



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JULY 18, 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, July 18, 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 Ramzan A. Mosani to obtain a Wine and Beer Off-Premise Permit at 1540 E. Business Highway 83 also being Lot 1, Airport Medical Center Subdivision, Weslaco, Hidalgo County, Texas.

- B. To solicit input on behalf of Norma Hernandez to rezone 1801 South Bridge also being Lot 16, Block 5, Kathleen Park Subdivision, Weslaco, Hidalgo County, Texas from R-2 Duplex and Apartments District to B-1 Neighborhood Business District.
- C. To solicit input on behalf of Leo and Emma Salazar to rezone 425 Frost Proof Drive also being Lot 21, Frost Proof Heights Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to R-2 Duplex and Apartments District.

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 following:

- 1) Record of Workshop on June 20, 2017;
- 2) Minutes of Regular Meeting on June 20, 2017; and
- 3) Record of Workshop on July 6, 2017. (Staffed by City Secretary's Office.)

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

- 1) 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 was held June 20, 2017; Staffed by Planning and Code Enforcement.) Attachment
- 2) 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 was held June 20, 2017; Staffed by Planning and Code Enforcement.) Attachment

C. Approval of an amendment to the inter-local cooperation agreement with Hidalgo County for assessment and collections of property taxes. (Staffed by Finance Department.) Attachment

- D. Renewal of an Interlocal Governmental Agreement – Ambulance Service with the Hidalgo County Emergency Services District No. 1 for the period October 1, 2017 – September 30, 2019 and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment
- E. Approval of an Interlocal Cooperation Agreement between the Lower Rio Grande Valley Development Council and the City of Weslaco for the acceptance and operation of the State of Texas asset Ambulance Bus. (Staffed by Fire Department.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to accept the resignation of Mary Martin from the Weslaco 100 Committee and approve Resolution 2017-53 appointing one member to that unexpired term. Possible action. (Staffed by the Museum.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Ramzan A. Mosani to obtain a Wine and Beer Off-Premise Permit at 1540 E. Business Highway 83 also being Lot 1, Airport Medical Center Subdivision, Weslaco, Hidalgo County, Texas. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- B. Discussion and consideration after public hearing on behalf of Norma Hernandez to approve Ordinance 2017-33 rezoning 1801 South Bridge also being Lot 16, Block 5, Kathleen Park Subdivision, Weslaco, Hidalgo County, Texas from R-2 Duplex and Apartments District to B-1 Neighborhood Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2017-33. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- C. Discussion and consideration after public hearing on behalf of Leo and Emma Salazar to rezone 425 Frost Proof Drive also being Lot 21, Frost Proof Heights 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. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- D. Discussion and consideration to approve Ordinance 2017-34 amending Ordinance No. 2014-02 to provide for the disannexation of all or part of Farm Tracts 1057, 1058, 1059 and Irrigation District No. 9 (HCCID #9) out of Tract 116 of the West and

Adams Tract Subdivision and authorize Mayor to execute any related documents. First reading of Ordinance 2017-34. Possible action. (Staffed by Planning and Code Enforcement.) Attachment

- E. Discussion and consideration on request from Stella Corporation for a development agreement for 60.02 acres out Adams Tract FT 1059. Possible action. (Staffed by City Manager's Office.) Attachment
- F. Discussion and consideration to approve Change Order No. 2 for the Pleasantview Sanitary Sewer Line Project for an amount not to exceed \$100,000 for additional dewatering and authorize Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- G. Discussion and consideration to approve a Memorandum of Understanding (MOU) with Community Loan Center Corporation to provide access to affordable small dollar loans, free financial counseling and coaching for municipal employees at no cost to the City and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment
- H. Discussion and consideration to approve Resolution 2017-50 suspending the July 20, 2017 effective date of the statement of intent of Texas Gas Service company to increase rates within incorporated areas of its service territory to permit the city time to study the request and to establish reasonable rates; finding that the city's reasonable rate case expenses shall be reimbursed by the company; authorizing participation with other municipalities; hiring legal and consulting services and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment

VII. REPORTS

- A. Annual update by Valley Initiative for Development and Advancement (VIDA).

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. 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.
- D. 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.
- 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.

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 14th day of July,

2017 at 3:10 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:
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