



**WESLACO CITY COMMISSION  
REGULAR MEETING  
MAY 3, 2011**

On this 3<sup>rd</sup> day of May 2011 at 6:00 p.m., the City Commission of the City of Weslaco, Texas convened in Regular Session at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following members present:

Mayor	Miguel D. Wise
Mayor Pro-Tem	J.F. "Johnny" Cuellar
Commissioner	Robert J. Garza
Commissioner	Rene Rodriguez, Jr.
Commissioner	Gerardo "Gerry" Tafolla
Commissioner	Lupe V. Rivera
Commissioner	Joe A. Martinez
City Manager	Leonardo Olivares
City Secretary	Elizabeth Walker
City Attorney	Ramon Vela

Also present: Rey Garcia, IT Director; Bret Mann, Finance Director; David Salinas, Public Utilities Director; Griselda Martinez, Interim Human Resources Director; Police Chief Juan Sifuentes; Fire Marshal Jimmy Cuellar; Arnold Becho, Library Director; Jim Cathey, Parks Recreation Specialist; and several other staff members and citizens.

**I. CALL TO ORDER**

- A. Roll Call/Establish a Quorum.  
Mayor Wise called the meeting to order. Elizabeth Walker, City Secretary, called the roll; a quorum was established.
- B. Certification of Public Notice.  
Mayor Wise certified the public notice of the meeting as properly posted Friday, April 29, 2011.
- C. Invocation.  
Pastor Roberta Goodman with First United Methodist Church gave the invocation.
- D. Pledge of Allegiance.  
Mayor Wise recited the Pledge of Allegiance and the Texas Flag.
- E. Mayoral Proclamations.  
The Mayor recognized Motorcycle Safety and Awareness Month, Elder Abuse Awareness Month, National Drinking Water Week, and National Police Memorial Day and Week.

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

- A. Approval of Minutes of the Regular Meeting of April 19, 2011. Attachment.
- B. Approval of a Letter of Support to the Rio Grande Regional Water Authority Letter of Intent to the U.S. Bureau of Reclamation to complete an Alternative Regional Water Supply Feasibility Study and authorize the Mayor to execute. Attachment.
- C. Approval of Resolution No. 2011-24, described as WRD-210, "Designated Management Agency," for wastewater collection and treatment within its Wastewater Certificate of Convenience and Necessity (CCN) Facilities Planning Area in fulfillment of an application requirement to the Texas Water Development Board, and authorize the Mayor to sign any related documents. (The Commission approved submission of this application on February 15, 2011.) Attachment.

Commissioner Garza, seconded by Commissioner Rodriguez, moved to approve all items of the consent agenda as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

### **III. APPOINTMENTS**

- A. Discussion and consideration to approve Resolution No. 2011-25 to appoint one member to the Weslaco Mid-Valley Airport Committee. Possible action. Attachment.

Commissioner Tafolla, seconded by Commissioner Rodriguez, moved to approve Resolution No. 2011-25 to appoint Rod Reyna as member to the Weslaco Mid-Valley Airport Committee. The motion carried unanimously; Mayor Wise was present, but not voting

### **IV. NEW BUSINESS**

- A. Discussion and consideration to approve departmental reorganization to consolidate Public Facilities and Parks & Recreation Departments, establish a Public Information Officer, and authorize budget, organizational chart, and job description amendments as appropriate (Item as requested by the Mayor). Possible action. Attachment.

With only two employees remaining in the Parks Department, the City Manager stated that his preference remains not to consolidate so that the department director, when hired, reports directly to him. He advised that the salary for the position when filled is not what was paid previously since it is not a comparably sized staff to manage. The Mayor stated that the agenda item, as proposed, seeks to shrink the level of government by consolidation, both by merging Parks & Recreation with Public Facilities as well as consolidating two positions within the City Secretary's Office to create one position as Public Information Officer. The Mayor Pro-Tem suggested expanded job responsibilities of the Public Information Officer to serve as a liaison for the

Commissioners to assist with constituent concerns. The City Manager advised that only the commission can merge departments or create positions; the Mayor stated that though this action typically is held during the budget action, the Commission already considered broader departmental reorganizations at the recent meeting in consideration of the Voluntary Separation Plan.

Commissioner Tafolla moved to leave all as is; on point of order, the Mayor explained that a motion is not required to leave as is, only to make a change. Commissioner Tafolla rescinded his motion.

Commissioner Tafolla, seconded by Commissioner Rodriguez, moved to establish a Public Information Officer and authorize budget, organizational chart, and job description amendments as appropriate. The motion carried unanimously; Mayor Wise was present, but not voting

- B. Discussion and consideration to approve the Concessionaire Agreement with EAN Holdings, LLC to make vehicles provided by Enterprise available for rent to users at the Mid Valley Airport and authorize the Mayor to execute any related documents. Possible action. Attachment.

The City Attorney advised this is not an exclusive contract and other franchises may enter into similar agreements. Commissioner Garza, seconded by Commissioner Martinez, moved to approve the Concessionaire Agreement with EAN Holdings, LLC to make vehicles provided by Enterprise available for rent to users at the Mid Valley Airport and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Wise was present, but not voting

- C. Discussion and consideration to approve the Memorandum of Agreement with the Texas Department of State Health Services for Mutual Aid of Emergency Medical Services by the Weslaco Regional Medical Response Team for reimbursements as related to a state-authorized deployment and authorize the Mayor to execute any related documents. Possible action. Attachment.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve the Memorandum of Agreement with the Texas Department of State Health Services for Mutual Aid of Emergency Medical Services by the Weslaco Regional Medical Response Team for reimbursements as related to a state-authorized deployment and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Wise was present, but not voting

- D. Discussion and consideration to authorize acceptance of donation of a Dive Lift Bag set from Mission Fire Department and an inventory adjustment as appropriate. Possible action. Attachment.

Commissioner Rodriguez, seconded by Commissioner Rivera, moved to authorize acceptance of donation of a Dive Lift Bag set from Mission Fire Department and an inventory adjustment as appropriate. The motion carried unanimously; Mayor Wise was present, but not voting

- E. Discussion and consideration to amend the current lease agreement with Weslaco Little League to include use of Field #2 at Harlon Block Sports Complex for Girls' Softball. Possible action. (Agreement approved April 5, 2011.) Attachment.

Commissioner Tafolla, seconded by Commissioner Martinez, moved to amend the current lease agreement with Weslaco Little League to include use of Field #2 at Harlon Block Sports Complex for Girls' Softball. The motion carried unanimously; Mayor Wise was present, but not voting

- F. Discussion and consideration to authorize an expenditure in an amount not to exceed \$2,500.00 from the Preservation Fund for the purchase of death record binders, birth record binders, secure life ledger paper, and other supplies for the permanent retention of vital records as prescribed by the Texas Health & Safety Code §191.0045 (h) and authorize a budget amendment as appropriate. Possible action. Attachment.

Commissioner Garza, seconded by Commissioner Martinez, moved to authorize an expenditure in an amount not to exceed \$2,500.00 from the Preservation Fund for the purchase of death record binders, birth record binders, secure life ledger paper, and other supplies for the permanent retention of vital records as prescribed by the Texas Health & Safety Code §191.0045 (h) and authorize a budget amendment as appropriate. The motion carried unanimously; Mayor Wise was present, but not voting

- G. Status report:

1. David Fox and Mary Lopez, with the Boys & Girls Club of Weslaco, regarding quarterly activities.

Ms. Mary Lopez reported on upcoming events through the Boys & Girls Club of Weslaco, including the summer program. The Club received 32,250 total visits during the period January – March 2011.

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

- A. Report on Departmental Update, Upcoming Meetings and Appointments.

The City Manager referenced his written report, noting the grand opening of the ribbon cutting at the Airport Customs Facility on May 13 and suggested consideration to rename the Airport to include the international designation.

## **VI. PUBLIC COMMENTS**

There were no comments received.

## **VII. EXECUTIVE SESSION**

At 6:57 p.m., Mayor Wise recessed the regular meeting to convene in Executive Session.

At 7:05 p.m., Mayor Wise announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

## **VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION**

- A. Pending Litigation – Consult with City Attorney and Special Assigned Counsel Charles Frigerio regarding suit 2011-DCL-01375, Aurora Perez Lopez, Homero Lopez, McQueen Produce Corporation v. City of Weslaco and Officer David Ponce in his Official Capacity and Individually and the Fourteen Unknown John Does pursuant to §551.071 of the Texas Government Code.

There was no action on this item.

- B. Pending Litigation – Discussion with City Attorney and Special Assigned Counsel Charles Frigerio regarding CL-10-4248-A, T&T Investments, Raquel Trejo & Roberto Trejo, Plaintiffs v. Falcon International Bank, The City of Weslaco, & Rio Delta Engineering, Defendants pursuant to §551.071 of the Texas Government Code.

There was no action on this item.

**IX. ADJOURNMENT**

With no other business before the Commission, at 7:07 p.m. Commissioner Tafolla, seconded by Mayor Pro-Tem Cuellar, moved to adjourn the May 3, 2011 meeting. The motion carried unanimously; Mayor Wise was present, but not voting.

**CITY OF WESLACO**

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**MAYOR**, Miguel D. Wise

**ATTEST:**

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**CITY SECRETARY**, Elizabeth M. Walker

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**MAYOR PRO-TEM**, J.F. “Johnny” Cuellar

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**COMMISSIONER**, Robert J. Garza

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**COMMISSIONER**, Rene Rodriguez, Jr.

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**COMMISSIONER**, Gerardo “Gerry” Tafolla

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**COMMISSIONER**, Lupe V. Rivera

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**COMMISSIONER**, Joe A. Martinez