



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 2, 2016**

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, August 2, 2016 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.

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| I. | <u>CALL TO ORDER</u> | Pages |
| | A. Certification of Public Notice. | 1-2 |
| | 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal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 July 19, 2016. 3-13
(Staffed by City Secretary's Office.) Attachment.
- B. Approval on second and final reading of the following:
- 1) Ordinance 2016-25 rezoning 520 S. Illinois Ave., also being Lots 6-11, Block 43, Weslaco Original Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to R-2 Duplex and Apartments District. (First reading held July 19, 2016; Staffed by the Planning and Code Enforcement Department.) Attachment. 14
- 2) Ordinance 2016-26, amending Ordinance 27-172, codified as Section 134-259 "Designation of Truck Routes:" 15-20
1. Westgate Drive from Frost Proof Drive to 18th Street
 2. U.S. Business 83 from Midway Road to Mile 2 ½ West
 3. Farm to Market Road 1015 within City limits
 4. Farm to Market Road 88/Texas Blvd from 579.65 feet North of 18th Street to Mina Street
 5. 18th Street from Westgate Drive to Mile 2 ¾ West Road
 6. Airport Drive from 18th Street to Haggard Avenue
 7. Border Avenue from Interstate 2 to U.S. Business 83
 8. Panther Drive the West 900 Feet
 9. Bridge Avenue from Interstate 2 to Ballard Street
 10. Sugarcane Drive from Farm to Market Road 1015 to Joe Stephens Avenue
 11. Vo-Tech Drive from Interstate 2 to Sugarcane Drive
 12. Mid Valley Drive
 13. Venture Drive
 14. Industrial Drive
 15. Corporate Drive
 16. Sugarsweet Avenue
 17. Ballard Street from Farm to Market Road 88/Texas Blvd to Dolores Huerta Avenue
 18. Farm to Market Road 88/Texas Blvd from Interstate 2 to the North City limits
 19. Annie Drive
 20. Garza Avenue from U.S. Business 83 to 2nd Street
 21. Calle De La Republica from Railroad Street to U.S. Business

83

- 22. Illinois Avenue from Interstate 2 to Pike Blvd
- 23. Pike Blvd from Farm to Market Road 1015 to North Airport Drive
- 24. Pike Blvd from Illinois Avenue to Border Avenue
- 25. Milanos Road from U.S. Business 83 to Interstate 2
- 26. Pike Blvd from Westgate Drive to Milanos Road
- 27. Interstate 2 within City limits
- 28. Pleasantview Drive from Interstate 2 to US Business 83
- 29. Calle De La Republica from Interstate 2 to Pike Blvd.

(First reading held July 19, 2016; Staffed by Planning and Code Enforcement Department.) Attachment.

- C. Approval of the renewal of the annual Host Agency Agreement with AARP Senior Community Service Employment Program allowing the City of Weslaco to accept participants through a short-term work-training program and authorize the Mayor to execute any documents. (Staffed by Human Resources.) Attachment. 21-22
- D. Approval of an Election Order toward an election of Mayor, Commissioner District 5, and Commissioner District 6 during the General Election on November 8, 2016 pursuant to Texas Election Code Chapter 271 and authorize the Mayor and Commissioners to execute any related documents. (Staffed by City Secretary's Office.) Attachment. 23-26
- E. Authorization for the solicitation of sealed bids for the 2nd Street Sidewalks between Airport Drive and Illinois Avenue as part of the 5310 Program for Enhanced Mobility for Seniors and Persons with Disabilities. (Staffed by Planning and Code Enforcement.) Attachment. 27

IV. **NEW BUSINESS**

- A. Discussion and consideration to extend the current health insurance policy with Allegian and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment. 28-45
- B. Discussion and consideration to authorize staff to solicit proposals from qualified insurance carriers for the following: 46-47
 - 1. Worker's Compensation Insurance

2. Commercial Package (General Liability/Professional, Law Enforcement Liability, Errors & Omissions Liability, Auto Liability, Auto Physical Damage, Aviation, Real & Personal Property, Flood & Earthquake, Mobile Equipment, Ocean Marine, Crime, etc.)

and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment.

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| C. Discussion and consideration to negotiate and enter into agreement with Roger Garza, Valley Risk Consulting, for Professional Consulting Services related to insurance coverages for the City and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department). Attachment. | 48 |
| D. Discussion and consideration to extend current basic life and AD&D policy with Dearborn National and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment. | 49-51 |
| E. Discussion and consideration to award the best qualified, most advantageous response to the Request for Proposals for the City of Weslaco Alton Landfill Post-Closure Care Monitoring (RFP No. 2015-16-13). Possible action. (Staffed by Public Works Department.) Attachment. | 52-53 |
| F. Discussion and consideration to approve a Memorandum of Understanding with Texas A&M University Extension Service for the striping of the cycling trail. Possible action. (Staffed by Parks and Recreation Department.) Attachment. | 54-55 |
| G. Discussion and consideration to award Request For Bid 2015-16-14 for the 6th Street Striping from Westgate Drive to U.S. Business 83 to the best qualified, most advantageous bidder. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment. | 56-61 |
| H. Discussion and consideration to award the best qualified, most advantageous response to the Request for Proposals for the City of Weslaco radio equipment upgrade. Possible action. (Staffed by the Police Department) Attachment. | 62-93 |
| I. Discussion and consideration to approve the purchase of an IT backup | 94-95 |

solution using the State of Texas DIR contract in an amount not to exceed \$39,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Information Technology Department.) Attachment.

- J. Discussion and consideration to approve Resolution 2016-51 proposing an ad valorem tax rate and setting a date on which the Commission will adopt the 2016-2017 ad valorem tax rate. Roll Call Vote. Possible action. (Staffed by Finance Department.) Attachment. 96-97
- K. Discussion and consideration to accept the calculation of effective and rollback tax rates for the 2016 tax year by Hidalgo County Tax-Assessor Collector Pablo "Paul" Villarreal. Possible action. (Staffed by Finance Department.) Attachment. 98-103

V. REPORTS

- A. Report by Finance Department - Quarterly Financial report. Possible action to accept and file. 104-120
- B. Report by Finance Department - Quarterly Investment report. Possible action to accept and file. 121-122
- C. Report by Weslaco Area Chamber of Commerce.
- D. Report by Economic Development Corporation of Weslaco.
- E. Report by Planning and Code Enforcement.
- F. Report by Fire Department.
- G. Report by Severn Trent.
- H. Report by Public Works Department.
- I. Report by Parks and Recreation Department.

VI. EXECUTIVESESSION

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. Pending Litigation - Consultation with City Attorney regarding *City of Weslaco v. Briones Consulting and Engineering* as authorized by §551.071 of the Texas Government Code.
- C. Real Property - Consultation with City Attorney on the purchase, exchange, lease or value of real property (North Texas; Intersection of Mile 11 and Texas Boulevard) as authorized by §551.072 of the Texas Local Government Code.
- D. Pending Litigation – Consultation with City Attorney regarding Cause No.C-1277-15-H *Elvia Caballero Lopez d/b/a or a/k/a Caballero Governmental Affairs v. City of Weslaco, Texas* in the 389th Judicial District Court of Hidalgo County pursuant to §551.071 of the Texas Government Code.
- E. Economic Development – Consultation with City Attorney regarding Economic Development opportunities and incentive programs related to industrial prospects, including Project Chicken Hatch "B", as well as retail and airport development as authorized by §551.087 of The Texas Government Code.

- F. Economic Development – Consultation with City Attorney regarding a lease agreement for Economic Development Project Wild Boar "B" as authorized by §551.087 of The Texas Government Code.
- G. Pending Litigation - Consultation with Attorney to give a legal briefing regarding Civil Case No. 7:15-CV-334 *Alvino Flores v. City of Weslaco, et al.* in the United States District Court for the Southern District of Texas – McAllen Division as authorized by §551.071(1) of the Texas Government Code.
- H. Pending Litigation - Consultation with City Attorney regarding Docket No. CL-14-3345-G *Juan Zuniga v. City of Weslaco* 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 29th day of July, 2016 at 5:30 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/ Elizabeth M. Walker, 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.

Removed from Bulletin Board

Date:

Initials: