



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 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, March 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. REPORTS

- A. Discussion and consideration to accept a grant from Knapp Community Care Foundation in the amount of \$250,000.00 for the Weslaco North Side Sports Complex and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)

III. 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.

IV. PUBLIC HEARING

- A. To solicit input on behalf of Abel Sanchez for a Conditional Use Permit to obtain a Wine and Beer Retailers On-Premise Permit, pool tables and coin operated machines at 4024 E. Expressway 83 also being Lot 3, Royal Subdivision, Weslaco, Hidalgo County, Texas. (Staffed by Planning and Code Enforcement Department) Attachment
- B. To solicit input on behalf of Javier Pena to rezone 1905 Hollow Drive also being Lot 97, Westgate Village Phase II Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to B-1 Neighborhood Business District. (Staffed by Planning and Code Enforcement Department) Attachment

V. 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 March 6, 2018. (Staffed by City Secretary's Office.) Attachment.
- B. Approval of the reapplication to the South Texas Literacy Coalition grant for free books with no local match required and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment
- C. Approval of the renewal of the Interlocal Cooperation Agreement with the County of Hidalgo for participation within the Hidalgo County Library System (HCLS) and authorize the Mayor to execute any related documents. (Staffed by the Library.) Attachment
- D. Declaration as surplus a 2010 Dodge Ram 1500 and authorize solicitation of quotes/bids using it as a trade-in on the purchase of a used 2014 or newer half-ton pick up truck. (Staffed by Weslaco Police Department.) Attachment
- E. Authorization to allow Weslaco Police Department to conduct an weapon/equipment trade through Buyboard with GT Distributors, Inc. and authorize the mayor to execute any related documents. (Staffed by the Weslaco Police Department.) Attachment

- F. Approval of Resolution 2018-26 authorizing an application and continued participation in 2019 Local Border Security Program Grant (#3407202) through the Office of the Governor Homeland Security Grants Division with no local match required and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- G. Approval of Resolution 2018-27 authorizing an application to the 2018-2019 National Incident-Based Reporting System (NIBRS) Grant (#3658001) through the Office of the Governor Criminal Justice Division with no local match required and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- H. Authorization to use the Court Technology Fund to purchase a new cash register from Connection for the Municipal Court not to exceed \$636.40. (Staffed by Weslaco Municipal Court) Attachment
- I. Authorization to use the Court Technology Fund to purchase three credit card chip readers from Shi Government Solutions for the Municipal Court not to exceed \$1,440.45. (Staffed by Weslaco Municipal Court.) Attachment
- J. Approval of a Mid Valley Airport Ground Lease Agreement, with a reversion clause, with Tenant Mike Poindexter for Hangar W-32 and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- K. Approval of Resolution 2018-28 authorizing designated individuals as signatories on certain legal financial documents with BBVA Compass Bank for the \$240,000 Marion Booth Endowment Certificate of Deposit, and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment
- L. Approval of Ordinance 2018-10 on First Reading approving a negotiated resolution between the City and Texas Gas Service regarding the company's Cost of Service Adjustment tariff filing; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; repealing any prior ordinances inconsistent with this ordinance; and requiring delivery of this ordinance to the company and the City's legal counsel. First Reading of Ordinance 2018-10. (Staffed by Finance Department.) Attachment

VI. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2018-29, 2018-30, 2018-31 and 2018-32 appointing four members to expired terms on the Hotel Occupancy Tax Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment

VII. OLD BUSINESS

- A. 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. (There was no action on March 6, 2018; requested by Weslaco Independent School District.) Attachment

VIII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Abel Sanchez to approve a Conditional Use Permit to obtain a Wine and Beer Retailers On-Premise Permit, pool tables and coin operated machines at 4024 E. Expressway 83 also being Lot 3, Royal 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 Javier Pena to approve Ordinance 2018-08 rezoning 1905 Hollow Drive also being Lot 97, Westgate Village Phase II Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to B-1 Neighborhood Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2018-08. Possible action. (Staffed by the Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration to accept the 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. (There was no action on February 6, 2018; Staffed by Planning and Code Enforcement.) Attachment
- D. Discussion and consideration to award Request For Proposals 2018-19-09 for the Repairs of the Villa de Cortez Parking Garage and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- E. Discussion and consideration to approve the Final Plat for El Porvenir Subdivision,

being a 6.00 acre tract of land Farm Tract 267, West Tract Subdivision, Weslaco, Hidalgo County, Texas located on the East side of Mile 4 West Road, 990 feet South of Mile 12 North Road. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- F. Discussion and consideration to approve the Interlocal Agreement between the City of Weslaco and The Weslaco Independent School District granting a Drainage Detention Easement and authorize the Mayor to execute any related documents. Possible action. (Requested by the Weslaco Independent School District.)
- G. Discussion and consideration to approve an amended Memorandum of Understanding with Weslaco Independent School District (WISD) for the use of open space area at Memorial Elementary and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- H. Discussion and consideration to approve an amended Memorandum of Understanding with Weslaco Independent School District (WISD) for the use of open space area at Clecker-Heald Elementary and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- I. Discussion and consideration to accept financing acquisition proposal from City National - Capital Finance for the purchase of nine (9) police pursuit vehicles for the Weslaco Police Department utilizing capital lease proceeds in the amount of \$450,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- J. Discussion and approval to modify provisions of Section 6.06(e) of the Property Tax Code and continue payment of City of Weslaco's allocated annual entity assessment due to the Hidalgo County Appraisal District on a quarterly basis. Possible action. (Staffed by Finance Department.) Attachment
- K. Discussion and consideration to approve Ordinance 2018-11 amending the Master Fee Schedule to reflect fees associated with Library Hotspot loan and authorize the Mayor to execute any related documents. First Reading of Ordinance 2018-11. Possible action. (Staffed by the Library Department.) Attachment
- L. Discussion and consideration to select a name for the apartments project. Possible action. (Staffed by City Manager.)

- M. Discussion and consideration to approve Change Order No. 001 with Noble Texas Builders on the University of Texas Rio Grande Valley Center for Innovation and Commercialization project to decrease the project sum by \$96,956.00 per value engineering items and authorize the Mayor to execute any related documents. Possible action. (Requested by Economic Development Corporation.) Attachment

IX. 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 an employment agreement with Joel Rivera as Police Chief 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. Legal Consultation - Seek City Attorney opinion relating to the demand letter from Noble Texas as authorized by §551.071 of the Texas Government Code.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

XI. 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 March, 2017 at 3:10 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: