



**WESLACO CITY COMMISSION
REGULAR MEETING
JUNE 7, 2011**

On this 7th day of June 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	Olga M. Noriega
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; Oscar Garcia, Public Facilities Director; Griselda Martinez, Interim Human Resources Director; Police Chief Juan Sifuentes; Fire Marshal Jimmy Cuellar; Rolando A. Gonzalez, Interim Planning & Code Enforcement Director; 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, June 3, 2011.
- C. Invocation.
Pastor Carlos Zamora with La Santisma Trinidad 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 Ms. Laura Hernandez and Mr. Javier Dominguez, Jr. for their participation in the International Science Fair.

II. PUBLIC HEARINGS

- A. To solicit input on a request by RST Texas Real Estate LP to amend Zoning Ordinance No. 320 and the City of Weslaco Zoning Map to rezone a tract of land containing 0.496 of one acre out of Farm Tract 751, West and Adams Tract Subdivision, Hidalgo County, Texas, also being 410 E. 18th Street, from “R-1 Single Family Dwelling District” to “R-2 Duplex and Apartment District.”

Commissioner Rivera, seconded by Commissioner Martinez, moved to open the public hearing as presented. The motion carried unanimously; Mayor Wise was present, but not voting. There were no public comments received. Commissioner Tafolla, seconded by Commissioner Rivera, moved to close the public hearing as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

- B. To solicit input on a budget and program amendment for the Community Development Block Grant (CDBG) funds reflecting a reduction by the U.S. Department of Housing and Urban Development in the amount of \$61,001.00 for Fiscal Year 2011.

Commissioner Tafolla, seconded by Commissioner Martinez, moved to open the public hearing as presented. The motion carried unanimously; Mayor Wise was present, but not voting. There were no public comments received. Commissioner Garza, seconded by Commissioner Tafolla, moved to close the public hearing as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

III. 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 May 17, 2011. Attachment.
- B. Approval to utilize Weslaco City Park to organize a Hydro Angels Over Texas Event on October 1, 2011 and waive all fees associated with the event. Attachment.
- C. Approval of a request to close certain portions of Pino and Sergeant Garcia streets on July 16, 2011 from 7:00 p.m. – 11:00 p.m. for a private wedding reception. Attachment.
- D. Approval of a request by ITheatre to use the Braught Memorial Theater for interactive book readings as part of the Summer Reading Program and community performances throughout the 2012 production season and waive all fees associated. Attachment.
- E. Approval of a request to utilize Weslaco City Park to organize the First Annual Weslaco’s “Rio Fast” classic car show with live concert on September 17, 2011 and waive all fees associated with the event. Attachment.
- F. Approval to authorize use of Federal Equitable Sharing funds in an amount not to

exceed \$427.00 for court costs associated with the acquisition of one (1) seized vehicle as awarded to the Police Department, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Attachment.

- G. Approval to authorize the Weslaco Public Library Request to accept donated monies and gift donations from local vendors and/or the public for the Summer Reading Program (SRP), authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Attachment.
- H. Approval to accept meals at no charge from the Weslaco Independent School District Food Services and the Summer Feeding Program at the Weslaco Public Library 2011 Summer Reading Program and authorize the Mayor to execute any related documents. Attachment.
- I. Approval of a local match pledge not to exceed \$2,935.03 to fund the Alternative Regional Water Supply Feasibility Study as proposed by the Rio Grande Regional Water Authority to the United States Bureau of Reclamation, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Attachment.
- J. Approval of Resolution No. 2011-36 to identify the current City Commissioners and other appropriate staff as authorized signatories for legal, financial documents with BBVA Compass Bank and authorize the execution of any related documents by members of the Commission. Attachment.

Commissioner Garza, seconded by Commissioner Martinez, moved to approve items B, C, D, F, G, H, I, and J of the consent agenda as presented and to approve item A with technical changes as presented. The motion carried unanimously; Mayor Wise was present, but not voting. There was no action on item E as presented.

For the record, the Resolution reads as follows:

RESOLUTION NO. 2011-36

STATE OF TEXAS	§	RESOLUTION AUTHORIZING MAYOR MIGUEL D.
COUNTY OF HIDALGO	§	WISE, MEMBERS OF THE CITY COMMISSION, AND
CITY OF WESLACO	§	APPROPRIATE STAFF AS SIGNATORIES ON
		CERTAIN LEGAL FINANCIAL DOCUMENTS FOR
		THE CITY OF WESLACO

- 1. I, **Elizabeth M. Walker**, certify that I am the **City Secretary** of The City of Weslaco, organized under the laws of **Texas**, Federal Employer ID Number **74-6002544**, engaged in Municipal business under the name of the **City of Weslaco**, and that the following is a correct copy of the resolution adopted at a meeting of the City Commission duly and properly called and held on **June 7, 2011**. This resolution appears in the minutes of this meeting and has not been rescinded or modified.
- 2. Be it Resolved that,
 - (a) BBVA Compass Bank is designated as a depository for the funds of the City of Weslaco.
 - (b) This resolution shall continue to have effect until express written notice of its

rescission or modification has been received and recorded by this Financial Institution.

(c) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the City of Weslaco with this financial institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.

(d) Any of the persons named below, so long as they act in a representative capacity as agents of the City of Weslaco, are authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated below, from time to time with this financial institution, concerning funds deposited in this financial institution, moneys borrowed from this financial institution or any other business transacted by and between the City of Weslaco and this financial institution subject to any restrictions stated below.

(e) Any and all prior resolutions adopted by the City Commission of the City of Weslaco and certified to this Financial Institution as governing the operations of the City of Weslaco's account(s), are in full force and effect, unless supplemented or modified by this authorization.

(f) The City of Weslaco agrees to the terms and conditions of any account agreement, properly opened by any authorized representative(s) of the City of Weslaco, and authorizes the financial institution named above, at anytime, to charge the City of Weslaco for all checks, drafts, or other orders, for the payment of money, that are properly drawn on this financial institution, and contain the required number of signatures for this purpose.

3. The officials designated below are authorized to conduct business as indicated:

	Name and Title	Signature
(A)	Miguel D. Wise, Mayor	_____
(B)	John F. Cuellar, Mayor Pro-Tem	_____
(C)	Robert J. Garza, Commissioner	_____
(D)	Olga M. Noriega, Commissioner	_____
(E)	Gerardo Tafolla, Commissioner	_____
(F)	Lupe Rivera, Commissioner	_____
(G)	Joe A. Martinez, Commissioner	_____
(H)	Leonardo Olivares, City Manager	_____
(I)	Elizabeth M. Walker, City Secretary	_____
(J)	Bret L. Mann, Finance Director	_____
(K)	Sonia Flores, Asst. Finance Director	_____

Indicate A, B, C, D and/or E

- A – H (1) Exercise all of the powers listed (2) through (9)
- A – H (2) Open any deposit or checking account(s) in the name of the City of Weslaco
- A – H (3) Endorse checks and orders for the payment of money and withdraw funds on deposit with this financial institution.
Number of authorized signatures required for this purpose 2.
Number of authorized signatures required for payroll purpose 1.
- A – H (4) Open any certificate of deposit account and withdraw or transfer funds from

the certificate of deposit on deposit with this financial institution.
Number of authorized signatures required for this purpose 2.

- A – H (5) Transfer funds from operations account to the payroll account, investment account or paying agent approved by City Commission by telefax or other electronic means.
Number of authorized signatures required for this purpose 1.
- A – H (6) Borrow money on behalf and in the name of the City of Weslaco executes and delivers promissory notes or other evidences of indebtedness.
Number of authorized signatures required for this purpose 2.
- A – H (7) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the City of Weslaco as security for sums borrowed and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.
Number of authorized signatures required for this purpose 1.
- A – H (8) Enter into written lease for the purpose of renting and maintaining a Safe Deposit Box in this financial institution.
Number of authorized signatures required to gain access and to terminate the lease 1.
- A – K (9) Authorized to make inquiries as to status, account balance pertaining to the City of Weslaco.

4. I further certify that the City Commission of the City of Weslaco has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the foregoing resolutions and to confer the power granted to the persons named who have full power and lawful authority to exercise the same.

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of this Corporation on June 7, 2011.

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

IV. APPOINTMENTS

- A. Discussion and consideration to approve Resolution No. 2011-34 to appoint one member to an unexpired term on the Traffic Safety Committee. Possible action. (Item as requested by the Mayor.) Attachment.

Commissioner Noriega, seconded by Commissioner Martinez, moved to approve Resolution No. 2011-34 to appoint Leroy Rivera to an unexpired term on the Traffic Safety Committee. The motion carried unanimously; Mayor Wise was present, but not voting.

For the record, the Resolution reads as follows:

RESOLUTION NO. 2011-34

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE TRAFFIC SAFETY COMMITTEE.

WHEREAS, the City of Weslaco has established the Traffic Safety Committee pursuant to Section 134-4 of the Weslaco Municipal Code Book; and

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

WHEREAS, the Traffic Safety Committee members shall serve without compensation; and

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Leroy Rivera is appointed to an unexpired term on the Traffic Safety Committee. Your term will begin on June 7, 2011 and end on June 6, 2012.

PASSED AND APPROVED on this 7th day of June 2011.

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

- B. Discussion and consideration of Resolution 2011-33 to fill the unexpired term of one member from District 3 of the Board of Directors of the Economic Development Corporation of Weslaco. Possible action. Attachment.

Commissioner Noriega, seconded by Commissioner Garza, moved to approve Resolution 2011-33 appointing Arval Moses to fill the unexpired term of one member from District 3 of the Board of Directors of the Economic Development Corporation of Weslaco. The motion carried unanimously; Mayor Wise was present, but not voting. For the record, the Resolution reads as follows:

RESOLUTION NO. 2011-33

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE BOARD OF DIRECTORS OF THE ECONOMIC DEVELOPMENT CORPORATION OF WESLACO

WHEREAS, the City of Weslaco has established the Economic Development Corporation pursuant to the Development Corporation Act of 1979 as amended; and

WHEREAS, the term of one member on this board of this corporation is for three years; and

WHEREAS, The Economic Development Corporation of Weslaco's board members shall serve staggered terms without compensation and limited to two (2) consecutive three (3) year terms; and

WHEREAS, the term of a current Economic Development Corporation of Weslaco Member expires on September 30, 2012; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Arval Moses is appointed to an unexpired term as a member of the Board of Directors of the Economic Development Corporation of Weslaco and the term will expire on September 30, 2012.

PASSED AND APPROVED on this 7th day of June, 2011.

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

- C. Appointment by Mayor Miguel D. Wise of a member to the City of Weslaco Housing Authority Board to an unexpired term as authorized by §302.031 of the Texas Local Government Code and approval of Resolution No. 2011-35. Possible action. Attachment.

Mayor Miguel D. Wise announced Javier Martinez as a member to the City of Weslaco Housing Authority Board to an unexpired term as authorized by §302.031 of the Texas Local Government Code. The City Attorney stated no action was required by the Commission.

For the record, the Resolution reads as follows:

RESOLUTION NO. 2011-35

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

WHEREAS, the City of Weslaco has established the City of Weslaco Housing Authority Board as per the Texas Local Government Code Section, 392.031 the Mayor shall appoint the Housing Authority Commissioners; and

WHEREAS, the terms of the members of this board are for (2) two years; and

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

WHEREAS, the term of a current Housing Authority Board Member expires on December 7, 2012.

NOW, THEREFORE, BE IT RESOLVED BY MAYOR MIGUEL D. WISE OF THE CITY OF WESLACO, TEXAS THAT Javier Martinez is appointed to serve an unexpired (2) two year term on the Housing Authority Board and the term will expire on December 7, 2012. Pursuant to the authority vested in the Mayor by Section 392.031 of the Texas Local Government Code.

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

V. OLD BUSINESS

- A. Discussion and consideration to approve departmental reorganization to consolidate Public Facilities and Parks & Recreation Departments, and authorize budget and organizational chart amendments as appropriate (Item as requested by the Mayor. This item did not pass on May 3, 2011.) Possible action. Attachment.

There was no action on this item.

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 a tract of land containing 0.496 of one acre out of Farm Tract 751, West and Adams Tract Subdivision, Hidalgo County, Texas, also being 410 E. 18th Street, from "R-1 Single Family Dwelling District" to "R-2

Duplex and Apartment District.” First Reading of Ordinance 2011-06. Possible action. Attachment.

Commissioner Tafolla, seconded by Commissioner Garza, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

- B. Discussion and consideration on behalf of Xenon, Inc. and Senon Moya, President, to approve Final Plat of the Re-Subdivision of La Plazita, Lot 4 also being La Plazita Phase II, a 3.967 Acre Tract of out of Farm Tract 1068, West and Adams Tract Subdivision, Hidalgo County, Texas, located on F.M. 1015 and Mile 10 ¼ North Road and authorize the Mayor to execute any related documents. Possible action. Attachment.

Commissioner Tafolla, seconded by Commissioner Martinez, moved to approve the item as presented, then withdrew their motion hearing comments from Mr. Senon Moya, who objected to the denial of the variance. Mr. Rolando Gonzalez, Interim Planning & Zoning Director, stated that the Planning & Zoning Commission approved the subdivision but denied the variance, which requires escrow in the amount of \$30,000.00 for water lines serviced by North Alamo Water Supply Corporation.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to table the item as presented so the City Manager may study the issue. The motion carried unanimously; Mayor Wise was present, but not voting.

- C. Discussion and consideration to authorize after public hearing a budget and program amendment for the Community Development Block Grant (CDBG) funds reflecting a reduction by the U.S. Department of Housing and Urban Development in the amount of \$61,001.00 for Fiscal Year 2011 and authorize the Mayor to execute any related documents. Possible action. Attachment.

Commissioner Rivera, seconded by Commissioner Martinez, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

- D. Discussion and consideration to accept the federal share award in the amount of \$112,337.00 for funding under the Hazard Mitigation Grant Program as selected by the State of Texas and approved by the Federal Emergency Management Agency (FEMA) for City of Weslaco Phase I Conditional Approval of the Detention Pond Project #DR 1791-134, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. Attachment.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

- E. Discussion and consideration to approve a Professional Services Agreement with Cruz-Hogan Consulting Engineers, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. Attachment.

Commissioner Noriega, seconded by Commissioner Martinez, moved to approve the item as presented, then withdrew their motion when the Mayor Pro-Tem raised a point of order since the agenda item does not indicate the scope of services. The City Attorney stated that the Commission may act on the item as posted, though he recommends review of the agreement prior to action. Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to table the item as presented so that the agreement may be considered. The motion carried with Commissioner Noriega abstaining; Mayor Wise was present, but not voting.

- F. Discussion and consideration to approve Ordinance 2011-04 amending Ordinance No. 2009-18 to provide that the agenda of a regular and/or special meeting of the Weslaco City Commission shall be posted not less than 105-hours prior to the scheduled meeting time as permitted by the Texas Open Meetings Act. First Reading of Ordinance 2011-04. Possible action. (Item as requested by the Mayor.) Attachment.

There was no action on this item.

- G. Discussion and consideration to approve Ordinance 2011-05 amending Ordinance No. 2009-18 to establish that regular and special meetings of the Weslaco City Commission shall convene at 5:30 p.m. First Reading of Ordinance 2011-05. Possible action. Attachment.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve the item as presented. With a roll call vote, the motion carried as follows: For – Mayor Pro-Tem Cuellar, Commissioners Rivera, Garza and Tafolla; Against – Commissioners Noriega and Martinez (Vote 4 -2). Mayor Wise was present, but not voting.

- H. Discussion and consideration to approve departmental reorganization to create one position of Assistant Public Facilities Director and authorize a budget amendment as appropriate. Possible action. Attachment.

Commissioner Garza, seconded by Commissioner Martinez, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

- I. Discussion and consideration to approve Resolution 2011-37 affirming the City of Weslaco's commitment to fostering a sustainable community. Possible action. Attachment.

Commissioner Tafolla, seconded by Commissioner Martinez, moved to approve the as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

For the record, the Resolution reads as follows:

RESOLUTION NO. 2011-37

STATE OF TEXAS § A RESOLUTION SUPPORTING SUSTAINABILITY
COUNTY OF HIDALGO § THROUGH ENVIRONMENTAL STEWARDSHIP,
CITY OF WESLACO § ECONOMIC DEVELOPMENT, SOCIAL EQUITY, AND
 § FINANCIAL VIABILITY BY THE CITY OF WESLACO

WHEREAS, the World Commission on Environment and Development defined sustainable development as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs,” and this definition has been adopted and endorsed by people and communities around the globe; and

WHEREAS, for local governments, it is interpreted generally that sustainability requires simultaneous attention to four interdependent elements: environmental stewardship, economic development, social equity, and financial viability; and

WHEREAS, application of sustainable practices by local government may include smart growth, maintenance of critical infrastructure, environmental management systems, sound financial planning, equitable economic development, inclusive civic engagement, and many others.

NOW THEREFORE, BE IT RESOLVED THAT the City of Weslaco strives to embrace the principles of sustainability by using, developing, and protecting resources at a rate and in a manner that enables the community to meet its current needs without compromising the ability of future generations to do the same, and

BE IT FURTHER RESOLVED that the City of Weslaco recognizes that issues of sustainability are seminal to the decisions made by government in order to cultivate the environmental, economic, and social health of the community through a democratic and participative community process, and therefore affirms its commitment to being a sustainable community by the following:

1. Working to incorporate sustainable principles and practices into all functions and operations of local government; and
2. Championing and facilitating decisions that balance the needs of current residents with the needs of future generations; and
3. Balancing the often-competing values to develop solutions and practices that are truly holistic and comprehensive; and
4. Reviewing operations to maximize efficiency, effectiveness, and relevance, and to ensure the maximum use of sustainable practices that support a stable, diverse and equitable economy; protect the quality of the air, water, land and other natural resources; conserve native vegetation, fish, wildlife habitat and other ecosystems, and minimize human impacts on local, regional and worldwide ecosystems; and
5. Working with businesses, residents and non-profit groups to create a community-wide commitment to the ethos and practice of sustainability which promote a balance between the needs to use and to preserve human, economic, and natural resources; and
6. Working with neighboring jurisdictions to build sustainable communities at the regional level; and
7. Educating our elected officials, government staff, and community members in sustainable practices in local government and in everyday life and sharing information about successful practices.

PASSED AND APPROVED on this 7th day of June, 2011.

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

- J. Discussion and consideration to authorize a Budget Amendment in the amount of \$61,265.00 to provide for the monitoring of the City of Weslaco landfill located in Alton, Texas. Possible action. Attachment.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

- K. Discussion and consideration to authorize a Budget Amendment in the amount of \$277,000.00 to provide for the engineering services agreement with CDM for the Preliminary Engineering Report for the Water Treatment Plant Project. Possible action. Attachment.

Commissioner Rivera, seconded by Commissioner Martinez, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

- L. Status Reports:

1. Update by Mari Garza-Bird, CDM Constructors, Inc. on the Preliminary Engineering Report for the Water Treatment Plant.

Ms. Garza-Bird presented several recommendations, including 1) expand the water treatment plant capacity by additional production of 8 million gallons per day; purchase 200 acre-feet of municipal water rights; continue with the meter replacement program; and implement a more aggressive water conservation plan. She will present a final report in August.

2. Update by Texas Department of Transportation on the Westgate Drive Improvement Project.

Mr. Eddie Saenz with the San Benito office of the Texas Department of Transportation reported that the Westgate Drive Improvement Project is 19% complete with 26% of scheduled time used. He anticipates a completion date of October 25, 2011, with one change order currently outstanding to address a 60" drainage pipe as requested by the City.

VII. CITY MANAGER'S REPORT

- A. Report on Departmental Update, Upcoming Meetings and Appointments.
B. Report on the Political Sign Ordinance. Attachment.
C. Report on Mid Valley Airport Runway Extension Public Meeting. Attachment.
D. Report on the Certified Estimate of Taxable Values for the 2011 tax year as provided by the Hidalgo County Appraisal District. Attachment.
E. Report on Interlocal Agreement with Hidalgo County Precinct One on Road Improvement Projects.

Reporting on all items continuously, the City Manager stated that the travel policy needs

updates and will be presented at a future Commission meeting for consideration. He stated he interviewed five internal applicants for Fire Chief and introduced new Parks & Recreation Director Lupe Garcia. He also stated that he will instruct staff to enforce the Political Sign Ordinance in future elections; the Mayor Pro-Tem stated that it may be time to repeal the ordinance; the Mayor stated that it should be repealed or enforced, but can't suspend enforcement. Commissioner Tafolla requested a workshop with the County and School District to clarify authority at Sugarcane Drive.

VIII. PUBLIC COMMENTS

Mr. Carlos Guerra of 1205 W. Fourth Street expressed strong support for an excavator to address critical needs at the canals and lamented that the recycling program is not receiving adequate investment.

IX. EXECUTIVE SESSION

At 7:50 p.m., Mayor Wise recessed the regular meeting to convene in Executive Session.

At 8:27 p.m., Mayor Wise announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

- A. Pending Litigation – Discussion with City Attorney regarding CL-11-1112-E, *Baudelio Castillo v. City of Weslaco et. Al.* pursuant to §551.071 of the Texas Government Code.

Commissioner Noriega, seconded by Mayor Pro-Tem Cuellar, moved to authorize the City Attorney to obtain a legal opinion from Special Counsel Shelton & Valdez on third party actions against insurance carriers pertaining to CL-11-1112-E, *Baudelio Castillo v. City of Weslaco et. Al.*. The motion carried unanimously; Mayor Wise was present, but not voting.

- B. Pending Litigation – Discussion with City Attorney regarding C-1371-11-I, *Juan Daniel Martinez v. City of Weslaco* pursuant to §551.071 of the Texas Government Code.

Commissioner Garza, seconded by Commissioner Martinez, moved to authorize assigned Special Counsel Kyle Watson to file an answer regarding C-1371-11-I, *Juan Daniel Martinez v. City of Weslaco*. The motion carried unanimously; Mayor Wise was present, but not voting.

- C. Pending Litigation – Discussion with City Attorney and assigned Special Counsel Garza & Pena, PLLC regarding 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 pursuant to §551.071 of the Texas Government Code.

There was no action on this item.

XI. ADJOURNMENT

With no other business before the Commission, at 8:28 p.m. Mayor Pro-Tem Cuellar, seconded by Commissioner Garza, moved to adjourn the June 7, 2011 meeting. The motion carried unanimously; Mayor Wise was present, but not voting.

CITY OF WESLACO

MAYOR, Miguel D. Wise

ATTEST:

CITY SECRETARY, Elizabeth M. Walker

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

COMMISSIONER, Robert J. Garza

COMMISSIONER, Olga M. Noriega

COMMISSIONER, Gerardo "Gerry" Tafolla

COMMISSIONER, Lupe V. Rivera

COMMISSIONER, Joe A. Martinez