



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, NOVEMBER 7, 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, November 7, 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 Dimas Martinez Jr. to rezone 325 Frost Proof Street also being Lots 22 & 23, Frost Proof Heights Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling to R-2 Duplex and Apartments 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 following:

- 1.) Minutes of the Regular Meeting on October 17, 2017 and
- 2.) Record of Joint Workshop on October 26, 2017. (Staffed by City Secretary's Office.) Attachment.

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

- 1) Ordinance 2017-45, amending Ordinance 2017-06, providing for a new schedule of rates to be charged for certain meter tapping fees and authorize the Mayor to execute any related documents (First reading held October 17, 2017; Staffed by Finance Department.) Attachment
- 2) Ordinance 2017-46 amending the Master Fee Schedule with respect to library fees and permit fees, and authorize the Mayor to execute any related documents (First reading held October 17, 2017; Staffed by Finance Department.) Attachment

C. Approval on First Reading of Ordinance 2017-47, authorizing and allowing under the act governing the Texas Municipal Retirement System, "updated service credits" in said system for service performed by qualifying members of such system who presently are members of the City of Weslaco; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the city; and establishing an effective date for such actions. First Reading of Ordinance 2017-47. (Staffed by Finance Department.) Attachment

D. Approval of a Memorandum of Understanding with Weslaco Independent School District (WISD) for the use of various city park baseball and softball fields. (Staffed by Parks and Recreation Department.)

E. Approval of a Professional Services Agreement with Willacy County for animal care services for 2017-2018 and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement.) Attachment

F. Approval of the annual radio communication subscription with Rio Grande

Communications Group in the amount of \$35,280.00 as budgeted and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment

- G. Approval to ratify purchase of an emergency sewer manhole repair located East of 18th St. and Bridge Ave. on October 23, 2017 with the lowest bidder, Southern Trenchless in the amount of \$47,000.00 and authorize the Mayor to execute any related documents. (Staffed by Public Works.) Attachment
- H. Approval to accept financing proposal from City National - Capital Finance for purchase of Fire Department light duty Ford F550 in the amount of \$225,000.00 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment
- I. Approval to authorize use of the Court Technology Fund to pay for the final additions for the E-citations project not to exceed \$5,000.00. (Staffed by Municipal Court.) Attachment
- J. Approval to implement the employee assistance program through the Blue Cross Blue Shield Health Insurance coverage in an amount not to exceed \$5,000.00. (Staffed by Human Resources.) Attachment

V. OLD BUSINESS

- A. Discussion and consideration to approve a Performance Contracting Agreement with Siemens Industry, Inc. for a turn-key solution to implement capital intensive improvements utilizing energy, operational savings and increased revenue to offset the cost of improvements, and authorize the Mayor to execute any related documents. Possible action. (There was no action on October 17, 2017; Staffed by City Manager's Office.) Attachment
- B. Discussion and consideration to accept the lowest and most advantageous proposal for tax exempt financing of certain equipment required in connection with the Energy Savings Performance Contract with Siemens Industry, Inc. as requested in Request for Proposals No. 2017-18-02, and authorize the Mayor to execute any related documents. Possible action. (There was no action on October 17, 2017; Staffed by Finance Department.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Dimas Martinez Jr. to approve Ordinance 2017-51 rezoning 325 Frost Proof Street also being Lots 22 & 23, Frost Proof Heights Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling to R-2 Duplex and Apartments District. First reading of Ordinance 2017-51. Possible action. (This item requires three-fourths vote as it was denied by Planning and Zoning Commission; Staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration to approve the Final Plat for Weslaco EDC Subdivision No. 1 – being the 20 acres out of Farm Tract 60, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas, located on Sugar Cane Road (Mile 9 N.) approximately 200 feet east of Joe Stephens Avenue and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- C. Discussion and consideration to approve the Final Plat for King Estates Subdivision – being the 10.00 acres out of Farm Tract 17, West Tract Subdivision, Weslaco, Hidalgo County, Texas, located on Pleasantview Drive just south of Interstate 2 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- D. Discussion and consideration to extend the Severn Trent annual agreement two-years for an annual increase capped at 1.3% and authorize the Mayor to execute any related documents. Possible action. (Requested by Severn Trent.) Attachment
- E. Discussion and consideration regarding proposal submitted by Montalvo Insurance on General Liability and Professional Liability coverage after legal review. Possible action. (Staffed by Human Resources.) Attachment
- F. Discussion and consideration to unseal the sole bid received for Request For Bids No. 2017-18-01, and possibly award bid to the sole bidder, Wall Street Construction, for the Construction for Service Facility / Restrooms at Isaac Rodriguez Park. Possible action. (Staffed by Parks and Recreation Department.)
- G. Discussion and consideration to approve a change order granting a time extension for rain days within the Library Roof Repair Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.) Attachment
- H. Discussion and consideration to approve an Interlocal Agreement with the City of Pharr for a manhole replacement program and authorize the Mayor to execute any

related documents. Possible action. (Staffed by Public Works.) Attachment

- I. Discussion and consideration to award the most advantageous bidder, Cintas Corporation, for Industrial Employee Uniforms as requested in Request for Proposals No. 2016-17-32, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.) Attachment
- J. Discussion and consideration to purchase seven (7) 2018 vehicles from Buyboard vendor Gunn Chevrolet Ltd. under the capital outlay fund 2017-2018 budget:
 - 1. Building Maintenance - 3/4 Ton pickup with service body and lift gate \$34,782
 - 2. Fleet Maintenance - 1 Ton pickup regular cab with service body \$36,733
 - 3. Solid Waste (Recycle) - 3/4 Ton pickup regular cab with flatbed \$29,021
 - 4. Meter Division - 1/2 Ton pickup Regular Cab \$21,257
 - 5. Distribution Department - 1 Ton pickup with dump body \$39,033
 - 6. Distribution Department - 1 Ton pickup Crew Cab with service body \$40,842
 - 7. Collections Department - 1 Ton pickup Regular Cab with service body \$33,733and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment

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 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.
- E. Real Property – Consultation with City Attorney on the purchase, sale, exchange, lease or value of real property consisting of 36.63 acres more or less located on Midway Road as authorized by §551.072 of the Texas Local 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 3rd day of November, 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: