



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, SEPTEMBER 19, 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, September 19, 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. PUBLIC HEARING

- A. To solicit input on behalf of Armando Alaniz to rezone 400 N Republic Street also being Lots 12, 13, and 14, STAATS Addition Subdivision, Weslaco, Hidalgo County, Texas, from R-2 Duplex and Apartments District to B-4 Neighborhood Office District.
- B. To solicit input on behalf of Bill Carlson to rezone 1210 Valley View also being Lot 6, Ashmelmont Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-4 Neighborhood Office District.

- C. To solicit input on behalf of Francisco Perez to rezone 1319 E. 18th Street also being Lot 24, Margo Terrace Estates Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District

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 of the Minutes of the Regular Meeting on September 5, 2017.
(Staffed by City Secretary's Office.) Attachment
- B. Approval on second and final reading of the following:
 - 1) Ordinance 2017-29 authorizing a budget amendment as appropriate for the purchase of two (2) recycling trailers in an amount not to exceed \$30,000.00 and authorize the Mayor to execute any related documents. (First reading held June 20, 2017; Staffed by Public Works.)

Attachment
- C. Approval of the renewal of the Uniting Neighbors In Drug Abuse Defense (UNIDAD) Coalition memorandum of understanding and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- D. Authorization of the Finance Director to conduct any required audit of forfeiture funds as per Article 59.06 of the Code of Criminal Procedure. (Staffed by Finance Department.)
- E. Authorization of solicitation of bids for the Rehabilitation of Lift Station No. 37 and authorize the Mayor to execute and related documents. (Staffed by Planning & Code Enforcement Department.) Attachment
- F. Approval of the Election Services Contract with the Hidalgo County Elections Department to conduct the City of Weslaco General Election of November 7, 2017 pursuant to Texas Election Code Chapter 271, and authorize the Mayor to execute any related documents. (Staffed by City Secretary's Office.) Attachment

- G. Approval of Resolution 2017-62 on the submission of an application grant to the Office of the Governor Criminal Justice Division from the Weslaco Fire Department for Rifle-Resistant Body Armor Grant Program and authorize the Mayor to execute any related documents. (Staffed by the Fire Department.) Attachment
- H. Authorization to reapply and renew the Reading Is Fundamental (RIF) grant for FY 2017-2018 to accept funds upon award throughout the year, to provide local matching funds not to exceed 25% of the total granted amount in each instance and not to exceed \$700.00 total annually, and to allow the Mayor to execute any associated documents. (Staffed by Library Department.) Attachment
- I. Acceptance of donated monies and gift donations from local vendors and/or the public for library programming within Fiscal Year 2017– 2018. (Staffed by Library Department.) Attachment
- J. Approval of Resolution 2017-66 authorizing the submission of a grant for Northside Park to Texas Parks and Wildlife Department and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to remove Julian Flores from the Parks and Recreation Advisory Board and approve Resolution 2017-61 appointing one member to that unexpired term and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation.) Attachment
- B. Discussion and consideration to accept the resignation of Clemente Mena from the Planning and Zoning Commission and approve Resolution 2017-65 appointing one member to that unexpired term. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- C. Discussion and consideration to approve Resolution 2017-63 appointing an official member and an alternate member to the Amigos del Valle, Inc. Board of Directors for Fiscal Year 2017-2018 and authorize the Mayor to execute any related documents. Possible action. (Requested by Amigos del Valle.) Attachment

VI. OLD BUSINESS

- A. Discussion and consideration on second and final reading to approve Ordinance 2017-37 adopting the City of Weslaco's budget appropriation for the fiscal year October 1, 2017 to September 30, 2018 and authorize the Mayor to execute any related documents. Possible action. (First Reading held September 5, 2017; Staffed by Finance Department.) Attachment

- B. Discussion and consideration on second and final reading to approve Ordinance 2017-38 adopting and levying the ad valorem tax rate for the 2017-2018 fiscal year and authorize the Mayor to execute any related documents. Possible action. (First Reading held September 5, 2017; Staffed by Finance Department.) Attachment
- C. Discussion and consideration on second and final reading to approve Ordinance 2017-39 ratifying the property tax increase reflected in the 2017-2018 fiscal year budget and authorize the Mayor to execute any related documents. Possible action. (First reading held September 5, 2017; Staffed by Finance Department.) Attachment
- D. Discussion and reconsideration to award the sole bidder, Mr. Victor's LLC, for Request For Bids No. 2016-17-26 to purchase Two Recycling Trailers in the amount not to exceed \$30,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.) Attachment

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Armando Alaniz to approve Ordinance 2017-40 rezoning 400 N Republic Street also being Lots 12, 13, and 14, STAATS Addition Subdivision, Weslaco, Hidalgo County, Texas, from R-2 Duplex and Apartments District to B-4 Neighborhood Office District. First reading of Ordinance 2017-40. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- B. Discussion and consideration after public hearing on behalf of Bill Carlson to approve Ordinance 2017-41 rezoning 1210 Valley View also being Lot 6, Ashmelmont Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-4 Neighborhood Office District. First reading of Ordinance 2017-41. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- C. Discussion and consideration after public hearing on behalf of Francisco Perez to approve Ordinance 2017-42 rezoning 1319 E. 18th Street also being Lot 24, Margo Terrace Estates Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District. First reading of Ordinance 2017-42. Possible action. (Staffed by Planning and Code Enforcement.) Attachment

- D. Discussion and consideration to approve the Final Plat for M.A. Subdivision, being a 9.00 acre tract of land out of Farm Tract 99, Block 145, West Tract Subdivision, Hidalgo County, Texas, located on the west side of Mile 4½ West, one quarter mile South of Mile 11 North Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- E. Discussion and consideration to approve final payment to Castle Enterprises for the Sugarcane Drive Detention Pond Project for an amount not to exceed \$21,144.90 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- F. Discussion and consideration to approve final payment for DDI, Doug's Drip Irrigation and Sprinklers for an amount not to exceed \$3,647.20 for the irrigation system installed for the Sugarcane Drive Detention Pond and authorize Mayor to execute any related documents. Possible action. (Staffed by Planning and Code and Enforcement) Attachment
- G. Discussion and consideration to award the best qualified, most advantageous response to the Request for Proposals for the City of Weslaco Group Health Insurance (RFP No. 2016-17-28) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment
- H. Discussion and consideration to award the best qualified, most advantageous response to the Request for Proposals for the City of Commercial Package (RFP No. 2016-17-30) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment
- I. Discussion and consideration to award the best qualified, most advantageous response to the Request for Proposals for the City of Weslaco Worker's Compensation Insurance (RFP No. 2016-17-29) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment
- J. Discussion and consideration to award the best qualified, most advantageous response to the Request for Proposals for the City of Weslaco 125 Cafeteria Plan Voluntary Supplemental Insurance Products (RFP No. 2016-17-31) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment

- K. Discussion and consideration to approve Resolution 2017-64 nominating a candidate to the Hidalgo County Appraisal District Board of Directors for the 2018-2019 election and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Office of the City Secretary.) Attachment
- L. Discussion and consideration to approve Mid Valley Airport Ground Lease Agreements, with a reversion clause, for the following Hangers:
A) Tenant Art Beckwith for Hangars W-22 and W-30; and
B) Tenant Terry Barbee, D/B/A WTB Trading Company, for Hangars W-12, W-13, W-21, W-26, and W-28
and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- M. Discussion and consideration to approve the following Mid Valley Airport Ground Lease Agreements for Hangers, with a non-reversion clause:
A) Tenant Art Beckwith for Hangar E-26; and
B) Tenant Terry Barbee, D/B/A WTB Trading Company, for Hangars E-11 through E-14 and E-19
and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- N. Discussion and consideration to authorize solicitation of bids for the Isaac Rodriguez Park Restroom/Maintenance Facility Construction Project and authorize the Mayor to execute and related documents. Possible action. (Staffed by Parks and Recreation.) Attachment
- O. Discussion and consideration to approve Ordinance 2017-43 authorizing a budget amendment as appropriate for the Solid Waste Account in the amount of \$27,000.00 and authorize the Mayor to execute any related documents. First reading of Ordinance 2017-43. Possible action. (Staffed by Public Works.) Attachment
- P. Discussion and consideration to approve the FY 2017-2018 Proposed Street Improvement Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.) 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 §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 opportunities and incentive programs related to Project Chicken Hatch "B" as authorized by §551.087 of The Texas Government Code.
- D. Economic Development – Consultation with City Attorney regarding Economic Development opportunities and incentive programs related to Project Saddle as authorized by §551.087 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 15th day of September, 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: