



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MAY 1, 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, May 1, 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 of the Regular Meeting on April 17, 2018.
(Staffed by City Secretary's Office.) Attachment.
- B. Approval on second and final reading of the following:
- 1) 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 held March 20, 2018; Staffed by the Planning and Code Enforcement Department.) Attachment
 - 2) Ordinance 2018-09 amending Ordinance 2017-10 The City of Weslaco International Energy Conservation Code creating a sampling protocol for multiple dwelling units for Building Thermal Envelope Test and Duct Leakage Test and authorize the Mayor to execute any related documents. (First Reading held April 17, 2018; Staffed by Planning and Code Enforcement Department.) Attachment
 - 3) Ordinance 2018-12 amending Ordinance 2017-10 The City of Weslaco International Energy Conservation Code regarding Commissioning. (First Reading held April 17, 2018; Staffed by Planning and Code Enforcement Department.) Attachment
- C. Approval of a renewal of a Local Agreement between the City of Weslaco Police Department and Criminal District Attorney of Hidalgo County and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- D. Approval on Park Project Development Agreement between Economic Development Corporation of Weslaco and City on financial support for the proposed north side park and authorize the Mayor to execute any related documents. (Staffed by Economic Development Corporation.) Attachment
- E. Approval of the renewal of Remote Birth Access contract with Department State Health Services for the period September 1, 2018 through August 31, 2023 and authorize the Mayor to execute any related documents. (Staffed by City Secretary's Department.) Attachment
- F. Acceptance of donation in the amount of \$1,000 from KSA Engineers for Weslaco City Hall Christmas Tree. (Staffed by Parks Department.) Attachment

- G. Approval of a Mid Valley Airport Hangar Lease Agreement with Mike Carey, Hangar E-2, and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment

IV. OLD BUSINESS

- A. Discussion for establishing the Board of Adjustments to the Building Code and Zoning Ordinance (merging Board of Adjustments to the Construction and Housing Code and Board of Adjustment to the Zoning. (There was no action on April 17, 2018; Staffed by Planning and Code Enforcement Department.)

V. NEW BUSINESS

- A. Discussion and consideration to approve final payment for the Repairs of the Villa de Cortez Parking Garage Project in an amount not to exceed \$6,151.20 and authorize Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration to approve Ordinance 2018-13 adopting a mid-year budget amendment and authorize the Mayor to executed any related documents. First reading of Ordinance 2018-13. Possible action. (Staffed by the Finance Department.) Attachment
- C. Discussion and consideration to accept, open, award or reject the sole bid received for Bid No.: 2017-18-16 Public Sale of Property and Building Structures located at 1411 West 18th Street. 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 Siemens Technologies on Performance Contracting Agreement.
- E. Report by Planning and Code Enforcement.
- F. 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. Pending Litigation - Consultation with City Attorney regarding Cause No. C-1301-18-F *Jimmie E. Steidinger, John Paul Blakely, and Roy Dale Kincaid, Plaintiffs, v. City of Weslaco and Andrew Munoz, Defendants* 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. Contract Negotiations – Discussion with the City Manager and City Attorney relating to the City’s rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Fire Union (IAFF-WFFA Local 3207) 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 27th day of April, 2018 at 4:30 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/open-government/open-meetings>. Archived video of some meetings are also available.

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