



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JULY 7, 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, July 7, 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
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. 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. PUBLIC HEARINGS

- A. To solicit input on behalf of Sigifredo Rodriguez Jr. to rezone 1913 W. Business Highway 83, also being 0.43 acre E10.57 acres out of Farm Tract 633, West Tract Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-2 Secondary Highway Business District. 3
- B. To solicit input on behalf of Irma Valerio-Salinas to approve a Conditional Use Permit to operate an event center at 623 W. Business Highway 83, also being Lot 1, Harding-Gill Subdivision, Weslaco, Hidalgo County, Texas. 4

IV. 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 June 16, 2015; 5-37
 - 2) Special Meeting on June 30, 2015. (Staffed by City Secretary’s Office.) 38-43
 Attachment.

V. OLD BUSINESS

- A. Discussion and reconsideration to approve Ordinance 2015-15 abandoning 20’ X 830’ of alley located behind lots 1-4 Block 1 South Palm Garden Estate Phase 1 and Lots 5-8 Block 1 South Palm Garden Estates Phase 2, creating a 20’ x 830’ utility easement behind Lots 1-4 Block 1 South Palm Garden Estate Phase 1 and lots 5-8 Block 1 South Palm Garden Estate Phase 2, and ordaining all other matters with respect to the subject matter hereof. First Reading of Ordinance 2015-15. Possible action. (This item was tabled June 2 and denied May 5, 2015; Staffed by Planning and Code Enforcement Department.) Attachment. 44-50
- B. Discussion and consideration after public hearing on behalf of Jose Leonardo Olivares to approve a Conditional Use Permit to operate a Bed and Breakfast at 1702 S. Airport Dr., also being a 1.00 acre tract of land N166.20’-S918.47’-292.40’ of Farm Tract 697, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Possible action. (This item was tabled June 2, 2015; Staffed by Planning and Code Enforcement Department.) Attachment. 50-60
- C. Discussion and consideration to approve on Second and Final Reading Ordinance 2015-03 amending the Code of Ordinances §114.06, “Special Sign Categories, Permitted, and Prohibited Signs,” adding such sections to provide for the placement of political signs on private property, to provide for the regulation of electioneering on public property and election polling places; to provide a repealing clause; to provide a severability clause; to provide a penalty for each offense; and to provide an effective date. Possible action. (There was no action on this item June 2, 2015; First reading held January 20, 2015; Staffed by City Secretary’s Office.) Attachment. 61-74

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing to approve Ordinance 2015-20 to rezone 1913 W. Business Highway 83, also being 0.43 acre E10.57 acres out of Farm Tract 633, West Tract Subdivision, Weslaco, Hidalgo County, 75-83

Texas, from R-1 One Family Dwelling District to B-2 Secondary Highway Business District. First Reading of Ordinance 2015-20. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

- B. Discussion and consideration after public hearing on behalf of Irma Valerio-Salinas to approve Conditional Use Permit to operate an event center at 623 W. Business Highway 83, also being Lot 1, Harding-Gill Subdivision, Weslaco, Hidalgo County, Texas. Possible action. (Staffed by Planning and Code Enforcement Department). Attachment. 84-92
- C. Discussion and consideration to accept the 2014 City of Weslaco Comprehensive Plan by Gonzalez-De La Garza Consulting Engineers and to adopt the future land use map. Possible action (Staffed by Planning and Code Enforcement Department). Attachment. 93-98
- D. Discussion and consideration to accept the 2014 City of Weslaco Drainage Plan by Gonzalez-De La Garza Consulting Engineers. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment. 99-109
- E. Discussion and consideration on behalf of Ricardo Quintanilla to renew an agreement abandoning a 20' alley located behind lots 1-2 Block 14, L.D. Morgan Addition and to the east of lots 8-10, Block 14, L.D. Morgan Addition. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment. 110-117
- F. Discussion and consideration to approve a hangar lease with Joe Marroquin, d.b.a. Marroquin Aviation Maintenance, for a period of five (5) years for use of City-owned Hangar B in an amount of \$750.00/month and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment. 118-131
- G. Discussion and consideration to approve the 2015 Interlocal Agreement with the County of Hidalgo for the implementation of the Community Development Block Grant (CDBG) under Grant No. B-15-UC-48-0501 setting the City's allotment at \$283,695.00 for activities to be carried out in the City's jurisdiction and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment. 132-144
- H. Discussion and consideration to extend the current Group Health Insurance policy and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment. 145-146
- I. Discussion and consideration to authorize staff to solicit proposals from qualified insurance carriers for the following: 147-149
 - 1. Worker's Compensation Insurance;
 - 2. Employer's Liability;

- 3. Commercial Package (Property Insurance, General Liability/Professional, Airport Liability, Crime Liability, Law Enforcement Liability, Automobile Insurance, Error and Omissions Liability, Umbrella Liability Coverage, Ocean Marine Liability, Pollution Liability, Flood, Professional Liability [EMS], etc.); and
 - 4. Basic Life & Accidental Death & Dismemberment
- and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.

- J. Discussion and consideration to solicit qualifications 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. 150-151
- K. Discussion and consideration to approve Resolution 2015-43 authorizing execution of an investment agreement for participation in the Lone Star Investment Pool, designating the pool as an agency and instrumentality, approving investment policies of the pool, appointing Authorized Representatives, designating investment officers, and authorizing the Mayor to execute any related documents. Possible action. (Staffed by City Manager’s Office.) Attachment. 152-184
- L. Discussion and consideration regarding a City flag. Possible action. (Requested by Mayor Pro-Tem Noriega and Mayor.) Attachment. 185-188
- M. Discussion and consideration to select members to a review committee on solid waste collection proposals. Possible action. (Staffed by City Manager’s Office.)

VII. DEPARTMENTAL UPDATES

- A. Quarterly Report by Weslaco Area Chamber of Commerce.
- 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.

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. Pending Litigation – Consultation with City Attorney regarding Cause No. C-1361-15-E *Mobile Video Tapes, Inc., D/B/A KRGV-TV v. City of Weslaco, Texas, Mike Perez* in the 275th Judicial District Court of Hidalgo County pursuant to §551.071 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. Pending Litigation - Consultation with City Attorney regarding CL-15-1860-H *Gilberto Heredia, Jr. v. City of Weslaco* as authorized by §551.071 of the Texas Government Code.
- E. Economic Development – Discussion with the Economic Development Corporation of Weslaco to renegotiate amendments to bring an economic development project to the City of Weslaco as authorized by §551.087 of The Texas Government Code.
- F. 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.
- G. Contract Negotiation - Consultation with City Attorney on the contract with the

Valley Nature Center as authorized by §551.0725 of The Texas Government Code.

- H. 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.

**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 2nd day of July 2015 at 6:30 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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