

**NOTICE OF A REGULAR MEETING
OF THE WESLACO CITY COMMISSION**

NOTICE IS HEREBY GIVEN

THAT, the City Commission of the City of Weslaco, Texas will hold a Regular Meeting at the Legislative Chamber, located at 255 South Kansas Avenue, on Tuesday, November 2, 2010 at 6:00 p.m. for the purpose of discussing the following items:

NOTE: If any accommodation for a disability is required, notify the City Secretary's Office at (956) 968-3181, Ext 3101 prior to the meeting date.

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 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 MEETING TO ORDER**
- II. **ROLL CALL/ESTABLISH A QUORUM**
- III. **INVOCATION/PLEDGE OF ALLEGIANCE**
- IV. **CONSENT AGENDA**

NOTICE TO THE PUBLIC

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separately unless requested by one commission member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Minutes
 - 1. Special Meeting of September 30, 2010
 - 2. Regular Meeting of October 19, 2010
- B. Second and final reading of Ordinance No. 2010-22 dedicating previously dedicated drainage right-of-ways in Lin's Grand Buffet-Weslaco Subdivision, Westgate Village Mobile Home Subdivision Phase II and Westgate Village

Mobile Home Subdivision as Drainage Right of Way and Utility Easements and ordaining other matters with respect to the subject matter hereof. Possible action. Attachment

V. BOARD APPOINTMENTS

- A. Discussion and consideration to approve Resolution No. 2010-30 to appoint one member to the Ambulance Advisory Board. Possible action. Attachment
- B. Discussion and consideration to approve Resolution No. 2010-36 to appoint one member to the Parks & Recreation Advisory Board for a three year term. Possible action. Attachment
- C. Discussion and consideration to approve Resolution No. 2010-40 to appoint a new member to replace Blanca Munoz to serve an unexpired term on the Weslaco Public Library Board, term expires May 6, 2011. Possible action. Attachment
- D. Discussion and consideration to appoint two persons to the Traffic Safety Council and consideration of Resolution No. 2010-37 and Resolution No. 2010-38 appointing the members for three year terms. Possible action. Attachment
- E. Discussion and consideration to accept the resignation of Edward Ramirez from the Planning and Zoning Commission. Possible action. Attachment

VI. NEW BUSINESS

- A. Discussion and consideration to enter into an agreement for an annual fee of \$702.00 and \$0.35 per box of garbage between the City of Weslaco and M&M Environmental, LLC for the collection and disposal of "Regulated Garbage" at the Weslaco Mid Valley Airport as per USDA regulations that apply with the operation of the U.S. Custom Facility and authorize the Mayor to execute the agreement. Possible action. Attachment
- B. Discussion and consideration to approve Resolution No. 2010-42 relating to the "The Economic Development Corporation of Weslaco Sales Tax Revenue Refunding Bonds, Series 2010"; approving the resolution of The Economic Development Corporation of Weslaco authorizing the issuance of such bonds; and resolving other matters incident and related to the issuance of such bonds. Possible action. Attachment
- C. Discussion and consideration to enter into an Interlocal Agreement with Hidalgo County Drainage and/or Hidalgo County Pct. 1 for the burial of the drainage canal located at the SDI Weslaco Holdings Subdivision, Lot 9, East to Bridge Street. Possible action. Attachment

- D. Discussion and consideration to declare City of Weslaco sanitation vehicles as surplus and dispose of the property through a public auction as per City of Weslaco's Ordinance No. 86-8 and remove the vehicles from the City of Weslaco's Commercial Fleet Insurance Policy. Possible action. Attachment
- E. Discussion and consideration to accept substantial completion of the City of Weslaco North Wastewater Treatment Plant Expansion and Upgrade Completion from CDM Constructors, Inc. Possible action. Attachment
- F. Discussion and consideration to approve a Contribution-in-Aid-of-Construction agreement with AEP Texas to install streetlights at 10th Street and Sharon Avenue, 11th Street and Sharon Avenue, and 12th Street and Karen Street and authorize the Mayor to execute all necessary documents. Possible action. Attachment
- G. Discussion and consideration to approve the application submitted to FEMA for reimbursement of expenses related to Hurricane Alex. Possible action. Attachment
- H. Discussion and consideration to approve the amount not to exceed \$283,837.06 in grant back tax payments pursuant to the Chapter 380 Economic Development Agreement between the City of Weslaco and H.E.B. Possible action. Attachment
- I. Discussion and consideration to approve a budget amendment of intra and inter departmental transfers for the Fiscal Year 2010-2011 Municipal Budget. Possible action. Attachment
- J. Discussion and consideration to authorize staff, in collaboration with appropriate established contractors including City Engineer and Water Plant Operator, to submit a grant funding application to the Border Environment Cooperation Commission (BECC) in an amount not to exceed \$10.0 million for implementation of the Texas Commission on Environmental Quality (TCEQ) Work Plan and authorize the Mayor to sign the application and any related documents. Possible action. Attachment

VII. CITY MANAGER'S REPORT

- A. City Manager's report: Financial Status, Departmental Update, Upcoming Meetings and Appointments.
- B. Status report on the Legislative Program

VIII. PUBLIC COMMENTS

IX. EXECUTIVE SESSION

- A. Pending Litigation – Discussion with assigned defense counsel, Allison D. Kennamar, on the proposed settlement in Cause No. 09-158 Styled *Juan Estrada et al. v. The City of Weslaco, et al* as authorized by Section 551.071 (a) of The Texas Government Code.
- B. Potential Litigation - Discussion with the City Attorney on the claim for payment of advalorem taxes by Moyses G. Flores as authorized by Section 551.071 (a) of The Texas Government Code.
- C. Pending Litigation – Discussion with the City Attorney regarding *Julio Cesar Duran v. City of Weslaco*, United States District Court Southern District of Texas, McAllen Division as authorized by Section 551.071 (a) of The Texas Government Code.
- D. Discussion with the City Attorney of Cause No. CCD-0033-F, *In The Matter of Proceedings By the City of Weslaco, Texas For The Condemnation of Certain Property of Ricardo Oliva*, as authorized by Section 551.071 of The Texas Government Code.

X. POSSIBLE ACTION OF WHAT IS DISCUSSED IN EXECUTIVE SESSION

XI. ADJOURNMENT