



NOTICE OF A SPECIAL MEETING OF THE WESLACO CITY COMMISSION

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Special Meeting in the Legislative Chamber, located at 255 South Kansas Avenue, on Tuesday, September 27, 2011 at 5:30 p.m. for the purpose of discussing the following items:

I. CALL TO ORDER

- A. Certification of Public Notice.
- B. Pledge of Allegiance.
- C. Roll Call.

II. PUBLIC HEARING

- A. To solicit input on the proposed Municipal Budget for the City of Weslaco, Texas, for the fiscal year beginning October 1, 2011 and ending September 30, 2012 as per Texas Local Government Code Chapter 102.0065.

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 on Second and Final Reading of Ordinance No. 2011-26 to authorize the City of Weslaco to self-insure and establish a proprietary network for Workers' Compensation coverage effective October 1, 2011. Attachment.
- B. Approval of a local match commitment not to exceed \$2,935.03 to the Rio Grande Regional Water Authority for an Alternative Regional Water Supply Feasibility Study, authorize a budget amendment as needed, and authorize the Mayor to execute any related documents. Attachment.
- C. Approval of a one-time fee waiver to reconnect nineteen (19) AEP electric meters at Magic Valley RV Park in an amount not to exceed \$570.00. Attachment.

IV. OLD BUSINESS

- A. Discussion and consideration to approve on second and final reading Ordinance No. 2011-25 to authorize levying an advalorem tax on all taxable property within the City of Weslaco, Texas for the Tax Year 2011, fixing the tax rate for the use and support of the general government and for the interest and sinking fund for the redemption of

bonds and other indebtedness of the City of Weslaco, Texas, providing for the assessment of annual occupation taxes provided by law, and fixing a lien on all taxable property. Possible action. (Approved on First Reading September 9, 2011.) Attachment.

- B. Discussion and consideration after public hearing to approve on second and final reading Ordinance No. 2011-24 to adopt a budget for the City of Weslaco, Texas, for the fiscal year beginning October 1, 2011 and ending September 30, 2012. Possible action. (Approved on First Reading September 8, 2011.) Attachment.
- C. Discussion and reconsideration on behalf of John Kittleman, Four D-Partnership & CDC/SMT Broadcast, LLC to approve final plat of KRGV/Clear Channel Subdivision, being a resubdivision of 4.514 acres out of Farm Tract 40, West and Adams Tracts Subdivision, located on U.S. Expressway 83 and Paso del Norte and authorize the Mayor to execute any related documents. Possible action. (Approved without requested variances on September 6, 2011.) Attachment.

V. NEW BUSINESS

- A. Discussion and consideration to approve budget amendments of inter departmental transfers to balance the Fiscal Year 2010-2011 Budget. Possible action. Attachment.
- B. Discussion and consideration to amend Ordinance 2010-17, previously codified as Ordinance 2002-18 in the City of Weslaco Code of Ordinances as Section 62-54, establishing brush rates to be charged for the brush pick-up service to reflect accurate cost of service; establishing that all business, commercial, industrial, and mobile home/recreational vehicle parks shall be responsible for disposing of their own brush; providing for a severability clause; and providing for an effective date. First Reading of Ordinance 2011-28. Possible action. Attachment.
- C. Discussion and consideration to amend Section 1 of Ordinance 77-16, adopted on August 16, 1977 and codified in the Weslaco Code of Ordinances as §138-58 “Water Rates Prescribed” and amending Section 1 of Ordinance 67-10, adopted on June 27, 1967 and codified in the Weslaco Code of Ordinances as §138.59 “Sewer Rates Prescribed;” providing a new schedule of rates to be charged for treated water delivered through the system of the Public Utilities Department of the City of Weslaco; and providing a new schedule of rates to be charged for the use of wastewater treatments facilities of the City of Weslaco and ordaining other matters with respect to the subject matter hereof and providing for an effective date after second publication of this ordinance. First Reading of Ordinance 2011-29. Possible action. Attachment.
- D. Discussion and consideration to award the Commercial Insurance Package to the best qualified, most advantageous bidder and authorize

the Mayor to execute any related documents. Possible action. Attachment.

- E. Discussion and consideration to award the Employers' Liability Insurance to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. Attachment.
- F. Discussion and consideration to award the Workers' Compensation Coverage to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. Attachment.
- G. Discussion and consideration to award the Self-Insured Workers' Compensation Insurance to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. Attachment.
- H. Discussion and consideration to appoint an Agent of Record to serve as Third Party Administrator for the City of Weslaco self-insured Workers' Compensation Coverage as per Texas Labor Code §504.053 and authorize the Mayor to execute any related documents. Possible action. Attachment.

VI. 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.

VII. 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 item 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.

At the time of the posting of this agenda, there are no executive session items.

**VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED
IN EXECUTIVE SESSION**

IX. 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 September 2011 at 6:00 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/ 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.