



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, DECEMBER 5, 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, December 5, 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. REPORTS

- A. Report by L & G Engineers on Mile 6 Project.
- B. Report by Lower Rio Grande Valley Development Council on Valley Metro Ridership Program.

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 November 21, 2017;
 - 2.) Record of the Workshop on November 28, 2017. (Staffed by City Secretary's Office.) Attachment
- B. Acceptance of the funds in the amount of \$13,000.00 from the U.S. Department of Justice United States Marshals Services for overtime operations by the City of Weslaco Police Department pursuant to the Memorandum of Understanding. (Staffed by Police Department.) Attachment
- C. Approval of Mid Valley Airport Hangar Lease Agreement with Charles Mild, Hangar E-3, and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- D. Approval of Mid Valley Airport Ground Lease Agreement with Marvin Yarbrough, Hangar W-20, and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- E. Approval to solicit bids for the relocation of waterline for Weslaco North Fire Station Subdivision. (Staffed by Planning and Code Enforcement.) Attachment
- F. Approval of Resolution 2017-84 to terminate the Multiple Use Agreement with the Texas Department of Transportation for inactive approved bus stop locations along their right-of-way on U.S. Business Highway 83 and Texas Boulevard. (Staffed by Planning and Code Enforcement.) Attachment
- G. Approval of Resolution 2017-81 amending Resolution 2016-70, authorizing the Mayor and City Commission, identifying Commissioner Jose "J.P." Rodriguez, to exercise certain powers identified with BBVA Compass Bank, including opening of accounts, certificates of deposit, transferring funds, securing safe deposit boxes, and making inquiries pertaining to accounts and authorize the Mayor and Commission to execute any related documents. (Staffed by Finance Department.) Attachment

- H. Approval of Resolution 2017-82 to approve and adopt the annual Investment Policy for the City of Weslaco and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2017-83 appointing one member to the unexpired term of Adrian Torres on the Board of Adjustments and Appeals to the Zoning Ordinance. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- B. Discussion and consideration to nominate a member of the Weslaco community who has made significant civic contributions and achievements to the Rio Grande Valley Walk of Fame as part of BorderFest 2017 and authorize the Weslaco City Commission to sign the nomination form. Possible action. (Staffed by City Manager's Office.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration to approve Ordinance 2017-53 authorizing a budget amendment as appropriate in amount of \$17,167.11 to purchase Water Rescue Dry Suits awarded under a Homeland Security Grant and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment
- B. Discussion and consideration to approve the reconstruction of railroad crossing at the intersection of U.S. Business Highway 83 and Utah Avenue and authorize Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- C. Discussion and consideration to approve an Interlocal with Weslaco Independent School District (WISD) for the creation, management and maintenance of a Cafe in the Mayor Joe V Sanchez Public Library. Possible action. (Staffed by Library.) Attachment
- D. Discussion and consideration to approve an asset transfer to Hidalgo County Precinct One. Possible action. (Staffed by Public Works.) Attachment
- E. Discussion and consideration to approve an Interlocal Agreement with the City of Donna authorizing the sale of water at a rate of \$1.70/1,000 gallons for a twenty-five

year term. Possible action. (Staffed by City Manager's Office.) Attachment

- F. Discussion and consideration to authorize a one-time supplement to all full-time, non-civil service employees. Possible action. (Staffed by City Manager's Office.) 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 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. Legal Consultation - Seek City Attorney opinion relating to the mediation with CDM as authorized by §551.071 of the Texas Government Code.
- D. 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.

- E. 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.

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 1st day of December, 2017 at 4:00 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: