A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, APRIL 2, 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, April 2, 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. 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 March 19, 2019. (Staffed by City Secretary's Office.) Attachment.

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

1) Approval on Ordinance 2019-08 to rezone 609 Hidalgo St., also being Lot 14-15, BLK 7. Weslaco Original Townsite, 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 March 19, 2019; staffed by Planning and Code Enforcement Department.) Attachment

2) Approval of Ordinance 2019-09 to rezone 1321 S. International Blvd. Also being a 1.42 acre tract of Farm Tract 1020 West and Adams Tract Subdivision, proposed Lot 1, BLK 1. Mira Vista, 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 on March 19, 2019; staffed by Planning and Code Enforcement Department.) Attachment

3) Approval of Ordinance 2019-10 to rezone 3602 Camino Real Viejo also being a 5.00 Acre Tract Of Land Out Of Farm Tract 1020 Out Of Lot 12 BLK 113 West and Adams 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 of Ordinance held March 19, 2019; staffed by Planning and Code Enforcement Department.) Attachment

4) Approval of Ordinance 2019-11 to rezone 1704 N. International Blvd. Also being Lot A, Block F. Pecan Grove 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 March 19, 2019; staffed by Planning and Code Enforcement Department.) Attachment

5) Approval of Ordinance 2019-12 for the voluntary annexation of the Avanti At Sienna Palms Legacy - being a 7.9 acres out of the Juan Jose Ynojosa De Balli Survey, Abstract No. 54, being a portion of Farm Tract Subdivision out of Llano Grande Grant, Weslaco, Hidalgo County, Texas located on the east side of mile 6 ½ west ¼ mile south of mile 10 north and authorize the Mayor to execute any related documents. (First reading of Ordinance held March 19, 2019; staffed by Planning and Code Enforcement Department). Attachment

C. Approval on Resolution 2019-38 to submit grant application to Wal-Mart's Community Grant for Police Department and authorize the Mayor to sign and execute any related documents. (Staffed by Police Department.) Attachment

D. Ratification of the agreement between Behavioral Health Solution of South Texas (BHSST) and City of Weslaco Police Department for the purpose of establishing the Community Coalition Partnership (CCP) and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

E. Approval of application to the South Texas Literacy Coalition free book distribution program and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

Attachment

F. Approval to terminate a Mid Valley Airport Ground Lease Agreement with Tenant Clifford Robert Gardner Jr. for Hangar W12 and to approve a Mid Valley Airport Ground Lease Agreement with Tenant Therin Frank Sojak for Hangar W12 and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment

G. Approval on renewal of a Professional Services Agreement for City Prosecutor with the Law Office of Justino "J.R." Garza and authorize the Mayor to execute any related documents. (Staffed by the City Manager's Office.) Attachment

H. Approval on renewal of a Professional Services Agreement for Municipal Court Judge Samuel V. Sanchez in the amount of $45,000.00 beginning June 2019 through June 2021 and authorize the Mayor to execute any related documents. (Staffed by the City Manager's Office.) Attachment

IV. APPOINTMENTS

A. Discussion and consideration on Resolution 2019-39 appointing a 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

B. Discussion and consideration on Resolution 2019-40 amending Resolution 2019-05 Section 1 of the Weslaco 2020 Complete Count Census Committee by appointing the Clean Sweep staff as members comprised from the following departments Police (1), Fire (1), Parks (1), Public Works (1), Human Resources (1), City Secretary (1) and Planning and Code Enforcement (2) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment

C. Discussion and consideration on Resolution 2019-08, 2019-09 and 2019-10 appointing members to the Weslaco 2020 Complete Count Census Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

V. OLD BUSINESS

A. Discussion and consideration after public hearing on behalf of Della Fay Perez, to approve Ordinance 2019-07 to rezone 903 S Border Ave. also being a 0.70 acre tract of land being the north 185.00 feet of the south 360 feet of Lot 4, H.L. Stebbins Subdivision of the NW 10.00 ac of Farm Tract 672, Block 164, 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 of Ordinance 2019-07. Possible action. (This item was tabled on March 19, 2019; staffed by Planning and Code Enforcement Department.) Attachment

B. Discussion and consideration on Memorandum of Understanding between City of Weslaco Fire Department and Med-Care Ambulance on pilot program for emergency responses and authorize the Mayor to execute any related documents. Possible action. (There was no action on March 19, 2019; staffed by Fire Department) Attachment

VI. NEW BUSINESS

A. Discussion and consideration on Memorandum of understanding by and between City of Weslaco and Research, Applied Technology, Education, and Service (RATES) for representative appointment to Regional Drainage Task Force (MOU #R-RGV-TF-2019-0007) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering) Attachment

B. Discussion and consideration to assign a district on the voluntary annexation of territory located on Mile 6 1/2 West (Midway Villas development) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Office of the City Secretary.) Attachment

C. Discussion and consideration on Election Services Contract with the Hidalgo County Elections Department to conduct the City of Weslaco Special Election of May 4, 2019 pursuant to Texas Election Code Chapter 271, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Office of the City Secretary.) Attachment

D. Discussion and consideration of request from The Fajita Cook-off, Inc. to use Mayor Pablo Pena Park on October 19, 2019 for a festival with applicant paying for all costs and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

E. Discussion and consideration to approve the final payment to Siemens Industry on the Performance Contracting Agreement in the amount of $372,343.85 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment

F. Discussion and consideration on adoption of plan to address drainage issues outlined in the Drainage Master Plan as recommended by the drainage ad hoc committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by the City Manager's Office.) Attachment

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.

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 or 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 regarding goals, objections and evaluation of the Fire Chief, Antonio Lopez, 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. Legal Consultation - Seek City Attorney opinion relating to breach of contract by Accela and consider authorizing City Attorney to proceed with legal action as authorized by §551.071 of the Texas Government Code.

F. Real Property – Consultation with City Attorney on the purchase, exchange, lease or value of real property located on the Northeast and Southwest corner of Interstate 2 and North Airport Drive intersection as authorized by §551.072 of the Texas Local Government Code.

G. 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 §551.072 of the Texas Local Government Code.

H. Real Property – Consultation with City Attorney on the purchase of real property located at the corner of Witmer Street and South Bridge Avenue 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 29th day of March, 2019 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/ Myra Ayala, 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: