



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 4, 2015**

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 4, 2015 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. Mayoral Recognitions.
- 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 following:
 - 1) Regular Meeting on July 21, 2015; 3-16
 - 2) Special Meeting on July 28, 2015. (Staffed by City Secretary's Office.) 17-19Attachment.

B.	Approval of the renewal of the E9-1-1 Public Safety Answering Point Services Interlocal Agreement with the Lower Rio Grande Valley Development Council to continue providing the City of Weslaco the necessary service and equipment to answer emergency calls and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.	20-48
C.	Approval to declare and dispose of additional surplus property from various City departments through a public auction Saturday, August 29, 2015. (Surplus and auction authorized July 21, 2015; Staffed by Finance Department.) Attachment.	49-61
D.	Authorization to solicit Request For Bids for Waterworks Collection and Distribution Materials and authorize the Mayor to execute any related documents. (Staffed by Public Utilities Department.) Attachment.	62
IV.	<u>APPOINTMENTS</u> <i>Standard Documentation on Appointments</i>	63-67
A.	Discussion and consideration to accept the resignation of Richard Lopez from the Parks and Recreation Advisory Committee and approve Resolutions 2015-46 appointing one member to his unexpired terms and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.	68-69
B.	Discussion and consideration to approve Resolutions 2015-47 and 2015-48 appointing two members to expired terms on the Parks and Recreation Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.	70-73
C.	Discussion and consideration to approve Resolution 2015-45 appointing an official member and an alternate member to the Amigos del Valle, Inc. Board of Directors for Fiscal Year 2015-2016 and authorize the Mayor to execute any related documents. Possible action. (Requested by Amigos del Valle.) Attachment.	74-75
D.	Discussion and consideration to accept the resignation of Mari Fuentes-Martin from the Economic Development Corporation of Weslaco Board of Directors, approve Resolution 2015-49 appointing one member to that unexpired term, and authorize the Mayor to execute any related documents. Possible action. (Requested by the Mayor.) Attachment.	76-81
V.	<u>OLD BUSINESS</u>	
A.	Discussion and consideration to replace Water Plant Filter Gallery Valves on Plants 2, 3, and 4 as recommended by Briones Consulting & Engineering. Possible action. (There was no action on this item July 21, 2015; Staffed by	82-88

Public Utilities Department.) Attachment.

- B. Discussion and consideration to accept the appraisal roll and calculation of effective and rollback tax rates for the 2015 tax year by Hidalgo County Tax Assessor-Collector Pablo “Paul” Villarreal. Possible action. (There was no action on this item July 28, 2015; Staffed by Finance Department.) Attachment. 89-90

VI. NEW BUSINESS

- A. Discussion and consideration to award the sole respondent for “Professional Consulting Service” related to insurance coverages for the City and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment. 91-92
- B. Discussion and consideration to approve an Election Order toward an election during the General Election on November 3, 2015 pursuant to Texas Election Code Chapter 271 and authorize the Mayor and Commissioners to execute any related documents. Possible action. (Staffed by City Secretary’s Office.) Attachment. 93-95
- C. Discussion and consideration to approve a land lease with Mr. John M. Pate for Hangar W-2 for a period not to exceed five years for aircraft storage or aviation related business only and authorize the Mayor to execute related documents. Possible action. (Staffed by Airport Department.) Attachment. 96-108
- D. Discussion and consideration to approve Change Order #1 with Balch Machine Company for the 6th Street Waterline Improvements in an amount not exceed \$80,948.00. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment. 109-110
- E. Discussion and consideration to purchase two (2) ambulances using a lease purchase option and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment. 111-123
- F. Discussion and consideration to approve Ordinance 2015-21, amending Ordinance 2014-11 establishing the Municipal Budget for Fiscal Year 2014-2015, and approving a budget amendment in the amount not to exceed \$350,000.00 to acquire two ambulances for the Fire Department. First Reading of Ordinance 2015-21. Possible action. (Staffed by Fire Department.) Attachment. 124-126
- G. Discussion and consideration to approve a Professional Services Agreement with PR&S, LLC to support Parks and Recreation Department projects and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager’s Office.) Attachment. 127-128

VII. DEPARTMENTAL UPDATES

- A. Quarterly Report by Weslaco Area Chamber of Commerce. Attachment.
- B. Quarterly Report by Economic Development Corporation of Weslaco.
- C. Engineering and Waterline Mapping by Planning and Code Enforcement Department.
- D. Water and Wastewater Systems by Public Utilities Department.
- E. Household Hazardous Waste Collection by Public Utilities Department.
- F. Paving by Public Works Department.
- G. Runway Extension by Airport Department.
- H. Drinking Fountains and City Cemetery by Parks and Recreation Department.

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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 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 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 the transition from self-performance in the water and wastewater systems, including Public Utilities Director David Salinas, Public Utilities Assistant Director Trinidad Cantu, and other affected employees as authorized by §551.074 of the Texas Government Code.
- C. Pending Litigation – Consultation with City Attorney regarding Cause No. C-0435-13-A, *Richard Stubbs v. The City of Weslaco, Texas; Veronica Ramirez, in her official capacity as Weslaco Civil Service Director*, as authorized by §551.071 of the Texas Government Code.

- D. Economic Development – Consultation with City Attorney regarding a lease agreement for Economic Development Project Chicken Hatch as authorized by §551.087 of The Texas Government Code.
- E. Contract Negotiation - Consultation with City Attorney on the contract with the Valley Nature Center as authorized by §551.0725 of The Texas Government Code.
- F. 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.
- G. Pending Litigation - Consultation with City Attorney regarding Docket No. CL14-2629-G, *Adela Mireles Gonzalez v. Davis Real Estate RGV, LLC, Serafin Vazquez, Angeles D. Vazquez, and the City of Weslaco* as authorized by §551.071 of the Texas Government Code.
- H. Pending Litigation - Discussion with City Attorney and Special Counsel regarding Cause No. C-081-13 B *Weslaco Health Facilities Development Corporation v. Knapp Medical Center, et.al.* as authorized by §571.074 of the Government Code.
- I. Legal Consultation - Consultation with City Attorney regarding city limit and extraterritorial jurisdiction (ETJ) boundary issues with City of Donna, Texas pursuant to §551.071 and/or §552.071 of the Texas 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 31st day of July 2015 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:
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