

WESLACO CITY COMMISSION

REGULAR MEETING

SEPTEMBER 21, 2010

On this 21st day of September 2010 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 and the following members were present.

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.

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| Mayor | Miguel D. Wise |
| Mayor Pro-Tem | J.F. "Johnny" Cuellar |
| Commissioner | Robert J. Garza |
| Commissioner | Rene Rodríguez, Jr. |
| 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: Bret L. Mann, Finance Director; Gloria Sepulveda, Purchasing Director; Pete Garcia, Parks & Recreation Director; Francisco Castellanos, Human Resources Director; Bernard Rodriguez, Interim Planning and Code Enforcement Director; and several other staff members and citizens.

I. CALL MEETING TO ORDER

Mayor Wise called the meeting to order.

II. ROLL CALL/ESTABLISH A QUORUM

Mayor Wise stated all the Commissioners were present, a quorum was established and presided the meeting.

III. INVOCATION/PLEDGE OF ALLEGIANCE

Howard Bloomquist, Senior Minister from Central Christian Fellowship of Weslaco and Chaplain of the Weslaco Police Department gave the invocation. Mayor Wise recited the Pledge of Allegiance and the Texas Flag.

Motion was made by Commissioner Tafolla and seconded by Commissioner Rodriguez to change the order of the agenda to discuss Item VII, E under New Business. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

- E. Discussion and consideration of Advance Funding Agreement Amendment No. 4 with the Texas Department of Transportation for the Westgate Drive from U.S. 83 North to Sugarcane Road (Mile 9 Road) Project with a local share of \$530,496.86. Possible action.

Mr. Leonardo Olivares, City Manager, stated the Texas Department of Transportation (TX DOT) had allocated \$2.9 million for the Westgate Drive from U.S. 83 North to Sugarcane Road (Mile 9 Road) Project. He added the city was responsible for 100% of the preliminary engineering, right-of-way and utility adjustments for a cost of \$530,496.86. Mr. Olivares pointed out TX DOT was proposing to award a contract for the construction in November 2010 with a groundbreaking ceremony in February 2011.

Commissioner Tafolla inquired where the funding would be derived from and requested that he be made aware of the date and time when the check would be delivered to TX DOT because he would like to be present. He recommended that the check be prepared the following day.

Mr. Olivares stated the funds would be derived from the bond proceeds.

Motion was made by Commissioner Tafolla and seconded by Mayor Pro-Tem Cuellar to approve the Advance Funding Agreement Amendment No. 4 and authorize the Mayor to execute the agreement. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

Motion was made by Commissioner Rodriguez and seconded by Commissioner Tafolla to discuss Item X., Public Comments. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

X. PUBLIC COMMENTS

Alvino Flores, President of the Weslaco Municipal Police Union made a presentation regarding the duties of the Police Department and personnel compared to other cities similar in size to Weslaco, such as Duncanville, Lancaster, Friendswood and Rosenberg. He highlighted Comparative Analysis Charts of personnel, factors impacting crimes associated with sexual and aggravated assaults, burglaries, larceny, murders, auto thefts, UCR offenses and other arrests. Mr. Flores added Weslaco was the Hub City of the mid valley and the population would increase during the daytime because of the surrounding cities. He pointed out this was an added factor to the crime rate. Mr. Flores

stated the Weslaco Police Department had decreased the authorized positions since year 2009. He pointed out that if the personnel in the police department were decreased the response time to calls would be longer than normal due to the shortage of personnel which could place the citizens at a greater risk. Mr. Flores stated due to the City of Weslaco Voluntary Separation Package, they would be willing to forego the 2% pay increase on the condition that the City Commission left the six positions in place. He stated that what bothered them the most was that the city had a financial goal and wished to be at a certain point regarding the bond issue, but at what cost. Mr. Flores stated that when the Mayor and City Commissioners took their oath of office they had an obligation to every citizen to take care of the city's finances, be a responsible government and provide the citizens with public safety. He asked the City Commission to seriously consider their concerns.

Christopher Cuellar, President of the Weslaco Firefighter Association Local 3207 stated he was speaking on behalf of his local brothers from the Fire Department (Fire Suppression, EMS and Fire Prevention). He pointed out the Fire Department had grown since twenty years ago. Mr. Cuellar mentioned they were hard working EMT and paramedics that have dedicated their lives and careers to serve a great city. He stated they would like for the citizens to know that their main goal was to protect them. Mr. Cuellar added they received an achievement award for the level of care that they provided to dignitaries from the White House. He stated the survey that had been done in-house was not accurate. Mr. Cuellar asked for their support and assistance to maintain the emergency medical services.

Chente Aguilar, resident of 1522 Tierra Bella, stated the City of Weslaco was a corporation doing business for the public. He pointed out the responsibilities on how the employees performed in any corporation were 80% of the corporation's liability. Mr. Aguilar added the responsibility belonged to the supervisors and only 20% to the employees. He stated when he sold one of his properties; the buyer wanted to open a child day care center and the city had issued a permit. Mr. Aguilar added the neighbors got hold of the information and complained to the city. He mentioned he had to advise the purchaser that they could no longer have the proposed business at that location. Mr. Aguilar stated the purchaser sued the city and got a lot of money. He mentioned about a month ago he called three Commissioners and left a message and never got a call back. Mr. Aguilar stated he wanted the best for Weslaco because it belonged to everybody.

Moises G. Flores, resident of P.O. Box 1411, Mercedes stated the city had overlooked on paying the taxes on the property located at 510 W. 8th Street, Weslaco. He mentioned he bought the property in 2008 and had called the City Attorney and City Manager and they had not returned his calls. Mr. Flores stated this matter needed to be taken care of because he received numerous letters from the delinquent tax attorneys requesting payment for the taxes.

Olga Noriega, resident of 309 S. Indiana Avenue, Weslaco stated she had no doubt how difficult it was to support a plan that included personnel reduction. She mentioned the City Commission had made a decision when elected and had a commitment to the City of Weslaco to help fix the budget deficit.

IV. 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 or a citizen, 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
 - 1. Special Meeting of August 26, 2010
 - 2. Regular Meeting of September 7, 2010

- B. Second and final reading of the following Ordinances:
 - 1. Ordinance No. 2010-13 amending Zoning Ordinance No. 320 and the City of Weslaco Zoning Map to change the zoning of a 3.28 acre tract of land out of the south part of Farm Tract 680, Block 141, West and Adams Tract Subdivision, Hidalgo County Texas, from "R-1" Single Family Dwelling District to "R-2" Duplex and Apartment District. Possible action.

 - 2. Ordinance No. 2010-14 amending Zoning Ordinance No. 320 and amending the Zoning Map of the City of Weslaco to change the zoning of Lots 3, 4, Block 51-A, Canal Property Subdivision and the South 36.7 feet of Lot 7, Block 51, Weslaco Original Townsite Subdivision, Hidalgo County Texas, from "R-1" Single Family Dwelling District to "B-1" Neighborhood Business District. Possible action.

 - 3. Ordinance No. 2010-15 amending Zoning Ordinance No. 320 and the City of Weslaco Zoning Map to change the zoning of 255 S. Pleasantview Drive, also being Lot 4, Rev. Mario Perez Dream Acres Subdivision, Hidalgo County Texas, from "R-2" Duplex and Apartment District to "B-1" Neighborhood Business District. Possible action.

 - 4. Ordinance No. 2010-16 amending Zoning Ordinance No. 320 to amend the City of Weslaco Zoning Map to change the zoning of a 0.75 acre tract of land 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 Apartments District. Possible action.

5. Ordinance No. 2010-17 amending Ordinance No. 2002-18, codified in the City of Weslaco Code of Ordinances as Section 62-54; establishing brush rates to be charged for the brush pick-up service to reflect accurate cost of service; establishing that all business, commercial, industrial and mobile home/recreational Industrial and mobile home/recreational vehicle parks shall be responsible for disposing of their own brush; providing for a severability clause; and providing for an effective date. Possible action.
 6. Ordinance No. 2010-18 amending Ordinance 93-46, The Cable Television Franchise Ordinance, providing for the initial term to end October 1, 2010 and ordaining other matters with respect to the subject matter hereof. Possible action.
- C. Discussion and consideration to approve the request from the County of Hidalgo Elections Department to use the following city facilities in conjunction with the November 2, 2010 General Election. Possible action.
1. Historical City Hall Building located at 500 S. Kansas Avenue for Early Voting beginning on October 18, 2010 and ending on October 29, 2010 from 7:00 a.m. to 7:00 p.m. with the exception of October 24, 2010 from 10:00 a.m. to 3:00 p.m. and on Election Day, November 2, 2010 from 7:00 a.m. to 7:00 p.m.
 2. Weslaco City Hall Planning and Zoning Conference Room located on 255 S. Kansas Avenue on November 2, 2010 from 7:00 a.m. to 7:00 p.m.

Motion was made by Mayor Pro-Tem Cuellar and seconded by Commissioner Tafolla to approve the consent agenda with the exception of Item IV., B. 6. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

For the record, the following ordinances read as follows:

ORDINANCE NO. 2010-13

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF A 3.28 ACRE TRACT OF LAND OUT OF THE SOUTH PART OF FARM TRACT 680, BLOCK 141, WEST AND ADAMS TRACT SUBDIVISION, HIDALGO COUNTY TEXAS, FROM "R-1" SINGLE FAMILY DWELLING DISTRICT TO "R-2" DUPLEX AND APARTMENT DISTRICT.

ORDINANCE NO. 2010-14

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF LOTS 3, 4, BLOCK 51-A, CANAL PROPERTY SUBDIVISION AND THE SOUTH 36.7 FEET OF LOT 7, BLOCK 51, WESLACO ORIGINAL TOWNSITE

SUBDIVISION, HIDALGO COUNTY TEXAS, FROM "R-1" SINGLE FAMILY DWELLING DISTRICT TO "B-1" NEIGHBORHOOD BUSINESS DISTRICT.

ORDINANCE NO. 2010-15

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 255 S. PLEASANTVIEW DRIVE, ALSO BEING LOT 4, REV. MARIO PEREZ DREAM ACRES SUBDIVISION, HIDALGO COUNTY TEXAS, FROM "R-2 DUPLEX AND APARTMENT DISTRICT" TO "B-1 NEIGHBORHOOD BUSINESS DISTRICT".

ORDINANCE NO. 2010-16

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF A .75 OF ONE ACRE TRACT OF LAND 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 APARTMENTS DISTRICT.

ORDINANCE NO. 2010-17

AN ORDINANCE AMENDING ORDINANCE NO. 2002-18, CODIFIED IN THE CITY OF WESLACO CODE OF ORDINANCES AS SECTION 62-54; ESTABLISHING BRUSH RATES TO BE CHARGED FOR THE BRUSH PICK-UP SERVICE TO REFLECT ACCURATE COST OF SERVICE; ESTABLISHING THAT ALL BUSINESS, COMMERCIAL, INDUSTRIAL AND MOBILE HOME/RECREATIONAL INDUSTRIAL AND MOBILE HOME/RECREATIONAL VEHICLE PARKS SHALL BE RESPONSIBLE FOR DISPOSING OF THEIR OWN BRUSH; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2010-18

AN ORDINANCE AMENDING ORDINANCE 93-46, THE CABLE TELEVISION ORDINANCE, PROVIDING FOR THE INITIAL TERM TO END OCTOBER 1, 2010 AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 7th day of September, 2010.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 21st day of September, 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

V. PUBLIC HEARINGS

- A. Discussion and consideration to approve a Conditional Use Permit to obtain a Mixed Beverage Permit at 401 S. Kansas Avenue, Suite B-1, Weslaco, Texas, being Lot 1-18, Block 32, Weslaco Original Townsite Subdivision, Hidalgo County, Texas. Possible action.

Mayor Wise stated the following items were public hearings and any one wishing to speak for or against could do so after staff's presentation.

Mr. Olivares stated staff was recommending approval of the item. He stated the Planning and Zoning Commission had reviewed the request.

Motion was made by Mayor Pro-Tem Cuellar and seconded by Commissioner Rivera to approve the request for a Mixed Beverage Permit at 401 S. Kansas Avenue, Suite B-1, Weslaco, Texas. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

- B. Discussion and consideration to amend Ordinance No. 320 to amend the City of Weslaco Zoning Map to rezone 1801 S. Petunia Avenue, Weslaco, Texas, being Lot 20, Block 2, Sun Valley UT 1 Subdivision, Hidalgo County, Texas from "R-1" Single Family Dwelling District to "B-1" Neighborhood Business District. First reading of Ordinance No. 2010-21. Possible action.

Ignacio Garcia referred to Item IV., B and stated he was proposing to open a house for autistic children. He stated there would be no wheel chairs in the house and no hospital beds. Mr. Garcia stated the house had four bedrooms and four restrooms and would only operate with a capacity of six to eight children.

Mr. Olivares stated the Planning and Zoning Commission was recommending not approving the item because it did not comply with the Comprehensive Plan. He asked Mr. Garcia if he had looked at other locations.

Mr. Garcia responded no.

Mayor Wise stated the Planning and Zoning Commission, city staff and some of the neighbors were against the request. He added the Planning Department had received a petition protesting the zone change.

Comments were heard from Lois McTagger, resident of Sun Valley Subdivision and Lance Olsen, resident of 1004 W. 6th street, opposing the request.

Motion was made by Mayor Pro-Tem Cuellar and seconded by Commissioner Rivera to close the public hearing for Items IV., A & B. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

Motion was made by Commissioner Garza not to approve the zone change request. Motion failed due to a second.

VI. BOARD APPOINTMENTS

- A. Ambulance Advisory Board – One member’s term expired on July 1, 2010 and approval of Resolution No. 2010-30 to appoint a new member. Possible action.

Mayor Wise stated no applications were filed of individuals wanting to serve on this board; therefore no action would be taken.

- B. Economic Development Corporation of Weslaco - One member’s term expires September 30, 2010 and approval of Resolution No. 2010-32 to appoint a member. Possible action.

Discussion was held regarding the Articles of Incorporation and Commissioner Tafolla stated Mike Givilancz, Jr. had served his term and was not eligible for re-appointment as per the Articles of Incorporation.

Richard Talbert, Attorney for the EDC referred to Articles of Incorporation and stated that after September 1, 2009 nobody could serve more than two consecutive years. He mentioned the City Commission had amended the articles and did away with the old provisions regarding the appointment of the directors. Mr. Talbert pointed out Mr. Givilancz had drawn a one year term and the application for a two year term started over.

Motion was made by Commissioner Garza and seconded by Mayor Pro-Tem Cuellar to appoint Mike Givilancz, Jr. to the Economic Development Corporation of Weslaco to fill the term that expires September 30th and approve Resolution No. 2010-32. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

For the record, Resolution No. 2010-32 reads as follows:

RESOLUTION NO. 2010-32

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO 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 of this corporation is for three years; and

WHEREAS, The Economic Development Corporation of Weslaco’s 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, 2010; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Mike Givilancz, Jr. is appointed to another term on the Economic Development Corporation of Weslaco and the term will expire on September 30, 2013.

PASSED AND APPROVED on this 21st day of September, 2010.

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

VII. NEW BUSINESS

- A. Discussion and consideration to award to the lowest responsible bidder, Gold Star Petroleum Inc., from Pharr, Texas a contract for the purchase of unleaded and diesel fuel on an as needed basis. Possible action.

Motion was made by Mayor Pro-Tem Cuellar and seconded by Commissioner Rivera to award the bid to Gold Star Petroleum Inc., from Pharr, Texas for the purchase of unleaded and diesel fuel on an as needed basis. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

- B. Discussion and consideration to accept a gift donation of 3,736 children's books from Reading Is Fundamental, Inc. and First Book. Possible action.

Motion was made by Commissioner Garza and seconded by Commissioner Rodriguez to accept a gift donation of 3,736 children's books from Reading Is Fundamental, Inc. and First Book. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

- C. Discussion and consideration to renew the Interlocal Governmental Agreement with Hidalgo County Emergency Services District No. 1 for Fiscal Year 2010-2011 to provide emergency ambulance service to rural areas of Hidalgo County located within the established boundaries of the district and authorize the Mayor to execute the agreement. Possible action.

Mayor Wise announced no action was required on this item.

Mr. Olivares stated they were working with the County to determine the actual cost.

- D. Discussion and consideration of the Economic Development Corporation of Weslaco Budget for Fiscal Year 2010-2011 as approved and recommended by the EDC Board of Directors. Possible action.

Mr. Gonzalez highlighted the Investments and Accomplishments 2009-2010, Work Plan for Fiscal Year 2010-2011 and the EDC budget:

FISCAL YEAR END BUDGET 9/30/11
EDC Expenses
Budget

EDC Budget	EDC
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Expenses 2010-11	BUDGET F/Y 2011
Gross Wages	\$ 32,734
Payroll Taxes & Employee Benefits	49,673
Dues & Subscriptions (Rio South TX) \$10,000	6,000
Office Supplies	3,500
Office Expenses-promotions, sponsorships, contributions	15,000
Professional Fees & Other	50,000
Audit Fees	10,750
Telephone	6,000
Utilities	24,000
Repairs & Maintenance	50,000
Property Taxes	80,000
Insurance Policies	30,000
Auto Maintenance	5,000
Travel Expense	10,000
Continuing Staff Education	750
Board Meeting Expense	2,000
Debt Service - (4) Bonds	491,194
Marketing /Weslaco Area Chamber of Commerce	65,000
Heart of Weslaco * Facade Improvements & Landscaping	25,000
Tanus/Woodcrafters (\$2,000,000 / 7 years)	307,132
VIDA (2/25/09) & VIDA (4/8/10) Second Extended Grant	25,000
Compass Loan P/I (June, July, Aug., Sept)	225,868
Compass Loan Swap Interest only	20,915
Weslaco Hills Apartment Complex	530,000
Opportunity Fund	761,101
RGV W.O.R.D. / Friends Health Care (\$375,000)	50,000
Expressway – Maintenance & Beautifications	40,000
EXPENDITURES	\$3,116,617

Mayor Wise inquired about the available acreage at the Industrial Park and the downtown parking for businesses. He mentioned he had met with the representative of Cabello and it was his understanding that they were interested in Weslaco. Mayor Wise also mentioned that discussion had been focus on borrowing some money from the EDC and asked if this could be done.

Mr. Gonzalez stated the EDC was looking at other properties for another industrial park. He added the city could propose a project for economic development. Mr. Gonzalez referred to the 380 Agreement with HEB and stated they were not involved in the HEB Project. He mentioned that the intent of the Development Act was that they could provide funds for growing businesses.

Mayor Wise recommended that a legal clarification from the legal counselor or and state agency be provided to the City Commission.

Motion was made by Mayor Pro-Tem Cuellar and seconded by Commissioner Garza to approve and adopt the Economic Development Corporation of Weslaco Budget for Fiscal Year 2010-2011. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

- F. Discussion and consideration of intervening in Docket No. 38569, South Texas Electric Cooperative interim rate adjustment request to increase transmission rates. Possible action.

Ramon Vela, City Attorney recommended for the city not to intervene in Docket No. 38569, South Texas Electric Cooperative Interim Rate Adjustment Request to increase transmission rates.

No action was taken on this item.

- G. Discussion and consideration to renew the Affiliation and Program Agreement for Clinical Experience between the City of Weslaco Fire/EMS and University of Texas at Brownsville and Texas Southmost College. Possible action.

Motion was made by Mayor Pro-Tem Cuellar and seconded by Commissioner Rivera to approve the Affiliation and Program Agreement for Clinical Experience between the City of Weslaco Fire/EMS and University of Texas at Brownsville and Texas Southmost College and authorized the Mayor to execute the agreement. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

- H. Appointment by Weslaco City Manager Leo Olivares of a Weslaco Civil Service Commissioner for a three (3) year term as mandated by Section 143.006 of The Texas Local Government Code and approval of Resolution No. 2010-33 to appoint a member. Possible action.

Mr. Olivares recommended no action on the appointment of the Civil Service Director.

- I. Discussion and consideration to enter into a two (2) year contract of the Master Wireless Service Agreement between the City of Weslaco and SmartCom Internet of McAllen, Texas to provide wireless internet service to multiple location city facilities and Voice Over IP back up emergency telephone service and to notify SmartCom in writing of the extension of the contract for year two. Possible action.

Motion was made by Commissioner Garza and seconded by Commissioner Tafolla to approve the two (2) year contract of the Master Wireless Service Agreement and authorize the Mayor to execute the contract. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

- J. Discussion and consideration to renew the Cooperative Agreement between the City of Weslaco and the Drug Enforcement Administration (DEA) to assign one experienced officer to the (McAllen HIDTA Task Force) for a period of not less than two years and authorize the Mayor to execute the agreement. Possible action.

Motion was made by Mayor Pro-Tem Cuellar and seconded by Commissioner Tafolla to renew the Cooperative Agreement between the City of Weslaco and the Drug Enforcement Administration (DEA) and authorize the Mayor to execute the agreement. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

- K. Discussion and consideration to award to the lowest responsible bidder, Ferguson Waterworks from Mission, Texas a contract for Waterworks Collection/Distribution Materials. Possible action.

Motion was made by Commissioner Tafolla and seconded by Mayor Pro-Tem Cuellar to award the bid to the lowest responsible bidder, Ferguson Waterworks from Mission, Texas for Waterworks Collection/Distribution Materials. Motion carried unanimously, (6-0). Mayor Wise was present, but not voting.

- L. Discussion and consideration to refund approximately \$5,000,000.00 of Tax Waterworks and Sewer System Revenue Certificates of Obligations – Series 1999. Possible action.

- M. Discussion and consideration to apply for a line of credit to fund voluntary employee separation expenses and reduction in force employee expenses. Possible action.

Mr. Olivares stated Items VII. L. and M. would be place on a future agenda.

- N. Status reports:

1. Hernan Gonzalez, Executive Director of the Economic Development Corporation of Weslaco regarding economic development activities. Possible action.

Mr. Gonzalez highlighted the following report:

1. Academy - The project was projected to be on a fast track and expected to be open by the Spring of 2011. The value of the construction permit was set at \$3,800,000.00.
2. Darden / Olive Garden - The Darden Company and SDI were finalizing the contract details for an Olive Garden to be located on Expressway 83 Frontage and expected to be open by the Spring of 2011.
3. American Audio and Alarm - The 4,000 square feet center owned by Robert Rangel was completed and the EDC had assisted with the site improvements.

4. La Hacienda Plaza - The first phase of La Hacienda Plaza owned by RST Investment Group, a local real estate and development company was under construction and it would consist of 20,000 square feet.
5. Main Street 100 - An objective for the EDC Work Plan was 100% occupancy of all the buildings in the Central Business District and details of a strategy were being worked on.
6. L&W Supply / Becknell Development - Construction of the 30,000 square feet office/warehouse complex was taking shape and was now a prominent structure at the Industrial Park. Completion was expected by the end of this year.
7. Sales Tax - The receipts for September was 4.10% ahead of last year. The addition of the J. C. Penney's and Lowe's development by SDI helped retain dollars in the Weslaco market.

2. Martha Noell, Executive Director of the Weslaco Area Chamber of Commerce regarding chamber activities. Possible action.

Martha Noell, Executive Director of the Weslaco Area Chamber of Commerce briefly highlighted the chamber's report and stated they were working on several events. She added they continued to advertise Weslaco for people to visit and shop Weslaco.

3. Ad Hoc Advisory Committee's recommendation on the Proposed Municipal Budget for FY 2010-2011. Possible action.

Mr. Olivares stated the Ad Hoc Advisory Committee had completed their work.

Lance Olsen, member of the Ad Hoc Advisory Committee highlighted the following recommendations and stated these recommendations had been agreed by all the members.

1. No property tax increase;
2. Support a General Fund Reserve of 25% by 2012;
3. Fund only most basic capital expenditures;
4. Ensure cost recovery from all existing service contracts (eg, Knapp Medical, Mutual Aid);
5. Adopt ICMA performance measures;
6. Conduct cost-benefit analysis of labor contracts and EMS operations;
7. Conduct independent performance audit of professional service contracts by this Committee;
8. Attain appropriate staffing for Finance Department to implement

recommendations in management letters;

9. Prepare written plan (with staff assignments and schedules) addressing recommendations in management letters;
10. Adopt best practices on procurement of professional services;
11. Maintain organizational independence of Purchasing Department; and
12. Adopt comprehensive procedures for grant development and administration.

A brief discussion was held regarding the recommendations made by the committee and Mayor Pro-Tem Cuellar made a motion to accept the committee's recommendations. Motion was seconded by Commissioner Tafolla and it carried unanimously, (6-0). Mayor Wise was present, but not voting.

VIII. MAYOR'S REPORT

- A. Announcement of the Affordable Homes of South Texas, Inc. affordable living project in Weslaco.

Mayor Wise announced that Affordable Homes of South Texas, Inc. had been working with the City of Weslaco and County of Hidalgo to help families' secure safe and affordable housing. He added that Jessika M. Mata, a new constituent in Weslaco would soon be living in a new home located at Westgate Crossing Subdivision.

- B. Announcement of AEP proposed reductions in meter related service fees.

Frank Espinosa, AEP Area Manager, briefly announced that AEP would soon be installing new meters which would result in a saving to the customers.

- C. Announcement of the Loan Star Libraries Grant Award to the Weslaco Public Library in the amount of \$13,234.

Mayor Wise announced the city had been awarded \$13,337.00 from the Loan Star Libraries Grant to purchase additional books.

IX. CITY MANAGER'S REPORT

- A. City Manager's report: Financial Status, Departmental Update, Upcoming Meetings, Appointments and other items.

Mr. Olivares reported on the following items.

1. Staff continued to work on the Proposed Budget for 2010-2011.
2. Three finalists had been recommended by the Police Chief Screening Committee for the position of Chief of Police and a recommendation would soon be presented to the City Commission.

3. The Human Resources Department continued to prepared and processed appropriate documentation for those leaving under the Voluntary Separation Plan.
 4. Finance Department – Bret Mann, Finance Director was reviewing job descriptions and qualifications within the department to improve accountability and establish controls.
- B. Report on the Westgate Drive Improvements Project.

Mr. Olivares report on the Westgate Improvement Project and stated staff would continue to work on this project to eliminate a portion of the project.

XI. ADJOURNMENT

Motion was made by Mayor Pro-Tem Cuellar and seconded by Commissioner Tafolla to adjourn the meeting. Motion carried unanimously, (6-0). 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, Robert J. Garza

COMMISSIONER, Rene Rodríguez, Jr.

COMMISSIONER, Gerardo “Jerry” Tafolla

COMMISSIONER, Lupe V. Rivera

COMMISSIONER, Joe A. Martinez