



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 21, 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 21, 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. 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 February 14, 2017.
(Staffed by City Secretary's Office.)
- B. Approval for a six (6) month extension to the plat for the Re-plat of Apostolic

Assembly Church, being a 4-lot subdivision being all of Apostolic Church Assembly Church Subdivision being a 10.00 acres of the south 20 acres of Farm Tract 115, Block 161, West Tract Subdivision, Llano Grande Grant, Hidalgo County, Texas. (Staffed by Planning and Code Enforcement Department.) Attachment

- C. Approval on Resolution 2017-14 authorizing to apply for the 2017 State Homeland Security Program (SHSP) for Law Enforcement Terrorism Prevention Activities Grant (LETPA) to purchase SWAT vests in an amount not to exceed \$43,040.00 with no local match required and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- D. Approval of Resolution 2017-15 requesting authorization to apply for 2017 State Homeland Security Program for Regular Projects Grants for the purchase of helmets and inter-operable communications devices in an amount not to exceed \$53,300.00 with no local match required and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- E. Authorization of the solicitation of Request for Bids (RFB) 2016-17-18 for relocation of two city owned generators to City Hall and Fire Department administration building, and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)
- F. Approval of a request by Valley Nature Center to utilize Gibson Park on April 22, 2017 from 8 a.m. – 10 p.m. for 3rd annual Spring Feast, and authorize the Mayor to execute any related documents as may be required, and waive any fees that may be associated with the event. (Requested by Valley Nature Center.) Attachment
- G. Approval of a request by Weslaco Mid-Valley Lions Club to utilize Harlon Block Park on April 7-8, 2017 from 6 a.m. – 11 p.m. for Q'ing for Vision BBQ Cookoff, and authorize the Mayor to execute any related documents as may be required, and waive any fees that may be associated with the event. (Requested by Weslaco Mid-Valley Lions Club.) Attachment

IV. APPOINTMENTS

- A. Discussion and consideration on Resolution 2017-12 appointing a board member to the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department). Attachment
- B. Discussion and consideration to remove one member from the Board of Adjustments and Appeals and approve Resolution 2017-13 appointing one member to that unexpired term. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

V. NEW BUSINESS

- A. Discussion and consideration to adopt Ordinance 2017-06, amending Ordinance 2013-26, providing for a new schedule of rates to be charged for certain meter tapping fees. First Reading of Ordinance 2017-06. Possible action. (Staffed by Finance Department). Attachment
- B. Discussion and consideration to reject the highest bidder on Bid No. 2016-17-09 for the Public Sale of Property & Building Structures located at 1411 W. 18th Street, Weslaco, Texas and to authorize staff to advertise the sale of said property. Possible action. (Commission awarded Sabas Salinas on January 3, 2017; Staffed by Finance Department - Purchasing Office.) Attachment
- C. Discussion and consideration to award Group Dental & Group Basic Life and AD&D to the best qualified, most advantageous bidder(s), and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment
- D. Discussion and consideration to approve final payments on the Boys and Girls Club building to JCON Constructuotion, LLC for an amount not to exceed \$48,652.30 and Alcocer Garcia Associates, Inc for an amount not to exceed \$870.63. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- E. Discussion and consideration to authorize solicitation of Request for Proposals for the Rehabilitation of Sanitary Sewer Lift Station #37 and Qualifications for the Rehabilitation of the 0.5 MG Elevated Storage Tank located at the intersection of Bridge Avenue and 8th Street and authorize the Mayor to executed any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- F. Discussion and consideration to update City of Weslaco Building and safety codes by repealing the existing code and adopting by ordinance those as recommend in the 2015 International Code Council. First Reading of Ordinances 2017-07 through 2017-17. Possible action. (Staffed by Planning & Code Enforcement Department.)
 - 1. To adopt Ordinance 2017-07 the 2015 Edition of the International Building Code Property and Maintenance Standards for the regulation and governing of conditions and maintenance of all property, including the condemnation and demolition of structures unfit for human occupancy and providing for the issuance of permits and collection of fees.
 - 2. To adopt Ordinance 2017-08 the 2015 Edition of the International Existing Building Code for the regulation and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings and providing for the issuance of permits

and collection of fees.

3. To adopt Ordinance 2017-09 the 2015 Edition of the International Residential Code for the regulation and governing of construction, replacements, repairs and demolition of detached one and two family dwellings and multiple single family dwellings; providing for the issuance of permits and collection of fees.

4. To adopt Ordinance 2017-10 the 2015 Edition of the International Energy Conservation Code for the regulation and governing of energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems and providing for the issuance of permits and collection of fees.

5. To adopt Ordinance 2017-11 the 2015 Edition of the International Fire Code for the regulation and governing the safeguarding of life and property from fire and explosion hazards and from conditions hazardous to life or property in the occupancy of buildings and premises and providing for the issuance of permits and collection of fees.

6. To adopt Ordinance 2017-12 the 2015 Edition of the International Plumbing Code for the regulation and governing of design, construction, quality, installation, relocation, etc.; use or maintenance of plumbing systems; and providing for the issuance of permits and collection of fees.

7. To adopt Ordinance 2017-13 the 2015 Edition of the International Mechanical Code for the regulation and governing of design, construction, quality, installation, relocation, etc.; use or maintenance of mechanical systems; and providing for the issuance of permits and collection of fees.

8. To adopt Ordinance 2017-14 the 2015 Edition of the International Fuel Gas Code for the regulation and governing of fuel gas systems and gas-fired appliances and providing for the issuance of permits and collection of fees.

9. To adopt Ordinance 2017-15 the 2015 edition of NFPA Life Safety Code 101 relating to construction and to maintenance of buildings and public safety, health and general welfare; and providing for the issuance of permits and collection of fees.

10. To adopt Ordinance 2017-16 the 2015 Edition of the International Swimming Pool and Spa Code governing of design, construction, alteration, movement, renovation, replacement, repair and maintenance of swimming pools, spas, hot tubs, aquatic facilities and related equipment; and providing for the issuance of permits and collection of fees.

11. To adopt Ordinance 2017-17 the 2014 National Electrical Code as the Electrical Code of the City, repealing any previous editions. Attachment

- G. Discussion and consideration to amend the Texas Department of Transportation General Aviation Business Plan Grant 15BPWESLA to prepare a Capital Improvement Plan and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- H. Discussion and consideration to extend the current fuel contract with Petroleum Traders Corporation for an additional one-year period, March 15, 2017 thru March 14, 2018. Possible action. (Staffed by the Public Works Department.) Attachment
- I. Discussion and consideration on approval for the Weslaco Fire Department to apply for the Assistance to Firefighters Grant under FEMA for cost share of three (3) new Fire Fighter positions for first three years at cost share as Grant 75%, 75%, 25% and City 25%, 25%, 75% and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.) Attachment
- J. Discussion and consideration to reject the bid in response to the Library Roof Repair RFB and re-advertise with alternatives in an effort to seek lower project pricing. Possible action. (Staffed by the Library Department.) Attachment
- K. Discussion and consideration to select the best qualified, most advantageous respondent for Request For Proposal 2016-17-15 Fourth of July Firework Display, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- L. Discussion and consideration to approve Ordinance 2017-18, authorizing a budget amendment in the amount of \$150,000.00 for drainage improvements at Beatriz Garza Middle School on Sugarcane Drive and authorize staff to solicit bids. Possible action. (Staffed by City Manager's Office.) Attachment
- M. Discussion and consideration to approve the articles of incorporation for the new regional Foreign Trade Zone 501(c)7. Possible action. (Staffed by City Manager's Office.)
- N. Discussion and consideration to create a task force to expand the Weslaco Recycling Program. Possible action. (Requested by Commissioners Munoz and Kerr.)
- O. Discussion and consideration to re-stripe Westgate Drive between Pike Boulevard and Interstate 2. Possible action. (Requested by Commissioners Kerr and Munoz.) Attachment
- P. Discussion on the Single Member District Model for the City of Weslaco. (Requested by Commissioners Munoz and Kerr.)

VI. REPORTS

- A. Quarterly investment report for 12/31/2016. Possible action to accept and file.
- B. Quarterly financial report for 12/31/2016. Possible action to accept and file.

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. Potential Litigation - Consultation with City Attorney regarding Notice of Claim by Jason Rivera as authorized by §551.071 of the Texas Government Code.
- D. Legal Opinion - Consultation with City Attorney on legal opinion related to the appointments of Municipal Judges as authorized by §551.071 of the Texas Government Code.
- E. Legal Opinion - Consultation with City Attorney on legal opinion related to the contract with neighboring cities for the sale of water 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 17th day of February, 2017 at 6:30 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: