



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MAY 21, 2013**

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, May 21, 2013 at 5:30 p.m. 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** Pages
1-2
- A. Certification of Public Notice.
 - B. Invocation.
 - C. Pledge of Allegiance.
 - D. Roll Call.
- II. 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 of May 7, 2013. 3-15
(Requested by City Secretary's Office.) Attachment.
 - B. Acceptance of a reimbursement check from the Texas Intrastate Fire Mutual Aid System (TIFMAS) Grant Assistance program in the amount of \$3,450.00 for Training Tuition - Texas A&M Engineering Extension Service (TEEX) Spring Fire School and authorize a budget amendment as appropriate. (Requested by Fire Department.) Attachment. 16-19
 - C. Acceptance of a donation of two (2) Trimble GPS Nomad units from WW GIS, LLC at a value of \$2,800.00/unit. (Requested by Public Utilities Department.) Attachment. 20-21
 - D. Approval of the utilization of Federal Equitable Sharing funds for the renewal of the annual Leads Online Investigative System July 1, 2013 – June 30, 2014 in an amount not to exceed \$5,000.00, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Requested by Police Department.) Attachment. 22
 - E. Approval of the request to close Texas Boulevard/FM 88 from Business 83 to Fifth Streets from 3:00 p.m. to 10:00 p.m. on Thursdays, July 4, 11, 18, 23

and 25, 2013 for a series of block parties entitled *Alfresco Weslaco – Jammin’ on the Street* coordinated by the Economic Development Corporation of Weslaco, authorizing the sale of wine and beer by a Texas Alcoholic Beverage Commission (TABC) licensed vendor, and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation for proposed street closure affecting state right-of-way. (Requested by the Economic Development Corporation.) Attachment.

- F. Authorization to submit a grant application for funding not to exceed \$125,000.00 for 36 months from the United States Department of Justice (COPS) Community Oriented Policing Services to hire two officers with the City responsible for a 25% cash match and authorize the Mayor to execute any related documents. (Requested by Police Department.) Attachment. 24-28

III. APPOINTMENTS

Standard Documentation on Board Appointments 29-33

- A. Discussion and consideration to approve Resolution 2013-43 to fill the term of one member to the Weslaco Health Facilities Development Corporation. Possible action. (There was no action on this Resolution May 7, 2013; Requested by Finance Department.) Attachment. 34-36
- B. Discussion and consideration to approve Resolution 2013-57 appointing inaugural members to the Weslaco 100 Committee, an ad hoc citizen board, to advise on the municipal strategic plan and centennial celebrations. Possible action. (Requested by City Manager’s Office.) Attachment. 37-39
- C. Discussion and consideration to approve Resolution 2013-55 and Resolution 2013-56 to fill the unexpired terms of two members to the Parks & Recreation Advisory Board. Possible action. (Requested by Parks & Recreation Department.) Attachment. 40-42

IV. NEW BUSINESS

- A. Discussion and consideration to approve the Final Plat of El Papalote Ranch Subdivision, being a 6.028 acre tract out of Farm Tract 310, West and Adams Tracts Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (A three-fourths vote is required to approve in accordance with Code of Ordinances §150-20(d) as Planning & Zoning Commission recommended denial; Requested by Planning & Code Enforcement Department.) Attachment. 43-57
- B. Discussion and consideration to approve the purchase of bulletproof vests through Texas State Contract pricing in an amount not to exceed \$35,000.00 at no cost to the City and authorize 50% of the cost from Federal Equitable Sharing funds and 50% from the U.S. Department of Justice-Bureau of Justice Assistance Program (BJA) Bulletproof Vest Partnership Program (BVP), authorize a budget amendment as appropriate, and authorize the 58

Mayor to execute any related documents. Possible action. (Requested by Police Department.) Attachment.

- C. Discussion and consideration to approve a budget increase for the airport runway extension with additional cost to the City not to exceed \$137,931.00 to be equally cost-shared with the Economic Development Corporation of Weslaco as per an existing Development Agreement to accommodate proposed hangar construction, taxiway and runway repair, and sewer line replacement for more connections in the industrial park, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Requested by Airport.) Attachment. 59-65
- D. Discussion and consideration to approve the long term lease agreement for the Boys and Girls Club Recreation Center between the City of Weslaco and the Weslaco Independent School District and authorize the Mayor to execute any related documents. Possible action. (Requested by Public Facilities Department.) Attachment. 66-68

V. REPORTS

- A. Report on Departmental Update, Financial Status, Upcoming Meetings, Appointments, and Feedback. Attachment. 69-82
- B. Report by the Economic Development Corporation of Weslaco. Attachment. 83
- C. Report on Hidalgo County Vote Centers. Attachment. 84

VI. 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. 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.

VII. 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 governmental 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 distributed during Executive Session as part of the certified agenda; such documents may be available to any member of the Commission for advance inspection through the City Secretary's Office.

- A. Pending Litigation – Discussion with City Attorney regarding C-2317-13-H Division 16 Construction Corporation, Plaintiff, v. City of Weslaco, Defendant as authorized by §551.071 of the Texas Local Government Code.
- B. Pending Litigation - Consult with City Attorney regarding Cause No. C-081-13 B, *Weslaco Health Facilities Development Corporation v. Knapp Medical Center, et.al.* as authorized by §551.071 of the Texas Government Code.
- C. Contract Negotiations - Discussion with the City Manager and City Attorney relating to Operations Management International, Inc. (OMI) as authorized by §551.071 of the Texas Government Code.
- D. 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 IAFF-WFFA Local 3207 as authorized by §551.071 of the Texas Government Code.
- E. Potential Litigation/Personnel – Discussion with the City Manager and City Attorney regarding separation of municipal employees as authorized by §551.071 and §551.074 of the Texas Government Code.

**VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED
IN EXECUTIVE SESSION**

IX. 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 17th day of May, 2013 at 5:45 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/ 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.