

Approved 8/17/10

WESLACO CITY COMMISSION

SPECIAL MEETING

JULY 26, 2010

On this 26th day of July, 2010 at 5:00 p.m., the City Commission of the City of Weslaco, Texas convened in Special Session at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue.

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.

Mayor	Miguel D. Wise
Mayor Pro-Tem	J.F. "Johnny" Cuellar
Commissioner	Gerardo "Jerry" Tafolla
Commissioner	Lupe V. Rivera
Commissioner	Joe A. Martinez
City Manager	Leonardo Olivares
City Secretary	Amanda C. Elizondo
City Attorney	Ramon Vela

Also present: Gloria Sepulveda, Purchasing Director; Bret L. Mann, Finance Director; Francisco Castellanos, Human Resources Director and several staff members and citizens. Commissioner Robert J. Garza and Commissioner Rene Rodriguez, Jr. were absent.

I. CALL MEETING TO ORDER

Mayor Wise called the meeting to order.

II. ROLL CALL/ESTABLISH A QUORUM

Amanda C. Elizondo, City Secretary called the roll, a quorum was established and Mayor Wise presided the meeting.

III. PLEDGE OF ALLEGIANCE

Mayor Wise recited the Pledge of Allegiance and to the Texas Flag.

IV. BOARD APPOINTMENTS

- A. Housing Authority Board – Appointment by Mayor Miguel D. Wise of a member to the Housing Authority Board of the City of Weslaco whose term begins after the term of Jeff Everett expires December 2, 2010 as authorized by §302.031 of the Texas Local Government Code and approval of Resolution No. 2010-21. Possible action.
- B. Discuss and consider the July 20, 2010 City Commission vote of a new member to the Hospital Authority Board of the City of Weslaco and the declaration of a vacancy on the Hospital Authority Board of the City of Weslaco and rescinding Resolution No. 2010-19. Possible action.

Mayor Wise announced no action was required at this time on Items IV. A and B.

- C. Hospital Authority Board – Approval of Resolution No. 2010-22 appointing a member to the Hospital Authority Board of the City of Weslaco to fill current term ending August 5, 2010 pursuant to §5 of Ordinance 77-14. Possible action.

Motion was made by Mayor Pro-Tem Cuellar and seconded by Commissioner Rivera to approved Resolution No. 2010-22 appointing David Suarez to the Hospital Authority Board.

Mayor Wise stated at the previous meeting an individual was appointed to the Hospital Authority Board and due to the nepotism violation he had resigned; therefore, the appointment of Mr. Juan Rivera was voided.

Motion carried unanimously, (4-0). Mayor Wise was present, but not voting.

For the record, Resolution No. 2010-22 reads as follows:

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE HOSPITAL AUTHORITY BOARD.

WHEREAS, the City of Weslaco has established the City of Weslaco Hospital Authority Board pursuant to Section 1 of Ordinance 77-14; and

WHEREAS, the terms of the members of this board are for two years; and

WHEREAS, the Hospital Authority Board members shall serve without compensation and unlimited terms; and

WHEREAS, the term of a current Hospital Authority Board Member expires on August 5, 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT David Suarez is appointed to serve a two year on the Hospital Authority Board and the term will expire on August 10, 2012.

PASSED AND APPROVED on this 20th day of July, 2010.

CITY OF WESLACO
/s/ Miguel D. Wise, MAYOR

ATTEST:
/s/ Amanda C. Elizondo, CITY SECRETARY
APPROVED AS TO FORM:

D. Discuss and consider adopting Resolution No. 2010-20 Selection and Confirmation Policy for Appointments to Boards, Commissions and Committees of the City of Weslaco in compliance with The Texas Government Code and the City of Weslaco Charter. Possible action.

Mr. Leonardo Olivares, City Manager stated staff was working on the policies to ascertain that all state statutes and charter provisions were followed. He recommended the following selection policy:

1. Citizen submits an application to the City Secretary with his/her contact information and credentials for consideration of appointment to a city board or committee;
2. Staff reviews the information on the nepotism policies;
3. The applicant signs a statement accepting acknowledgment of the documents;
4. The City Secretary accepts the documents and screen the application;
5. City Manager makes a recommendation to the City Commission;
6. The City Commission has the option to nominate individuals; and
7. The applicant would be required to attend the meeting and if unable then the applicant writes a statement that he/she is interested in serving.

Mr. Olivares recommended that consideration of appointments be made to reflect the demographics of Weslaco. He pointed out the city was under served by women and challenged the City Commission to appoint more women. Mr. Olivares recommended approval of adopting the abovementioned policies for compliance.

Mayor Wise stated it was important that the applicant be present at the City Commission meeting for questions and answers regarding their background in order to eliminate any political issues.

Motion was made by Mayor Pro-Tem Cuellar and seconded by Commissioner Martinez to adopt Resolution No. 2010-20 including any changes that the City Manager recommended on the boards and committees. Motion carried unanimously, (4-0). Mayor Wise was present, but not voting.

For the record, Resolution No. 2010-20 reads as follows:

RESOLUTION NO. 2010-20

STATE OF TEXAS	§	RESOLUTION ESTABLISHING A SCREENING, APPOINTMENT AND CONFIRMATION POLICY FOR SERVICE ON CITY OF
COUNTY OF HIDALGO	§	WESLACO BOARDS, COMMISSIONS AUTHORITIES AND
CITY OF WESLACO	§	COMMITTEES

WHEREAS, The City of Weslaco has Standing Committees, Boards, Authorities and Commissions (hereafter called "Boards") that assist and recommend to the Weslaco City Commission programs and projects that benefit the citizens of Weslaco; and

WHEREAS, The Weslaco City Commission (hereafter called "Commission") also periodically creates *Ad Hoc* Boards to assist the City of Weslaco in addressing unexpected issues, projects or concerns; and

WHEREAS, The Commission desires the best qualified individuals on these Boards to represent a diverse cross section of the citizens of Weslaco.

NOW THEREFORE BE IT RESOLVED THAT The Weslaco City Commission hereby adopts the following Policy for the screening, appointment and confirmation of individuals to serve on the various Boards.

A. Screening

Interested individuals shall submit to the City Secretary a Board application which will contain: 1) contact and demographic data; and 2) educational, professional, civic and other relevant credentials.

Individuals shall confirm receipt the City's diversity, affirmative action, nepotism, ethics policies; the Board's mission, duties and responsibilities as established by Ordinance or other order; and other relevant documents. Individuals must agree to abide by Weslaco City Charter and applicable Ordinances, and state and federal laws.

B. Appointment

The City Manager may recommend the best qualified individuals to the City Commission. The Commission will attempt to appoint the best qualified individuals that will fairly represent the demographic characteristics of Weslaco.

To ensure greater public participation, individuals shall not serve concurrently on more than one Board, unless the Commission makes an exemption.

The Commission shall make fair and deliberative appointments that comply with the Weslaco City Charter and applicable Ordinances, and state and federal laws.

C. Confirmation

Prior to appointment by the Commission, individuals should confirm that they remain interested in serving on a particular Board by either: 1) attending the Commission meeting which has the item on the Commission's Agenda; or 2) submitting a written statement of interest to the Mayor.

PASSED AND APPROVED on this 26th day of July, 2010.

CITY OF WESLACO
/s/ Miguel D. Wise, MAYOR

ATTEST:
/s/ Amanda C. Elizondo, CITY SECRETARY

APPROVED AS TO FORM:
/s/ Ramon Vela, CITY ATTORNEY

E. Discuss and consider a declaration of vacancy on the Economic Development Corporation of Weslaco Board of Directors. Possible action.

Mayor Wise announced no action was required on the abovementioned item.

V. NEW BUSINESS

A. Discuss and consider the creation of an Ad Hoc Citizens' Budget Advisory Committee and to appoint twelve members to review and make recommendations on the Fiscal Year 2010/2011 budget with guidance from city staff and City Independent Auditor. Possible action.

Mr. Olivares recommended posting the Budget Advisory meetings to the public to comply with the Open Meetings Act. He stated the city's budget was 75% through the year; revenues and expenditures were schedule, but with no reserve. Mr. Olivares stated the city had promised a 25% reserve by 2012 to the bonding agency and was not prepared to meet this requirement. He added some capital expenditures were necessary such as police units, police station, municipal court and water plant. Mr. Olivares stated the city had serious infrastructure and operating needs and the bonding agency had down graded the city three times.

A brief discussion was held in regards to the City Commissioners attending the Ad Hoc Citizens Budget Committee meetings and Mayor Wise stated they should allow the committee to do their job. He pointed out the boards belonged to the citizens and the City Commission should not serve in any boards or committees. Mayor Wise stated committee members should be objective without the influence of the City Commission unless the charter dictated it. He recommended adding this requirement to the resolution.

Commissioner Tafolla recommended that a City Commissioner sit in the committee or board to hear the discussions.

Mayor Wise stated City Commission could attend the meeting, but not as a board member.

Motion was made by Mayor Pro-Tem Cuellar and seconded by Commissioner Tafolla to create an Ad Hoc Citizens' Budget Advisory Committee and appoint twelve members to review and make recommendations on fiscal year 2010/2011 budget with guidance from city staff and City Auditor. Motion carried unanimously, (4-0). Mayor Wise was present, but not voting.

VI. PUBLIC COMMENTS

Mayor Pro-Tem Cuellar stated he had contacted the Secretary of State Office and Texas Municipal League, Legal Division regarding public comments. He added that under the Open Meetings Act of Texas there had to be notice to the public of items that would be discussed with a majority of the City Commission in place. Mayor Pro-Tem Cuellar mentioned they had to adhere to the restrictions that they had placed in the past as far as discussing items that were on the agenda and they could not respond. He recommended amending the rules to discuss the items that were on the agenda.

Motion was made by Mayor Pro-Tem Cuellar and seconded by Commissioner Rivera to adjourn the meeting. Motion carried unanimously, (4-0). Mayor Wise was present, but not voting.

CITY OF WESLACO

MAYOR, Miguel D. Wise

ATTEST:

CITY SECRETARY, Amanda C. Elizondo

MAYOR PRO-TEM, J.F. "Johnny" Cuellar

COMMISSIONER, Gerardo "Jerry" Tafolla

COMMISSIONER, Lupe V. Rivera

COMMISSIONER, Joe A. Martinez