



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JANUARY 15, 2013**

On this 15th day of January 2013 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 | David R. Fox |
| Commissioner | Olga M. Noriega |
| Commissioner | Gerardo "Jerry" Tafolla |
| Commissioner | Lupe V. Rivera |
| Commissioner | Joe A. Martinez |
| City Manager | Leonardo Olivares |
| City Attorney | Ramon Vela |

Also present: Rey Garcia, IT Director; Bret Mann, Finance Director; David Salinas, Public Utilities Director; Police Chief Michael Kelly; Assistant Fire Chief Rudy Garza; Arnold Becho, 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, January 11, 2013.
- B. Invocation.
Pastor Joe Aguilar from the First Baptist Church delivered the invocation.
- C. Pledge of Allegiance.
Mayor Wise recited the Pledge of Allegiance and the Texas Flag.
- D. Roll Call.
Molly Vallejo, Secretary, called the roll, noting perfect attendance.

II. CONSENT AGENDA

- A. Approval on Second and Final Reading of the following:
 - 1. Ordinance 2013-01 amending Ordinance 320 and the City of Weslaco Zoning Map to rezone 705 S. Texas Blvd., also being the S 57.3-15, 10, & S 12-11, Canal Block 58 & 58A, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas, from "R-1 Single Family Dwelling District" to "B-1 Neighborhood Business District" requested by Esteban Mejia, Jr. and authorize the Mayor to execute any related documents. (First Reading held January 3, 2013; Requested by Planning/Code Enforcement Department.)

Attachment.

2. Ordinance 2013-02 amending Ordinance 320 and the City of Weslaco Zoning Map to rezone 1629 Cypress Drive, also being Lots 1, 2, & 3, Westgate Village Mobile Home Subdivision, Weslaco, Hidalgo County, Texas, from "R-1 Single Family Dwelling District" to "B-1 Neighborhood Business District" requested by Javier Pena and authorize the Mayor to execute any related documents. (First Reading held January 3, 2013; Requested by Planning/Code Enforcement Department.) Attachment.
3. Ordinance 2013-03 amending Ordinance 320 and the City of Weslaco Zoning Map to rezone the Re-plat of Amended "V" Subdivision, also being a 3.556 acre tract of land, and also being all of Lot 1 and Lot 2, Amended Map of "V" Subdivision, Weslaco, Hidalgo County, Texas, from "R-1 Single Family Dwelling District" to "B-2 Secondary and Highway District" requested by Alfonso Garcia and authorize the Mayor to execute any related documents. (First Reading held January 3, 2013; Requested by Planning/Code Enforcement Department.) Attachment.
- B. Approval of Resolution 2013-10 amending Resolution 2012-40 to remove Gloria Givilancz, Assistant Finance Director, and add Bret L. Mann, Finance Director, to the list of authorized municipal officials able to transact financial business with BBVA Compass Bank. (Requested by Finance Department.) Attachment.
- C. Approval of Resolution 2013-11 amending Resolution 2012-41 to remove Gloria Givilancz, Assistant Finance Director, and add Bret L. Mann, Finance Director, to the list of authorized municipal officials able to transact financial business with First National Bank. (Requested by Finance Department.) Attachment.
- D. Approval of Resolution 2013-12 to add Bret L. Mann, Finance Director, as the Primary Authorized Representative and remove Gloria Givilancz, Assistant Finance Director, as the Primary Authorized Representative for TexPool. (Requested by Finance Department.) Attachment.
- E. Approval of a lease agreement with South Texas College for the use of the Weslaco City Park Tennis Courts January 22 - May 17, 2013 on Tuesdays and Thursdays from 4:00 p.m. until 5:20 p.m. for a rental of \$400.00 per class. (Requested by Parks and Recreation Department.) Attachment.
- F. Approval of the request from the Weslaco Area Chamber of Commerce to hold the 24th Annual Texas Onion Fest on Saturday, March 23 and Sunday, March 24, 2013 at the Weslaco City Park on Airport Drive, to sell beer during the event, to place a banner promoting the event at the intersection of Texas and Pike Boulevard for two weeks prior to the event, and to waive appropriate ordinances associated with the event. (Requested by Parks and Recreation Department.) Attachment.

Mayor Pro-Tem Cuellar requested item II.F. be withheld from the consent agenda for discussion.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to approve the items II. A1, A2, A3, B, C, D, and E as presented. The motion carried unanimously;

Mayor Wise was present, but not voting.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to take item II. F from the consent agenda as the next order of business. The motion carried unanimously; Mayor Wise was present, but not voting.

Mayor Pro-Tem Cuellar asked since funding was taken away from the Chamber this past fiscal year, would the City help to fund this event? The City Manager stated that the City already set aside money for the Chamber and it could use those funds for this event. Ms. Martha Noell clarified the event did not affect the Chamber's budget since the Onion Fest budget covers the promotion itself.

Commissioner Rivera asked why only certain booths were allowed to beverages; Ms. Noell replied that the sale of beverages is a significant part of the Chamber's income and they use those profits to offset the cost of the event, but would work toward opening more beverage booths.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to approve item II. F as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

For the record, the Ordinances read as follows:

ORDINANCE NO. 2013-01

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 705 S. TEXAS BLVD., ALSO BEING THE S 57.3-15, 10, & S 12-11, CANAL BLOCK 58 & 58A, WESLACO ORIGINAL TOWNSITE, WESLACO, HIDALGO COUNTY, TEXAS, FROM "R-1 SINGLE FAMILY DWELLING DISTRICT" TO "B-1 NEIGHBORHOOD BUSINESS DISTRICT".

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: To rezone from "R-1 Single Family Dwelling District" to "B-1 Neighborhood Business District," the S 57.3-15, 10, & S 12-11, CANAL BLOCK 58 & 58A, WESLACO ORIGINAL TOWNSITE, also being 705 S. Texas Blvd., Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 4th day of January, 2013.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 15th day of January, 2013.

ORDINANCE NO. 2013-02

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 1629 CYPRESS DRIVE, ALSO BEING LOTS 1, 2, & 3, WESTGATE VILLAGE MOBILE HOME SUBDIVISION, WESLACO, HIDALGO COUNTY, TEXAS, FROM "R-1 SINGLE FAMILY DWELLING DISTRICT" TO "B-1 NEIGHBORHOOD BUSINESS DISTRICT."

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: To rezone from "R-1 Single Family Dwelling District" to "B-1 Neighborhood Business District," Lots 1, 2, & 3, Westgate Village Mobile Home Subdivision, also being 1629 Cypress Drive,

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) | David R. Fox, 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 Mann, Finance Director | _____ |

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

- A – H (1) Exercise all of the powers listed (2) through (9)
- A – H, J (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, J (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, J (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, J (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 January 15, 2013

RESOLUTION NO. 2013-11

STATE OF TEXAS § RESOLUTION AUTHORIZING MAYOR
COUNTY OF § MIGUEL D. WISE, MEMBERS OF THE CITY
HIDALGO § COMMISSION, AND APPROPRIATE STAFF AS
CITY OF WESLACO § 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 **January 15, 2013**. This resolution appears in the minutes of this meeting and has not been rescinded or modified.

2. Be it Resolved that,

(a) First National 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.

4. 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) David R. Fox, 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 Mann, Finance Director | _____ |

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

- A – H (1) Exercise all of the powers listed (2) through (9)
- A – H, J (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, J (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, J (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, J (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 January 15, 2013.

**RESOLUTION AMENDING
AUTHORIZED REPRESENTATIVES
RESOLUTION NO. 2013-12**

WHEREAS, **City of Weslaco -77734** (“Participant”) is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest finds and to act as custodian of investments purchased with local investment finds; and

WHEREAS, it is in the best interest of the Participant to invest local finds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool (“TexPool/ Texpool *Prime*”), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool *Prime* and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by all remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant’s TexPool / TexPool *Prime* account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representatives of the Participant. Any new individuals will be issued

personal identification numbers to transact business with TexPool Participant Services.

1. Name: **Leonardo Olivares** Title: **City Manager**
Phone/Fax/Email: Phone: (956)968-3181, Fax: (956) 966-6672, Email: lolivares@weslacotx.gov
2. Name: Bret Mann Title: Finance Director
mail: Phone: (956) 973-3157, Fax: (956) 968-6717, Email: bmenn@weslacotx.gov
3. Name: Ramon Vela Title: City Attorney
Phone/Fax/Email: Phone: (956) 968-3181, Email: rvela@weslacotx.gov
4. Name: (deliberately left blank) Title:
Phone/Fax/Email:

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Name Bret Mann

In addition and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. This limited representative cannot perform transactions. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

5. Name: Tom Dimas Title: Fire Inspector III
Phone/Fax/Email: Phone: (956) 447-1990, Email: tdimas@weslacotx.gov

D. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation. This Resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the 15 day January, 2013

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

III. OLD BUSINESS

- A. Discussion and reconsideration to approve the professional services agreement with AGA Associates from McAllen for an amount not to exceed 7% of construction cost of the Boys and Girls Recreation Center. Possible action. (Requested by Parks and Recreation Department.) Attachment.

The City Manager stated the City had previously approved the contract at 6% of construction cost, but there had been a miscommunication between staff and the contractor. The offer was for 7% of construction cost.

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

IV. APPOINTMENTS

- A. Discussion and consideration to accept the resignation of Humberto Garza and approve Resolution 2013-13 to fill the unexpired term of one member from Place 1 ending

September 30, 2013 on the Board of Directors of the Economic Development Corporation of Weslaco. Possible action. (Requested by Economic Development Corporation of Weslaco.) Attachment.

There was no action on this item

- B. Discussion and consideration to approve Resolution 2013-14 to fill the expired term of one member to the Weslaco Health Facilities Development Corporation. Possible action. (Requested by Finance Department.) Attachment.

The City Manager stated that Maricela Hernandez is the current member on the board; however, she now resides outside the City. There are no candidates that have expressed any interest at this time.

There was no action on this item.

V. **NEW BUSINESS**

- A. Discussion and consideration to approve an agreement with Garcia and Pena, CPA for professional accounting services for the current fiscal year ending September 30, 2013 and authorize the Mayor to execute the agreement. Possible action. (Requested by Finance Department.) Attachment.

The City Manager stated this item is for an additional scope of work to inventory fixed assets, reviewing 380 Agreements, and reviewing grant compliance issues for a total amount not to exceed \$15,000.00.

Mayor Pro-Tem Cuellar, 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 authorize staff to submit an application to Texas Parks and Wildlife Department for a \$200,000.00 Recreation Trails Grant for a jogging, running, walking trail on Dolores Huerta Avenue with a local match not to exceed 20% of the grant award, authorize a budget amendment as appropriate upon award, and authorize the Mayor to execute any related documents. Possible action. (Requested by Parks and Recreation Department.) Attachment.

The City Manager stated the City is requesting permission to submit the application with a local match and are considering the use of the City's real property easements along Dolores Huerta Avenue that may count toward the local match.

Mayor Pro-Tem Cuellar, 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 authorize staff to submit an application to The Texas State Library and Archives Commission for a "Mobile Solutions" \$10,000.00 grant with no local match required, authorize a budget amendment as appropriate upon award, and authorize the Mayor to execute any related documents. Possible action. (Requested by Library Department.) Attachment.

The City Manager stated this program would create a mobile website for the Public Library; staff recommends approval.

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

- D. Discussion and consideration to approve a contract with DLT Solutions, through the Texas Department of Information (DIR) to develop three (3) websites for the City of Weslaco, Mayor Joe V. Sanchez Public Library, and the Weslaco Mid Valley Airport for a total amount not to exceed \$35,000.00 and authorize the Mayor to execute all related documents including software license and subscription agreements. Possible action. (Requested by I.T. Department.) Attachment.

The City Manager stated this is part of staff's continuing effort to modernize City operations and to engage in dialogue with the community through Government 2.0. This will help in advertising the Mid Valley Airport and the Public Library.

Commissioner Rivera, seconded by Commissioner Tafolla, 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 for a Rate Study of the Public Utilities of the City of Weslaco to include the water, waste water, and solid waste. Possible action. (Requested by Public Utilities Department.) Attachment.

There was no action on this item.

VI. CITY MANAGER REPORTS

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

City Manager stated that the Public Utilities Department completed the State Energy Conservation Office Grant; the City has received its first reimbursement check for \$1.4 million for work at the South Wastewater Treatment Plant. Records Management staff identified and destroyed over 400 boxes that met their required retention. The Library contracted AGA to begin the architectural phase for the remodeling of the public restrooms. The City Manager welcomed Mardoqueo Hinojosa as the new City Engineer.

- B. Report by the Economic Development Corporation of Weslaco. Attachment.

Mr. Hernan Gonzalez reported that the sales taxes increased 9% over last year. Mr. Gonzalez reported on commercial projects that have begun construction, including CiL Logistics, Payne Auto Group, Bridgestone Tire Distribution Center, IDEA Campus Expansion and Sky I.T. Solutions. Mr. Gonzalez commented on the success of the Christmas Parade and offered appreciation to the Public Facilities and Fire Departments for all their hard work.

VII. PUBLIC COMMENTS

Mr. Samuel Cavazos stated that over the past year he has filed three (3) complaints and has never received a reply. Mr. Cavazos stated that as per the City Attorney there are no guidelines for citizen complaints and requested that the City work on establishing a set of procedures for handling citizen complaints.

Mrs. Chris Warren requested the City budget more funds for the Recycle Center in order to purchase more containers because of the amount of citizens participating in the recycling program.

VIII. EXECUTIVE SESSION

At 6:11 p.m., the Mayor announced the regular meeting to convene in Executive Session. At 6:48 p.m., the Mayor announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

- A. Pending Litigation – Discussion with City Attorney and assigned defense counsel regarding Civil Action No. 7:12-CV-303 Bernard Rodriguez, v. The City of Weslaco, as authorized by §551.071 of the Texas Government Code.

The City Manager announced that the lawsuit filed by Bernard Rodriguez has been dismissed.

- B. Pending Litigation – Discussion with City Attorney 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.

X. ADJOURNMENT

With no other business before the Commission, at 6:49 p.m. Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to adjourn the January 15, 2013 regular 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, David R. Fox

COMMISSIONER, Olga M. Noriega

COMMISSIONER, Gerardo “Jerry” Tafolla

COMMISSIONER, Lupe V. Rivera

COMMISSIONER, Joe A. Martinez