



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 in the Legislative Chamber of City Hall, located at 255 South Kansas Avenue, on Tuesday, July 19, 2011 at 5:30 p.m. for the purpose of discussing the following items:

I. CALL TO ORDER

- A. Certification of Public Notice.
- B. Mayoral Proclamations and Recognitions.
- C. Invocation.
- D. Pledge of Allegiance.
- E. Roll Call.

II. STATUS REPORTS

- A. Hernan Gonzalez, Executive Director of the Economic Development Corporation of Weslaco, regarding monthly economic development activities. Attachment.
- B. Martha Noell, Executive Director of the Weslaco Area Chamber of Commerce, regarding monthly chamber activities. Attachment.
- C. Benita Valadez, administrator of Medical Financial Services, on Emergency Medical Services (EMS) collections.

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Minutes of the Regular Meeting of July 5, 2011. Attachment.
- B. Approval on Second Reading of Ordinance 2011-17 to amend Zoning Ordinance No. 320 and the City of Weslaco Zoning Map to rezone Lots 1-31 Prada Estates, Hidalgo County, Texas, located on Mile 8 North and Mile 2 ½ West, from "R-2 Duplex and Apartment District" to "M-1 Mobile Home Subdivision District." Attachment.
- C. Approval on Second Reading of Ordinance 2011-16 establishing a policy and committee for the naming of public facilities and transportation improvements. Attachment.
- D. Approval of the E9-1-1 Public Safety Answering Point Services Interlocal

Agreement with the Lower Rio Grande Valley Development Council to continue providing the City of Weslaco the necessary service and equipment to answer emergency calls and authorize the Mayor to execute any related documents. Attachment.

- E. Approval of the Weslaco Housing Authority Agency Plan for Fiscal Year beginning October 2011 and authorize the Mayor to execute any related documents. Attachment.
- F. Approval of the request from the University of Texas – Pan American to place a banner across South Texas Boulevard September 16 – October 3, 2011 to promote Hispanic Engineering Science and Technology (HESTEC) Week. Attachment.
- G. Approval of request by Christina Escobar to organize a 5K Fun Run on Saturday, September 17, 2011 6:00–8:30 p.m. at Harlon Block Sports Complex to benefit the Leukemia and Lymphoma Society, authorize street closures as appropriate, and waive all fees associated. Attachment.

IV. APPOINTMENTS

- A. Discussion and consideration to approve Resolution No. 2011-41 to appoint one member to an unexpired term on the Traffic Safety Committee. Possible action. (This item was tabled July 5, 2011.) Attachment.

V. OLD BUSINESS

- A. Discussion and consideration to authorize staff to solicit proposals for the Employee Group Health Insurance; Basic Life & Accidental Death & Dismemberment; Commercial Insurance Package; and Workers' Compensation Coverage. Possible action. (This item was tabled July 5, 2011.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration to approve the Development Agreement and Lease between the City of Weslaco and the Economic Development Corporation of Weslaco for the southern part of Weslaco City Hall to be a site for a new "Business, Visitor and Event Center" and authorize the Mayor to execute the agreement. Possible action. (Agreement authorized April 5, 2011; Item as requested by the Mayor.) Attachment.
- B. Discussion and consideration to adopt Resolution 2011-43, revising Resolution 2005-15 to implement a policy which mandates the use of concrete liners for burials at the Weslaco City Cemetery. Possible action. (Item as requested by the Mayor.) Attachment.
- C. Discussion and consideration to approve an Affiliation and Program Agreement for Clinical Experience between Weslaco Fire/Emergency

Medical Services and ATI Enterprises, Inc. (South Texas Vo-Tech) and authorize the Mayor to execute any related documents. Possible action. Attachment.

- D. Discussion and consideration to approve a contract between the City of Weslaco and Knapp Medical Center for medical ground transportation and authorize the Mayor to execute any related documents. Possible action. Attachment.
- E. Discussion and consideration to approve an employment contract between the City of Weslaco and South Texas College (STC) to provide security services to STC Weslaco Campus for fiscal year 2011-2012 and authorize the Mayor to execute the agreement. Possible action. Attachment.
- F. Discussion and consideration to authorize submission of a grant application in the amount of \$35,000.00 to the Texas Department of Public Safety Texas Ranger Division to participate with the Local Border Security Program (Operation Border Star) for Fiscal Year 2010-2011 for payment of overtime and operational costs for local law enforcement officers, authorize a budget amendment as appropriate, and authorize the Mayor and associated staff to execute any related documents. Possible action. Attachment.

VII. CITY MANAGER'S REPORT

- A. Report on Departmental Update, Financial Status, Upcoming Meetings and Appointments.
- B. Library Report. Attachment.
- C. Comprehensive Report on 380 Agreements and Sales Tax Agreements. Attachment.
- D. FY 2012 Municipal Budget Schedule. Attachment.

VIII. 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.

IX. 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. Economic Development - Discussion and consideration of an international aviation business to locate in Weslaco and the terms and conditions for entering into a Development Agreement with The Economic Development Corporation of Weslaco for facilities at the Mid-Valley Airport pursuant to §551.087 of the Texas Government Code.
- B. Pending Litigation – Discussion with City Attorney regarding C-10-2165-E, *L & G Concrete Construction Inc., and Arnulfo Gonzalez, Plaintiffs v. RCD Infrastructure LLC, Enriquez Enterprises Inc., and The City of Weslaco, Defendants* pursuant to §551.071 of the Texas Government Code.
- C. Personnel – Annual Performance Evaluation of the City Manager as authorized by §551.074 of the Texas Government Code.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

XI. 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 15th day of July, 2011 at 12:30 p.m. and will remain so posted continuously for at least 72-hours proceeding 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.