



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JANUARY 15, 2019**

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, January 15, 2019 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 Jamie & Jessica Rodriguez to approve Conditional Use Permit to operate an Event Center at 331 S. Texas Blvd. Also being Lot 17, Block 26, Original Townsite, Weslaco, Hidalgo County, Texas. (Staffed by Planning & Code Enforcement Department.)

- B. To solicit input on behalf of Eric Fonseca to approve Conditional Use Permit to obtain a Wine and Beer Retailer's Permit, Retail Dealer's On-Premise Late Hours License at 606 S. Missouri. Also being Lot 4, Block 51, Original Townsite of Weslaco, Hidalgo County, Texas. Requires three-fourths vote to approve late hours permit. (Staffed by Planning and Code Enforcement Department.)
- C. To solicit input on behalf of Juan Medina to rezone 725 N. Kansas. Also being lot 15, 16 & 17 Blk 1, White Subdivision Weslaco, Hidalgo County, Texas from R-1 One-family Dwelling District to B-1 Neighborhood Business District. (Staffed by Planning and Code Enforcement Department.)

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 Minutes:
 - 1) Regular Meeting on December 18, 2018; and
 - 2) Record of Workshop on December 18, 2018 (Staffed by City Secretary's Office.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Approval of Ordinance 2018-45 rezoning 1430 N Milano Rd. Also being 4.613 acres out of Farm Tract 154 Blk 179 West Tract Subdivision Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. (First reading held December 18, 2018; Staffed by Planning and Code Enforcement Department.) Attachment
- C. Approval of a Mid Valley Airport Hangar Lease Agreement with Hendrickson Flying Service, Inc., Hangar E-1, and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- D. Authorization to solicit an Invitation for Sealed Bids for the installation of an Automated Weather Observation System with Optional Present Weather Sensor and Thunder Strike Alert (AWOS III PT) and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment

- E. Acceptance of funds in the amount of \$15,000.00 from the U.S. Department of Justice United States Marshals Services for overtime operations by the City of Weslaco Police Department pursuant to the Memorandum of Understanding and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- F. Approval of the request from the Weslaco Area Chamber of Commerce to hold the 30th Annual Texas Onion Fest on Saturday, March 23, 2019 at the Mayor Pablo G. Pena City Park, to sell beer during the event, to place a banner promoting the event at the intersection of Texas and Pike Boulevard and Westgate and Frontage for two weeks prior to the event, to waive appropriate fees from ordinances associated with event and authorize the Mayor to execute any related document. (Requested by Weslaco Area Chamber of Commerce.) Attachment
- G. Approval to accept financing proposal from City National – Capital Finance for purchase of Fire Department 2019 F-250 4x4 Crew Cab and a 2019 F-550 Chassis 4x4 Regular Cab with aftermarket equipment in the amount of \$74,561.92 and authorize the Mayor to execute any related documents. (Staffed By Finance Department.) Attachment
- H. Approval on renewal of the Interlocal Cooperation Agreement with the County of Hidalgo for Rural Emergency Services and authorize the Mayor to execute any related documents. (Staffed by Weslaco Fire-EMS Department.) Attachment
- I. Approval on Ordinance 2019-01 amending Ordinance 2000-06 designating a staff member from the City Secretary Office as the Local Registrar and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-01. (Staffed by the City Secretary Office.) Attachment
- J. Approval on Third Amendment to Inter-local Cooperation Agreement between County of Hidalgo and City for utilization of space at City Hall for Precinct 1 offices and authorize the Mayor to execute any related documents. (Staffed by City Manager.) Attachment

V. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Jamie & Jessica Rodriguez to approve Conditional Use Permit to operate an Event Center at 331 S. Texas Blvd. Also being Lot 17, Block 26, Original Townsite, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Planning & Code Enforcement Department.) Attachment

- B. Discussion and consideration after public hearing on behalf of Eric Fonseca to approve Conditional Use Permit to obtain a Wine and Beer Retailer's Permit, Retail Dealer's On-Premise Late Hours License at 606 S. Missouri. Also being Lot 4, Block 51, Original Townsite, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Requires three-fourths vote to approve late hours permit. Possible Action. (Staffed by Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration to approve the Single Lot Variance for Camar Subdivision— being a .1456 acres out of Farm Tract 17 of the West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1500 ft. South of Interstate 2 and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Planning and Code Enforcement Department.) Attachment
- D. Discussion and consideration after public hearing on behalf of Juan Medina to approve Ordinance 2019-02 rezoning 725 N. Kansas. Also being Lot 15, 16 & 17 Blk 1 White 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 2019-02. Possible Action. (Staffed by Planning and Code Enforcement Department.) Attachment
- E. Discussion and consideration to execute the Dedication Deed from DWR Development Group, LLC to the City of Weslaco for conveyance of Lot 2, Villa Verde Estates Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Planning and Code Enforcement Department.) Attachment
- F. Discussion and consideration to approve payment to Republic Services in the amount of \$28,576.87 for flood debris removal for total payment to date in the amount of \$620,214.37 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- G. Discussion and consideration to enter into a Mile after Mile Option #2 agreement with Kinloch Equipment Co. to lease a 2018 Vactor Truck and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Attachment
- H. Discussion and consideration to purchase a Main Line and Push TV System from Kinloch Equipment and Supply, Inc. in the total amount of \$64,986.00 through Buyboard Vendor Contract #515-16 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.) Attachment

- I. Discussion and consideration to approve the Interlocal Agreement with the City of Mercedes to provide ambulance billing and associated support services, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Attachment

- J. Discussion and consideration on request from V.F.W Post 12178 to use Mayor Pablo Pena Park for a Music Festival and Bike Run on April 6, 2019 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment

- K. Discussion and consideration an Interlocal Agreement with the Weslaco Independent School District for the use of various softball fields and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment

- L. Discussion and consideration on extension of Agreement with American Financial Bureau for delinquent Municipal court Fines and Fees Collection Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Municipal Court.) Attachment

VI. 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 and interview on the selection process of the City Secretary for the City of Weslaco as authorized by §551.074 of the Texas Government Code.
- C. Contract Negotiations – Discussion with the City Manager and City Attorney on negotiated proposal 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 Canal Heights Block 2, Lot 10, .1101 acres located at 1213 Largo Street as authorized by §551.072 of the Texas Local Government Code.
- F. Legal Consultation - Consultation with City Attorney regarding City of Weslaco v. Briones Consulting and Engineering as authorized by §551.071 of the Texas Government Code.

VII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

VIII. 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 11th day of January, 2019 at 4:45 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: