



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, NOVEMBER 5, 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, November 5, 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
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- 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 following:
 - 1.) Regular Meeting on October 1, 2013, amended to correct Ordinance 2013-26; 3-19
 - 2.) Regular Meeting on October 15, 2013; 20-67
 - 3.) Special Meeting on October 29, 2013. (Requested by City Secretary's Office.) Attachment. 68-69

- B. Approval of the renewal of the membership for 2014 in the amount of \$100.00 in the Electric Reliability Council of Texas ("ERCOT"), the entity in Texas responsible for operating the deregulated wholesale electricity market and overseeing the grid in the deregulated portion of the state, and authorize the Mayor to execute any related documents. (Requested by City Attorney's Office.) Attachment. 70-78

- C. Approval of Resolution 2013-80 authorizing the submittal of the Solid Waste Grant application in the amount of \$30,000.00 for fiscal years 2014 and 2015 to the Lower Rio Grande Valley Development Council to fund the operations of the recycle center with no local match required, authorize acceptance upon award and a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Requested by Public Utilities Department.) Attachment. 79-80

D.	Authorization of the renewal of a Food for Fines program at the Mayor Joe V. Sanchez Public Library, allowing library patrons to exchange canned goods for outstanding library fees through December 2013 in support of a food drive by the Rio Grande Valley Food Bank. (Requested by the Library.) Attachment.	81
E.	Authorization of Federal Equitable Sharing funds in an amount not to exceed \$17,000.00 for communications-related expenses and authorize budget amendments as appropriate. (Requested by Police Department.) Attachment.	82
F.	Approval of the renewal of a contract with the Texas Department of Transportation Aviation Division for maintenance of the Automated Weather Observation Station (AWOS) through Vaisala on a 50/50 cost sharing basis for a total payment by the City of \$780.00 and authorize the Mayor to execute any related documents. (Requested by Airport.) Attachment.	83-85
III.	<u>APPOINTMENTS</u> <i>Standard Documentation on Board Appointments</i>	86-90
A.	Discussion and consideration to approve Resolution 2013-77 appointing one member to an unexpired term on the Ambulance Advisory Board. Possible action. (Commission accepted the resignation of Bertha Suarez October 15, 2013; Requested by Fire Department.) Attachment.	91-92
B.	Discussion and consideration to approve Resolution 2013-79 appointing one member to an expired term on the Board of Adjustments and Appeals. Possible action. (Commission took no action on this Resolution October 15, 2013; Requested by Planning and Code Enforcement Department.) Attachment.	93-94
C.	Discussion and consideration to approve Resolution 2013-81 confirming the appointment by the Mayor of one member to the City of Weslaco Housing Authority Board to an expired term as authorized by §302.031 of the Texas Local Government Code. Possible action. (Requested by City Secretary's Office.) Attachment.	95-96
D.	Discussion and consideration to approve Resolution 2013-82 appointing an official member and an alternate member to the Amigos del Valle, Inc. Board of Directors for Fiscal Year 2013-2014. Possible action. (Requested by Amigos del Valle.) Attachment.	97-102
E.	Discussion and consideration to approve Resolution 2013-83 to allocate 150 total votes in the election for the 2013-2014 Board of Directors of the Hidalgo County Appraisal District pursuant to §6.03 of the Texas Property Tax Code. Possible action. (Requested by City Secretary's Office.) Attachment.	103-106
IV.	<u>NEW BUSINESS</u>	

- A. Discussion and consideration to approve a three-year uniform rental service agreement with G&K Services, BuyBoard Vendor Contract #416-12, for 76 employees. Possible action. (Requested by Public Utilities and Public Facilities Departments.) Attachment. 107-116
- B. Discussion and consideration to approve Resolution 2013-84 reconsidering Resolution 2013-58 authorizing eminent domain proceedings for the purpose of acquiring real estate to construct airport improvements and authorize the Mayor to execute any related documents. Possible action. (Commission approved Resolution 2013-58 on June 4, 2013; Requested by Airport Department.) Attachment. 117-132

V. REPORTS

- A. Report by City Manager and Department Directors, Upcoming Meetings, Appointments, and Feedback. Attachment. 133-144
- B. Report on Sponsored Projects. Attachment. 145-148
- C. Report on Litigation Update.

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. Potential Litigation – Consultation with the City Attorney regarding a lease with the City of Weslaco at the Weslaco Mid Valley Airport pursuant to §551.071 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 1st day of November 2013 at 5:00 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/ 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.