



**A REGULAR MEETING  
OF THE WESLACO CITY COMMISSION  
TUESDAY, OCTOBER 2, 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, October 2, 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 following:
  - 1) Record of Workshop on September 18, 2018;
  - 2) Minutes of the Regular Meeting on September 18, 2018; and
  - 3) Minutes of the Special Meeting on September 25, 2018. (Staffed by City Secretary's Office.) Attachment
- B. Approval on second and final reading of the following:
  - 1) Ordinance 2018-34 rezoning 1901 Maria Isabel Drive, also being Lot 24, San Francisco subdivision, Weslaco, Hidalgo County, and Texas from R-2 Duplex and Apartment District to B-1 Neighborhood Business District. Three-fourths vote required. (First reading held September 18, 2018; staffed by Planning and Code Enforcement Department.) Attachment
  - 2) Ordinance 2018-36 rezoning 2500 E. Expressway 83, also being a 2.59 acres out of Farm Tract 18, West Tract Subdivision, Weslaco, Hidalgo County, and Texas from R-1 One-family dwelling District to B-2 Secondary highway business District. (First reading held September 18, 2018; staffed by Planning and Code Enforcement Department.) Attachment
- C. Authorization to accept funds from the Lower Rio Grande Valley Development Council (LRGVDC) as awarded to continue enhancing Public Safety Answering Point (PSAP) operations. (Staffed by the Police Department.)
- D. Ratification of Purchase Order No. 18-04444 to contract Moore Land Surveying, LLC. for the repairs and engineering services of the water line at the Water Treatment Plant, in the amount of \$82,725.00, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Staffed by Public Works.) Attachment
- E. Ratification of Purchase Order No. 18-04502 to contract Southern Trenchless Solutions for emergency repairs of a collapsed manhole located at 18th & 22nd St., in the amount not to exceed \$120,500.00, authorize a budget amendment as may be required and authorize the Mayor to execute any related documents. (Staffed by Public Works.) Attachment
- F. Approval of renewal of a Memorandum of Understanding between Weslaco Fire Department and Texas A&M Engineering Extension Service (TEEX) and Texas Task Force 1 (TX-TF1) program to provide personnel to serve in TX-TF1 as determined by TEEX and authorize the Mayor to execute any related documents. (Staffed by the Fire Department.) Attachment

#### **IV. APPOINTMENTS**

- A. Discussion and consideration to approve Resolution 2018-51 appointing a member to the Citizen's Drainage Committee and authorize the Mayor to execute any related documents. Possible action. (There was no action on September 18, 2018; Staffed by City Manager's Office.) Attachment

**V. OLD BUSINESS**

- A. Discussion and consideration to select an engineering firm from short list for Civil Engineering Services from the Request for Qualifications #2017-18-21 for consulting services to prepare a Stormwater Improvements Plan and prepare any applicable grant applications for funding. Possible action. (There was no action on this item September 18, 2018; Staffed by Planning and Code Enforcement.)

**VI. NEW BUSINESS**

- A. Discussion and consideration to approve payment to Republic Services in the amount of \$104,113.40 for flood debris removal for total payment to date in the amount of \$442,211.09. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- B. Discussion and consideration to authorize staff to discontinue debris pickup from flood event of June 20 effective October 12, 2018 at 5 p.m. and authorize continuance of construction debris disposal at the City Shop until November 16, 2018. Possible action. (Staffed City Manager's Office.)
- C. Discussion and consideration to approve an interlocal agreement with Weslaco Independent School District for the employment and shared expense of the First Offender Program case manager as identified in the proposed FY 2018-2019 budget and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police.) Attachment
- D. Discussion and consideration to accept from Texas Office of the Governor - Criminal Justice Division NB-National Incident-Based Reporting System (NIBRS) Grant #3658001, in an amount not to exceed \$904,025.00 with no match required and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment
- E. Discussion and consideration to solicit Request for Proposals to provide landscape architect and engineering design services for the North Side Sports Complex and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment

- F. Discussion and consideration to authorize the submission of a grant to the Texas Water Development Board under the FEMA Flood Mitigation Assistance Grant Program and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.)
- G. Discussion and consideration to authorize the submission of a grant to the Department of Homeland Security for FY18 Flood Mitigation Assistance and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- H. Discussion and consideration to authorize the submission of a grant to the Department of Homeland Security for FY18 Pre - Disaster Mitigation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- I. Discussion and consideration to authorize the submission of a Letter of Intent to the US Army Corps of Engineers under the Continuing Authorities Program (CAP), Section 205 grant funding and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- J. Discussion and consideration to authorize the 2nd Annual Community Fly-In event at the Mid Valley Airport on October 13, 2018 and authorize a fuel discount. Possible action. (Staffed by Airport.) Attachment
- K. Discussion and consideration to approve the purchase of a Certificate of Deposit from Navy Army Credit Union in the amount of \$240,000.00 for a term of 30 months utilizing Booth Endowment Funds. Possible action. (Staffed by the Library Department.) Attachment
- L. Discussion and consideration to authorize the expenditure of \$3,620 of the Marion Booth Endowment fund for the expansion of the Hotspot and Tablet checkout program within the Mayor Joe V. Sanchez Public Library. Possible action. (Staffed by the Library Department.) Attachment
- M. Discussion and consideration to approve the 2018-2019 Interlocal Agreement with County of Hidalgo for the implementation of the Community Development Block Grant (CDBG) under Grant No. B-18-UC-48-0501 setting the City's allotment at \$295,584.00 for activities to be carried out in the City's jurisdiction and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Finance Department.) Attachment

- N. Discussion and consideration to approve the Economic Development Corporation of Weslaco annual budget and work plan for fiscal year 2018-2019. Possible action. (Requested by Weslaco Economic Development Corporation.) Attachment

## **VII. REPORTS**

- A. Report by Weslaco Area Chamber of Commerce.
- B. Report by Economic Development Corporation of Weslaco.
- C. Report by Planning and Code Enforcement.
- D. Report by Inframark.
- E. Report by Public Works.
- F. Report by Siemens Technologies on Performance Contracting Agreement.

## **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 with the City Manager regarding employment of a City Engineer 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. 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.
- F. 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.
- G. 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 28th day of September, 2018 at 5:30 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.*

**Removed from Bulletin Board**

Date:

Initials: