



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JANUARY 21, 2020**

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, January 21, 2020 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.
 - 1) Award from the Government Finance Officers Association to the City of Weslaco Finance Department.
- 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. PUBLIC HEARING

- A. To solicit input on behalf of Tomasita Hernandez requesting a Conditional Use Permit to operate an Event Center at 215B S. Texas Blvd. Suite A, also being Lot 27, Block 13, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas.

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 on second and final reading of the following:
 - 1) Approval on 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 held January 7, 2020; staffed by Finance Department.) Attachment
- B. Approval of the purchase of a Certificate of Deposit from Lone Star National Bank in the amount of \$240,000.00 for a term of 12-months utilizing Booth Endowment Funds. (Staffed by the Library Department.) Attachment
- C. Authorization to enter into an Interlocal Cooperation Act Agreement between the City of Weslaco Police Department and the U. S. Customs and Border Protection (U. S. Border Patrol) for the use of the Weslaco Police Department's Shooting Range and Training and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- D. Authorization and consideration to renew Clear for Law Enforcement Plus subscription for the Weslaco Police Department and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- E. Authorization to enter into an Interlocal Cooperation Act Agreement between the City of Weslaco Police Department and the City of Mercedes Police Department (MPD) for the use of the Weslaco Police Department's Shooting Range and Training and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- F. Approval on Inter-local Agreement between City of Donna and Weslaco outlining terms and conditions for the use, maintenance and operation of "Tyler Technologies New World Computer Aided Dispatch (CAD) and Records Management System RMS" for law enforcement dispatch services and authorize the Mayor to execute and any related documents. (Staffed by Police Department.) Attachment

- G. Approval on Inter-local Agreement between the City of Donna and Weslaco for lease space at 1912 Joe Stephens for the use, maintenance and operation of the Mid-Valley Regional Communications Center and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- H. Approval to authorize staff to solicit bids for CMT services and establish a rotation list for city wide-projects. (Staffed by Engineering.)
- I. Approval to authorize solicitation of bids for fuel services at Weslaco Mid Valley Airport and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2020-01 appointing two board members on the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.) Attachment

VI. 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, remained tabled December 3; no action on December 17, 2019 and tabled January 7, 2020; staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration to select a firm from the Request for Qualifications #2019-20-07 for Architectural / Engineering Design Services for a New Fire Station and Police Station with Municipal / Judicial Court and authorize the Mayor to execute any related documents. Possible action. (This item was tabled January 7, 2020; staffed by City Manager.) Attachment

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Tomasita Hernandez to approve a Conditional Use Permit to operate an Event Center at 215B S. Texas Blvd. Suite A, also being Lot 27, Block 13, Weslaco Original Townsite, 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 for the Final Plat for San Pedro Subdivision – being 20 acre tract of land out of Farm Tract 647, West & Adams Tract Subdivision, Hidalgo County, Texas. Approximately 2,964 ft. North of the Intersection of 18th and Milanos Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration for the Final Plat for San Jacinto Estates No10. Phase II Subdivision – being 13.49-acre tract of land out of Farm Tract 94, West & Adams Tract Subdivision, Hidalgo County, Texas. Approximately on the Northwest corner of Mile 10 North Road and Mile 4 West Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- D. Discussion and consideration on Ambulance Services Agreement between City of Weslaco and VHS Harlingen Hospital Company, LLC dba Valley Baptist Micro-Hospital Weslaco for ambulance transportation services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment
- E. Discussion and clarification of the Utility Policy Ordinance as codified under Article II Section 4 (5) (d) Utility Reimbursement Agreement Filing Deadline and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- F. Discussion and consideration on Waterline Access Agreement between North Alamo Water Supply Corporation, City of Weslaco and Alim S. Ansari - Horizon Montessori Subdivision to allow fire protection for development and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- G. Discussion and consideration to approve Resolution 2020-02 declaring intention to reimburse certain expenditures with Certificate of Obligation proceeds and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- H. Discussion and consideration on agreement with Rolando L. Rios & Associates, PLLC for legal services regarding the US Census 2020 and redistricting the City of Weslaco and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment

- I. Discussion and consideration to nominate a member of the Weslaco community who has made significant civic contributions and achievements to the Rio Grande Valley Walk of Fame as part of BorderFest 2020 and authorize the Weslaco City Commission to sign the nomination form. Possible action. (Staffed by City Manager.) Attachment
- J. Discussion and consideration on Ordinance 2020-01 amending Ordinance 2016-03 the Equipment Replacement Fund Section One 50-80(c) and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-01. Possible action. (Staffed by City Manager.) Attachment
- K. Discussion and consideration on Ordinance 2020-02 to order a Special Municipal Election for May 2, 2020 for charter amendments and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary Department.)
- L. Discussion and consideration on the creation of an exploratory committee dedicated to planning the long term goals of the Weslaco Library System and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.) Attachment
- M. Discussion and consideration of a Clinical Affiliation Agreement between Texas A&M Engineering Extension Service and the City of Weslaco Fire Department & EMS 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
- N. Discussion and consideration on Task Order No. 2 with H2O Partners Inc. for the Hazard Mitigation Plan and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- O. Discussion and consideration on interview and selection from the Request for Qualifications 2019-20-04 for Architectural/Engineering Design Services for the Mid-Valley Airport Hanger Expansion and Infrastructure Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- P. Discussion and consideration on agreement from Brannan Paving Company, LTD, to allow stockpile rock on city property located at 301 S. Bridge and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment

- Q. Discussion and consideration to contract Southern Trenchless Solutions, LLC., BuyBoard vendor contract no. 555-18, for pipe bursting repairs of a sewer line located on Pike Boulevard from Dolores Huerta to Utah Avenue, in the amount of \$79,480.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works 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. Legal Consultation - Seek City Attorney opinion relating to the lawsuit with CDM as authorized by §551.071 of the Texas Government Code.
- C. 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.
- D. Legal Consultation - Consultation with City Attorney on potential lawsuit regarding claim under Texas Unemployment Compensation Act by Gloria Oliva as authorized by Section §551.071 of the Texas Government Code.

- E. 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.
- F. 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.
- G. 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.
- H. 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.

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 17th day of January 2020 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: