



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JULY 21, 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 21, 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. 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 7, 2015; 3-14
 - 2) Special Meeting on July 14, 2015. (Staffed by City Secretary's Office.) 15-17
Attachment.

B.	Approval on Second and Final Reading of 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, Texas, from R-1 One Family Dwelling District to B-2 Secondary Highway Business District. (First reading held July 7, 2015; Staffed by Planning and Code Enforcement Department.) Attachment.	18
C.	Approval of the renewal of the annual Host Agency Agreement with AARP Senior Community Service Employment Program allowing the City of Weslaco to accept participants through a short-term work-training program and authorize the Mayor to execute any documents. (Staffed by Human Resources Department.) Attachment.	19-21
D.	Approval of the renewal of the Federal Work Study agreements with The University of Texas Rio Grande Valley, including the America Reads Challenge, America Counts Challenge, and Community Service programs, to allow the City of Weslaco to obtain student volunteer assistance and authorize the Mayor to execute any related documents. (Staffed by Library.) Attachment.	22-33
IV.	<u>APPOINTMENT</u> <i>Standard Documentation on Appointments</i>	34-38
A.	Discussion and consideration to approve Resolution 2015-43 appointing one member to an inaugural term on the Hotel Occupancy Tax Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.	39-40
V.	<u>OLD BUSINESS</u>	
A.	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 July 14, 2015; First reading held January 20, 2015; Staffed by City Secretary’s Office.) Attachment.	41-56
VI.	<u>NEW BUSINESS</u>	
A.	Discussion and consideration to award the best qualified, most advantageous respondent to the Request for Proposals for the Operations and Management of the City of Weslaco’s Water Plant, Wastewater Plant, and Lift Station Operations. Possible action. (Staffed by City Manager’s Office.) Attachment.	57-58

- B. Discussion and consideration to award the contract for the rehabilitation of Clarifier #4 as recommended by CDM Smith on the Water Treatment Plant Project in an amount not to exceed \$171,400.00. Possible action. (Staffed by Public Utilities Department.) Attachment. 59-72
- C. Discussion and consideration to replace Water Plant Filter Gallery Valves on Plants 2, 3, and 4 as recommended by Briones Consulting & Engineering. Possible action. (Staffed by Public Utilities Department.) Attachment. 73-79
- D. Discussion and consideration to authorize the solicitation of proposals to conduct Landfill Post Closure Care Monitoring for the Closed City of Weslaco Landfill in Alton, Texas for a four year period and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities Department.) Attachment. 80
- E. Discussion and consideration to authorize the solicitation of Request for Bids for the reconstruction of the Sugarcane Drive Detention Pond. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment. 81
- F. Discussion and consideration to declare and dispose of surplus property from various City departments through a public auction as per Ordinance No. 86-08, authorize a public auction through Valley Wide Auction Services at the Public Facilities building on August 29, 2015, and authorize the Mayor to execute the auction contract. Possible action. (Staffed by Finance Department.) Attachment. 82-93

VII. PROJECT UPDATES

- A. Summary Report by Valley Initiative for Development and Advancement (VIDA).

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. 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 – Discussion with City Attorney regarding C-6831-13-H *Imelda Palacios v. City of Weslaco* 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 17th day of July 2015 at 4:30 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: