



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, NOVEMBER 21, 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 21, 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 following:
 - 1) Minutes of the Regular Meeting on November 7, 2017;
 - 2) Minutes of the Special Meeting on November 14, 2017. (Staffed by City Secretary's Office.) Attachment.

- B. Approval on second and final reading of the following:
 - 1) Approval 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 held November 7, 2017; Staffed by Finance Department.) Attachment

- C. Approval to authorize request for bids for Bike Lanes on 18th Street and Bridge Avenue. (Staffed by Planning and Code Enforcement.) Attachment

IV. APPOINTMENTS

- A. Discussion and consideration to approve Resolutions 2017-71, 2017-72 and 2017-73 appointing three members to expired terms on the Economic Development Corporation of the Weslaco Board of Directors and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Economic Development Corporation.) Attachment

- B. Discussion and consideration to approve Resolution 2017-70 appointing a member to an expired term on the Board of Adjustments & Appeals Zoning Ordinance and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment

- C. Discussion and consideration to approve Resolutions 2017-74, 2017-75, 2017-76, 2017-77 and 2017-78 appointing five members to expired terms on the Planning and Zoning Commission and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- D. Discussion and consideration to approve Resolution 2017-69 to allocate votes in the election for the 2018-2019 Board of Directors of the Hidalgo County Appraisal District pursuant to §6.03(e) of the Texas Property Tax Code. Possible action.

(Staffed by City Secretary's Office.) Attachment

- E. Discussion and consideration to approve Resolution 2017-80 appointing one Commission member to replace the alternate on the Amigos del Valle. Possible action. (Staffed by City Secretary's Office.) Attachment

V. OLD BUSINESS

- A. 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. (There was no action on this item November 7, 2017; requested by Severn Trent.) Attachment
- B. Discussion and reconsideration to purchase one (1) 2018 vehicle from Buyboard vendor Gunn Chevrolet Ltd. under the capitol outlay fund 2017-2018 budget for Collections Department, being a 1 Ton Pick up Regular Cab with service body from \$34,113 to \$36,733 and authorize the Mayor to execute any related documents. Possible action. (This item was approved November 7, 2017; Staffed by Parks and Recreation Department.) Attachment
- C. 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. (This item was approved on November 7, 2017 pending review; Staffed by City Manager's Office.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration on request from Texas Taxi, Inc. to allow RGV Yellow Cab to operate taxi services within the City of Weslaco. Possible action. (Requested by Texas Taxi, Inc.) Attachment
- B. Discussion and consideration to name a private street located within Apostolic Assembly Church Subdivision to West Apostolic Drive. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- C. Discussion and consideration to approve Mid Valley Airport Ground Lease Agreements, with a reversion clause, for the following Hangars:

- 1) Tenant Terry Barbee, D/B/A WTB Trading Company, for Hangar W-14;
- 2) Tenant Bud Payne, D/B/A Payne Dealer Group Management Co., Inc., for Hangar W-09; and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment

- D. Discussion and consideration to approve Mid Valley Airport Hangar Lease Agreement with Jeremy Reily D/B/A Rio Aviation, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- E. Discussion and consideration on the purchase of a Ford-250 4x4 gas engine vehicle at a cost of \$38,000 and a Chevrolet Tahoe 2x4 vehicle at a cost of \$50,000 under the Fire Department Apparatus Replacement Program 2017-2018 budget and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.) Attachment
- F. Discussion and consideration to approve the purchase of a network data storage appliance using a State of Texas DIR contract in an amount not to exceed \$30,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by IT Department.) Attachment
- G. Discussion and consideration to schedule workshops of the Commission. Possible action. (Staffed by City Secretary's Office.)
- H. Discussion and consideration to enter into a commercial card agreement with BBVA Compass Bank and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Finance Department.) Attachment

VII. REPORTS

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

H. Report by Police Department.

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. 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.
- E. Economic Development - Consultation with City Attorney to establish a Termination Date for Hangar Inspections as authorized by §551.087 of the Texas Government Code.

- F. Economic Development - Consultation with City Attorney on Airport Property Development Project as authorized by §551.087 of the Texas Government Code.
- G. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project PanAm as authorized by §551.087 of the Texas Government Code.
- H. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related for retail development Project Ocean as authorized by §551.087 of The Texas Government Code.
- I. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project Anchor 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 17th day of November, 2017 at 2:10 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: