



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
MAY 15, 2012**

On this 15th day of May 2012 at 5:30 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	Olga M. Noriega
Commissioner	Gerardo "Jerry" 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; Gloria Givilancz, Interim Finance Director; Jorge Gonzalez, Planning & Code Enforcement Director; David Salinas, Public Utilities Director; Erasmo Lozano, Public Facilities Assistant Director; Interim Police Chief Michael Kelly; Fire Chief Jimmy Cuellar; Martin Mata, Assistant Library Director; and several other staff members and citizens.

I. CALL TO ORDER

- A. Certification of Public Notice.
Mayor Wise called the meeting to order and certified the public notice of the meeting as properly posted Friday, May 11, 2012
- B. Mayoral Proclamations and Recognitions.
Mayor present proclamations recognizing Public Works Week, National Police Memorial Week, and the Summer Reading Program.
- C. Invocation.
Pastor Roberta Goodman from the First United Methodist Church delivered the invocation.
- D. Pledge of Allegiance.
Mayor Wise recited the Pledge of Allegiance and the Texas Flag.
- E. Roll Call.
Elizabeth Walker, City Secretary, called the roll, noting the absence of Commissioner Garza.

II. STATUS REPORTS AND VISITORS WITH BUSINESS

- A. Hernan Gonzalez, Executive Director of the Economic Development Corporation of

Mr. Hernan Gonzalez reported that SDI is adding an additional 10,000 square foot building to its development this summer; the new Valley Nature Center facility is underway; façade improvement grants were provided to Happiness Cupcakes and Jeff Everitt & Associates, both remodeling buildings downtown. Knapp Medical Center celebrated its fiftieth anniversary and sales tax revenue is flat, but still ahead 7% year-to-date.

- B. Randy Summers, President of the Weslaco Area Chamber of Commerce, regarding monthly chamber activities. Attachment.

Mr. Randy Summers reported on behalf of the Chamber as Ms. Martha Noell was facilitating the candidates' forum. He stated that the Chamber is moved into its new facility next door and preparing for a ribbon cutting ceremony on May 31 at 4:30 p.m. Twenty-four business representatives attended every eighth grade class in the Weslaco Independent School District to encourage them to stay in school. The Chamber facilitated ribbon cutting ceremonies for Westgate Drive and Craigs Furniture. Leadership Mid Valley is wrapping up and visitation is winding down as Winter Texans return home.

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 the Minutes of the Regular Meeting of May 1, 2012. (Requested by City Secretary's Office.) Attachment.
- B. Approval of the donation of meals at no cost from the Weslaco Independent School District Food Services Department and the Summer Feeding Program established through the Texas Department of Agriculture for distribution to school age children within the 2012 Summer Reading Program and authorize the Mayor to execute any related documents. (Requested by the Mayor Joe V. Sanchez Public Library.) Attachment.
- C. Approval of the management service agreement with GrayStar Technology Group for maintenance of the City's Nortel Phone System and authorize the Mayor to execute any related documents. (Requested by Information Technology Department.) Attachment.

The Mayor Pro-Tem left the dais.

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

IV. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2012-38 appointing a member and an alternate member to the Lower Rio Grande Valley Development Council (LRGVDC). Possible action. (Requested by Planning & Code Enforcement Department.) Attachment.

Commissioner Rivera, seconded by Commissioner Martinez, moved to approve Resolution 2012-38 appointing Mayor Pro-Tem Cuellar as a member of the Lower Rio Grande Valley Development Council and Commissioner Tafolla as alternate member. The motion carried unanimously; Mayor Wise was present, but not voting.

Commissioner Tafolla left the dais.

V. **NEW BUSINESS**

- A. Discussion and consideration to approve the City of Weslaco Audit for Fiscal Year 2010-2011 presented by City Independent Auditor Manuel L. Garcia of Garcia and Pena, CPAs. Possible action. (Requested by Finance Department.) Attachment.

The Mayor Pro-Tem and Commissioner Tafolla returned to the dais. The City Manager introduced Ms. Gloria Givilancz as the Interim Finance Director.

Mr. Manuel Garcia presented the Audit for Fiscal Year 2010-2011, noting noticeable decreases in growth in the Fire Pension Fund and fuel sales at the Airport. He also noted the water and sewer fund did well and the general fund reflects the most changes, all positive. It is an unqualified audit, meaning no issues are identified, with all funds closing in the black; the City saved \$836,000.00 toward its fund balance. The Mayor commented that as the City previously operated at a loss, this is “incredible news.” Mr. Garcia also shared with the Commission a document entitled, “Communications with Those Charged with Governance.”

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

- B. Discussion and consideration to declare and dispose of surplus property from various City departments through a public auction as per Ordinance No. 86-08, authorize a public auction through Valley Wide Auction Services at the Public Facilities building on June 2, 2012, and authorize a budget amendment as appropriate to recognize proceeds from the sale of assets and confiscated property from this event. Possible action. (Requested by Finance Department.) Attachment.

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

- C. Discussion and consideration to approve a 50/50 cost share reimbursement to the Economic Development Corporation for City Hall building improvements, including building fire department connections and vestibule fire sprinklers, through the

Motel/Hotel Fund to pay invoice #1147 in an amount of \$4,300.00 and invoice #1146 in an amount \$14,842.50, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Requested by Finance Department.) Attachment.

The City Manager explained this is a cost-share for some safety improvements identified in the build-out of the south side of City Hall.

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 approve Resolution 2012-39 authorizing review of the Cost of Service Adjustment (COSA) filing by Texas Gas Service Company (TGS), a division of ONEOK, Inc. effective August 1, 2012, hiring legal and consulting services to negotiate with TGS, and requiring TGS to reimburse all reasonable costs associated with a joint review of this application with other cities. Possible action. (Requested by Legal Department.) Attachment.

The City Manager explained that as last year, this action would allow the City to challenge the cost increase proposed by Texas Gas Service and be reimbursed for those costs.

Commissioner Martinez, 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 authorize at no cost to the City the grant submission of the Tobacco Enforcement Program Application for Local Law Enforcement Agencies to the Texas School Safety Center at Texas State University-San Marcos on behalf of the Department of State Health Services, Mental Health Substance Abuse Division for fiscal year 2013, effective September 1, 2012 through August 31, 2013, which reimburses contracted law enforcement agencies \$75.00 for each Controlled Buy/Sting conducted in an amount not to exceed \$700,000.00 for the entire State of Texas, and authorize the Mayor and associated staff to execute any related documents. Possible action. (Requested by Police Department.) Attachment.

The City Manager stated this would serve to discourage minors from purchasing tobacco; presently, the Police Department conducts about four stings each year.

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

The Mayor Pro-Tem left the dais.

VI. CITY MANAGER'S REPORT

- A. Report on Departmental Update, Financial Status, Upcoming Meetings and

Appointments. Attachment.

The City Manager reported on the upcoming Hurricane Preparedness Conference and recent activities to expand the drainage ditch behind John Knox Village.

VII. PUBLIC COMMENTS

Dr. Sandra Esquivel thanked the Commission for their support of Knapp Medical Center and the Weslaco Hospital Authority, particularly as threats against both continue.

Mr. Bernie Saenz thanked the Commission for their support of VIDA, which supports sustainable communities and requested continuing support.

VIII. EXECUTIVE SESSION

There was no Executive Session.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

As there was no Executive Session, there was no action on this item.

X. ADJOURNMENT

With no other business before the Commission, at 6:35 p.m. Commissioner Martinez, seconded by Commissioner Rivera, moved to adjourn the May 15, 2012 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

(absent)

COMMISSIONER, Robert J. Garza

COMMISSIONER, Olga M. Noriega

COMMISSIONER, Gerardo "Jerry" Tafolla

COMMISSIONER, Lupe V. Rivera

COMMISSIONER, Joe A. Martinez