



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, NOVEMBER 19, 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, November 19, 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. 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.

The Public may comment on anything on the agenda, however if you comment on 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. OTHER BUSINESS

- A. Appointment of a Mayor Pro Tem in accordance with Resolution 2017-85 and authorizing the Mayor to execute any related documents. Possible action. (Staffed by the City Secretary Department.)

IV. PUBLIC HEARING

- A. To solicit input on behalf of Yanai Renteria requesting a Conditional Use Permit to operate an event center at 1320 Dolores Huerta, also being Lot 1, Saltillo Plaza Subdivision, Weslaco, Hidalgo County, Texas.

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 October 15, 2019.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Approval on Ordinance 2019-46 amending Ordinance 1989-06, The City of Weslaco Off-Street Parking and Loading Spaces Ordinance- Dance Halls/Event Centers; and authorize the Mayor to execute any related documents. (First reading held November 5, 2019; staffed by Planning & Code Enforcement Department.) Attachment
 - 2) Approval on Ordinance 2019-47 establishing a Series 2019 Drainage Capital Project fund for drainage improvements in the amount of \$10,107,256 and authorize the Mayor to execute any related documents. (First reading held November 5, 2019; staffed by Finance Department.) Attachment
 - 3) Approval on Ordinance 2019-48 approving a budget amendment for the Series 2019 Drainage Capital Project fund for drainage improvements in the amount of \$10,107,256.30 and authorize the Mayor to execute any related documents. (First reading held on November 5, 2019; staffed by Finance Department.) Attachment
 - 4) Approval on Ordinance 2019-49 establishing an Interest & Sinking Debt Fund on the Series 2019 Bond issue related to drainage improvements and authorize the Mayor to execute any related documents. (First reading held November 5, 2019; staffed by Finance Department.) Attachment

VI. OLD BUSINESS

- A. Discussion and consideration after public hearing on behalf of Joe Olivarez to approve Ordinance 2019-43 to rezone 710 S. Missouri. Also being Lots 3, 4, 5, 6, and 7, Blk 56, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-43. Possible Action. (This item was tabled October 15, 2019 and November 5, 2019; staffed by Planning and Code Enforcement Department.) Attachment

- B. Discussion and consideration to approve Ordinance 2019-44 amending Section 12 of Ordinance 397, to fix residential, commercial, and industrial garbage rates; providing an effective date; and ordaining other matters with respect to the subject matter hereof and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-44. Possible action. (This item was tabled October 15, 2019 and no action on November 5, 2019; staffed by Finance Department.) Attachment

- C. Discussion and consideration to approve the following time change to the requests from the Weslaco Centennial Committee on the closure of streets for the Centennial Celebration festivities: Closure of 4th, 5th and 6th streets from S. Kansas Ave to S. Illinois Ave for Fiesta Cien and the closure of South Kansas Avenue from Business 83 to 6th St to be effective from 3:00pm Friday, December 6 to midnight Sunday, December 8th; and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation. Possible action (This item was approved September 3, 2019; staffed by Public Works Department.) Attachment

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Yanai Renteria to approve a Conditional Use Permit to operate an event center at 1320 Dolores Huerta, also being Lot 1, Saltillo Plaza Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- B. Discussion and consideration to approve the six month extension for the Final Plat for Maria Bonita Townhouse Subdivision – being a 2.081 acres land out of Lots 9 - 12, Bonita Homes Subdivision, Weslaco, Hidalgo County, Texas located south of 20th Street, approximately 910 feet east of Mile 4 ½ West Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- C. Discussion and reconsideration for the Final Plat for South Point Subdivision – being a 12.34 acres being all of lot 2 VBMH Subdivision, Hidalgo County, Texas. Approximately 2,957 ft. West of the Intersection of F.M. 88 and US Expy 83. Possible Action. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- D. Discussion and consideration on Ordinance 2019-50 to convert the twenty- foot alley running between Lots 1-20, Block 4, Gonzalez Addition into a utility easement and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-50. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- E. Discussion and consideration to award the lowest and most advantageous bid received for the IBWC Levee Improvement Project (RFB No.: 2019-20-03) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- F. Discussion and consideration on the purchase of 350 Neptune Mach 10 meters and couplings in the amount of \$107,282.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- G. Discussion and consideration to award FY 2019/2020 Manhole Rehabilitation-Phase III to Southern Trenchless Solutions, LLC., Buyboard vendor contract #555-18, in the amount not to exceed \$98,400.00, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- H. Discussion and consideration to accept, open, award or reject the sole bid received for One "New" Similar to Ford E-350 or equivalent Commercial Cutaway Chassis Evidence Collection Vehicle - Year 2019 or Newer (RFB NO.:2019-20-02) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment
- I. Discussion and consideration of a Student Training & Affiliation Agreement between the Rio Grande Valley College, 549 North Cage Blvd Pharr, Texas 78577 and the Weslaco Fire Department to provide students training and clinical experience in terms of patient assessment and related instruction for students of the School and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment

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 section §551.074 of the Texas Government Code.
- B. Consultation – Consultation with City Attorney on negotiated agreement relating to the City’s rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Fire Union (IAFF-WFFA Local 3207) as authorized by §551.071 of the Texas Government Code.
- C. Legal Consultation - Seek City Attorney opinion relating to the lawsuit with CDM as authorized by §551.071 of the Texas Government Code.
- D. Real Property– Consultation with City Attorney on the sale of real property legally described as Lot 4, Block 143, West Tract Subdivision located in the 2400 Block of N. Texas Boulevard as authorized by §551.072 of the Texas Local Government Code.
- E. Real Property - Consultation with City Attorney on Resolution for the purchase and financing of real property located at the Southeast corner of East Pike Boulevard and Vo-Tech Drive Weslaco, Hidalgo County, Texas 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 15th day of November 2019 at 4:30 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:
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