



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 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, March 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 March 7, 2017
(Staffed by City Secretary's Office.) Attachment
- B. Approval of the renewal for Dice Productions to administer "Movies at Park" at Mayor Pablo G. Peña City Park located at 300 N. Airport Drive for the 2017 season and grant Dice Productions restricted rights for food vendors during the movie hours of 6pm to 10pm. (Requested by Parks and Recreation.) Attachment
- C. Acceptance of a check from the Texas Comptroller of Public Accounts annual allocation from Law Enforcement Officer Standards and Educations (LEOSE) in the amount of \$4,568.31 to be utilized for training for the Weslaco Peace Officers. (Staffed by Weslaco Police Department.) Attachment
- D. Approval of Resolution 2017- 33 authorizing to apply and accept the 2018 Local Border Security Program Grant through the Office of the Governor Homeland Security Grants Division with no local match required and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- E. Approval of the affiliation agreement between the Weslaco Fire Department and Knapp Medical Center for EMS personnel on site clinical education and advanced paramedic education and authorize the Mayor to execute any related documents. (Staffed by the Fire Department.) Attachment
- F. Approval of the affiliation agreement between the Weslaco Fire Department and the Hidalgo County EMS Ambulance Service for Clinical Training Program for the Weslaco Fire Department Higher Education Program and authorize the Mayor to execute any related documents. (Staffed by the Fire Department.) Attachment

IV. APPOINTMENTS

- A. Discussion and consideration to approve Resolutions 2017-21, 2017-22, 2017-23, 2017-24, and 2017-25 appointing citizen members to the Weslaco Recycling Committee Task Force and authorize the Mayor to execute any related documents. Possible action. (There was no action on March 7, 2017; staffed by Public Works.) Attachment
- B. Discussion and consideration to approve Resolutions 2017-28, 2017-29, 2017-30, 2017-31 and 2017-32 appointing members to two unexpired and three expired terms to the Weslaco Hotel Occupancy Tax Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance

Department.) Attachment

V. OLD BUSINESS

- A. Discussion and consideration 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. First Reading of Ordinance 2017-10. Possible action. (This item was tabled on March 7, 2017; Staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion on the Single Member District Model for the City of Weslaco. (This item was tabled March 7, 2017; Requested by Commissioners Munoz and Kerr.)

VI. NEW BUSINESS

- A. Discussion and consideration to approve the City of Weslaco Comprehensive Annual Financial Report for fiscal year ending September 30, 2016 as presented by Long Chilton LLP. Possible action. (Requested by Carr, Riggs & Ingram, LLC; Staffed by the Finance Department.) Attachment
- B. Discussion and consideration of a presentation from Weslaco High School on Adopt-a-Park program and park plan for Gibson park improvements for 2017 and approval of a budget amendment in the amount not to exceed \$25,000.00 to use in matching funding through WOW/Texas A&M. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- C. Discussion and consideration on request by Weslaco Regional Rehabilitation Hospital and the Weslaco Stroke Support Group to utilize south side of Isaac Rodriguez Park and the use of city streets for Stroke Aware Run/Walk on Saturday, May 20, 2017 during National Stroke Awareness Month from 7 a.m. – 12 noon, and authorize the Mayor to execute any related documents. Possible action. (Requested by Weslaco Regional Rehabilitation Hospital.) Attachment
- D. Discussion and consideration to hold the July 4th celebration with Weslaco Economic Development Corporation on Tuesday, July 4, 2017 at the Mayor Pablo G. Peña City Park at 300 N. Airport Drive, to sell beer during the event from 12 noon to 11 p.m., to waive appropriate ordinances associated with the event, and to place a banner promoting it at the intersection of Texas and Pike Boulevards and authorize the Mayor to execute any related documents as may be required by the Texas Department of

Transportation. Possible action. (Staffed by Parks and Recreation Department.)

- E. Discussion and consideration to select the best qualified, most advantageous bidder to the Request for Bid (RFB) No.: 2016-17-18 City of Weslaco Generator Electrical Upgrades and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- F. Discussion and consideration to approve the Softball/Baseball Rental policy. Possible action. (Staffed by Parks Department.) Attachment
- G. Discussion and consideration to amend final plat for Villages at Westgate Subdivision. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- H. Discussion and consideration to approve Ordinance 2017-19 to eliminate and convert the alley located on Heritage Square No. 2 Subdivision between Sugarcane Road and Washington Street into a street with a variance to have a paved section of 20 feet. First reading of Ordinance 2017-19. Possible action. (Requested by the Mayor and Commissioner Lopez; Staffed by Planning and Code Enforcement Department.) Attachment
- I. Discussion and consideration to approve a Service Contract Agreement with the City of Donna for Animal Care Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- J. Discussion and consideration to terminate the Intergovernmental Cooperative Agreement for the Operation of a Regional Animal Shelter between the City of Weslaco and Palm Valley Animal Shelter and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Planning and Code Enforcement Department.) Attachment
- K. Discussion and consideration to award the most advantageous and lowest bidder for the 2016-17-20 Unleaded and Diesel Fuel and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)
- L. Discussion and consideration to adopt the Direct Leave Donation Program Policy. Possible action. (Staffed by Human Resources.) Attachment

- M. Discussion and consideration to accept, open, award and/or reject the sole bid received to Bid No.: 2016-17-21 Public Sale of Property and Building Structures located at 1411 West 18th Street. Possible action. (Staffed by Finance Department.)

VII. REPORT

- A. Presentation by Economic Development Corporation of Weslaco of its Audit Fiscal Year 2015-2016. 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. 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.

- D. 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.
- E. 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.
- F. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project Academy 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 17th day of March, 2017 at 2:30 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: