

**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, December 15, 2009 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separately unless requested by one commission member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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. Regular Meeting - December 1, 2009
- B. Second and final reading of the following ordinances:
 - 1. Ordinance No. 2009-30 amending Zoning Ordinance No. 320 and amending the Zoning Map of the City of Weslaco to change the zoning of Lots 16, Block 178, West and Adams Tract Subdivision, at 306 S. Westgate Drive, from "R-1" Single Family Dwelling District to "R-2" Duplex & Apartment District. Possible action. Attachment

2. Ordinance No. 2009-31 appointing Richard D. Cannone as City Manager of the City of Weslaco; establishing the salary of the City Manager; establishing duties and responsibilities as City Manager; declaring at will status of the Weslaco City Manager; and ordaining other matters with respect to the subject matter herein. Possible action. Attachment
 3. Ordinance No. 2009-32 amending Section 11 of Ordinance 320, the Zoning Ordinance of the City of Weslaco to declare operation of a private or public school in an "R-1" district as conditional and ordaining other matters with respect to the subject matter hereof. Possible action. Attachment
- C. Request from the AARP Tax-Aid Program to use the Historic City Hall, Former City Commission's Chamber located at 500 South Kansas Avenue to provide tax services every Wednesday and Friday starting on February 3, 2010 until April 15, 2010 and waive all fees associated with the use of the facility. Possible action. Attachment
- D. Discussion and consideration to renew the following lease agreements between the City of Weslaco and the following organizations to continue providing organized recreational activities for the community and authorize the Mayor to execute the agreements. Possible action. Attachment
1. Weslaco Softball/Baseball League
 2. Weslaco Little League
 3. Mid Valley Youth Soccer Club
 4. Mid Valley Civic Theatre
 5. Lower Rio Grande Valley Nature Center
- E. Discussion and consideration to renew the lease agreement between the City of Weslaco and Benevolent and Protective Order of Elks Lodge No. 2057 to continue providing community services activities for the community and authorize the Mayor to execute the agreement. Possible action. Attachment
- F. Discussion and consideration to approve the request from Tejas Remote Control (R/C) Association (Remote Controlled Airplane Club) to use the Weslaco Mid Valley Airport from January 29th through January 31, 2010 to host the Winter Rally of the Giants Air Show and to waive all fees. Possible action. Attachment
- G. Discussion and consideration to accept the Loan Star Libraries Grant in the amount \$15,824.00 for State Fiscal Year 2010 (September 1, 2009 –

August 31, 2010) and authorize the Mayor to sign the contract. Possible action. Attachment

- H. Request from Edinburg Child Care, Inc. to use the Weslaco Service Center located at 1200 E. Sixth Street, Saturday, January 9, 2010 for a free H1N1 Vaccination Clinic for the Child Care Home and center providers/directors and parents in the various facilities. Possible action. Attachment
- I. Request from the Weslaco Fire Prevention Division to accept a donation of \$1,000.00 from the Wal-Mart Foundation for the Annual Toy Drive and approval of budget amendment increasing the Fire Prevention's Budget, Line Item, Other Supplies (01-515-3840). 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. VISITOR WITH BUSINESS

- A. Presentation by Mr. Ford Sasser on the Camp University Program for special needs of young adults after high school. Possible action.

IV. PUBLIC HEARING

- A. To discuss and consider a Conditional Use Permit to obtain a Mixed Beverage and Late Hours Permit at a restaurant located at 1600 N. Westgate Drive, Weslaco, Texas, also being Lot 10, Home Depot Subdivision. Possible action. Attachment

V. MAYOR'S REPORT

- A. Announcement of the H1N1 Vaccination Clinic in conjunction with the Hidalgo County Health Services Department to be held on Wednesday, December 16, 2009 at the Weslaco City Hall, Legislative Chamber located at 255 South Kansas Avenue, Weslaco, Texas.
- B. Announcement of the City of Weslaco's Annual Employee Awards Ceremony, Friday, December 18, 2009 from 2:30 p.m. to 5:00 p.m. at the Weslaco City Hall, Legislative Chamber located 255 South Kansas Avenue, Weslaco, Texas.

- C. Announcement of the HEB Feast of Sharing, Saturday, December 19, 2009 from 11:00 a.m. to 3:00 p.m. at the St Joan of Arc Parish Hall located at 200 South Illinois Street, Weslaco, Texas.
- D. Announcement of the passing away of Sgt. Major Simon Tamez.

