



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, DECEMBER 4, 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, December 4, 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Minutes of the Regular Meeting on November 20, 2018. (Staffed by City Secretary's Office.) Attachment.

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

- 1) Approval on Ordinance 2018-40 rezoning 1611 Judi St. Also being Lot 1 & N1/2 of Lot 2, Block 1, Sun Country Estates 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 held November 20, 2018; staffed by Planning and Code Enforcement Department.) Attachment
- 2) Approve Ordinance 2018-41 rezoning 2416 E. Expressway 83. Also being proposed Lot 1, Camar Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary highway business District and authorize the Mayor to execute any related documents. (First reading held November 20, 2018 staffed by Planning and Code Enforcement Department.) Attachment
- 3) Approval on Ordinance 2018-42 rezoning 225 S. Pleasantview. Also being Lot 4 & Part of Lot 3 Rev. M. Perez Dream Acres Subdivision Weslaco, Hidalgo County, Texas from B-1 Neighborhood business district to R-1 One-family dwelling district and authorize the Mayor to execute any related documents. (First reading held November 20, 2018 staffed by Planning and Code Enforcement Department.) Attachment
- 4) Approval on Ordinance 2018-43 rezoning 2318 E. Expressway 83. Also being 1.0560.57-S14.47,N20 AC acres tract out of Farm tract 17, West Tract Subdivision a/k/a Lot 13&14, Block 9, James Black Subdivision Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to B-2 Secondary Highway Business District and authorize the Mayor to execute any related documents. (First reading of Ordinance held November 20, 2018 staffed by Planning and Code Enforcement Department.) Attachment
- 5) Approval on Ordinance 2018-44, the Voluntary Annexation of the 5.153 acres, Weslaco, Hidalgo County, Texas. Approximately 500 ft. North of the intersection of Mile 6 ½ W & W. Expressway 83 on the east side and authorize the Mayor to execute any related documents. (First reading held November 20, 2018; staffed by Planning and Code Enforcement.) Attachment

- C. Approval to accept a reimbursement award of \$2,915.20 from the Texas State Library and Archives Commission for Inter-library Loans made to Texas public libraries in State Fiscal Year 2018-2019, accept additional funding if awarded during the grant year and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment

IV. APPOINTMENTS

- A. Discussion on Resolution 2018-57 appointing a City Commissioner to the Animal Shelter Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Planning & Code Enforcement.) Attachment

V. OLD BUSINESS

- A. Discussion and consideration approving budget and project list utilizing the \$4,000,000 Certificates of Obligation Series 2018 for drainage improvements and authorize the Mayor to execute any related documents. Possible action. (The item was tabled November 20, 2018; staffed by the City Manager's Office.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration directing Halff Associates to design a 50 year storm frequency for the City of Weslaco Drainage Plan as recommended by the Weslaco Drainage Citizen Task Force. Possible action. (Staffed by Planning and Code Enforcement.)
- B. Discussion and consideration approving Resolution 2018-69 supporting the Lower Rio Grande Valley Development Council to submit a grant application to Hidalgo County Metropolitan Planning to support funding for the Hidalgo County Active Mobility Plan and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Managers Office.) Attachment
- C. Discussion and consideration approving Resolution 2018-70 supporting the Lower Rio Grande Valley Development Council to submit a grant application to Hidalgo County Metropolitan Planning Organization supporting the Regional BCycle Bikeshare Program and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Managers Office.) Attachment
- D. Discussion and consideration amending the Civil Engineering Services Agreement for Storm Water Improvement Plan with Halff Associates by eliminating the scope of services for Task 6; Hazard Mitigation Grant Program Application in the amount of \$11,261.79 and authorize payment in the amount of \$3,088.21 for services rendered to date and authorize the Mayor to execute any related documents. Possible action. (Staffed by the City Managers Office.) Attachment

- E. Discussion and consideration for possible purchase of a Hot Jet D- Diesel Series Trailer Mounted Jetter which will be utilized for the jetting of storm drains and inlets, from Hot Jet USA in the amount not to exceed \$40,000.00 and authorize the Mayor to execute any related documents. Possible action. (Requested by Commissioner Muñoz and Mayor Suarez.) Attachment
- F. Discussion and consideration to cancel or reschedule the January 1, 2019 regular meeting. Possible action. (Staffed by City Manager's Office.)

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 Parks and Recreation

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. 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.
- C. Legal Consultation - Seek City Attorney opinion relating to the mediation with CDM as authorized by §551.071 of the Texas Government Code.
- D. 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.
- E. 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.

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 30th day of November 2018 at 4:30 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/ 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: