staffed by Planning and Code Enforcement.) Attachment

 - 3) 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 held January 17, 2017; Staffed by Planning and Code Enforcement Department.) Attachment

- C. Authorization of the purchase of a McLaughlin Sewer Jetter/Hydro Vacuum Excavator Combo Unit with Strong Arm from Vermeer Texas-Louisiana, Buyboard State Vendor No. 515-16, in the amount not to exceed \$83,459.00, and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment

- D. Approval of Resolution 2017-01 authorizing the Finance Director to open additional accounts in TexPool Prime for investment and for interest and sinking funds, and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment

- E. Approval of the request by Mid Valley Events to utilize Harlon Block Park Sports Complex on April 15, 2017 from 6 a.m. – 12 p.m. for the second annual Egg Dash 5K, and authorize the Mayor to execute any related documents as may be required. (Requested by Mid Valley Events.) Attachment
- F. Approval of the renewal of the lease agreement with Mid Valley Youth Soccer League for use of Pablo G. Pena City Park soccer fields and authorize the Mayor to execute any related documents. (Requested by Mid Valley Youth Soccer League.) Attachment
- G. Approval of Resolution 2017-11 authorizing to apply to the Justice Assistance Grant (JAG) Program to purchase an evidence collection vehicle and hire a new police officer to supplement the Crime Scene Investigator/Identification officer with no local match required. (Staffed by Weslaco Police Department.) Attachment
- H. Authorization to apply for funding under Juvenile Justice Grant Program with no local match required. (Staffed by Weslaco Police Department.) Attachment
- I. Authorization to approve Resolution 2017-08 applying and accepting the Hidalgo 2016 Stonegarden Grant through eGrants for border security initiatives in the amount of \$80,000.00 with no local match required and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- J. Approval of the renewal the two of a three year Microsoft Enterprise Agreement previously approved by City Commission on January 19, 2016 for Microsoft products, including server, desktop software and email services, with the addition of 12 licenses requested to meet staff requirements in an amount not to exceed \$74,659.51 and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to accept four resignations from the Weslaco 100 Committee and approve Resolutions 2017-02, 2017-03, 2017-04, and 2017-10 appointing members to those unexpired terms and authorize the Mayor to execute any related documents. Possible action. (Staffed by Museum.) Attachment
- B. Discussion and consideration to approve Resolutions 2017-05, 2017-06 and 2017-07 appointing three board members to the Library Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library

Department.) Attachment

VI. OLD BUSINESS

- A. 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. (This item was tabled on January 17, 2017; Staffed by Planning and Code Enforcement Department.) Attachment

VII. NEW BUSINESS

- A. Discussion and consideration to approve Resolution 2017-09 approving the submission of the final proposed annual work plan for the City of Weslaco under the Hidalgo County Urban County, for year 30 (2017), accepting the allocation of approximately \$279,535.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- B. Discussion and consideration to approve the Master License Agreement with Mobilitie LLC for the use of public Rights-of-Way and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration to approve a variance request on behalf of Dolores Ramiro Reyes to allow an accessory use building to be utilized in a residential lot without a main building being constructed. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- D. Discussion and consideration to approve the Final Plat of Villa Verde Estates Subdivision, being a 20.00 acre tract of land out of Farm Tract 739, West Tract Subdivision, Weslaco, Hidalgo County, Texas located along the east right-of-way of South Border Avenue and about 650 feet north of Mile 5 North Road. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- E. Discussion and consideration to approve Change Order No. 1 from M.J.A. Construction LLC for a decrease in the amount of \$6,500.00 for the old City Shop Demolition Project. Possible action. (Staffed by Airport Department.) Attachment

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 §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. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at Bridge Avenue and Expressway 83 as authorized by §551.072 of the Texas Local Government Code.
- D. Economic Development - Discussion regarding Project "Rolling On" as authorized by §551.087 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 opportunities and incentive programs related to Project Chicken Hatch "B" as authorized by §551.087 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 10th day of February, 2017 at 5:10 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: