

**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, November 16, 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

- A. Weslaco High School District Champions and Weslaco East High School Co-District Champions Day, November 12
- B. Municipal Courts Week, November 1 - 5
- C. Parent Involvement Week, November 8 - 12
- D. National American Indian Heritage Month, November 9
- E. Home Care and Hospice Month
- F. Recognition of Natasha Govea
- G. Recognition of Maria Mejia

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 2, 2010.
- B. Approval of the Final Subdivision Plat of Valladares Estates being a 2.75 acre tract of land out of Farm Tract 229, West and Adams Tract Subdivision, Hidalgo County, Texas, located on the east side of Mile 6 ½ West, 50.00 feet north of Mi Cielo Drive. Attachment.
- C. Approval of the Final Subdivision Plat of Saenz Estates being a 1.55 acre tract of land out of Farm Tract 1, West Tract Subdivision, Hidalgo County, Texas, located at the Southeast corner of Sugar Cane (Mile 9 North Road) and Vo-Tech (Mile 3 ½ West). Attachment.
- D. Approval of the Final Subdivision Plat of Las Torres Subdivision being a 2.091 acre tract of land out of Farm Tract 259, West Tract Subdivision, Hidalgo County, Texas, located at the Southeast corner of Mile 4 ½ West and Nieves Rodriguez Street. Attachment.
- E. Approval of final payment in the amount of \$1,500.00 TEDSI Engineers for the Environmental Impact Study on Westgate Drive from U.S. 83 to Sugarcane Rd. Attachment.
- F. Approval to declare the brass bullet casings as surplus and approve a budget amendment to put \$1,018.96, from the sale of the casings, in the General Fund line item Firearms Certification to purchase more ammunition. Attachment.
- G. Approval to authorize staff to apply for the Everyone Reads @ Your Library Mini-Grant in support of youth literacy programs in an amount not to exceed \$4,000.00 with no local match required and authorize the Mayor to execute any related documents. Attachment.
- H. Approval of the invoice from the Hidalgo County Elections department for \$9,105.65 for the City of Weslaco Runoff Mayor Election held on June 12, 2010. Attachment.

VI. BOARD APPOINTMENTS

- A. Discussion and consideration to appoint one person to the Traffic Safety Council and consideration of Resolution No. 2010-38 appointing the member for a three year term. Possible action. Attachment
- B. 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. Attachment

VII. OLD BUSINESS

- A. Discussion and consideration to enter into an Agreement for an annual fee of \$702.00 and \$35.00 per box of garbage between the City of Weslaco and M&M Environmental, LLC for the collection and disposal of "Regulated Garbage" as per USDA regulations that apply with the operation of the U.S. Customs Federal Inspection Facility at the Weslaco Mid Valley Airport and authorize the Mayor to execute the agreement. Possible action. (This item was tabled at the November 2, 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 2, 2010 meeting.) Attachment
- C. Discussion and consideration to authorize staff, in collaboration with appropriate established contractors including City Engineer and Water Plant Operator, to submit a grant funding application to the Border Environment Cooperation Commission (BECC) in an amount not to exceed \$11.0 million for implementation of the Texas Commission on Environmental Quality (TCEQ) Work Plan and authorize the Mayor to sign the application and any related documents. Possible action. (This item was tabled at the November 2, 2010 meeting.) Attachment
- D. Discussion and consideration of approval of the amended Bylaws of The Economic Development Corporation of Weslaco (EDC) as recommended by the EDC Board of Directors at the March 31, 2010 meeting, transmitted to the Weslaco City Commission on April 8, 2010, and reconsidered by the Board of Directors of the EDC on November 10, 2010 with no changes. Possible action. Attachment.

VIII. NEW BUSINESS

- A. Presentation by Armando Barrera, Jr., Hidalgo County Tax Assessor and Collector, and possible action to adopt the FY 2009-2010 Annual Tax Collection Report. Possible action. Attachment.

- B. 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. Attachment.
- C. Discussion and consideration to enter into a Sub-Recipient Agreement between the City of Weslaco and Texas Department of Public Safety for the award of \$26,895.00 from the State Homeland Security Program for equipment for Weslaco's participation in Regional Response Teams (Fire, Search & Rescue and HazMat) and to authorize the Mayor to execute all documents associated with this grant due December 4, 2010. Possible action. Attachment.
- D. Discussion and consideration to amend the Engineering Agreement with TEDSI Engineering to increase the contract amount by \$10,000.00 on the Westgate Drive Improvement Project. Possible action. Attachment.
- E. Discussion and consideration to authorize City Staff with City Engineer to file a response with other necessary application requirements to the Texas Water Development Board (TWDB) invitation letter for the State Revolving Fund and to authorize the Mayor to execute any related documents. Possible action. Attachment.
- F. Discussion and consideration to authorize staff to solicit Requests for Qualifications for Professional Engineering Services for a Preliminary Engineering Report on the expansion of the City of Weslaco's water treatment capacity. Possible action.
- G. Discussion and consideration of entering into a Professional Services Agreement with Shelton and Valadez, P.C. to represent the City of Weslaco as Bond Counsel. Possible action. Attachment.
- H. Discussion and consideration of entering into a Professional Services Agreement with Shelton and Valadez, P.C. to represent the City of Weslaco as Labor and Employment Counsel. Possible action. Attachment.
- I. Discussion and consideration of an agreement for Municipal Court Judge Services with Carlos J. Garza for a two (2) year term beginning December 1, 2010 at a monthly consideration of \$3,500.00. Possible action. Attachment.
- J. 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.
- K. Discussion and consideration to establish an Arts Council for the City of Weslaco that would be composed of the president of the governing body and executive director of a 501(c)3 corporation and one public member with membership not to

exceed nine (9) and authorize the City Attorney to create the 501(c)3 corporations to effectuate the Arts Council. Possible action.

L. Status reports:

1. Martha Noell, Executive Director of the Weslaco Area Chamber of Commerce regarding chamber activities. Possible action. Attachment.
2. Hernan Gonzalez, Executive Director of the Economic Development Corporation of Weslaco regarding economic development activities. Possible action. Attachment.
3. Benita Valadez, administrator of Medical Financial Services, on Emergency Medical Services (EMS) collections. Possible action.

IX. CITY MANAGER'S REPORT

- A. City Manager's report: Financial Status, Departmental Update, Upcoming Meetings and Appointments.
- B. Status report on solar panel project at South Waste Water Treatment Plant.
- C. Status report on treatment capacity upgrades at Water Treatment Plant.
- D. Report on Special Crimes Unit of the Weslaco Police Department.
- E. Announcement of the Annual Winter Fest during the Weslaco Chamber Christmas Parade on at the Weslaco City Hall Parking Lot.

X. PUBLIC COMMENTS

XI. EXECUTIVE SESSION

- A. Pending Litigation – Discussion with the City Attorney regarding the Settlement Agreement and Mutual Release in *City of McAllen, et al v. Time Warner Entertainment-Advance/Newhouse Partnership, DBA Time Warner Cable*, Case No. 7:10-CV-00393 as authorized by §551.071 of the Texas Government Code.
- B. 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.
- C. Contract Negotiations of an Amendment – Discussion with the City Manager and City Attorney relating to the City's rights, duties, privileges, and obligations in connection with an Amendment to the Collective Bargaining Agreement with the

IAFF-WFFA Local 3207 as authorized by §551.071 of the Texas Government Code.

- D. Contract Negotiations of an Amendment – Discussion with the City Manager and City Attorney relating to the City’s rights, duties, privileges, and obligations in connection with an Amendment to the Collective Bargaining Agreement with the Weslaco Municipal Police Union as authorized by §551.071 of the Texas Government Code.
- E. Discussion with the City Attorney regarding the legal issues with the contract with Hidalgo County Emergency Services District No. 1 as authorized by §551.071 (2) of the Texas Government Code.
- F. Discussion with the City Attorney regarding the legal issues with the contract with Knapp Medical Center for Emergency Transports as authorized by §551.071 (2) of the Texas Government Code.
- G. Personnel – Discussion with the City Manager regarding the appointment of the Chief of Police for the City of Weslaco as authorized by §551.074 of the Texas Government Code.
- H. Personnel – Discussion with the City Manager regarding the appointment of a City Secretary for the City of Weslaco as authorized by §551.074 of the Texas Government Code and consideration of Resolution 2010-43 appointing a new City Secretary.

XII. POSSIBLE ACTION OF WHAT IS DISCUSSED IN EXECUTIVE SESSION

XIII. ADJOURNMENT