



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 1, 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, August 1, 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. 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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:

- 1) Regular Meeting on July 18, 2017;
- 2) Record of workshop on July 19, 2017; and
- 3) Special Meeting on July 25, 2017; and
- 4) Record of workshop on July 26, 2017. (Staffed by City Secretary's Office.)

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

- 1) 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 was held July 18, 2017; staffed by Planning and Code Enforcement). Attachment
- 2) 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 was held July 18, 2017; staffed by Planning and Code Enforcement.) Attachment

C. Approval of the Lease Agreement with the Weslaco Youth Football League for the use of Isaac Rodriguez multi-purpose fields and Harlon Block Sports Complex practice area, for a term of 4 months (September 1, 2017-December 31, 2017) and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment

D. Approval of an expenditure of \$3,000.00 of the Marion Booth Endowment for DVDs, audiobooks, and furniture improvements within the Mayor Joe V. Sanchez Public Library. (Staffed by the Library Department.) Attachment

E. Approval of the request by the Economic Development Corporation of Weslaco to close City Hall Parking lot on Thursday, August 24, 2017 between the hours 1:00 PM and 10:00 PM for Alfresco Weslaco Music & Art on the Street "Back to School", authorizing the sale of wine and beer by a TABC vendor; waiving fees and ordinances for the event; approving assistance from Public Facilities, Public Works, Police, Fire and EMS and authorize the Mayor to execute any related documents. (Requested by Weslaco EDC.) Attachment

F. Approval of an Interlocal Agreement between Region 8 Education Service Center and

the City of Weslaco for the purpose of purchasing services when needed through their program known as The Interlocal Purchasing System (TIPS) Program. (Staffed by IT Department.) Attachment

IV. OLD BUSINESS

- A. Discussion and consideration to approve the Final Plat for The Jungle Subdivision being a 10.0 acre tract out of Farm Tract 658 West & Adams Tract Subdivision located on the north side of Mile 6 N. Road, approximately 600' west of Westgate Drive and authorize the Mayor to execute any related documents. Possible action. (This item was tabled on July 25, 2017; staffed by Planning and Code Enforcement.) Attachment

V. NEW BUSINESS

- A. Discussion and consideration to accept the calculation of effective and rollback tax rates for the 2017 tax year by Hidalgo County Tax Assessor-Collector Pablo "Paul" Villarreal. Possible action. (Staffed by Finance Department.) Attachment
- B. Discussion and consideration to approve Resolution 2017-54 proposing an ad valorem tax rate and setting dates on which the Commission will hold public hearings, and a date to adopt the 2017-2018 ad valorem tax rate. Roll Call Vote. Possible action. (Staffed by Finance Department.) Attachment
- C. Discussion and consideration to approve Ordinance 2017-35 amending Ordinance 2016-36, The Master Fee Schedule, to revise existing fees and reclassifying specific line items and authorize the Mayor to execute any related documents. First reading of Ordinance 2017-35. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- D. Discussion and consideration to approve ordinance 2017-36 amending ordinance 2017-17, the City of Weslaco Electrical Code Ordinance; codified as Article 1 Chapter 42 of the Weslaco Code of Ordinances, adopting new regulations and ordaining other matter with respect to the subject matter hereof and authorize the Mayor to execute any related documents. First reading of Ordinance 2017-36. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- E. Discussion and consideration of playscape at Pecan Grove Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment

- F. Discussion and consideration to accept a grant from Knapp Community Care Foundation in the amount of \$200,000.00 for Isaac Rodriguez Park improvements and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)
- G. Discussion and consideration to approve an Election Order toward an election of Commissioner District 2 and Commissioner District 3 during the General Election on November 7, 2017 pursuant to Texas Election Code Chapter 271 and authorize the Mayor and Commissioners to execute any related documents. Possible action. (Staffed by City Secretary's Office.) Attachment
- H. Discussion and consideration to approve expanded hours for the Early Voting Election period, 7:00 a.m. - 7:00 p.m., at a cost-share estimated at \$60,000.00. Possible action. (Staffed by City Secretary's Office.) Attachment
- I. Discussion and consideration to adopt a policy for the use of City resources for the creation of a regular newsletter for the City of Weslaco and its individual Commissioners' districts. Possible action. (Staffed by City Secretary's Office.) Attachment
- J. Discussion and consideration to authorize the South Texas Balloon Festival at the Mid Valley Airport on October 27-29, 2017 and authorize the Mayor to execute any related documents. Possible action. (Requested by Claudia Corral.) Attachment

VI. REPORTS

- A. Report by Finance Department - Quarterly Investment Report. Possible action to accept and file.
- B. Report by Finance Department - Quarterly Financial Report. Possible action to accept and file.
- C. Report by Weslaco Area Chamber of Commerce.
- D. Report by Economic Development Corporation of Weslaco.
- E. Report by Severn Trent.
- F. Report by Parks and Recreation Department.
- G. Report by Planning and Code Enforcement.

H. Report by Public Works.

I. Report by Airport.

J. Report by Library.

VII. 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. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project Motorcycle as authorized by §551.087 of the Texas Government Code.

D. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project Memphis as authorized by §551.087 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. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of real property located at the Northwest corner of Bridge Avenue and Business Highway 83 in Weslaco, Hidalgo County, Texas as authorized by §551.072 of the Texas Local Government Code.
- G. Legal Opinion - Consultation with City Attorney on legal opinion related to the city's right-of-way for cell towers as authorized by §551.071 of the Texas Government Code.
- H. Legal Opinion - Consultation with City Attorney on legal opinion related to card houses as authorized by §551.071 of the Texas Government Code.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

IX. 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 28th day of July, 2017 at 4:55 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: