

**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 Avenue, on Tuesday, December 7, 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. **MAYORAL PROCLAMATIONS**
- V. **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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 November 16, 2010. Attachment.

- B. Approval to extend the lease agreement with Hidalgo County Head Start Program for one (1) year with the same rates, terms, and conditions. Attachment.
- C. Approval on second and final reading of the Ordinance No. 2010-18 amending Ordinance 93-46, the Cable Television Franchise Ordinance, providing for the initial term to end December 8, 2010 and ordaining other matters with respect to the subject matter hereof. Attachment.
- D. Approval to utilize and waive all fees associated with performances of "A Christmas Carol" at the Mayor Eugene A. Braught Memorial Theater on December 13, 14, 15, and 16 by the Weslaco High School Theatre Drama Club. Attachment.
- E. Approval of the Final Plat of Trinity MEP being a 0.5142 of one acre of land out of Farm Tract 1033, West and Adams Tract Subdivision, Hidalgo County, Texas, located approximately 575 feet east of FM 1015 along the north side of Mile 7 North Road. Attachment.
- F. Approval of the Final Plat of Southeastern Freight being a 31.56 acres tract of land of Farm Tract 6, Block 134, West and Adams Tract Subdivision, Hidalgo County, Texas, located at Southeast corner of Sugar Sweet Avenue and Mile 3 ½ West. Attachment.
- G. Approval to renew the annual contract with the Boys & Girls Club of the Mid-Valley in an amount not to exceed \$76,800.00 to provide public purpose services to the City of Weslaco citizens effective October 1, 2010 through September 30, 2011. Attachment.
- H. Approval to enter into a land lease between the City of Weslaco d.b.a. Weslaco Mid Valley Airport and R. Brian Hunsaker for land on the airport to construct a 45-foot by 45-foot metal hangar for the storage of aircraft for a period of twenty (20) years at \$303.00 per year and authorize the Mayor to execute all documents relating to this lease. Attachment.
- I. Approval of Resolution No. 2010-44 identifying Mayor Miguel D. Wise as the one voting member to represent the City of Weslaco on the Hidalgo County Urban County Advisory Council. Attachment.

**VI. BOARD APPOINTMENT**

- A. Appointment by Mayor Miguel D. Wise of a member to the City of Weslaco Housing Authority Board as authorized by §302.031 of the Texas Local Government Code and approval of Resolution No. 2010-21. Possible action.

- B. Discussion and consideration to remove Director(s) of the Economic Development Corporation of Weslaco as authorized by Article VI of the Articles of Incorporation of the Economic Development Corporation of Weslaco. Possible action.
- C. Discussion and consideration of Resolution(s) 2010-46, 2010-47, 2010-48, 2010-49, 2010-50, 2010-51, and 2010-52, as applicable, to fill the vacancy/vacancies of the previously removed Director(s) of the Economic Development Corporation of Weslaco. Possible action. Attachment.

**VII. OLD BUSINESS**

- A. Discussion and consideration to appoint one person to the Planning & Zoning Commission and consideration of Resolution No. 2010-41 appointing the member for a three year term. Possible action. (This item was tabled at the November 16, 2010 meeting.) Attachment.
- B. Discussion and consideration to approve a budget amendment of intra and inter departmental transfers for the Fiscal Year 2010-2011 Municipal Budget. Possible action. (This item was tabled at the November 16, 2010 meeting.) Attachment
- C. Discussion and consideration of the City of Alton's request for a 20-foot utility easement on property owned by the City of Weslaco in the City of Alton and authorize the Mayor to execute the utility easement. Possible action. (This item was tabled at the November 16, 2010 meeting.) Attachment.
- D. Discussion and consideration to enter into an Interlocal Agreement with the City of McAllen to formalize the collection and transfer of recyclable products. Possible action. (This item was tabled at the November 16, 2010 meeting.)

**VIII. NEW BUSINESS**

- A. Presentation by Linebarger Goggan Blair & Sampson, LLP and possible action to adopt the End of Year Report on Delinquent Tax Collections for the Period October 1, 2009 through September 30, 2010. Possible action. Attachment.
- B. Discussion and consideration to adopt Resolution 2010-53 to authorize early turnover and additional penalty on Delinquent Personal Property Taxes under Texas Tax Code §33.11. Possible action. Attachment.

- C. Discussion and consideration to approve Resolution 2010-45 authorizing signatories to the Texas Community Development Block Grant Program. Possible action. Attachment.
- D. Discussion and consideration to enter into a Memorandum of Understanding (MOU) with the Economic Development Corporation of Weslaco to jointly pay the Sponsor's Share of \$4,250.00 on the Texas Department of Transportation (TxDOT) Project No. AP WESLACO 5, TXDOT CSJ No. 1121WESLA Airport Expansion Project. Possible action. Attachment.
- E. Discussion and consideration to approve Amendment No. 20 to the existing contract between the City of Weslaco and Operations Management International (OMI) to increase the compensation services to be performed from \$2,204,733.00 to \$2,290,483.00 for an additional licensed operator for the recently expanded North Wastewater Facility and minimal increases to existing sludge and chemical budgets and authorize the Mayor to sign the amendment. Possible action. Attachment.
- F. Discussion and consideration of an agreement for Associate Municipal Court Judge Services with Samuel Sanchez for a two (2) year term beginning December 16, 2010. Possible action. Attachment.
- G. Discussion and consideration to terminate the professional engineering services agreement with Sigler, Winston, Greenwood & Associates, Inc. Possible action. Attachment.
- H. Discussion and consideration to select Cruz-Hogan Consultants, Inc. to perform engineering services for the City of Weslaco and authorize staff to negotiate and prepare a professional engineering services agreement. Possible action. Attachment.

**IX. CITY MANAGER'S REPORT**

- A. Financial Status, Departmental Update, Upcoming Meetings and Appointments. Attachment.
- B. Capital Improvements at Tower Theatre.

**X. 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.

**XI. EXECUTIVE SESSION**

- A. Pending Litigation – Discussion with the City Attorney of Cause No. CCD-0033-F, *In The Matter of Proceedings By the City of Weslaco, Texas For The Condemnation of Certain Property of Ricardo Oliva*, as authorized by §551.071 of The Texas Government Code.
- B. Pending Litigation – Discussion with City Attorney regarding Civil Action No. 10-00353, *Anthony Covacevich and Arnold Rodriguez v. City of Weslaco* pursuant to §551.071 of the Texas Government Code.
- C. Pending Litigation – Discussion with City Attorney regarding Cause No. C-215-10-E, *Anne-Marie Mata, David Salinas, and Oscar Garcia v. City of Weslaco* pursuant to §551.071 of the Texas Government Code.
- D. Potential Litigation – Discussion with City Attorney regarding the legal issues with the commercial energy sales agreement with Champion Energy Services, LLC as authorized by §551.071 of the Texas Government Code.

**XII. POSSIBLE ACTION OF WHAT IS DISCUSSED IN EXECUTIVE SESSION**

**XIII. ADJOURNMENT**