



**A SPECIAL MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MAY 27, 2014**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Special Meeting in the Legislative Chamber of City Hall, located at 255 South Kansas Avenue, on Tuesday, May 27, 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. Pledge of Allegiance.
 - C. 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. OLD BUSINESS

- A. Discussion and consideration to select the best qualified, most advantageous bidder for the roadway improvements on Sugarcane Road (Mile 9 North) from Westgate Drive (Mile 6 West) to Border Avenue (Mile 5 1/2 West) and authorize the Mayor to execute related documents. Possible action. (This item was tabled May 20, 2014; Staffed by Planning and Code Enforcement Department.) Attachment. 3-131

- B. Discussion and consideration to authorize the preparation of service plans for the involuntary annexation of a maximum of eight (8) tracts of land as described: 132-134

Tract 1

A tract of land containing 160.58 acres situated in the County of Hidalgo, Texas, being a part of portion of Farm Tracts 186, 183, 174, 173, 184, 172, 115 and 185, West and Adams Tract Subdivision, according to the plat thereof recorded in Volume 2, Pages 34-37, Hidalgo County Map Records

Tract 2

A tract of land containing 151.78 acres situated in the County of Hidalgo, Texas, being a part of portion of Farm Tracts 128, 141, 172, 207, 208 and 209, West and Adams Tract Subdivision, according to the plat thereof recorded in Volume 2, Pages 34-37, Hidalgo County Map Records

Tract 3

The west 4.37 acres of Tejas Cuatro Subdivision, a subdivision containing 10.00 acres out of Farm Tract 115, Block 161, West Tract Subdivision, Llano Grande Grant, and Tejas Cuatro Phase 2 Unit A Subdivision, being a 13.78 acre subdivision out of Farm Tract 172, Block 161, West Tract Subdivision as recorded in Volume 2, Pg 34-37 of the Map Records in the office of the County Clerk of Hidalgo County, Texas

Tract 4

A tract of land containing 494.00 acres situated in the County of Hidalgo, Texas, being part or portions of Farm Tracts 201, 202, 203, 204, 205, 206, 207, 226, 227, 228, 229, 285 and 286 West and Adams Tract Subdivision, according to the plat thereof recorded in Volume 2, Pages 34-37, Hidalgo County Map Records

Tract 5

A tract of land containing 55.79 acres situated in the County of Hidalgo, Texas, being part or portions of Farm Tract 280, West and Adams Tract Subdivision, according to the plat thereof recorded in Volume 2, Pages 34-37, Hidalgo County Map Records

Tract 6

A tract of land containing 147.01 acres situated in the County of Hidalgo, Texas, being part or portions of Farm Tracts 83, 84, 85, and 86, West and Adams Tract Subdivision, according to the plat thereof recorded in Volume 2, Pages 34-37, Hidalgo County Map Records

Tract 7

A tract of land containing 169.90 acres situated in the County of Hidalgo, Texas, being part or portions of Farm Tracts 281, 282, and 333, West and Adams Tract Subdivision, according to the plat thereof recorded in Volume 2, Pages 34-37, Hidalgo County Map Records

Tract 8

A tract of land containing 70.31 acres situated in the County of Hidalgo, Texas, being part or portions of Farm Tracts 103 and 104, West and Adams Tract Subdivision, according to the plat thereof recorded in Volume 2, Pages 34-37, Hidalgo County Map Records

Possible action. (Staffed by Planning and Code Enforcement Department.)
Attachment.

IV. NEW BUSINESS

- A. Discussion and consideration to acquire surplus property from the Texas Department of Transportation located on the 1400 Block of Westgate Drive also being a 0.9426 acre tract of land out of Farm Tract 146, Block 179, West and Adams Tract Subdivision through the TxDOT Turnback Program. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment. 135-139

V. 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 Special Counsel regarding Cause No. C-5929-13-H *City of Weslaco, Texas v. City of Mercedes, Texas* in the 389th Judicial District Court of Hidalgo County pursuant to §551.071 of the Texas Government Code.

VI. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

VII. ADJOURNMENT

I hereby certify this **Notice of a Special 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 23rd day of May 2014 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/ Leonardo Olivares, City Manager

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.