



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 20, 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 20, 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. PUBLIC HEARING

- A. To solicit input on behalf of John Gunstream, requesting a Conditional Use Permit to obtain a Wine and Beer Retailers On-Premise Permit at 623 W. Business Highway 83 also being Lot 5, Farm Tract 1507 West Tract Subdivision, Weslaco, Hidalgo County, Texas.

- B. To solicit input on behalf of John Gunstream, requesting a Conditional Use Permit to obtain a Wine and Beer Retailers On-Premise Permit at 1302 N. Texas Boulevard also being Lot 3, Block 1, Wal-Mart Subdivision, Weslaco, Hidalgo County, Texas.

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 February 6, 2018.
(Staffed by City Secretary's Office.) Attachment
- B. Approval on second and final reading of the following:
 - 1) Ordinance 2018-05 approving a four-way stop at the intersection of Frost Proof Drive and N. Trace Drive and authorize the Mayor to execute any related documents. (First Reading of Ordinance 2018-05 was held February 6, 2018; Staffed by Planning and Code Enforcement.) Attachment
- C. Approval of Resolution 2018-24 authorizing an application for the 2018-2019 Homeland Security Grant Program (HSGP) to purchase a drone capable of fire infrared for structure firefighting, search and rescue operations, and Hazard Materials Response in an amount not to exceed \$24,000.00 with no local match required and authorize the Mayor to execute any related documents. (Staffed by the Fire Department.) Attachment
- D. Approval of the renewal of the Advanced Education Consultant agreement with Armando A. Martinez for the Weslaco Fire Department Education program. (Staffed by Fire Department.) Attachment
- E. Approval of Memorandum of Understanding with University of Texas Rio Grande Valley for CERT training at UTRGV and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment
- F. Approval of a Memorandum of Understanding with the City of South Padre Island to provide Mobile Intensive Care Unit Ambulances March 15-17, 2018 and authorize the Mayor to execute any related documents. (Staffed by the Fire Department.) Attachment

- G. Approval of a Mid Valley Airport Hangar Lease Agreement with Paula Pesavento, Hangar E-4, and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- H. Approval of a Mid Valley Airport Ground Lease Agreements with Tenant John Garric, for Hangars W-23, W-27 and W-33 and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- I. Authorization to terminate a Mid Valley Ground Lease Agreement with Tenant Terry Barbee for Hangar W-21 and to approve a Mid Valley Airport Ground Lease Agreement with Tenant Debora Kay Reilly for Hangar W-21 and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- J. Approval to purchase nine (9) Police Ford Explorers at a cost of \$475,435.03 from Buy Board Vendors Caldwell Country Ford/Fleet Safety Equipment, Inc and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- K. Approval of the 6-month extension for Pleasant View Village Subdivision, being a 8.55 acres tract out of Farm Tract 709, Block 136, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located along the East right-of-way of Pleasant Village Drive and about 1250 feet South of the U.S. Business Highway 83. (Staffed by the Planning and Code Enforcement Department.) Attachment
- L. Authorization to place a banner across Texas Boulevard and across Westgate Avenue on behalf of the Weslaco Independent School District to promote Pre-K enrollment mid-March through mid-April and mid-July through mid-August 2018 and authorize the Mayor to execute any related documents that may be required by the Texas Department of Transportation. (Requested by Weslaco independent School District.)
- M. Acceptance of the 2017 Racial Profiling Report compiled by the Weslaco Police Department as required by the Texas Code of Criminal Procedure Article 2.132.2. (Staffed by Police Department.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2018-04 appointing one member to expired term on the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.)

Attachment

- B. Discussion and consideration to approve Resolution 2018-05 appointing one member to an expired term on the Parks and Recreation Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Parks and Recreation Department.) Attachment
- C. Discussion and consideration to accept the resignation of Joel Nava from the Weslaco 100 Committee and approve Resolution 2018-25 appointing one member to that unexpired term and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Museum.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of John Gunstream to approve a Conditional Use Permit to obtain a Wine and Beer Retailers On-Premise Permit at 623 W. Business Highway 83 also being Lot 5, Farm Tract 1507 West Tract Subdivision, Weslaco, Hidalgo County, Texas. Possible action. (Staffed by the Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration after public hearing on behalf of John Gunstream to approve a Conditional Use Permit to obtain a Wine and Beer Retailers On-Premise Permit at 1302 N. Texas Boulevard also being Lot 3, Block 1, Wal-Mart Subdivision, Weslaco, Hidalgo County, Texas. Possible action. (Staffed by the Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration to approve Ordinance 2018-07, amending Ordinance 200 and Ordinance 1998-09, Codified as Chapter 134- Traffic Ordinance, adopting new regulations and ordaining other matters with respect to the subject matter hereof and authorize the Mayor to execute any related documents. First reading of Ordinance 2018-07. Possible action. (Staffed by the Planning and Code Enforcement Department.) Attachment
- D. Discussion and consideration to approve an interlocal agreement with the Weslaco Independent School District for the paving of certain school parking lots and authorize the Mayor to execute any related documents. Possible action. (Requested by Weslaco Independent School District.)
- E. Discussion and consideration on City Cemetery burial requirements. (Staffed by Parks and Recreation Department.)

- F. Discussion and consideration to submit a Letter of Application to the Department of Customs and Border Protection for additional inspection services at the Mid Valley Airport Customs Facility and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment

- G. Discussion and consideration to approve the Fiscal Year 2017-2018 Proposed Street Improvement Project and authorize the Mayor to execute any related documents. Possible action. (Approved the top five on December 19, 2017; Staffed by Public Works.) Attachment

- H. Discussion and consideration to award the rehabilitation/repair of manholes based on Request For Bids No. 2017-18-06 to the most advantageous bidder, O.M.T. Utilities, in the combined cost not to exceed \$71,150.00, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.) Attachment

- I. Discussion and consideration to approve a Professional Services Agreement with Montalvo Insurance Agency for Loss Control and Risk Management Services related to Workers Compensation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) 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. 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. 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 Airport Property Development as authorized by Section 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 16th day of February, 2018 at 6:10 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: