



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, SEPTEMBER 3, 2019**

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, September 3, 2019 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. CONVENE AS LOCAL CANVASSING AUTHORITY (two members of the authority constitute a quorum for purposes of canvassing an election per Texas Election Code 67.004(a))

- A. Discussion and consideration to canvass the election returns and approve Resolution 2019-63 certifying the results of the Run-Off Special Election on August 27, 2019 for Commissioner District 4 unexpired term in accordance with Texas Election Code §67.004(a). Possible action. (Staffed by City Secretary Department.) Attachment
- B. Conduct Oath of Office and file Statement of Elected Officer.

III. 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.

IV. PUBLIC HEARING

- A. To solicit input from the public regarding the City of Weslaco ad valorem property tax proposed rate of .6967/\$100.00 valuation, pursuant to Texas Tax Code Section 26.05(d). Attachment
- B. To solicit input from the public regarding the City of Weslaco proposed budget for Fiscal Year 2019-2020, pursuant to Local Government Code 102.006 and 102.007. Attachment

V. 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 August 6, 2019.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Approval of Ordinance 2019-32 to rezone 2701 W. Bus Hwy 83. Also being Lot 1, Las Villas Apartments, Weslaco, Hidalgo County, Texas from R-2 Duplex and apartment district to B-2 Secondary highway business district and authorize the Mayor to execute any related documents. (First reading held August 20, 2019; staffed by Planning and Code Enforcement Department.) Attachment
 - 2) Approval of Ordinance 2019-33 for the voluntary annexation of Westwood Gardens Subdivision - being 29 acres out of Farm Tract No. 655, West Tract Subdivision out of Llano Grande Grant, Weslaco, Hidalgo County, Texas located on the Southwest corner of Mile 6 ½ West Road and Mile 7 North and authorize the Mayor to execute any related documents. (First reading held August 20, 2019; staffed by Planning and Code Enforcement Department.) Attachment
 - 3) Approval of Ordinance 2019-34 amending Ordinance number 2018-02, to create an Airport Zone District for the City of Weslaco zoning ordinance; codified as chapter 150 of the Weslaco Code of Ordinances, adopting new regulations; and ordaining other matters with respect to the subject matter hereof and authorize the Mayor to execute any related documents. (First reading held on August 20, 2019; staffed by Airport.) Attachment
- C. Approval for final payment to Maguire Iron, Inc. for rehab repairs to the Water Tower Project located at 8th St. & Bridge Ave. in the amount not to exceed \$16,300.00, and

authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment

- D. Approval on renewal of the Inter-local Agreement with the Lower Rio Grande Development Council for Cooperation & Joint Sponsorship to participate in a regional public transportation system, Valley Metro, in an amount not to exceed \$39,292.00 and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.) Attachment
- E. Approval to enter into a Memorandum of Understanding with the Children's Advocacy Center of Hidalgo County and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- F. Approval to accept a reimbursement award of \$2,700 from the Texas State Library and Archives Commission for Inter-library Loans made to Texas public libraries in State Fiscal year 2019, accept additional funding if awarded during the grant year and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment
- G. Approval to authorize the submission of the Weslaco Mid Valley Airport's Fiscal Year 2019-2020 Texas Department of Transportation Grant for Routine Airport Maintenance Program, Project M2021WESL, in the amount not to exceed \$100,000.00 with a 50/50 cost share, and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment

VI. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2019-64 appointing a member to an expired term on the Board of Adjustments & Appeals to the Zoning Ordinance and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment

VII. OLD BUSINESS

- A. Discussion and clarification on the interpretation of Ordinance 2018-21, Section 26-34 Drainage relating to the 50-year storm drainage requirements on existing subdivisions. Possible action. (This item was tabled on July 16, 2019; staffed by Engineering Department.) Attachment

VIII. NEW BUSINESS

- A. Discussion and consideration on request from the Weslaco Centennial Committee for closure of the following streets beginning 6:00p.m on Friday, December 6 to midnight on December 8:

- 1) South Missouri Ave from Bus 83 to West 6th Street;
 - 2) South Texas Blvd. from Bus 83 to West 6th Street;
 - 3) South Kansas Ave from Bus 83 to West 6th Street;
 - 4) 3rd, 4th, 5th and 6th Streets from South Missouri Ave to South Kansas Ave;
 - 5) Turning/parking lane on Bus 83 from South Missouri Ave to South Kansas Ave for pedestrian traffic; and
 - 6) Closure of the elevated City parking deck.
- and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation. Possible action. (Requested by Weslaco 100 Committee.) Attachment

- B. Discussion and consideration to approve Resolution 2019-65 nominating a candidate to the Hidalgo County Appraisal District Board of Directors for the 2020-2021 election and authorize the Mayor to execute any related documents. Possible action. (Staffed by the City Manager's Office.) Attachment
- C. Discussion and consideration to permit the placement of a 50' pylon sign within an existing 20' utility easement located at 1021 W Interstate 2 also being Lot 1, Valley Baptist Micro Hospital and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- D. Discussion and consideration to approve a Six-month extension on the Conditional Use Permit to obtain a Wine and Beer Retailer's Permit, Retail Dealer's On-Premise Late Hours License at 606 S. Missouri. Also being Lot 4, Block 51, Original Townsite of Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- E. Discussion and consideration to accept and file the Quarterly Investment Report ending June 30, 2019 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- F. Discussion and consideration to interview a short list for Engineering Design Services from the Request for Qualifications #2018-19-16 for consulting services to prepare design for the Pleasantview & 11th Street Drainage Project, Project #6 of the City of Weslaco Master Drainage Plan. Possible action. (Staffed by Engineering.)
- G. Discussion and presentation of interior colors as presented by Alvarado Architects for the North Side Fire Station Project. (Staffed by Airport.)

IX. REPORTS

- A. Report by Weslaco Area Chamber of Commerce.

- B. Report by Economic Development Corporation of Weslaco.
- C. Report by Inframark.

X. 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 - Discussion regarding the evaluation, reassignment, duties, discipline or dismissal of a police officer for the City of Weslaco as authorized by §551.074 of the Texas Government Code.

XI. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

XII. 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 30th day of August, 2019 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/ Myra Ayala, 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: