



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MAY 15, 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 15, 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 Adriana I. Garza, to rezone 1320 Dolores Huerta Ave. also being lot 1, Saltillo Plaza 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

- B. To solicit input on behalf of Ron Adkins, to rezone 621 S. Missouri Avenue also being Lot 3, Block 50, Weslaco Original Townsite Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to R-2 Duplex and Apartments District. (Staffed by Planning and Code Enforcement Department) Attachment

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 May 1, 2018.
(Staffed by City Secretary's Office.) Attachment
- B. Approval on second and final reading of the following:
 - 1) Ordinance 2018-13 adopting a mid-year budget amendment and authorize the Mayor to execute any related documents. (First reading held May 1, 2018; Staffed by the Finance Department.) Attachment
- C. Approval of a Mid Valley Airport Hangar Lease Agreement with Gloria Brady, Hangar E-9, and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- D. Authorization to terminate a Mid Valley Airport Ground Lease Agreement with Tenant Don Schwanke for Hangar W-24 and to approve a Mid Valley Airport Ground Lease Agreement with Tenant Bibb Beale for Hangar W-24 and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- E. Authorization to solicit Request for Bids for the construction of the new Northside Fire Station and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.)
- F. Approval of the Lease Agreement with the Weslaco Youth Football League to host a Summer Youth Flag Football Season at Harlon Block Sports Complex open area, for a term of one-month June 1, 2018 - June 30, 2018 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment

- G. Acceptance of a donation and community project from Rotary Club of Weslaco for 25 oak trees to be planted at Harlon Block Sports Complex along the running trail on June 2, 2018. (Staffed by Parks and Recreation Department.)
- H. Approval of Resolution 2018-35 authorizing submission of a grant application in the amount of \$2,000.00 by the Weslaco Police Department to Walmart Foundation's Community Grant Program and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- I. Authorization to approve Resolution 2018-36 and apply and accept the Hidalgo 2017 OPSG Stonegarden Grant through eGrants for border security initiatives in the amount of \$85,000.00 with no local match required and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- J. Acceptance of the 2018/2019 Regional Solid Waste Grant 18-21-01 from the Lower Rio Grande Valley Development Council awarded to City of Weslaco in the amount of \$30,000.00, authorize a budget amendment as appropriate and authorize the Mayor to execute any related documents. (Staffed by Public Works.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to approve Resolutions 2018-37, 2018-38, 2018-39, 2018-40, 2018-41, 2018-42, and 2018-43, appointing seven members to expired terms on the Board of Adjustments and Appeals to the Building Codes and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Adriana I. Garza to approve Ordinance 2018-14 rezoning 1320 Dolores Huerta Ave. also being lot 1, Saltillo Plaza Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to B-1 Neighborhood Business District. First reading of Ordinance 2018-14. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration after public hearing on behalf of Ron Adkins to approve Ordinance 2018-15 rezoning 621 S. Missouri Avenue also being Lot 3, Block 50, Weslaco Original Townsite Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to R-2 Duplex and Apartments District. First reading of

Ordinance 2018-15. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- C. Discussion and consideration to approve the Final Plat for Maria Bonita Subdivision, being a 2.8-acre tract out of Lots 9, 10, 11 and 12, Bonita Homes Subdivision, Hidalgo County, Texas located south of 20th Street, approximately 910 feet east of Mile 4 ½ West Road. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- D. Discussion and consideration to approve the Final Plat for Bocanegra Solis Subdivision, being a 5.00 acre tract of land being the west 5.00 acres of the east 12.00 acres of the south 33.75 acres of Farm Tract 625, West Tract Subdivision, Weslaco, Hidalgo County, Texas located on the north side of Mile 7 North Road, 700 feet east of Midway Road. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- E. Discussion and consideration to approve a one-year extension of the Final Plat for JOW Subdivision, 28.33-acre tract of land out of Farm Tract 62, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located at 2615 E. Sugar Cane Drive. Possible action. (Staffed by Planning and Code Enforcement Department.)
- F. Discussion and consideration to approve Change Order No. 1 for the Rehabilitation of Lift Station No. 37 for an amount not to exceed \$74,400.00 to install three new manholes and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department) Attachment
- G. Discussion and consideration on City Cemetery burial requirements. Possible action. (There was no action on February 20, 2018; Staffed by Parks and Recreation Department.)
- H. Discussion and consideration to approve revisions to the City of Weslaco Personnel Policies and Procedures Manual and authorizing those sections regulated by agencies of the state and federal government to be updated as necessary. Possible action. (Staffed by Human Resources.) Attachment
- I. Discussion and consideration of membership in the Region One ORION Consortium for Internet Access Service 10 Gbps Fiber Connectivity and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library.) Attachment
- J. Discussion and consideration to accept the most advantageous proposal for financing

the purchase of the Weslaco Fire Department 2018 Ford F350 Ambulance and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment

- K. Discussion and consideration to award Request for Bids 2017-18-13 for the purchase of a Used 2009 Ford F750 Landscaping Truck to the lowest most advantageous bidder, Doggett Freightliner, in the amount of \$22,400.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.) Attachment
- L. Discussion and consideration to award Request for Bids 2017-18-15 for the purchase of a Used 2012 Volvo PT125R Pneumatic Tire Roller to the lowest most advantageous bidder, ROMCO Equipment Co., in the amount of \$28,980.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.) Attachment
- M. Discussion and consideration to renew current agreement that was awarded to Gold Star Petroleum Inc. on March 21, 2017 for Unleaded and Diesel Fuel Services Bid No. 2016-17-20 for an additional one (1) year. Possible action. (Staffed by Public Works.) Attachment
- N. Discussion and consideration to renew current agreement that was awarded to Frontera Materials, Inc. and CAPA/Upper Valley Materials, and Asphalt Oil Express-Edwardo Garza for Street Materials Bid No. 2016-17-10 on January 17, 2017 for an additional one (1) year. Possible action. (Staffed by Public Works.) Attachment

VII. REPORTS

- A. Report by Weslaco 100 Committee.

VIII. 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. Pending litigation - Consultation with City Attorney regarding Super 8 hotel as authorized by §551.071 of the Texas Government Code.
- D. Legal Consultation - Seek City Attorney opinion relating to the mediation with CDM as authorized by §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with the City Attorney regarding the Fire Service contract with the City of Progreso as authorized by §551.071 of the Texas Government Code.
- F. Legal Consultation - Consultation with the City Attorney regarding Texas Commission on Environmental Quality Permit ID No. 10800011 City of Weslaco Water Treatment Plant as authorized by §551.071 of the Texas Government Code.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

X. 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 11th day of May

2018 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/open-government/open-meetings>. Archived video of some meetings are also available.

Removed from Bulletin Board

Date:

Initials: