



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MAY 2, 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, May 2, 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 following Regular Meetings:
 - 1) March 21, 2017;
 - 2) April 4, 2017; and
 - 3) April 18, 2017. (Staffed by City Secretary's Office.) Attachment

B. Approval on second and final reading of the following:

- 1) City of Weslaco Building and Safety Codes and authorize the Mayor to execute any related documents. Possible action. (First Reading of Ordinances held February 21, 2017; Staffed by Planning & Code Enforcement Department.)
 - a. 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.
 - b. 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.
 - c. 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.
 - d. 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 held April 18, 2017.)
 - e. 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.
 - f. 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.
 - g. 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.
 - h. 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.

i. 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.

j. 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.

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

2) Approval of 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 was on April 4, 2017. (Staffed by Planning and Code Enforcement Department.) Attachment

3) Approval of Ordinance 2017-24 to rezone 718 W. 6th Street also being Lots 14-17 and W½ Lot 18, Blk 4, Glendale Subdivision, Weslaco, Hidalgo County, Texas, from R-2 Duplex & Apartment District to B-1 Neighborhood Business District. (First reading of Ordinance 2017-24 was held April 18, 2017; staffed by Planning and Code Enforcement Department). Attachment

C. Approval of a Memorandum of Understanding between the Texas Parks and Wildlife and the Weslaco Fire Department for Fire Prescribed Burns training and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment

IV. OLD BUSINESS

A. Discussion and consideration after public hearing on behalf of RCI Development-Wisconsin, Ltd to approve Ordinance 2017-23 to rezone 1301 South Midway Road also being a 25.263 acre tract out of Farm Tract 643, West Tract Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to M-1 Mobile Home District. First reading of Ordinance 2017-23. Possible action. (This item was tabled on April 18, 2017; staffed by Planning and Code Enforcement Department. Item will require a 3/4 vote as item was denied by Planning & Zoning Commission.) Attachment

V. NEW BUSINESS

- A. Discussion and consideration to award Request For Bid 2016-17-22 Sugarcane Drive Detention Pond Improvement Project to the lowest and most advantageous bidder and authorize Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration on request from Edible Arrangements to park a trailer for additional storage at the public parking lot along Kansas Ave. (adjacent to Old City Hall) from May 7-15, 2017 and subsequent holiday events of Valentine's and Mothers Day of each year. Possible action. (Requested by Maurice Welton, Edible Arrangements.) Attachment
- C. Discussion and consideration to approve the purchase of a 2017 F-650 Chassis under the Fire Department Apparatus Replacement Program and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.) Attachment
- D. Discussion and consideration to award Buyboard Contract vendor # 501-15, L.J. Power Generators for Automatic Transfer Switch as stated on quote number 17041-001-LD for the City Hall and Fire Administration buildings generator project. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- E. Discussion and consideration to award Buyboard vendor Park Place Recreation for the purchase of maintenance items for 13 existing play structures at various city parks. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- F. Discussion and consideration to accept the base bid along with alternates 1, 3, 4 & 5 from American Contracting USA for Library Roof Repairs, authorize a budget amendment, and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.) Attachment

VI. REPORTS

- A. Report by Economic Development Corporation of Weslaco.
- B. Report by Weslaco Area Chamber of Commerce.
- C. Report by Severn Trent.
- D. Report by Parks and Recreation Department.
- E. Report by Planning and Code Enforcement.
- F. Report by Public Works.

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. 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.
- C. 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.
- 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. 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
- F. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project Motorcycle as authorized by §551.087 of the Texas Government Code.
- G. 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.

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 28th day of April, 2017 at 3:00 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/open-government/open-meetings> *Archived video of some meetings are also available.*

Removed from Bulletin Board

Date:

Initials: