



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JUNE 20, 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, June 20, 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. PUBLIC HEARING

- A. To solicit input on behalf of Leonardo Munoz to rezone 113 Adelita Street, also being Lot 12, Colonia San Francisco Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to R-2 Duplex and Apartments District.
Attachment
- B. To solicit input on behalf of Amirta L. Trejo to rezone 724 N. Padre Avenue also being Lot 24, Block 3, El Texano Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District.
Attachment

IV. 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 June 6, 2017 (Staffed by City Secretary's Office.) Attachment
- B. Approval on second and final reading of the following:
 - 1) Ordinance 2017-27 renaming a portion of West Hidalgo Street located to the North of Cavazos Park between South Palmas Street and South Cedro Street to be hereby known as Cavazos Street. (First reading of Ordinance 2017-27 was held on June 6, 2017; staffed by Planning and Code Enforcement Department.) Attachment
 - 2) Ordinance 2017-28 amending Ordinance 2008-38 for the rezone of 115 Adelita Street, Lot 13, Colonia de San Francisco from an R-1 One Family Dwelling District to an R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. (First reading of Ordinance 2017-28 was held June 6, 2017; Staffed by Planning and Code Enforcement Department.) Attachment
- C. Approval of a Memorandum of Understanding with Region One for provision of free GED classes and other adult education opportunities within the library and authorize the Mayor to execute any related documents. (Staffed by the Library Department) Attachment
- D. Approval of the renewal of the annual Host Agency Agreement with AARP Senior Community Service Employment Program allowing the City of Weslaco to accept participants through a short-term work-training program and authorize the Mayor to execute any documents. (Staffed by Human Resources.) Attachment
- E. Acceptance of a CERT/MRC training trailer from the State of Texas Citizen Corps program awarded to the City of Weslaco Fire Department CERT/MRC community program. (Staffed by Fire Department). Attachment
- F. Acceptance of proposal for financing of Fire Department Ford F-650 brush truck with aftermarket equipment in the amount of \$60,564.12 from Frost Bank Leasing and authorize the Mayor to execute any related documents (Staffed by Finance

Department.) Attachment

- G. Authorization for the solicitation of sealed bids for the purchase of two (2) recycling trailers as recommended by the Recycling Task Force Committee and approve Ordinance 2017-29 authorizing a budget amendment as appropriate and authorize the Mayor to execute any related documents First reading of Ordinance 2017-29. (Staffed by Public Works.)

Attachment

V. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2017-43 appointing a member to an unexpired term on the Weslaco 100 Centennial Committee and authorize the Mayor to execute any related documents. Possible action. (There was no action on this item June 6, 2017; Staffed by Museum). Attachment

VI. OLD BUSINESS

- A. Discussion and consideration to approve a five (5) year agreement for a Mobile 311 City of Weslaco App with service request functionality and authorize the Mayor to execute any related documents. Possible action. (There was no action on this item June 6, 2017; Staffed by IT Department) Attachment

VII. NEW BUSINESS

- A. Discussion and consideration to approve Ordinance 2017-30 on first and final reading authorizing the issuance of "City of Weslaco, Texas Limited Tax Refunding Bonds, Series 2017", a paying agent/registrar agreement, and an escrow agreement; providing for the sale of such bonds; delegating authority to City representatives to select obligations to be refunded and approve final terms of the bonds, approving all other matters related thereto and authorize the Mayor to execute any related documents. First and Final Reading of Ordinance 2017-30. Possible action. (Staffed by Financial Advisor/Bond Counsel). Attachment

- B. Discussion and consideration after public hearing on behalf of Leonardo Muñoz to approve Ordinance 2017-31 rezoning 113 Adelita Street, also being Lot 12, Colonia San Francisco Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to R-2 Duplex and Apartments District and authorize the Mayor to execute any related documents. First reading of Ordinance 2017-31. Possible Action (Staffed by Planning and Code Enforcement). Attachment
- C. Discussion and consideration after public hearing on behalf of Amirta L. Trejo to approve Ordinance 2017-32 rezoning 724 N. Padre Avenue also being Lot 24, Block 3, El Texano Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2017-32. Possible Action (Staffed by Planning and Code Enforcement). Attachment
- D. Discussion and consideration to approve the Final Plat for Saint's Plaza Subdivision being a 1.25 acre tract of land out of Farm Tract 109, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located 1,800 feet South of the intersection of Mile 10 North and N. Texas Blvd and authorize the Mayor to execute any related documents. Possible Action (Staffed by Planning and Code Enforcement). Attachment
- E. Discussion and consideration to approve Resolution 2017-49 engaging legal counsel and rate consultants to review the AEP Texas Company's requested approval of an adjustment to its 2018 Energy Efficiency Cost Recovery factor, and authorize the Mayor to execute any related documents. Possible action. (Staffed by the City Managers Office). Attachment
- F. Discussion and consideration on the Weslaco Centennial Celebration proposed schedule of events and activities. Possible action. (Staffed by City Manager's Office). Attachment
- G. Discussion and consideration on Letter of Intent and approval to proceed with Investment Grade Audit with Siemens Industry Inc. for implementation of an energy savings program and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Mangers Office). Attachment
- H. Discussion and consideration to approve the purchase of computers using BuyBoard contract as budgeted in an amount not to exceed \$35,000.00 and authorize the Mayor to execute any related document. Possible action. (Staffed by Information Technology) Attachment
- I. Discussion and consideration to approve an Interlocal Agreement with the City of

Edinburg for a manhole replacement program and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.)

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. Personnel - Review of applications for Associate Municipal Judge and possible selection of a short list of applicants to be interviewed 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. Pending Litigation - Consultation with City Attorney regarding Cause No. C-6090-14-B, Zequiel Montez, Gabriel Montez, Nora Montez, Irma M. Torres and Norma Garcia v. City of Weslaco as authorized by §551.071 of the Texas Government Code
- E. Economic Development – Consultation with City Attorney regarding Economic Development opportunities and incentive programs related to Project Chicken Hatch "B" as authorized by §551.087 of The Texas Government Code.

- F. Economic Development – Consultation with City Attorney regarding amending Development Agreement between City and Weslaco Economic Development Corporation 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 16th day of June, 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: