



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, APRIL 4, 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, April 4, 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 on second and final reading of the following:

- 1) Approval of 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 was held March 21, 2019. (Requested by the Mayor and Commissioner Lopez; Staffed by Planning and Code Enforcement Department.) Attachment

- B. Approval of the affiliation agreement between the Weslaco Fire Department and Med-Care EMS Ambulance Service for Clinical Training Program for the Weslaco Fire Department Higher Education Program. (Staffed by Fire Department.) Attachment

IV. APPOINTMENTS

- A. Discussion and consideration on Resolution 2017-34 appointing a board member to an expired term on 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 on approval of Resolutions 2017-35 and 2017-36 appointing two members to the Library Board for expired terms and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library.) Attachment
- C. Discussion and consideration to accept the resignation of Yvette Castro Castillo from the Weslaco 100 Committee and approve Resolution 2017-37 appointing a member to an unexpired term and authorize the Mayor to execute any related documents. Possible action. (Staffed by Museum.) 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 remained tabled on March 21, 2017; Staffed by Planning and Code Enforcement Department.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration to approve Ordinance 2017-20 for the voluntary annexation of the 48.682 acres out of Farm Tracts 98 and 114 and the right-of-way along F.M. 88 between Mile 10 North Road and Mile 11 North Road. First Reading of Ordinance 2017-20. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- B. Discussion and consideration to name the street converted from an alley located on Heritage Square No. 2 Subdivision between Sugarcane Road and Washington Street. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration to approve the cost allocation from the Capital Improvement Program paving fund in the amount of approximately \$80,000.00 for the paving a a street converted from an alley at Heritage Square No. 2 Subdivision. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- D. Discussion and consideration to adopt Ordinance 2017-21 to amend speed limits along FM 1015 between U.S. Business Highway 83 and Mile 8 North Road. First Reading of Ordinance 2017-21. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- E. Discussion and consideration to approve Ordinance 2017-22 creating a no parking zone on Huisache Street from Calle De La Republica to Border Avenue and authorize citations to be issued. First Reading of Ordinance 2017-22. Possible action. (Staffed by Public Works Department.) Attachment
- F. Approval of the Lease Agreement with the Weslaco Youth Football League to host a Summer Youth Flag Football Season at Harlon Block Sports Complex open area, for a term of 1 month June 1, 2017-June 30, 2017 and authorize the Mayor to execute any related documents. Possible action. (Requested by Parks Department) Attachment
- G. Discussion and consideration on Resolution 2017-38 amending Interlocal Agreement dated August 6, 2013 between City and County of Hidalgo for the Mile 6 West (Westgate Drive) from Mile 9 North Road to Mile 11 North Road Project for roadway improvements and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Managers Office). Attachment
- H. Discussion and consideration to approve retainage release for an amount not to exceed \$486,376.00 of the contract for CDM Constructors, Inc. for the Water Treatment Plant Expansion Project and authorize the Mayor to execute any related documents. Possible Action (Staffed by Planning and Code Enforcement Department.) Attachment
- I. Discussion and consideration on consultant agreement with Armando A Martinez for advanced education EMS Training and Continuing Education services. Possible action. (Staffed by the Fire Department). Attachment

VII. REPORTS

- A. Presentation by Weslaco 100 Committee on centennial activities.
- B. Report by Economic Development Corporation of Weslaco.
- C. Report by Weslaco Area Chamber of Commerce.
- D. Report by Severn Trent.
- E. Report by Parks and Recreation Department.
- F. Report by Planning and Code Enforcement.
- G. Report by Public Works.
- H. Report by Information Technology Department.

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 contract with neighboring cities for the sale of water as authorized by §551.071 of the Texas Government Code.

- D. 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.
- E. Personnel - Evaluation and interview of Municipal Judges and possible selection of Municipal Judges for the City of Weslaco as authorized by §551.074 of the Texas Government Code.
- F. 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

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 31st day, of March, 2017 at 4:00 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: