



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 15, 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 15, 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 with Oath of Office for Associate Municipal Court Judge.
- 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. REPORTS

- A. Presentation by County Commissioner Precinct 1 David Fuentes on Mile 10 North Road Improvements.

IV. PUBLIC HEARING

- A. To solicit input from the public regarding the City of Weslaco ad valorem property tax rate, proposed the same as last year's rate of \$0.6667/\$100.00 valuation, pursuant to Texas Tax Code Section 26.05(d). Attachment
- B. To solicit input from the public on proposed changes to the 2040 Zoning Map.

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 following:
 - 1) Minutes of Regular Meeting on August 1, 2017;
 - 2) Record of collective bargaining workshop August 9, 2017;
 - 3) Record of budget workshop August 9, 2017; and
 - 4) Record of budget workshop August 10, 2017 (Staffed by City Secretary's Office.)
- B. Approval on second and final reading of the following:
 - 1) 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 was held on August 1, 2017; Staffed by Planning & Code Enforcement Department.) Attachment
 - 2) 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 was held on August 1, 2017; Staffed by Planning & Code Enforcement Department.) Attachment
- C. Approval on renewal of the America Reads and Federal Work-Study Community Service agreements with UTRGV to allow for employment of work-study students and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment

- D. Approval of the relocation of the radio repeater and antenna from DPS Harlingen to new location in Bluetown for the use of the National Weather Service and authorize the Mayor to execute any related documents. (Staffed by the Fire Department.) Attachment
- E. Approval of the renewal of a lease agreement with IDEA Pike Schools for the use of Mayor Pablo G. Pena Park Tennis Courts for the 2017-2018 school year, and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment
- F. Approval of a request by Valley Nature Center to utilize Gibson Park on November 11, 2017 from 12 noon - 10 p.m. for Brew in the Woods, and authorize the Mayor to execute any related documents as may be required, and waive any fees that may be associated with the event. (Requested by Valley Nature Center.) Attachment
- G. Approval authorizing the Weslaco Police Department to continue participating in the Texas LESO Program (Formerly 1033 Program) and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- H. Approval of Resolution 2017-58 on the submission of an application grant to the Office of the Governor Criminal Justice Division from the Weslaco Police Department for Rifle-Resistant Body Armor Grant Program and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- I. Approval of the renewal of a Professional Services Agreement with City of La Villa for animal care services for the 2017-2018 , and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement.) Attachment
- J. Approval of the renewal of a Professional Services Agreement with City of Mercedes for animal care services for the 2017-2018, and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement.) Attachment
- K. Approval of the renewal of a Professional Services Agreement with City of Elsa for animal care services for the 2017-2018, and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement.) Attachment
- L. Approval of the renewal of a Professional Services Agreement with City of Edcouch for animal care services for the 2017-2018, and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement.) Attachment

- M. Approval of the renewal of a Professional Services Agreement with City of Donna for animal care services for the 2017-2018 , and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement.) Attachment
- N. Approval of the annual renewal of a general service contract with Carahsoft for Accela software subscription services in an amount not to exceed \$31,998.00 and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement Department.) Attachment

VI. APPOINTMENTS

- A. Discussion and consideration on Resolutions 2017-56 and 2017-57 appointing two board members to expired terms on the Parks and Recreation Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks Department.) Attachment
- B. Discussion and consideration to approve Resolution 2017-59 appointing the Mayor and one additional member from the City Commission to the Hidalgo County Foreign Trade Zone and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment

VII. OLD BUSINESS

- A. Discussion and consideration of playscape at Pecan Grove Park and authorize the Mayor to execute any related documents. Possible action. (This item was tabled on August 1, 2017; Staffed by Parks and Recreation Department.) Attachment
- B. 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 \$6,000.00. Possible action. (This item was tabled on August 1, 2017; Staffed by City Secretary's Office.) Attachment
- C. Discussion and consideration to approve an amended Election Order toward an election of Commissioner District 2 and Commissioner District 3 during the General Election on November 7, 2017 reflecting expanded Early Voting Hours pursuant to Texas Election Code Chapter 271 and authorize the Mayor and Commissioners to execute any related documents. Possible action. (Election Order approved August 1, 2017; Staffed by City Secretary's Office.) Attachment

VIII. NEW BUSINESS

- A. Discussion and consideration to accept changes on the 2040 Zoning Map. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration of the Final Plat for Midway Mobile Subdivision, a 25.263-acre tract of land being all of Farm Tract 643, West and Adams Tracts Subdivision, Hidalgo County, Texas. Located on Midway Road and Mile 6 ½ North Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- C. Discussion and consideration of the Final Plat for Fuentes Legacy Subdivision, a 2.00-acre tract of land out of the West 25.78 acres of Farm Tract 1063, West and Adams Tract Subdivision, Hidalgo County, Texas. Located on the ETJ on the east side of Black Street, 1,040 feet North of Adams Street and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- D. Discussion and consideration to approve Final Plat of the Re-plat of Reyna Office Park, Unit 1 Subdivision, a 3.89-acre tract of land out of Lot 1, Reyna Office Park Unit 1 Subdivision, Hidalgo County, Texas, as per map recorded in volume 31, page 73B, map records of Hidalgo County, Texas, located Northeast Corner of intersection of Border Rd. and IH-2 Frontage Rd and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- E. Discussion and consideration of the Final Plat for the Weslaco North Fire Station Subdivision, a 48.682-acre tract of land out of Farm Tract 98 and 114, West Tract Subdivision, Hidalgo County, Texas. Located on approximately 375 feet east of FM 88 on Mile 11 North Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- F. Discussion and consideration of additional work and a change order granting a time extension within the Library Roof Repair Project. Possible action. (Staffed by the Library Department.) Attachment
- G. Discussion and consideration to approve the Depository Services Contract with the most advantageous bidder for three (3) year contract beginning October 1, 2017 and ending September 30, 2020 with an option to renew the contract for two (2) years as authorized by Section 105.017 of the Local Government Code, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance

Department.) Attachment

- H. Discussion and consideration to approve 2017-2018 Interlocal Agreement with County of Hidalgo for the implementation of the Community Development Block Grant (CDBG) under Grant No. B-17-UC-48-0501 setting the City's allotment at \$276,051.00 for activities to be carried out in the City's jurisdiction, and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Finance Department.) Attachment
- I. Discussion and consideration to unseal the sole bid received for RFB No. 2016-17-26. and possibly award bid to the sole bidder, Mr. Victor's LTD Co., for the purchase of two Recycling Trailers in a total amount not to exceed \$30,000.00. Possible action. (Staffed by Public Works.)
- J. Discussion and consideration to approve the Certificate of Formation and Bylaws to the Hidalgo County Foreign Trade Zone and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment
- K. Discussion and consideration to adopt a policy for the Tower (El Tinaco) Light Annual Schedule and Tower Light Request Guidelines, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- L. Discussion and consideration to negotiate and enter into agreement with Roger Garza, Valley Risk Consulting, for Professional Consulting Services related to insurance coverage's for the City and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment
- M. Discussion and consideration to select a name for the City of Weslaco 311 app, a mobile citizen service request application. Possible action. (Staffed by IT Department.) Attachment
- N. Discussion and consideration to approve Resolution 2017-55 opposing the Border Wall at Santa Ana National Wildlife Refuge. Possible action. (Staffed by City Manager's Office.) Attachment

IX. 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. Contract Negotiations – Discussion with the City Manager and City Attorney relating to the City’s rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Police Union (Weslaco Municipal Police Association) as authorized by §551.071 of the Texas Government Code.
- D. Personnel - Discussion regarding the investigation by the Department of Justice into an Americans with Disabilities Act complaint against the Police Department as authorized by §551.074 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. 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.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

XI. 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 11th day of August, 2017 at 4:50 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: