



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 6, 2018**

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, February 6, 2018 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Minutes as follows:

- 1) Regular Meeting on January 16, 2018;
- 2) Special Meeting on January 25, 2018;
- 3) Special Meeting on January 30, 2018. (Staffed by City Secretary's Office.) Attachment.

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

- 1) Ordinance 2018-01 rezoning 2929 W. Expressway 83, also being Lot 1, Grover Commercial Plaza, Phase I, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District to B-2 Secondary and Highway Business District and authorize the Mayor to execute any related documents. (First reading of Ordinance 2018-01 held January 16, 2018; Staffed by Planning and Code Enforcement Department.) Attachment
- 2) Ordinance 2018-03 authorizing a budget amendment as appropriate to purchase property on Westgate Drive for drainage improvements in an amount of \$150,000 and authorize the Mayor to execute any related documents. (First reading of Ordinance 2018-03 held January 16, 2018; Staffed by Finance Department.) Attachment
- 3) Ordinance 2018-04 amending Ordinance 1990-31 Animal Control Ordinance providing regulations on animal impoundment identified as nuisance situations and authorize the Mayor to execute any related documents. (First reading of Ordinance 2018-04 held January 16, 2018; Staffed by Planning and Code Enforcement Department.) Attachment

C. Approval of the renewal of the lease agreement with Weslaco Softball/Baseball League and approve the use of the Softball/Baseball Field 1, 2 and 3 and Concession Stand at Mayor Pablo G. Peña City Park effective February 1, 2018 through July 31, 2018 and authorize the Mayor to execute any related documents. (Requested by Weslaco Softball/Baseball League.) Attachment

D. Approval of the renewal of the lease agreement with Mid Valley Youth Soccer League for use of Pablo G. Pena City Park soccer fields and authorize the Mayor to execute any related documents. (Requested by Mid Valley Youth Soccer League.) Attachment

E. Approval of the renewal of the lease agreement with Weslaco Little League for use of Isaac Rodriguez Park Multi-Purpose Field and Minor Field and Concession Stands and Harlon Block/Sports Complex Field #1, Field #2 and Concession Stands effective

February 1, 2018 through July 31, 2018 and authorize the Mayor to execute any related documents. (Requested by Weslaco Little League.) Attachment

- F. Approval of the renewal of the 7th Annual “Movies at the Park” at Mayor Pablo G. Peña City Park located at 300 N. Airport Drive for the 2018 season and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation.) Attachment
- G. Authorization to solicit bids for water line and irrigation line for Weslaco North Fire Station Subdivision. (Staffed by Planning and Code Enforcement.) Attachment
- H. Acceptance of check for \$111,900.00, on behalf of Pat Serquina, for the repairs of parking garage located near the intersection of Third Street and Missouri Avenue and authorize Mayor to execute any related documents. (Staffed by Planning and Code Enforcement.) Attachment
- I. Authorization to advertise for repairs to the parking garage at the Villa de Cortez. (Staffed by Planning and Code Enforcement.) Attachment
- J. Acceptance of grant award number 3357201 from the Office of the Governor State Homeland Security Program in an amount of \$60,222.48 to purchase Special Response Team gear and equipment and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- K. Approval of the Memorandum of Understanding between the constituent agencies of the Texas Anti-gang (TAG) Center - Rio Grande Valley and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- L. Approval of Resolution 2018-06 authorizing to apply for the 2018-2019 Justice Assistance Grant Program (Grant #3526101) to purchase an evidence collection van in an amount not to exceed \$72,640.00 with no local match required and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- M. Authorization of the allocation of \$450,000.00 from Capital Outlay 2018 adopted budget and an amount not to exceed \$30,000.00 from Asset Forfeiture for the purchase of nine (9) police vehicles. (Staffed by the Police Department.) Attachment
- N. Approval of Resolution 2018-07 authorizing to apply for the 2018-2019 State

Homeland Security Program LETPA Grant (Grant #3538301) to purchase a high-risk warrant vehicle in an amount not to exceed \$88,950.00 with no local match requirement and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment

- O. Approval of Resolution 2018-08 authorizing to apply for the 2018 State Homeland Security Program - Regular Projects to purchase twelve (12) portable radios and related equipment in an amount not to exceed \$55,755.58 with no local match required and authorize the Mayor to execute any related documents. (Staffed by the Weslaco Police Department.) Attachment
- P. Approval of Resolution 2018-09 authorizing to apply for the 2018 Office of the Governor Criminal Justice Division Body-Worn Camera Program to purchase two (2) body worn cameras and related equipment in an amount not to exceed \$12,485.00 with a 20% local match required and authorize the Mayor to execute any related documents. (Staffed by the Weslaco Police Department.) Attachment
- Q. Approval of the renewal of the third year of a three-year Microsoft Enterprise Agreement previously approved by City Commission on January 19, 2016 for Microsoft products, including server, desktop software and email services, in an amount not to exceed \$73,000.00 and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department.) Attachment
- R. Approval of an expenditure of \$7,500.00 of the Marion Booth Endowment for mobile hotspots, additions to the library collection, and furniture improvements within the Mayor Joe V. Sanchez Public Library. (Staffed by the Library Department.) Attachment

IV. OLD BUSINESS

- A. Discussion and consideration to approve on Second and Final Reading Ordinance 2018-02, amending Ordinance 320, Codified as Chapter 150 - Zoning Ordinance, adopting new regulations and ordaining other matters with respect to the subject matter hereof. Possible action. (First reading of Ordinance 2018-02 held January 16, 2018; Staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration regarding the Conditional Use Permit to operate a daycare at 610 W. 13th Street, Weslaco. (There was no action on this item January 16, 2018; Staffed by City Manager's Office.)

V. NEW BUSINESS

- A. Discussion and consideration to approve Resolutions 2018-15 through 2018-22 expressing support for applications to the Texas Department of Housing and Community Affairs for 2018 for competitive nine-percent housing tax credits for the following proposed developments:
- 1) Avanti at Sienna Palms Legacy
 - 2) Avanti at Westgate Legacy
 - 3) Jasmine Village Apartments
 - 4) Luna Vista
 - 5) Midway North Village
 - 6) Midway North Senior Village
 - 7) Midway Villas
 - 8) Weslaco Villas
- and authorize the Mayor to execute any related documents. Possible action. (Staffed by the City Manager's Office.) Attachment
- B. Discussion and consideration to approve an Interlocal agreement with Weslaco Independent School District for a joint school/city park at Clecker-Heald Elementary School to include improvements and utilization of facilities and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment
- C. Discussion and consideration to approve an Interlocal agreement with Weslaco Independent School District for a joint school/city park at Memorial Elementary School to include improvements and utilization of facilities and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment
- D. Discussion and consideration to approve a variance from Subdivision Ordinance 26-37, on behalf of Domain Development Corporation, to reduce park fees from The Villages at Westgate Subdivision in 50% and place remaining fees at building stage at builder's expense. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- E. Discussion and consideration to submit individual liens for lots located on Sun Valley Subdivision from sanitary sewer improvements as stated on Resolution 2005-04 and filed at Hidalgo County Clerks Office Document No.1434619 and authorize Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- F. Discussion and consideration to approve Ordinance 2018-05 approving a four-way

stop at the intersection of Frost Proof Drive and N. Trace Drive. First Reading of Ordinance 2018-05. Possible action. (Staffed by Planning and Code Enforcement.) Attachment

- G. Discussion and consideration to approve the submission of the final proposed annual work plan for the City of Weslaco under the Hidalgo County Urban County Program, approve Resolution 2018-23 for year 31 (2018) to accept the allocation of approximately \$276,051.00, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- H. Discussion and consideration to award the most advantageous proposal for financing of the purchase of Weslaco Fire Department 2018 Tahoe and 2018 F-250 Truck and authorize the Mayor to execute a Master Lease Agreement. Possible action. (Staffed by Finance Department.) Attachment
- I. Discussion and consideration to amend Republic Services agreement to allow for additional charges for overfilling of commercial trash dumpsters in the amount of \$37.50 per yard. Possible action. (Staffed by Finance Department.) Attachment
- J. Discussion and consideration to approve Ordinance 2018-06 amending the Master Fee Schedule to reflect the overfill charges and authorize the Mayor to execute any related documents. First Reading of Ordinance 2018-06. Possible action. (Staffed by Finance Department.) Attachment

VI. REPORTS

- A. Report by Weslaco Area Chamber of Commerce.
- B. Report by Economic Development Corporation of Weslaco.
- C. Report by Inframark.
- D. Report by Fire Department.
- E. Report by Parks and Recreation Department.
- F. Report by Planning and Code Enforcement.
- G. Report by Public Works.

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. Personnel - Discussion with the City Manager regarding the Police Chief applicants and develop a short-list as authorized by §551.074 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. Pending Litigation - Consultation with City Attorney regarding Cause No. T-0286-16-B *Weslaco Independent School District, City of Weslaco and South Texas College, et al vs Jesus Bravo, et al* as authorized by §551.071 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 2nd day of February,

2018 at 5:40 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:
------------------------------------	-------	-----------