VI. BOARD APPOINTMENT

- A. Housing Authority Board – One (1) member’s term expires on December 21, 2009. (The Mayor shall appoint the Housing Authority Commissioners as per the Texas Local Government Code Section 392.031). Possible action. Attachment

VII. NEW BUSINESS

- A. Discussion and consideration of approving a Professional Services Agreement for on call engineering services between the City of Weslaco and L&G Engineering for the preparation of Project Information Forms for Texas Water Development Board SFY 2011 DWSRF IUP Solicitation Packet and authorize the Mayor to execute the agreement. Possible action. Attachment
- B. Discussion and consideration of Ordinance No. 2009-33, an ordinance amending Ordinance 304, The Calculation of Contributions Ordinance to provide for the City of Weslaco to make current service and prior service contributions to the City of Weslaco’s account in the Municipal Accumulation Account of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensation and ordaining other matters with respect to the subject matter hereof. First reading of Ordinance No. 2009-33. Possible action. Attachment
- C. Discussion and consideration of a request from Mary Lou Cavazos, Partnership Specialist, U.S. Census Bureau, to have a Questionnaire Assistance Center at the Weslaco City Hall, and the Weslaco Public Library and use the of Public Facilities Building as a testing and training site. Possible action. Attachment
- D. Discussion and consideration of final payment in the amount of \$8,400.00 to G&M Engineers for engineering services for the Reconstruction of Lift Station No. 41. Possible action. Attachment
- E. Discussion and consideration of final payment in the amount of \$3,000.00 to G&M Engineers for engineering services for the assessment of the New Water Treatment Plant and the new 2.5 MGD Wastewater Treatment Plant Projects. Possible action. Attachment

- F. Discussion and consideration to approve the Advance Funding Agreement, Amendment No. 3 on the Westgate Drive Widening Project, 092-02-184 to update cost information, revise the project funding from the American Recovery and Reinvestment Act (ARRA) and Discretionary Funds to CAT 7, Metro Mobility Funds and approve the City of Weslaco's 8.6% share of cost totaling \$193,168.77 and authorize the Mayor to execute the amendment. Possible action. Attachment
- G. Discussion and consideration to approve a budget amendment in the Water Fund in the amount of \$17,000.00 for the purchase of water meters and equipment for new connections and meter replacements. Possible action. Attachment
- H. Status report from Martha Noell, Executive Director of the Weslaco Area Chamber of Commerce regarding chamber activities. Possible action. Attachment
- I. Discussion and consideration of a Memorandum of Understanding (MOU) between the City of Weslaco and the United States Marshals Service to investigate and apprehend local, state, and federal fugitives and authorize the Mayor and appropriate city staff to execute the MOU. Possible action. Attachment
- J. Discussion and consideration to authorize The Economic Development Corporation of Weslaco to enter into a private-public partnership with The Payne Dealer Group to landscape the public right-of-way along Expressway 83 Frontage in the vicinity of 2102 East Expressway 83 for a total cost of \$21,375.00. Possible action. Attachment
- K. Presentation by RGV Music Festival and request for \$500.00 sponsorship. Possible action. (This item was requested by Mayor Buddy de la Rosa)
- L. Discussion and consideration of approving the Billing and Collections Agreement with South Star Billing and More, Inc. for the billing and collections of the Weslaco EMS accounts. Possible action. Attachment
- M. Discussion and consideration to authorize AEP to install a street light on Rose Avenue and authorize the Mayor to execute all necessary documents. Possible action. (This item was requested by Commissioner Robert J. Garza and Commissioner Lupe Rivera). Attachment
- N. Discussion and consideration to approve a change order to the existing contract between the City of Weslaco and TRC Utilities to extend the utility sewer line from Lift Station No. 27 to Plaza Diez Quince Subdivision. Possible action. (This item was requested by Commissioner Robert J. Garza and Commissioner Lupe Rivera).

- O. Presentation by James Parkey, Corplan Corrections, on the submittal of a grant application for Immigration Family Housing Project for the City of Weslaco and authorize the Mayor to execute any and all related documents. Possible action.
- P. Discussion and consideration regarding repairs to the Weslaco Fire Station No. 2 located on 500 South Kansas Avenue. Possible action. (This item was requested by Commissioners: Patrick B. Kennedy and Mayor Pro-Tem Rene Rodriguez, Jr.).
- Q. Discussion and consideration of a consultant services agreement between the City of Weslaco and Francisco Castellanos to provide grant professional services and authorize the Mayor to execute the agreement. Possible action. (Attachment to be handed out prior to the meeting)
- R. Discussion and consideration to direct the City Attorney to prepare and file the documents necessary on the title to the American Legion Property and Building and Improvements located on 6th Street to revert to the City of Weslaco. Possible action. Attachment

VIII. EXECUTIVE SESSION

- A. Economic Development - Discussion and consideration of an economic development agreement for a loan/incentive with economic development incentives for the relocation and consolidation of a business to Weslaco. Possible action of what is discussed in executive session.
- B. Economic Development - Discussion and consideration of the terms and conditions of an economic development agreement loan and credit for property to be developed on North Texas Boulevard. Possible action of what is discussed in executive session.
- C. Economic Development - Discussion and consideration of an economic development agreement for a loan/facade grant for the redevelopment of the property located at 111 East Mesquite. Possible action of what is discussed in executive session.
- D. Discussion with the City Manager and City Attorney regarding the land Purchase, exchange, lease or sale of real property as authorized by Section 551.072 of the Texas Open Meetings Act. Possible action of what is discussed in executive session.