

**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, on Tuesday, August 18, 2009 immediately following the Special Meeting scheduled 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. 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separately unless requested by one commission member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 July 28, 2009
  - 2. Regular Meeting of August 4, 2009
  
- B. Second and final reading of Ordinance No. 2009-20 amending Zoning Ordinance No. 320 and amending the Zoning Map of the City of Weslaco to change the zoning of a 1.71 acre tract of land out of Farm Tract 14, West Tract Subdivision at 2004 E. Expressway 83 from "R-1" Single Family Dwelling District to "B-2" Secondary and Highway District. Possible action. Attachment

- C. Discussion and consideration to renew the lease agreement between the City of Weslaco and the Weslaco Youth Football League to continue providing organized recreational activities for community youth and authorize the Mayor to execute the agreement. Possible action. Attachment

## II. PUBLIC COMMENTS

A member of the public or the governmental body may make comments on subjects for which notice has been given and which are on the agenda Section 551.042, Texas Open Meetings Act. Public comments will be limited to three (3) minutes.

## III. CITY MANAGER'S REPORT

- A. Status report from Guzman and Munoz Engineering Firm on the American Recovery and Reinvestment Act of 2009 (ARRA) Grant Application for the Clean Water State Revolving Fund (CWSRF) Projects through the Texas Water Development Board. Possible action. Attachment

## IV. MAYOR'S REPORT

- A. Announcement of the Joint Workshop with the City of Weslaco and Weslaco Independent School District scheduled for August 24, 2009 at 6:30 P.M.
- B. Announcement of the Budget Workshops and Meetings

## V. NEW BUSINESS

- A. Discussion and consideration regarding solutions to address the emergency of the shortage of potable water and re-prioritize the bond projects to finance the necessary improvements that have emerged with the water issues. Possible action.
- B. Discussion and consideration to award the Depository Services Contract to BBVA Compass Bank, the most advantageous bidder for a one (1) year contract beginning October 1, 2009 and ending September 30, 2009 with options to renew the contract up to four (4) as authorized by Section 105.017 of The Local Government, and authorize the Mayor to execute the contract. Possible action. Attachment
- C. Discussion and consideration to approve Ordinance No. 2009-21 to annex a 41.29 acre tract of land out of Farm Tract 1049, Block 133, West Tract Subdivision, Mid Valley Industrial Park #8 as request by The Economic Development Corporation of Weslaco. Possible action. Attachment

- D. Discussion and consideration to award the Audit Proposal to Garcia and Pena, CPA, most advantageous bidder for fiscal year ending September 30, 2009. Possible action. Attachment
- E. Status report from Martha Noell, Executive Director of the Weslaco Area Chamber of Commerce regarding chamber activities. Possible action. Attachment
- F. Discussion and consideration to purchase 3,000 linear feet of 5 inch fire hose, 2,500 linear feet of 1 ¼ inch fire hose, and 2,500 linear feet of 1.5 inch fire hose from Wilson Fire Apparatus and Equipment through the Buy Board in the amount of \$21,390.00 as authorized in the 2007 Bond Issue. Possible action. Attachment
- G. Discussion and consideration to authorize the Mayor to execute a commitment letter to Steve Lollis, Managing Member of General Partner, Weslaco Hills Apartments LP regarding the City of Weslaco "Political Subdivision Funding Assistance" for the Weslaco Hills Apartments. Possible action. Attachment
- H. Request from Rosa A. Cuellar to close N. Missouri from Plaza to Agostadero Streets on Tuesday, September 15, 2009 from 5:00 p.m. to 12:00 a.m. for her daughter's celebration. Possible action. Attachment
- I. Discussion and consideration to authorize staff to submit a Solid Waste Grant Application to the Lower Rio Grande Valley Development Council in the amount of \$26,255.00 for acquisition of a forklift and authorize the Mayor to sign the application and any related documents. Possible action. Attachment
- J. Discussion and consideration of amendments to the By-Laws and Articles of Incorporation of The Economic Development Corporation of Weslaco as approved by the Weslaco City Commission on August 4, 2009. Possible action.
- K. Discussion and consideration of the recommendation by The Economic Development Corporation of Weslaco Board of Directors of the change to the By-Laws and Articles. Possible action. Attachment
- L. Discussion and consideration to nominate and appoint individuals to The Economic Development Corporation of Weslaco. Possible action. Attachment
- M. Discussion and consideration to approve Invoice No. 80319614 from Camp Dresser & McKee, Inc. for additional services provided pursuant to Exhibit C of the agreement between the City of Weslaco and Camp

Dresser & McKee, Inc. for TPDES Permitting Assistance in the amount of \$28,500.00; Geotechnical Services in the amount of \$16,000.00; Surveying Services in the amount of \$32,000.00; and Resident Project Representative Services in the amount of \$72,150.00. Possible action. Attachment

- N. Discussion and consideration to amend the Standard Form of Agreement between The City of Weslaco and Camp Dresser & McKee, Inc. dated July 22, 2008 to Amend Exhibit C "Additional Services" to reduce the amount for Geotechnical Services from \$100,000.00 to \$32,000.00; and the amount of Surveying Services from \$60,000.00 to \$40,000.00; and the amount for Resident Project Representative from \$705,000.00 to \$650,000.00; and the amount for Construction Materials Testing from \$271,000.00 to \$200,000.00 and to consider other possible amendments to "Exhibit C", Additional Services. Possible action. Attachment
- O. Discussion and consideration to amend the Program Management Contract between the City of Weslaco and Camp Dresser & McKee, Inc. dated 2/5/2008 to amend Task No. 3 Construction Services will be reduced from \$396,690.00 to \$19,830.00. Possible action.
- P. Discussion and consideration to amend the Program Management Contract between the City of Weslaco and Camp Dresser & McKee, Inc. dated 2/5/2008 to amend Task No. 4, Construction Materials Testing to reduce the amount from \$220,000.00 to \$11,000.00. Possible action.
- Q. Discussion and consideration to solicit statement of qualifications for the appointment of bond attorney for the City of Weslaco. Possible action.
- R. Discussion and consideration of the Interlocal Agreement between the City of Weslaco and the Weslaco Independent School District for videotaping City Commission meetings and authorize the Mayor to execute the agreement. Possible action. Attachment
- S. Discussion and consideration of the final determination regarding Texas Gas Services Company's Statement of Intent to raise rates and possible approval on first reading of the settlement ordinance. Possible action. Attachment
- T. Discussion and consideration to direct the City Manager to request TXDOT to stripe crosswalk markings on Texas Blvd. and Highway 83, Oklahoma Avenue and Highway 83 and Border Avenue and Highway 83 and/or to authorize the City of Weslaco to stripe crosswalk markings on these locations if TXDOT is unable to do so. Possible action.

- U. Discussion and consideration to authorize the Mayor to execute a letter in regards to the J.G. Subdivision NAWSC Water Access Agreement for the current fire hydrants, currently installed to be painted black and designated as flushing hydrants for the purposes of recording the J.G. Subdivision Plat. Possible action. Attachment
- V. Discussion and consideration to name a seven member committee to review and make recommendations on the new fiscal year budget for 2009/2010 with guidance from city staff and Manuel Garcia, CPA. (Requested by Commissioner Tafolla and Mayor Pro-Tem Rodriguez) Possible action.
- W. Discussion and consideration to appoint a member to the expiring term on the Civil Service Commission. (Requested by Commissioner Tafolla and Mayor Pro-Tem Rodriguez) Possible action.
- X. Discussion and consideration to allow City Commissioners a telephone allowance for the purpose of conducting city business. (Requested by Commissioner Tafolla and Mayor Pro-Tem Rodriguez) Possible action.
- Y. Discussion and consideration to instruct city staff to explore the feasibility of re-opening Illinois Street to Business Hwy 83. (Requested by Commissioner Tafolla and Mayor Pro-Tem Rodriguez) Possible action.

**VI. EXECUTIVE SESSION**

- A. Discussion with Assigned Counsel regarding Cause No. C-2123-09-E ANTHONY COVACEVICH, ARNOLD RODRIGUEZ vs. CITY OF WESLACO. Possible action of what is discussed in executive session.
- B. Land Acquisition – Discussion with City Manager regarding the acquisition of a 21 acre tract of land. Possible action of what is discussed in executive session.