



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 21, 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 21, 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 from the public regarding the City of Weslaco ad valorem property tax proposed rate of \$0.6817/\$100.00 valuation, pursuant to Texas Tax Code Section 26.05(d). Attachment

- B. To solicit input from the public regarding the City of Weslaco proposed budget for Fiscal Year 2018-2019, pursuant to Local Government Code 102.006 and 102.007. 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 following:

- 1) Minutes of the Regular Meeting on August 7, 2018;
- 2) Record of workshop on August 8, 2018;
- 3) Record of workshop on August 9, 2018;
- 4) Record of workshop on August 13, 2018
- 5) Record of workshop on August 15, 2018; and
- 6) Record of workshop on August 16, 2018.

(Staffed by City Secretary's Office.) Attachment

B. Approval on second and final reading of the following:

- 1) Ordinance 2018-21, amending Ordinance 2013-21, Section 26-34 Drainage with respect to drainage requirements on new subdivisions. (First reading held August 7, 2018; staffed by Planning and Code Enforcement.) Attachment
- 2) 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 held August 7, 2018; staffed by Planning and Code Enforcement Department.) Attachment
- 3) 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 held August 7, 2018; staffed by Planning and Code Enforcement Department.) Attachment

C. Approval of the renewal of the Election Services Contract with the Hidalgo County Elections Department to conduct the Joint City of Weslaco and Weslaco Independent School District General Election of November 6, 2018 pursuant to Texas Election

Code Chapter 271, and authorize the Mayor to execute any related documents including this contract and any interlocal agreement with the Weslaco Independent School District related to this election. (Staffed by Office of the City Secretary.) Attachment

- D. Approval of the renewal of the Lease Agreement with the Weslaco Youth Football League for the use of Isaac Rodriguez multi-purpose fields and Harlon Block Sports Complex practice area, for a term of four months (September 1, 2018-December 31, 2018) and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment
- E. Approval of the renewal of the lease agreement with Mid Valley Youth Soccer League for use of Pablo G. Pena City Park soccer fields and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment
- F. Approval of Weslaco Mid Valley Airport Ground Lease Agreements with Tenant Ray Walker for Hangers W-4 and W-10 and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- G. Approval of renewal of an agreement with Drug Enforcement Administration of State and Local HIDTA Task Force cooperation for Fiscal Year 2018-2019 and authorize Police Chief Joel Rivera to execute any related documents. (Staffed by Weslaco Police Department.) Attachment
- H. Approval of the renewal of the agreements with Muniservices for local hotel occupancy tax program and sales tax audit and administration services and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to approve Resolutions 2018-47, 2018-48, 2018-49, 2018-50, and 2018-51 appointing members to the Citizen's Drainage Committee 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 after Public Hearing to schedule a record vote September 4 and September 18, 2018 regarding the City of Weslaco proposed budget for Fiscal Year 2018--2019. Possible action. (Staffed by Finance Department.)
- B. Discussion and consideration to approve Ordinance 2018-24 amending Section 12 of Ordinance 397, to fix residential, commercial and industrial garbage rates; providing an effective date; and ordaining other matters with respect to the subject matter hereof. First reading of Ordinance 2018-24. Possible action. (Staffed by Finance Department.) Attachment
- C. Discussion and consideration to approve Ordinance 2018-25 authorizing the assessment of a Municipal Court Building Security Fee in the amount of \$3.00 against all Defendants convicted of a misdemeanor offense by the Municipal Court. First Reading of Ordinance 2018-25. Possible action. (Staffed by Municipal Court.) Attachment
- D. Discussion and consideration to approve the purchase of computers using BuyBoard contract as budgeted in an amount not to exceed \$35,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Information Technology.) Attachment
- E. Discussion and consideration to select location for the October 2018 Clean Sweep Event. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- F. Discussion and consideration to approve a reimbursement agreement with Robert A. McAllen to widen drainage canal adjacent to Westgate Estates No. 2 on City property/Right-of-Way and authorize Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement) 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. 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 - Seek City Attorney opinion relating to the breach of contract by Accela as authorized by §551.071 of the Texas Government Code.
- F. 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.
- G. 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.
- H. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project Chicken Hatch as authorized by §551.087 of the Texas Government Code.
- I. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project Bob as authorized by §551.087 of the Texas Government Code.
- J. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project Catherine as authorized by §551.087 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 17th day of August, 2018 at 5:50 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: