



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 7, 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, August 7, 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 El Compadre Restaurant y Cantina for a Conditional Use Permit to obtain a Mixed Beverage Permit, Food and Beverage Certificate and Beverage Cartage Permit at 702 S.Texas Blvd., Original Townsite of Weslaco, Weslaco, Hidalgo County, Texas. (Staffed by Planning and Code Enforcement Department.)

- B. To solicit input on behalf of Torres Investments LLC to rezone 1302 W. Sugarcane Dr. also being West Tract SE 6.43 AC – E 13.49 AC Ft 141, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to B-1 Neighborhood Business. (Staffed by Planning and Code Enforcement Department.)
- C. To solicit input on behalf of AEC Engineering C/O Carlos Garza, P.E. to rezone 720 International Blvd. also being SEC FM 1015 and Mile 8 North, West and Adams subdivision, tract 1030, TDB-Brito Apartments, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to R-2 Duplex and Apartments District. (Staffed by Planning and Code Enforcement Department.)

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 following:
 - 1) Minutes of the Regular Meeting on July 17, 2018;
 - 2) Record of Workshop on July 17, 2018;
 - 3) Minutes of the Special Meeting on July 24, 2018; and
 - 4) Record of Workshop on July 24, 2018. (Staffed by City Secretary's Office.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Ordinance 2018-20 updating the Cemetery Rules and authorize the Mayor to execute any related documents. (First Reading of held July 17, 2018; Staffed by Parks and Recreation.) Attachment
- C. Approval of renewal of a Facilities Usage Agreement with South Texas College for use of Harlon Block Park (Fields), 1020 W. 18th Street, Weslaco, Texas and Mayor G Pablo Pena Park (Fields and/or Tennis Courts), 300 North Airport Drive, from August 27, 2018 – August 9, 2019 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation.) Attachment
- D. Approval to terminate a Mid Valley Airport Ground Lease Agreement with Tenant Jenalee Jan Gerjets for Hangar E-25 and to approve a Mid Valley Airport Ground

Lease Agreement with Tenant The Onion House L.L.C. for Hangar E-25 and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment

- E. Approval of a Weslaco Mid Valley Airport Ground Lease Agreement with Tenant Christopher De Leon D/B/A De Leon Aircraft Maintenance Professional for Hangar W5-03 and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- F. Approval for the submission of the Notice of Intent (NOI), under DR-4332, to the Texas Department of Emergency Management (TDEM) for the Application and Development of a Hazard Mitigation Plan and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.) Attachment
- G. Approval for the submission of the Notice of Intent (NOI), under DR-4332, to the Texas Department of Emergency Management (TDEM) for Phase II: Acquisition and Construction of a Regional Detention Facility (Las Brisas Subdivision) and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.)
- H. Approval for the submission of the Notice of Intent (NOI), under DR-4332, to the Texas Department of Emergency Management (TDEM) for Phase II: South Detention Pond and Related Drainage Improvements (Villa Verde Subdivision) and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.) Attachment
- I. Approval for the submission of the Notice of Intent (NOI), under DR-4332, to the Texas Department of Emergency Management (TDEM) for the Acquisition of Right-of-Way and Real Property for the construction of Regional Detention Facility's and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.)
- J. Approval of revisions to the City of Weslaco Personnel Policies and Procedures and authorizing those sections regulated by executive departments and agencies of the state and federal government to be updated as necessary. (There was no action on July 17, 2018; Staffed by Human Resources.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2018-44 establishing the Citizens' Drainage Committee and approving Resolutions 2018-45, 2018-46, 2018-47, 2018-

48, 2018-49, 2018-50, and 2018-51 appointing its inaugural members and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration to approve Resolution 2018-52 authorizing publication of Notice of Intention to Issue Certificates of Obligation and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment
- B. Discussion and consideration to approve Resolution 2018-53 declaring intention to reimburse certain expenditures related to the flood recovery or drainage improvements and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment
- C. Discussion and consideration to accept the calculation of effective and rollback tax rates for the 2018 tax year by Hidalgo County Tax Assessor-Collector Pablo "Paul" Villarreal. Possible action. (Staffed by Finance.) Attachment
- D. Discussion and consideration to approve Resolution 2018-54 proposing an ad valorem tax rate and setting dates on which the Commission will hold public hearings, and a date to adopt the 2018-2019 ad valorem tax rate. Roll Call vote. Possible action. (Staffed by Finance.) Attachment
- E. Discussion and consideration to approve Ordinance 2018-21, amending Ordinance 2013-22, Section 26-34 Drainage with respect to drainage requirements on new subdivisions. First Reading of Ordinance 2018-21. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- F. Discussion and consideration after public hearing on behalf of El Compadre Restaurant y Cantina to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, Food and Beverage Certificate and Beverage Cartage Permit at 702 S. Texas Blvd., Original Townsite of Weslaco, Weslaco, Hidalgo County, Texas. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- G. Discussion and consideration after public hearing on behalf of Torres Investments LLC. to approve Ordinance 2018-22 rezoning 1302 W. Sugarcane Dr. also being West Tract SE 6.43 AC – E 13.49 AC Ft 141, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to B-1 Neighborhood Business. First reading of Ordinance

2018-22. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- H. Discussion and consideration after public hearing on behalf of AEC Engineering C/O Carlos Garza, P.E. to approve Ordinance 2018-23 rezoning 720 International Blvd. Also being SEC FM 1015 and Mile 8 North, West and Adams subdivision, tract 1030, TDB-Brito Apartments, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to R-2 Duplex and Apartments District. First reading of Ordinance 2018-23. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- I. Discussion and consideration to approve the Final Plat for Ranchitos El Arroyo, 46.46 acres land out of Farm Tract 823, 824, 825 and 827, West Tract Subdivision, Hidalgo County, Texas located on the Southeast Corner of Mile 5 North Road & Mile 4 West Road. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- J. Discussion and consideration to approve the Final Plat for Plaza Diez Quince, being a 9.24 acres land out of Plaza Diez Quince Subdivision, Weslaco, Hidalgo County, Texas located approximately 400 feet east of FM 1015. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- K. Discussion and consideration to approve the Final Plat for Las Villas Apartments Subdivision, being a 2.66 acres land out Farm Tract 627, Block 178, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 840 feet West of Mile 6½ West. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- L. Discussion and consideration to approve a six-month extension of the Final Plat for The Jungle Subdivision, a 10.0' acre tract out of Farm Tract 658 West & Adams Tract Subdivision located on the North side of Mile 6 N. Road, approximately 601.92' West of Westgate Drive. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- M. Discussion and consideration to approve a six-month extension of the Final Plat for Midway Mobile Subdivision, a 25.263 acre tract of land being all of Farm Tract 643, West and Adams Tracts Subdivision, Hidalgo County, Texas. Located on Midway Road and Mile 6½ North Road. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- N. Discussion and consideration to select a committee to evaluate Request For Qualifications No. 2017-18-21 Civil Engineering Services Stormwater Improvements

Plan. Possible action. (Staffed by Planning and Code Enforcement.)

- O. Discussion and consideration on approval of payment to Republic Services in the amount of \$286,503.97 for the removal of debris due to flooding and authorize Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- P. Discussion and consideration on request from Hidalgo County Precinct 1 to approve a revised Interlocal Cooperation Agreement for participation with Phase I-Preliminary Engineering for improvements to Mile 10 roadway from Mile 6 East to FM 1015 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment
- Q. Discussion and consideration to renew Health Insurance including EAP with Blue Cross Blue Shield and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment
- R. Discussion and consideration to renew Supplemental Insurance including 125 Cafeteria plan and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment
- S. Discussion and consideration to renew with Texas Municipal League and Intergovernmental Insurance (TMLIRP):
 - 1. Workers Compensation
 - 2. Commercial Package (General Liability/Professional, Law Enforcement Liability, Errors & Omissions Liability, Auto Liability, Auto Physical Damage, Aviation, Real & Personal Property, Flood & Earthquake, Mobile Equipment, Ocean Marine, Crime, etc.) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.)
- T. Discussion and consideration to renew Group Basic Life and AD&D and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment
- U. Discussion and consideration to approve an Election Order toward an election of Commissioner District 1 and Commissioner District 4 during the General Election on November 6, 2018 pursuant to Texas Election Code Chapter 271 and authorize the Mayor and Commissioners to execute any related documents. Possible action. (Staffed by City Secretary's Office.) Attachment

- V. Discussion and consideration to assign the district for the new park property and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary's Office.) Attachment

VII. REPORTS

- A. Report by Finance Department - Quarterly Investment Report. Possible action to accept and file.
- B. Report by Finance Department - Quarterly Financial Report. Possible action to accept and file.
- C. Report by Siemens Technologies on Performance Contracting Agreement.
- D. Report by Weslaco Area Chamber of Commerce.
- E. Report by Economic Development Corporation of Weslaco.
- F. Report by Planning and Code Enforcement.
- G. Report by Inframark.
- H. Report by Public Works.

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. Personnel - Discussion regarding the Arbitration of Appeal from Gilbert Luna as authorized by §551.074 of the Texas Government Code.
- C. 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.
- D. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project Motorcycle as authorized by §551.087 of the Texas Government Code.
- E. Legal Consultation - Seek City Attorney opinion relating to the mediation with CDM as authorized by §551.071 of the Texas Government Code.
- F. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at 901 N. Airport Drive as authorized by §551.072 of the Texas Local Government Code.
- G. Real Property – Consultation with City Attorney on the purchase of real property legally described as Chelsea Park W6.83AC GR 5.22AC Net on Border Avenue as authorized by §551.072 of the Texas Local Government Code.
- H. Real Property – Consultation with City Attorney on the purchase of real property legally described as West Tract W3.67AC-S10AC-N20AC FT 685 at Dawson and Oregon Streets as authorized by §551.072 of the Texas Local Government Code.
- I. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at 1411 W. 18th Street, Weslaco, Texas as authorized by §551.072 of the Texas Local 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 3rd day of August, 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/open-government/open-meetings>. Archived video of some meetings are also available.

Removed from Bulletin Board

Date:

Initials: