



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 5, 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, March 5, 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

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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:
 - 1) Record of Workshop Meeting on January 5, 2019;

- 2) Record of Special Meeting on January 22, 2019; and
- 3) Minutes of the Regular Meeting on February 5, 2019 (Staffed by City Secretary's Office.) Attachment

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

- 1) Approve Ordinance 2019-03 a budget amendment for the Animal Care Services Building for metal repairs to the roof and purling not exceeding \$19,000.00 and authorize the Mayor to execute any related documents. (First reading held February 5, 2019; Staffed by Planning & Code Enforcement Department.) Attachment

C. Approval to purchase self-contained breathing apparatus/bottles under BuyBoard Contract No. 524-17 at a cost of \$30,795.00 which was budgeted under fire equipment for fiscal year 2018-2019 and authorize the Mayor to execute any related documents. (Staffed by Weslaco Fire Dept.) Attachment

D. Approval to renew a Service Agreement with SmartCom Telephone for a three-year term for Telecommunications Data and Internet Services for City owned facilities and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department.) Attachment

E. Approval on the submission of a Letter of Intent to the US Army Corps of Engineers under the Flood Plain Management Service Program, Section 206 of the Flood Control Act of 1960 and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.) Attachment

F. Approval on the submission of a Letter of Intent to the US Army Corps of Engineers under the Planning Assistance to State Program, Section 22 of the Water Resources Development Act of 1974, as amended and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.) Attachment

G. Approval on request from the Weslaco Independent School District to place promotional banners publicizing registration at Westgate and Frontage Road 83 and Texas and Pike Blvd and authorize the Mayor to execute any related documents that may be required from the Texas Department of Transportation. (Staffed by the City Manager's Office.) Attachment

H. Approval on Resolution 2019-21 to apply to the Office of the Governor's Criminal Justice Division Funding Announcement (FY2020 Criminal Justice Program, JAG) to fund salary for a non-civil service Evidence Technician in an amount not to exceed \$45,000 with **NO MATCH REQUIRED** and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment

- I. Approval on Resolution 2019-22 to apply to the Office of the Governor's Homeland Security Grants Division Funding Announcement (FY2020 Local Border Security Program) to fund overtime for peace officers and support staff in an amount not to exceed \$120,000 with **NO MATCH REQUIRED** and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- J. Approval on Resolution 2019-23 to apply to the Office of the Governor's Criminal Justice Division Funding Announcement (FY2020 Truancy Prevention and Intervention Program) to fund the First Offender Case Manager's salary, purchase a laptop and obtain an operation budget in an amount not to exceed \$75,000.00 with **NO MATCH REQUIREMENT** and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- K. Approval on Resolution 2019-24 to apply to the Office of the Governor's Criminal Justice Division Funding Announcement (General Victim Assistance Program) to fund the Crime Victim Liaison salary and purchase a laptop and vehicle in an amount not to exceed \$52,000.00 with a **20% MATCH REQUIRED** and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- L. Approval on Resolution 2019-25 to apply to the Office of the Governor's Criminal Justice Division Funding Announcement (Violence Against Women Justice and Training Program) to fund training for law enforcement officers, judges, other court personnel, other police support personnel and prosecutors on violence against women in an amount not to exceed \$30,000.00 with a **29% MATCH REQUIREMENT** and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- M. Approval on Resolution 2019-26 to apply to the Office of the Governor's Homeland Security Grants Division Funding Announcement (2019 State Homeland Security Program – LETPA Projects) to fund to outfit vehicle(s) for multi-purpose use in an amount not to exceed \$70,000 with **NO MATCH REQUIRED** and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- N. Approval of Resolution 2019-27 to apply to the Office of the Governor's Homeland Security Grants Division Funding Announcement (2019 State Homeland Security Program – REGULAR Projects) to fund overtime pay for the Crime Fusion Intelligence Analyst in an amount not to exceed \$15,000 with **NO MATCH REQUIREMENT** and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- O. Approval of a one year renewal Advanced Education Consultant Agreement between the City of Weslaco and Armando A. Martinez to advance the EMS Training and Continuing Education of the Weslaco Fire Department EMS Division and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

Attachment

- P. Approval of the renewal of the Professional Services Contract with Dr. Andrew Levine for Emergency Medical Services Director in an amount not to exceed \$40,000.00 per year for a two-year term February 2019-February 2021 and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment
- Q. Approval of Resolution 2019-28 authorizing members of staff as signatories on certain legal financial documents for the City of Weslaco with Army Navy Community Credit Union and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment
- R. Approval of the renewal of the Interlocal Cooperation Agreement with the County of Hidalgo for participation within the Hidalgo County Library System and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment
- S. Approval to accept 2018-2019 Justice Assistance Grant Program (Grant #3526101) Award in the amount of \$72,640.00 for the purchase an evidence collection van with **NO LOCAL MATCH REQUIREMENT** and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment
- T. Approval of a Memorandum of Understanding between the Weslaco Police Department and the Mercedes Police Department regarding participation in Weslaco's Regional Communication Center and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- U. Approval of a Memorandum of Understanding between the FBI, Texas Department of Public Safety (TXDPS), State Administrator of the National Data Exchange (N-DEX) and the Weslaco Police Department for the application and use of N-Dex information and/or equipment and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- V. Acceptance of the 2018 Racial Profiling Report compiled by the Weslaco Police Department as required by the Texas Code of Criminal Procedure Article 2.132 (Staffed by Police Department.) Attachment
- W. Approval to authorize staff to submit a grant to the U.S. Department of Commerce Economic Development Administration (EDA) and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2019-35 appointing a member to an unexpired term to the Economic Development Corporation of Weslaco Board of Directors and authorizing the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) Attachment
- B. Discussion and consideration to approve Resolutions 2019-29 and 2019-37 appointing a board member to an expired term on the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.) Attachment
- C. Discussion and consideration to approve Resolutions 2019-30, 2019-31, 2019-32, 2019-33 and 2019-34 appointing members to expired terms on the Weslaco Recycling Committee Task Force and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- D. Discussion and consideration on Resolution 2019-08, 2019-09 and 2019-10 appointing members to the Complete Count Census Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment

VI. OLD BUSINESS

- A. Discussion and consideration to award the Request for Bid received for the construction of the new fire station and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment

VII. NEW BUSINESS

- A. Discussion and consideration to approve Change Order No. 1 from Tri-Gen Construction for a decrease in the amount of \$200,254.65 for the New North Side Fire Station Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment
- B. Discussion and consideration to approve an Incentive Agreement between Economic Development Corporation of Weslaco and City of Weslaco for drainage improvements in the City's central business district (alley) and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment
- C. Discussion and consideration to unseal the sole bid received for Request For Bids No. 2018-19-07, and possibly award bid to the sole bidder, for replacement of Automated Weather Observation System III and authorize the Mayor to execute and related documents. Possible Action. (Staffed by Airport.) Attachment

- D. Discussion and consideration to approve the Final Plat for Midway Country Estates—being 28.55 acres out of Farm Tracts 216, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located, approximately 1700 ft West of Mile 6 1/2 West Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- E. Discussion and consideration to approve the Final Plat for Midway Villas Subdivision— being 4.613 acres out of Re- Subdivision of Farm Tract 154, Blk 179, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 500 ft. North of West Expressway 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- F. Discussion and consideration to convert King Estates Subdivision – being the 10.00 acres out of Farm Tract 17, West Tract Subdivision, Weslaco, Hidalgo County, Texas, located on Pleasantview Drive just south of Interstate 2 from a public subdivision to a private subdivision and authorize the Mayor to execute any related documents. Possible action (Staffed by Planning and Code Enforcement.) Attachment
- G. Discussion and consideration to reduce the Clean Sweep events from twice a year to once a year and to increase the neighborhood sweeps to once a month. Possible action. (Staffed by Planning and Code Enforcement Department.)
- H. Discussion and consideration to approve Resolution No. 2019-36 adopting the 2019 Work Plan and Budget for Year 32 of the Urban County Program and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment
- I. Discussion and consideration to authorize staff to solicit bids for drainage improvements for Merida and Austin Streets and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)
- J. Discussion and consideration on Memorandum of Understanding between City of Weslaco and Weslaco Independent School District for design, management and construction standards for traffic improvements at Memorial Elementary and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment
- K. Discussion and consideration to approve a Memorandum of Understanding (MOU) with the City of South Padre Island and City of Weslaco for Weslaco Fire Department AmBus operations during Spring Break 2019 at a cost of \$10,500 and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Weslaco Fire-EMS Dept.) Attachment

- L. Discussion and consideration on updated 2017-2018 Street Improvement projects and prioritization list and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- M. 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

VIII. 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 Weslaco Museum.

IX. 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 - Evaluation and interview of Municipal Judges and possible selection of Municipal Judges for the City of Weslaco as authorized by §551.074 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. 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.
- E. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project Motorcycle as authorized by §551.087 of the Texas Government Code.
- F. Real Property - Consultation with City Attorney on the purchase of real property legally described as Farm Tract 743, West Adams Addition located on South Texas Blvd South of 18th Street as authorized by §551.072 of the Texas Local Government Code
- G. 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 Police Union (Weslaco Municipal Police Association) as authorized by §551.071 of the Texas Government Code.
- H. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at 901 N. Airport Drive as authorized by §551.72 of the Texas Local Government Code.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

XI. 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 1st day of March 2019 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: