



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, OCTOBER 16, 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 16, 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 Mike Givilancz Jr. to rezone 100 Laurel Drive. Also being Lot 1, Laureles Subdivision, Weslaco, Hidalgo County, and Texas from R-1 One-family dwelling district to B-1 Neighborhood Business District (Staffed by Planning and Code Enforcement Department.)
- B. To solicit public input on behalf of the residents of Austin and Merida Streets who are requesting to close the two streets where they intersect with the drainage canal to allow for unrestricted drainage flow but will impact through traffic. (Staffed by Planning and Code Enforcement Department.)

- C. To solicit input in compliance with the Consolidated Plan for Community Planning and Development (CDBG) Urban County Program Fiscal Year 32 (2019) Needs Assessment Plan. (Staffed by Finance 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 October 2, 2018
(Staffed by City Secretary's Office.) Attachment.
- B. Authorization to submit an application renewing the ERate 2019-2020 Grant program, accept funds upon award, accept additional funding if awarded during the grant year, and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment
- C. Approval of the annual renewal of a general software subscription services contract for maintenance and support with Tyler Technologies, Inc in an amount not to exceed \$46,719.79 and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department.) Attachment
- D. Approval of the annual renewal of a general software subscription services contract for maintenance and support with PTS Solutions, Inc in an amount not to exceed \$44,801.37 and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department.) Attachment
- E. Approval of the renewal of a Public Purposes Services Contract with the Boys & Girls Club of Weslaco in an amount not to exceed \$50,000.00 for the public purpose services and activities in this contract, effective October 1, 2018 through September 30, 2019 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment
- F. Approval of a renewal of a Public Purpose Service Contract with the Weslaco Bicultural Museum d.b.a Weslaco Museum of Local History and Cultural Art in an amount not to exceed \$63,100.00 effective October 1, 2018 through September 30, 2019 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment
- G. Approval of the renewal of Professional Services Agreement as recommended by the

Weslaco Hotel Occupancy Tax Advisory Committee:

1. Frontera Audubon Society - \$33,000.00;

2. Lower Rio Grande Valley Nature Center - \$39,100.00;

3. Weslaco Area Chamber of Commerce - \$183,665.00;

and authorize the Mayor to execute any related documents. (Staffed by Finance Department. Attachment

- H. Approval of a request by Valley Nature Center to utilize Gibson Park on November 10, 2018 from 12 noon - 11 p.m. for Brew in the Woods, and authorize the Mayor to execute any related documents as may be required, and waive any fees that may be associated with the event. (Requested by Valley Nature Center.) Attachment
- I. Approval of a Mid Valley Airport Hangar Lease Agreement with Aaron Carlson, Hangar E-6, and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- J. Authorization to solicit sealed bids, RFB No. 2018-19-02, for the Rehabilitation of the Water Tower located on 8th Street & Bridge Ave. (Staffed by Public Works.)
- K. Approval of Resolution 2018-64 increasing the Weslaco Drainage Citizens' Task Force Drainage Committee not to exceed ten and authorize the Mayor to execute any related documents. (Staffed by the City Manager's Office.) Attachment
- L. Acceptance of the Local Border Security Program Award, Grant #3407202, from the Office of the Governor, in the amount of \$60,000.00 with no match required and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- M. Acceptance of the Bullet-proof Vest Partnership Award, from the Office of Justice Programs, in the amount of \$27,645 with no match required and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- N. Approval to adopt the charter and other formalization documents of the Marion Booth Foundation and authorize the Mayor to execute any related documents. (Staffed by Library.) Attachment

V. OLD BUSINESS

- A. 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. (There was no action on this item October 2, 2018; Staffed City Manager's Office.)

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Mike Givilancz Jr. to approve Ordinance 2018-35 rezoning 100 Laurel Drive, also being Lot 1, Laureles Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 Neighborhood Business District and authorize the Mayor to execute any related documents First reading of Ordinance 2018-35. Three-fourths vote required. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration after public hearing on behalf of the residents of Austin and Merida Streets who are requesting to close the two streets where they intersect with the drainage canal to allow for unrestricted drainage flow but will impact through traffic. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration to approve the Final Plat for North Valley Ranchettes Subdivision, being a 31.3737 acres out of Farm Tracts 317 the West & Adams Subdivision, Weslaco, Hidalgo County, Texas located approximately 1750 ft. West of Mile 4 West Road. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- D. Discussion and consideration to approve the Final Plat for Rangila Subdivision, being a 1.878 acres out of Farm Tracts 29, West Tract Subdivision Vol. 2, Weslaco, Hidalgo County, Texas located approximately 1900 ft. North of West Frontage Road. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- E. Discussion and consideration to approve request for Pony Winter Softball League to utilize 2-3 softball fields at Pablo G. Peña Park on a first come first serve basis for a maximum of two weeks at a time. Possible action. (Staffed by Parks and Recreation Department.)
- F. Discussion and consideration on renewal of a Mutual Leage Agreement with the Boys and Girls Club of Weslaco for use of facility located at 300 N. Airport, Suite B and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- G. Discussion and consideration to purchase through Buyboard vendor Caldwell Country a 2018-2019 Tahoe not to exceed \$35,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment
- H. Discussion and consideration to solicit bids for a 2019 Ford F-250 Gas 4x4 to replace a 2004 Expedition and a 2019 F-550 gas 4x4 chassis. Possible Action. (Staffed by the Fire Department.) Attachment

- I. Discussion and consideration to approve a Professional Services Agreement with Halff Associates for Civil Engineering Services for Stormwater Improvements Plan as negotiated. Possible action. (Staffed by City Manager's Office.)
- J. Discussion and consideration to approve Ordinance 2018-38 amending the Code of Ordinances Chapter 98 Parks and Recreation by adding to Article I Section 98-15 "Dockless Vehicle Permits: Licenses, Permits and Miscellaneous Regulations," supporting a Valley-wide bike share initiative as coordinated by the Lower Rio Grande Valley Development Council. Possible action. (Staffed by City Manager's Office.) Attachment
- K. Discussion and consideration to approve the Interlocal Agreement with the City of Mercedes for the temporary provision of potable water and wastewater service to property adjacent and adjoining Weslaco's city limits along U.S. Business Highway 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment

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. Personnel - Discussion with the City Manager regarding employment of a City Secretary as authorized by §551.074 of the Texas Government Code.

- C. Personnel - Discussion regarding the Arbitration of Appeal for settlement from Gilbert Luna as authorized by §551.074 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.
- 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 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 Catherine as authorized by §551.087 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 12th day of October 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: