



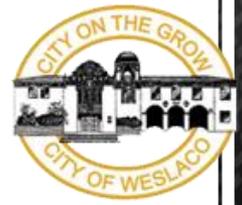
# Happy 4<sup>th</sup> of July Week



## 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 in the Legislative Chamber of City Hall, located at 255 South Kansas Ave. on Tuesday, July 5, 2011 at 5:30 p.m. for the purpose of discussing the following items:



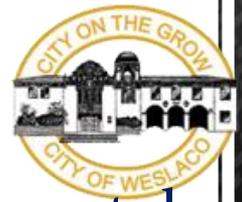


# I. CALL MEETING TO ORDER

- A. Certification of Public Notice.
- B. Mayoral Proclamations.
- C. Invocation.
- D. Pledge of Allegiance.
- E. Roll Call.



## **II. STATUS REPORTS**

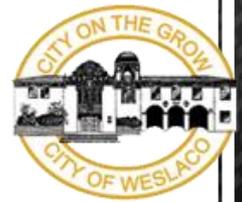


- A. Update by Elvia Caballero Lopez, Caballero Governmental Affairs, on the Texas 82<sup>nd</sup> Legislature Regular and Special Sessions. Attachment.

## **III. PUBLIC HEARINGS**

- A. To solicit input on a request by Solida Administradora de Portafolios SA de CV to amend Zoning Ordinance No. 320 and the City of Weslaco Zoning Map to rezone Lots 1-31 Prada Estates, Hidalgo County, Texas, located on Mile 8 North and Mile 2 ½ West, from “R-2 Duplex and Apartment District” to “M-1 Mobile Home Subdivision District.”

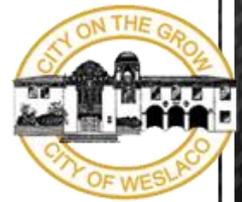




## **IV. CONSENT AGENDA**

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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.



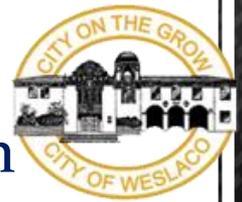


## IV. CONSENT AGENDA – (Continued)

- A. Approval of Minutes of the Regular Meeting of June 21, 2011. Attachment.
- B. Approval of Minutes of the Special Meeting of June 28, 2011. Attachment.
- C. Approval of Resolution 2011-42 acknowledging the need to execute a Multiple Use Agreement with the State of Texas, acting by and through the Texas Department of Transportation to install the desired bus shelters and other related improvements and authorize the Mayor to execute the agreement. (Commission approved Memorandum of Understanding February 15 and selected locations May 17, 2011.) Attachment.

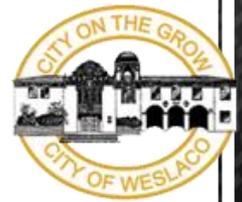


## IV. CONSENT AGENDA - (Continued)



- D. Approval of the renewal of the Affiliation and Program Agreement for Clinical Experience between Weslaco Fire/EMS and University of Texas at Brownsville and Texas Southmost College and authorize the Mayor to execute any related documents. Attachment.
- E. Approval of donations from HEB and Weslaco Softball Baseball in the amount of \$2,200.00 to Fire Department Honor Guard for uniforms and authorize a budget amendment as appropriate. Attachment.
- F. Approval of the request by Xplicit Vision to use the Weslaco City Park and pavilions #23, 24, and 25 on July 24, 2011 10 a.m. - 8 p.m. for their First Annual Car Show to benefit Teach the Children and waive all fees associated with the event. (Commission authorized different date on April 19, 2011.) Attachment.

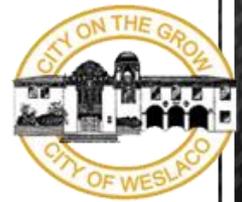




## **V. APPOINTMENTS**

- A. Discussion and consideration to approve Resolution No. 2011-31 and Resolution No. 2011-32 to appoint two (2) members to the Planning & Zoning Commission. Possible action. (This item was tabled June 21, 2011.) Attachment.
- B. Discussion and consideration to approve Resolution No. 2011-41 to appoint one member to an unexpired term on the Traffic Safety Committee. Possible action. Attachment.



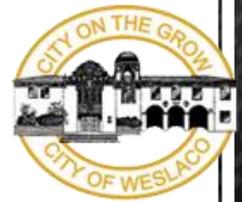


## **VI. NEW BUSINESS**

- A. Discussion and consideration after public hearing to amend Zoning Ordinance No. 320 and the City of Weslaco Zoning Map to rezone Lots 1-31 Prada Estates, Hidalgo County, Texas, located on Mile 8 North and Mile 2 ½ West, from “R-2 Duplex and Apartment District” to “M-1 Mobile Home Subdivision District.” First Reading of Ordinance 2011-17. Possible action. Attachment.



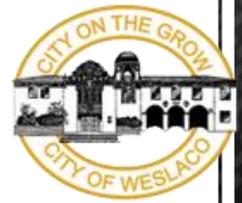
## VI. NEW BUSINESS- (Continued)



B. Discussion and consideration on behalf of Weslaco Independent School District to approve Final Plat of the Sam Houston Elementary School Subdivision, including two (2) tracts of land, being 10.09 acres and 0.53 of an acre out of Lot 3, Block 142 of West Tract Subdivision and being out of a portion of Farm Tract 45 of West and Adams Tract Subdivision, Hidalgo County, located at 608 N. Cantu Street, Weslaco, Texas and authorize the Mayor to execute any related documents. Possible action. Attachment.

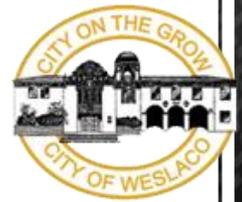


## VI. NEW BUSINESS- (Continued)



C. Discussion and consideration on behalf of the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation to approve Final Plat of the Amended Plat of Lot E Clifford Subdivision, also being a 3.00 acre (130,680.00 square foot) tract of land being Lot E out of Clifford Subdivision, Hidalgo County, Texas, located on the intersection of Valley View Drive and Westgate Drive and authorize the Mayor to execute any related documents. Possible action. Attachment.



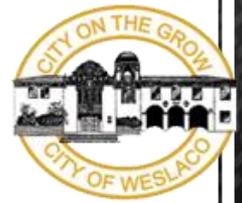


## **VI. NEW BUSINESS- (Continued)**

D. Discussion and consideration to approve the 2011 Interlocal Agreement between the City of Weslaco and the County of Hidalgo for implementation of Community Development Block Grant (CDBG) under Grant No. B-11-UC-48-0501 setting the City's allotment at \$308,702.00 for activities to be carried out in the City's jurisdiction and authorize the Mayor and appropriate staff to execute any related documents. Possible action. Attachment.

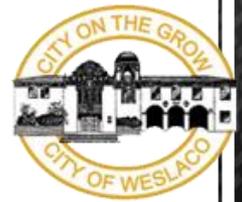


## VI. NEW BUSINESS- (Continued)



- E. Discussion and consideration to authorize the use of forfeiture funds from the Police Department Forfeiture Account for payment of overtime not to exceed \$8,000.00 for law enforcement investigations and operations and authorize a budget amendment as appropriate. Possible action. Attachment.
  
- F. Discussion and consideration to authorize staff to solicit proposals for the Employee Group Health Insurance; Basic Life & Accidental Death & Dismemberment; Commercial Insurance Package; and Workers' Compensation Coverage. Possible action. Attachment

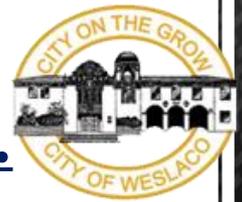




## VI. NEW BUSINESS- (Continued)

- G. Discussion and consideration to approve Ordinance 2011-16 establishing a policy and committee for the naming of public facilities and transportation improvements. Possible action. Attachment.
- H. Discussion and consideration to approve a name change to the Porter Doss Memorial Library. Possible action. (Item as requested by Commissioners Rivera and Martinez.) Attachment. (See Addendums 1 & 2)

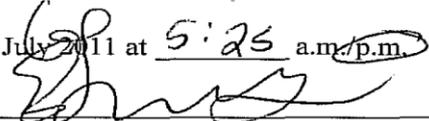




## VI. ADDENDUMS 1 & 2 New Business Item "H".

**Addendum 1:** Discussion and consideration to change the name of the Porter Doss Memorial Library to the Mayor Joe V. Sanchez Library. (Item as requested by Commissioners Rivera and Martinez.) Possible action.

DATED and POSTED this 1st day of July 2011 at 5:25 a.m./p.m.

  
By: Elizabeth M. Walker, City Secretary  
City of Weslaco

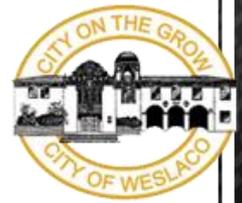
**Addendum 2:** Discussion and consideration to rededicate the Porter Doss Memorial Library Building. (Item as requested by Commissioners Rivera and Noriega.) Possible action.

**Addendum 2 (Continued):** Discussion and consideration to change the name of the Weslaco Public Library to the Mayor Joe V. Sanchez Municipal Library. (Item as requested by Commissioners Rivera and Noriega.) Possible action.

DATED and POSTED this 2nd day of July 2011 at 5:15 p.m.

  
By: Leonardo Olivares, City Manager  
City of Weslaco

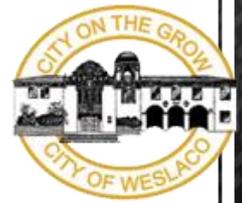
## **VII. CITY MANAGER'S REPORT**



- A. Report on Departmental Update, Upcoming Meetings and Appointments. Attachment.
- B. Report on the Hospital Authority Board and consideration to dissolve and transfer all functions to the Weslaco Health Facilities Corporation. Attachment.
- C. Presentation of New Management Team for the City of Weslaco.



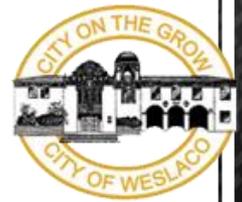
## VIII. PUBLIC COMMENTS



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.





## **IX. 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.

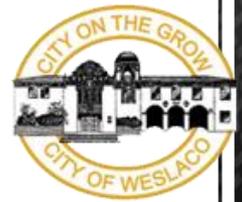
It is a defense to prosecution under Subsection (a)(1) and an affirmative defense to a civil action under Subsection (a)(2) that:

(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.]

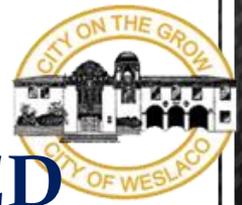
NOTE: Any documentation related to the following items will be distributed during Executive Session as part of the certified agenda; such documents may be available to any member of the Commission for advance inspection through the City Secretary's Office.

## IX. EXECUTIVE SESSION – (Continued)



- A. Economic Development - Discussion and consideration of an international aviation business to locate in Weslaco and the terms and conditions for entering into a Development Agreement with The Economic Development Corporation of Weslaco for facilities at the Mid-Valley Airport pursuant to §551.087 of the Texas Government Code. (Item as requested by the Mayor.)
- B. Pending Litigation – Discussion with City Attorney regarding C-10-2165-E, *L & G Concrete Construction Inc., and Arnulfo Gonzalez, Plaintiffs v. RCD Infrastructure LLC, Enriquez Enterprises Inc., and The City of Weslaco, Defendants* pursuant to §551.071 of the Texas Government Code.
- C. Attorney Consultation – Discussion with City Attorney regarding the legal issues in connection with the Economic Development Corporation of Weslaco Development Agreement and Lease with the City and the contracts for the design and construction of the improvements to the southern part of the Weslaco City Hall pursuant to §551.071 of the Texas Government Code.

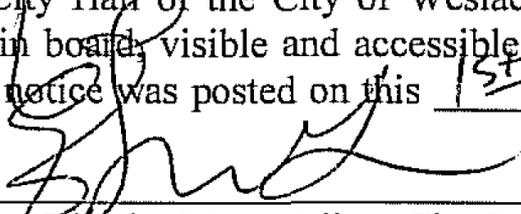




## X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

## XI. ADJOURNMENT

I hereby certify this **Notice of a Regular Meeting of the Weslaco City Commission** was posted in accordance with the Open Meetings Act at City Hall of the City of Weslaco, located at the 255 South Kansas Avenue entrance outside bulletin board, visible and accessible to the general public during and after regular working hours. This notice was posted on this 1<sup>st</sup> day of July, 2011 at 12:25 a.m./p.m.

  
By: Elizabeth M. Walker, City Secretary  
City of Weslaco

**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.