



**A REGULAR MEETING  
OF THE WESLACO CITY COMMISSION  
TUESDAY, JULY 1, 2014**

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, July 1, 2014 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. 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.

**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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 June 17, 2014. (Staffed by City Secretary's Office.) Attachment. 3-11
- B. Approval of the Library Technology Plan for the term of July 1, 2014 – June 30, 2017, identifying a road map for technological development in compliance with ERate regulations. (Staffed by Library.) Attachment. 12-23

C.	Approval of Resolution 2014-33 setting public hearing dates on the proposed annexations. (Staffed by Planning and Code Enforcement Department.) Attachment.	24-29
<b>IV.</b>	<b><u>APPOINTMENTS</u></b> <i>Standard Documentation on Appointments</i>	30-34
A.	Discussion and consideration to approve Resolution 2014-29 appointing one member to an unexpired term on the Weslaco Health Facilities Development Corporation, and authorize the Mayor to execute any related documents. Possible action. (Resignation accepted June 17; there was no action on the appointment. Staffed by City Manager’s Office.) Attachment.	35-36
B.	Discussion and consideration to approve Resolutions 2014-30 and 2014-31 appointing two members to expired terms on the Planning and Zoning Commission and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.	37-39
<b>V.</b>	<b><u>OLD BUSINESS</u></b>	
A.	Discussion and consideration to place a Charter Referendum with the upcoming General Election to amend Single Member Districts to designate all at-large. Possible action. (There was no action on this item June 17, 2014; Requested by Commissioner Noriega and Mayor Suarez.)	
<b>VI.</b>	<b><u>NEW BUSINESS</u></b>	
A.	Discussion and consideration to select the best qualified, most advantageous consulting firm for the City of Weslaco Five Year Comprehensive Plan, authorize the City Manager to negotiate a professional planning and engineering services contract and authorize the Mayor to execute any related documents. Possible action. (There was no action on this item May 20, 2014; Staffed by Planning and Code Enforcement Department.) Attachment.	40-41
B.	Discussion and consideration to select the best qualified, most advantageous consulting firm for the Master Drainage Plan, authorize the City Manager to negotiate a professional engineering services contract for the Drainage Plan, and authorize the Mayor to execute any related documents. Possible action. (There was no action on this item May 20, 2014; Staffed by Planning and Code Enforcement Department.) Attachment.	42-43
C.	Discussion and consideration to authorize final payments from Hidalgo County Urban County Program to JCON Construction LLC, Pay Application No. Two (Final), in the amount of \$8,205.00 and to Alcocer Garcia Associates, Inc., Invoice No. Five (Final), in the amount of \$912.50 for the Weslaco Public	44-52

Library Restroom Renovations project and authorize the Mayor and/or City Manager to execute any related documents. Possible action. (Staffed by Public Facilities.) Attachment.

- D. Discussion and consideration to approve improvements to Harlon Block Sports Complex and authorize a budget amendment as appropriate. Possible action. (Requested by Commissioner Noriega and Mayor Suarez.) Attachment.

53

## **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 – Consultation with City Attorney regarding Cause No. CL-14-2697-B *Juan J. Garcia, Sr. v. City of Weslaco* in County Court At Law #2 of Hidalgo County pursuant to §551.071 of The Texas Government Code.
- B. Personnel – Discussion with the City Manager regarding a separation of employment agreement for City Attorney Ramon Vela as authorized by §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 27<sup>th</sup> day of June 2014 at 7:35 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.