



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, NOVEMBER 6, 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, November 6, 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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) Minutes of the Regular Meeting on October 16, 2018; and
 - 2) Minutes of the Special Meeting on October 23, 2018. (Staffed by City Secretary's Office.) Attachment.
- B. Authorization to allow the Mayor Joe V Sánchez Public Library to implement a Food for Fines program supporting local food drives and the RGV Food Bank during the Holiday Season and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment
- C. Authorization of the allocation of \$65,000.00 from Capital Outlay 2019 adopted budget for the purchase of two (2) police vehicles. (Staffed by the Police Department) Attachment
- D. Authorization to use the Court Technology Fund to pay the annual maintenance fee of the Court Case Management Maintenance, Police (non-Incode Interface to Court), and AcuCorp Run Time not to exceed \$10,643.63 and authorize the Mayor to execute any related documents. (staffed by Municipal Court). Attachment
- E. Approval of the annual request to host the 2018 Mid-Valley Christmas Lighted Parade on Saturday, December 8, 2018 on Texas Boulevard from Pike Boulevard to Sixth Street, and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation for proposed street closure affecting state right-of-way. (Staffed by Parks and Recreation Department.)
- F. Approval of renewal and payment to Rio Grande Valley Communications Group for subscription term October 1, 2018 to September 30, 2019 total of \$40,736.00 (Staffed by the Fire Department) Attachment
- G. Approval on Resolution 2018-67 for the renewal of the Inter-local Agreement with Hidalgo County for the Scofflaw Program to include related agreement with Hamer Enterprises at the Municipal Court for outstanding violations and warrants and authorize the Mayor to execute any related documents. (Staffed by Municipal Court.) Attachment
- H. Approval on First Reading of Ordinance 2018-39, authorizing and allowing under the act governing the Texas Municipal Retirement System, "updated service credits" in said system for service performed by qualifying members of such system who presently are members of the City of Weslaco; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the city; and establishing an effective date for such actions. First Reading of Ordinance 2018-39. (Staffed by Finance Department.) Attachment

IV. APPOINTMENTS

- A. Discussion and consideration on Resolution 2018-65 appointing a member to the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department). Attachment
- B. Discussion and consideration on Resolution 2018-66 appointing a member to the Board of Directors of the Economic Development Corporation of Weslaco. Possible action. (Staffed by the Weslaco Economic Development Department). Attachment

V. OLD BUSINESS

- A. 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. (There was no action October 16, 2018; Staffed by Planning and Code Enforcement Department.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration to award the Manhole Rehabilitation Phase II to Southern Trenchless Solutions, Buyboard vendor contract no. 555-18, in the amount not to exceed \$98,400.00, and to authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works). Attachment
- B. Discussion and consideration to participate with cost sharing expenses for a rate consultant for intervention on request from AEP Texas Central Company's for rate adjustment to cover losses due to natural disasters and approve settlement agreement authorizing the Mayor to execute any related documents. Possible action. (Staffed by City Managers Office.) Attachment
- C. Discussion and consideration to approve an amendment to the Inter-local Agreement with LRGVDC-911 addressing for use of their Spartan Addressing program. Possible action. (Staffed by Planning and Code Enforcement). Attachment
- D. 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. (First reading held October 16, 2018; Staffed by City Manager's Office.) Attachment

- E. Discussion and consideration to approve payment to Republic Services in the amount of \$149,426.41 for flood debris removal for total payment to date in the amount of \$591,637.50. Possible action. (Staffed by Planning and Code Enforcement.)
- F. Discussion and authorization to purchase Outdoor Fitness Equipment for the North Side Sports Complex from Kraftsman/Greenfields Outdoor Fitness in the total amount not to exceed \$150,000.00 through Buyboard Contract #512-16. Possible Action. (Staffed by Parks and Recreation Department)
- G. Discussion and consideration to award RFB No. 2018-19-01 Waterworks Collection and Distribution Materials to the most advantageous bidder, Ferguson Waterworks, for a period of one year. Purchases are to be made on an as needed basis and should not exceed \$300,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works) Attachment

VII. REPORTS

- A. 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 an Interim City Secretary as authorized by §551.074 of the Texas Government Code.
- C. Personnel - Discussion regarding the Arbitration of Appeal for Liliana Campos 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.

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 2nd day of November, 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/ Adelaida Vega, Interim 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: