

**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, July 20, 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separately unless requested by one commission member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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. Regular Meeting of July 6, 2010
- B. Second and final reading of the following ordinances:

1. Ordinance No. 2010-10 amending Zoning Ordinance No. 320 and the Zoning Map of the City of Weslaco to change the zoning of Lots 3, 4, & 5, Block 18, Esplanada Subdivision, Hidalgo County, Texas located at 206 W. Pike Street from "R-1" Single Family Dwelling District to "B-1" Neighborhood Business District. Possible action. Attachment
2. Ordinance No. 2010-11 amending Zoning Ordinance 320 to designate the Planning and Zoning Commission as the City of Weslaco Airport Zoning Commission, to provide authority to develop airport hazard area zoning regulations and airport compatible land use zoning regulations and ordaining other matters with respect to the subject matter hereof. Possible action. Attachment
3. Ordinance No. 2010-12 amending Ordinance 83-15 to provide for appointment of Parks and Recreation Board Members by the Weslaco City Commission and ordaining other matters with respect to the subject matter hereof. Possible action. Attachment

**V. BOARD APPOINTMENTS**

- A. To accept the resignation of Isabel de la Rosa from the Housing Authority Board of The City of Weslaco and announce the appointment, by Mayor Miguel D. Wise, of Deborah Lynn Castillo as the Resident Tenant Board member as authorized by §392.031 of the Texas Local Government Code and approval of Resolution No. 2010-17. Possible action. Attachment
- B. Appointment, by Mayor Miguel D. Wise, of Olga G. Noriega to the Housing Authority Board of The City of Weslaco whose term begins after the term of Javier Martinez expires on October 2, 2010 as authorized by §392.031 of the Texas Local Government Code and approval of Resolution No. 2010-18. Possible action. Attachment
- C. Hospital Authority Board – Approval of Resolution No. 2010-19 appointing a member to the Hospital Authority Board of The City of Weslaco because a current board member's term expires August 5, 2010 pursuant to §5 of Ordinance 77-14. Possible action. Attachment

**VI. NEW BUSINESS**

- A. Discussion and consideration to approve the Non-Financial Affiliation Agreement with South Texas Vo-Tech that allows the City of Weslaco to accept interns to complete their on-the-job training classes in fields such as general office skills, computer accounting and computer technician and to authorize the Mayor to sign all relevant documents. Possible action. Attachment

- B. Discussion and consideration of a Sales Tax Refund Agreement not to exceed \$1,750,00.00 between the City of Weslaco and Academy, Ltd. for the development of a 70,000 square foot Academy Store and authorize the Mayor to execute the agreement. Possible action. Attachment
- C. Discussion and consideration of a request from Adrian Guerrerro, Representative of Warrior Pictures to close Fifth Street for a maximum of two hours on the evening of Saturday, July 24, 2010 with the coordination of the Weslaco Police Department. Possible action. Attachment
- D. Discussion and consideration to approve payment to the Hidalgo County Elections Department for an amount not to exceed \$9,039.82 in connection with City of Weslaco General Election held on May 8, 2010. Possible action. Attachment
- E. Discussion and consideration to enter into a license with the Texas Office of the Secretary of State for office at a municipal building for a one year term with an option to extend for another year. Possible action. Attachment
- F. Discussion and consideration of the Cost of Service Adjustment (COSA) filing by Texas Gas Services that takes effect on August 1, 2010 for a 4.7% increase in base rates or an increase of 35 cents per month for the average residential user. Possible action. Attachment
- G. Report from Hernan Gonzalez, Executive Director of the Economic Development Corporation of Weslaco regarding economic development activities. Attachment
- H. Report from Martha Noell, Executive Director of the Economic Development Corporation of Weslaco regarding chamber activities. Attachment
- I. Report from Chitra Parameswar, Project Manager/CDM Constructors, Inc. (CCI) regarding the North Wastewater Treatment Plant Improvements.

**VII. MAYOR'S REPORT**

- A. Report on the Hidalgo County Mutual Aid response to the recent flooding from Hurricane Alex and Tropical Depression 2.
- B. Announcement of a workshop scheduled, for August 2, 2010, between The City of Weslaco, Hidalgo County and The Weslaco Independent School District Board regarding the Hidalgo County Sheriff's Substation, Fire Department Substation and the need to purchase of land. Attachment

## VIII. CITY MANAGER'S REPORT

- A. City Manager's report: Financial Status, Departmental Update, Upcoming Meetings, Appointments and other items.
- B. Presentation of the CASA Program (Court Appointed Special Advocates) for children.

## IX. EXECUTIVE SESSION

### A. Economic Development

- 1. Discussion and consideration to authorize the Economic Development Corporation of Weslaco to negotiate a Development Agreement with a Commercial Developer to provide public infrastructure, in an amount exceeding \$100,000.00, to serve an area targeted for commercial development and a project in the vicinity of Pike Boulevard and Milanos Road pursuant to §551.087 of Texas Open Meetings Act.
- 2. Discussion and consideration to authorize the Economic Development Corporation of Weslaco to negotiate a Development Agreement with a Commercial Developer for a public-private partnership, in an amount exceeding \$100,000.00, for a new multi-tenant building to be constructed at the Mid Valley Industrial Park pursuant to §551.087 of Texas Open Meetings Act.

### B. Pending Litigation

- 1. Attorney consultation pursuant to §551.071 of Texas Open Meetings Act regarding *Claudio Lucio v. City of Weslaco Case No. 7:09-CV-0118*.
- 2. Attorney consultation pursuant to §551.071 of The Texas Open Meetings Act regarding *L & G Concrete Construction Inc., and Arnulfo Gonzalez Plaintiffs vs RCD Infrastructure LLC, Enriquez Enterprises Inc., and The City of Weslaco, Defendants, Cause No. CL-10-2165-E*.
- 3. Attorney consultation pursuant to the Texas Government Code §551.071 with regards to Cause No. C-1363-09-A; *Juan Estrada, Jr., Rosa Estrada, Criselda Villarreal Administratrix of the Estate of Maricela Trevino v. City of Weslaco EMS et al, in the 275<sup>th</sup> Judicial District, Hidalgo County, Texas*.

4. Attorney consultation pursuant to the Texas Government Code §551.071 regarding *Romero v. City of Weslaco, Texas, Cause No. C-2777-09-A, in the 92<sup>nd</sup> Judicial District Court of Hidalgo, Texas.*

C. Contemplated Litigation - Attorney consultation pursuant to the Texas Government Code §551.071 regarding a claim for monies made by Insurance Indemnity Company to release contract funds on the City of Weslaco Lift Station 41 Project as authorized by §551.071 of Texas Open Meetings Act.

**XI.** Possible action of any and all items discussed in executive session.

**XII. 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 §551.042, Texas Open Meetings Act. Public comments will be limited to three (3) minutes.

**XIII. ADJOURNMENT**