



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, DECEMBER 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, December 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. 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. 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 as follows:
 - 1) Regular Meeting on November 5, 2019; and
 - 2) Special Meeting on November 18, 2019. (Staffed by City Secretary Department.) Attachment.

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

- 1) Approval on 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 held November 19, 2019; staffed by Planning and Code Enforcement Department.) Attachment
- C. Approval for the Mayor Joe V. Sanchez Public Library to advertise and solicit prospective vendors to submit Request for Proposals (RFPs) for internet access services, equipment, and basic maintenance of internal connections within the confines of the Schools and Libraries Program of the Universal Service Administrative Fund (E-rate) and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment
- D. Approval to authorize the expenditure of \$7,887 of the Marion Booth Endowment Fund for support of the Family Place Libraries Program and upgrade of the Audio Visual equipment within the Mayor Joe V. Sanchez Public Library Meeting Room. (Staffed by the Library Department.) Attachment
- E. Acceptance of reimbursement funds from the Federal Bureau of Investigation (FBI) for state and Local law enforcement agencies (LEA) for the cost of overtime incurred by task force related activities in the amount of \$18,649 per year for officer assigned full-time to the FBI task force and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- F. Approval on Resolution 2019-78 supporting document for agreement between the City of Weslaco and TXDOT for street closure on Texas Blvd. from Frontage Road to 7th St. on December 7, 2019 for the 2019 Weslaco Annual Christmas Parade and authorize the Mayor to execute any related documents. (Staffed by Public Works.) Attachment
- G. Approval on Resolution 2019-79 supporting document for agreement between the City of Weslaco and TXDOT for street closure on Texas Blvd. from Business 83 to 6th St. on December 7 - 8, 2019 for the Weslaco Centennial Celebration and authorize the Mayor to execute any related documents. (Staffed by Public Works.) Attachment
- H. Approval on Interlocal Agreement with the Weslaco Independent School District for the use of various softball fields and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment

IV. APPOINTMENTS

- A. Discussion and consideration to accept the resignation of Juan M. Hernandez from the Library Board and approve Resolution 2019-80 appointing one member to an unexpired term and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.) Attachment
- B. Discussion and consideration on Resolution 2019-81 appointing three members to expired terms on the Weslaco Economic Development Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) Attachment

V. OLD BUSINESS

- A. 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. (This item was tabled November 19, 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

VI. NEW BUSINESS

- A. Discussion and consideration of the ORION Consortium Participation Agreement for provision of Fiber Optic Internet Connectivity to the Mayor Joe V. Sanchez Public Library and authorize Mayor to execute any related documents. Possible action. (Staffed by Library.) Attachment
- B. Discussion and consideration to accept and file the Quarterly Investment Report for the period ending September 30, 2019 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- C. Discussion and consideration to approve the official 2019 Tax roll totals as prepared by Pablo "Paul" Villarreal Jr., Hidalgo County Tax Assessor and Collector per Section 26.09(e) of the Texas Property Tax Code and authorize Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- D. Discussion and consideration to accept, open, award or reject the sole bid received for the Public Sale of Surplus Property 1.888 Acres on North Texas Avenue / RFB No.:

2019-20-06 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment

- E. Discussion and consideration and approval of Allowance Expenditure No. 3 regarding the North Side Fire Station Project and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Airport.)
- F. Discussion and consideration on approval of support from the Veterans of Foreign Wars (VFW) for the upkeep and beautification of the Veterans Memorial located inside of Mayor Pablo Pena City Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)
- G. Discussion and consideration to approve Proposed Amendment in the amount of \$71,207.55 for a total of \$2,804,298 for Fiscal Budget Year 2019-2020 with Inframark and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.) Attachment
- H. Discussion and consideration to authorize Hidalgo County Precinct #1 to remove approximately 2,726 cubic yards of fill dirt from the Regional Detention Facility located on S Texas Blvd (F.M. 88) and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Planning & Code Enforcement.) Attachment

VII. REPORTS

- A. Report by Weslaco Area Chamber of Commerce.
- B. Report by Economic Development Corporation of Weslaco.
- C. Report by Inframark.
- D. Report 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 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.
- F. Real Property– Consultation with City Attorney on the acquisition of real property legally described as Lot 16, Block 2, La Paloma De La Sombras Subdivision for the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Local Government Code.
- G. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 29.08 acre of land consisting of 15.24 acres out of Farm Tract 705 and 13.84 acres out of Farm Tract 706, West Tract Subdivision the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Local Government Code.
- H. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 0.87 acre tract of land out of Farm Tract 706, West Tract Subdivision the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Local Government Code.
- I. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at 901 N. Airport Drive as authorized by §551.072 of the

Texas Local Government Code.

- J. Consultation – Seek City Attorney opinion on arbitration proceedings by the Weslaco Firefighters Association (IAFF-WFFA Local 3207) as authorized by §551.071 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 27th day of November 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: