



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, SEPTEMBER 17, 2013**

On this 17th day of September 2013 at 5:30 p.m., the City Commission of the City of Weslaco, Texas convened in a Regular Meeting 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 Rivera
Commissioner	Joe A. Martinez
City Manager	Leonardo Olivares
City Secretary	Elizabeth M. Walker
City Attorney	Ramon Vela

Also present: Rey Garcia, IT Director; Bret Mann, Finance Director; Veronica Ramirez, Human Resources Director; Jeff Underwood, Planning & Code Enforcement Director; David Arce, Parks & Recreation Director; David Salinas, Public Utilities Director; Police Chief Michael Kelly; Fire Assistant Chief Rudy Garza; Mardoqueo Hinojosa, City Engineer; George Garrett, Airport 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, September 13, 2013.
- B. Invocation.
Senior Minister Howard Bloomquist from Central Christina Fellowship delivered the invocation.
- C. Pledge of Allegiance.
Mayor Wise recited the Pledge of Allegiance; Mayor Pro-Tem recited the Texas flag.
- D. Roll Call.
Elizabeth Walker, City Secretary, called the roll, noting the absence of Commissioner Fox.

II. PUBLIC HEARING

- A. To solicit input regarding the proposed Municipal Budget for the City of Weslaco for the fiscal year beginning October 1, 2013 and ending September 30, 2014.

Mayor Pro-Tem Cuellar, seconded by Commissioner Martinez, moved to open public hearing. The motion carried unanimously; Mayor Wise was present, but not voting.

The City Manager stated public hearings were held on August 20 and August 22; the First Reading of the budget was approved on September 9.

Mr. Frank Garza and Ms. Benita Valadez inquired about specific budget items; the Mayor, City Manager, City Attorney, and Finance Director responded as appropriate.

After fifty minutes of public hearing, Commissioner Martinez, seconded by Commissioner Tafolla, moved to close public hearing. 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 the Minutes of the following:
 - 1) Regular Meeting of September 3, 2013;
 - 2) Special Meeting of September 12, 2013.(Requested by City Secretary's Office.) Attachment.

- B. Approval on Second and Final Reading of Ordinance 2013-25 approving the City of Weslaco Texas Municipal Retirement System (TMRS) benefits and rates and establishing an effective date of January 1, 2014 for such actions. (First Reading held September 3, 2013; Requested by Finance Department.) Attachment.

- C. Approval of the request to close Texas Boulevard/FM 88 from Fifth to Sixth Streets from 1:00 p.m. to 12:00 a.m. on November 16, 2013 for the Tenth Annual Pan de Campo Fundraiser coordinated by the Weslaco Museum of Local History and Cultural Art, suspend Weslaco City Code of Ordinances §22-24 for the limited use of live animals and authorize the sale of wine, beer, and mixed beverages to a Texas Alcoholic Beverage Commission (TABC) licensed vendor and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation for proposed street closure affecting state right-of-way. (Requested by Museum). Attachment.

- D. Approval of the renewal of the contract with the Texas Department of Transportation Aviation Division through the Routine Airport Maintenance Program Grant in Fiscal Year 2013-2014 for maintenance on a 50/50 cost share and authorize the Mayor to execute any related documents. (Requested by Airport.) Attachment.

- E. Approval of the purchase of a VaraCorp Aerator for the North Wastewater Treatment Plant Digester for a cost not to exceed \$11,500.00 from a sole source vendor, Nabers Enterprises, LLC, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Requested by Public Utilities Department.) Attachment.

- F. Approval of Resolution 2013-70 identifying as authorized representatives for

TexSTAR, Bret Mann, Finance Director, and Sonia Flores, Assistant Finance Director, and authorize the Mayor to execute any related documents. (Requested by Finance Department.) Attachment.

City Manager requested item II. E. be withheld from the consent agenda. Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve items A, B, C, D, and F of the consent agenda. The motion carried unanimously; Mayor Wise was present, but not voting.

For the record, Ordinance 2013-25 reads as follows:



TMRS-Match USC-T-CPI

**2013-25
TEXAS MUNICIPAL RETIREMENT SYSTEM**

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE MEMBERS OF THE CITY OF WESLACO; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY; PROVIDING FOR INCREASED MUNICIPAL CONTRIBUTIONS TO THE CURRENT SERVICE ANNUITY RESERVE AT RETIREMENT OF THE EMPLOYEES OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS.

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

Section 1. Authorization of Updated Service Credits.

(a) On the terms and conditions set out in Sections 853.401 through 853.403 of Subtitle G of Title 8, Government Code, as amended (hereinafter referred to as the "TMRS ACT"), each member of the Texas Municipal Retirement System (hereinafter referred to as the "System") who has current service credit or prior service credit in the System in force and effect on the 1st day of January of the calendar year preceding such allowance, by reason of service in the employment of the City, and on such date has at least 36 months of credited service with the System, shall be and is hereby allowed "Updated Service Credit" (as that term is defined in subsection (d) of Section 853.402 of said title) in an amount that is **50%** of the "base Updated Service Credit" of the member (calculated as provided in subsection (c) of Section 853.402 of said title). The Updated Service Credit hereby allowed shall replace any Updated Service Credit, prior service credit, special prior service credit, or antecedent service credit previously authorized for part of the same service.

(b) On the terms and conditions set out in Section 853.601 of said title, any member of the System who is eligible for Updated Service Credits on the basis of service with this City, and who has unforfeited credit for prior service and/or current service with another participating municipality or municipalities by reason of previous service, and was a contributing member on 1st day of January of the calendar year preceding such allowance, shall be credited with Updated Service Credits pursuant

to, calculated in accordance with, and subject to adjustment as set forth in said 853.601.

(c) In accordance with the provisions of subsection (d) of Section 853.401 of said title, the deposits required to be made to the System by employees of the several participating departments on account of current service shall be calculated from and after the date aforesaid on the full amount of such person's earnings as an employee of the City.

Section 2. Increase in Retirement Annuities.

(a) On terms and conditions set out in Section 854.203 of Subtitle G of Title 8, Government Code, as amended, the City hereby elects to allow and to provide for payment of the increases below stated in monthly benefits payable by the System to retired employees and to beneficiaries of deceased employees of this City under current service annuities and prior service annuities arising from service by such employees to this City.

An annuity increased under this Section replaces any annuity or increased annuity previously granted to the same person.

(b) The amount of annuity increase under this Section is computed as the sum of the prior and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by **30%** of the percentage change in Consumer Price Index for All Urban Consumers, from December of the year immediately preceding the effective date of the person's retirement to the December that is 13 months before the effective date of this ordinance.

(c) An increase in an annuity that was reduced because of an option selection is reducible in the same proportion and in the same manner that the original annuity was reduced.

(d) If a computation hereunder does not result in an increase in the amount of an annuity, the amount of the annuity will not be changed hereby.

(e) The amount by which an increase under this Section exceeds all previously granted increases to an annuitant is an obligation of this City and of its account in the benefit accumulation fund of the System.

BE IT FURTHER ORDAINED:

That effective **January 1, 2014**, for each month of current service thereafter rendered by each of its employees who are members of the Texas Municipal Retirement System, the City will contribute to the current service annuity reserve of each such member at the time of his or her retirement, a sum that is **200%** of such member's accumulated deposits for such month of employment; and said sum shall be contributed from the City's account in the benefit accumulation fund.

Subject to approval by the Board of Trustees of the System, this ordinance shall be and become effective on the **1st day of January 2014**.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 3rd day of September, 2013.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 17th day of September, 2013.

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

For the record, Resolution 2013-70 reads as follows:

AMENDING RESOLUTION 2013-70

WHEREAS, City of Weslaco, Texas(the “Government Entity”) by authority of the Application for Participation in TexSTAR (the“Application”) has entered into an Interlocal Agreement (the “Agreement”) and has become a participant in the public funds investment pool created there under known as TexSTAR Short Term Asset Reserve Fund (“TexSTAR”);

WHEREAS, the Application designated on one or more “Authorized Representatives” within the meaning of the Agreement;

WHEREAS, the Government Entity now wishes to update and designate the following persons as the “Authorized Representatives” within the meaning of the Agreement;

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. The following officers, officials or employees of the Government Entity specified in this document are hereby designated as “Authorized Representatives” within the meaning of the Agreement, with full power and authority to open accounts, to deposit and withdraw funds, to agree to the terms for use of the website for online transactions, to designate other authorized representatives, and to take all other action required or permitted by Government Entity under the Agreement created by the application, all in the name and on behalf of the Government Entity.

SECTION 2. This document supersedes and replaces the Government Entity’s previous designation of officers, officials or employees of the Government Entity as Authorized Representatives under the Agreement

SECTION 3. This resolution will continue in full force and effect until amended or revoked by Government Entity and written notice of the amendment or revocation is delivered to the TEXSTAR Board.

SECTION 4. Terms used in this resolution have the meanings given to them by the Application.

Authorized Representatives. Each of the following Participant officials is designated as Participant’s Authorized Representative authorized to give notices and instructions to the Board in accordance with the Agreement, the Bylaws, the Investment Policy, and the Operating Procedures: Bret Mann, Finance Director, and Sonia Flores, Assistant Finance Director

/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 2013-68 appointing a member to an expired term on the Board of Adjustments and Appeals - Zoning. Possible action. (Requested by Planning and Code Enforcement Department.) Attachment.

Mayor Wise stated that he had been contacted by Mr. Ernesto Martinez who expressed a desire to continue to serve on the Board of Adjustments and Appeals.

Mayor Pro-Tem Cuellar, seconded by Commissioner Martinez, moved to approve Resolution 2013-68 reappointing Mr. Ernesto Martinez to the Board of Adjustments & Appeals. The motion carried unanimously; Mayor Wise was present, but not voting.

For the record, Resolution 2013-68 reads as follows:

RESOLUTION NO. 2013- 68

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE BOARD OF ADJUSTMENTS & APPEALS-ZONING ORDINANCE.

WHEREAS, the City of Weslaco created and established the Board of Adjustments & Appeals-Zoning Ordinance.

WHEREAS, the term of the members of this board are for two years; and

WHEREAS, the Board of Adjustments & Appeals-Zoning Ordinance members shall serve with neither compensation nor term limits; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Ernesto Martinez is appointed to serve an unexpired term on the Board of Adjustments & Appeals-Zoning Ordinance and the term will expire on 4th day of October, 2015.

PASSED AND APPROVED on this 17th day of September, 2013.

/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 to approve Resolution No. 2013-69 nominating a candidate to the Hidalgo County Appraisal District Board of Directors for the 2013-2014 election. Possible action. (Item as requested by the Office of the City Secretary.) Attachment.

Mayor Wise stated that this item was to nominate a candidate to the Hidalgo County Appraisal District Board.

Mayor Pro-Tem Cuellar, seconded by Commissioner Martinez, moved to approve Resolution 2013-69 nominating Mr. David Hernandez to the Hidalgo County Appraisal District Board of Directors. The motion carried unanimously; Mayor Wise was present, but not voting.

Commissioner Noriega moved to nominate Mr. Joe Olivares to the Hidalgo County Appraisal District Board of Director; motion failed from lack of a second.

For the record, Resolution 2013-69 reads as follows:

RESOLUTION NO. 2013-69

STATE OF TEXAS	§	RESOLUTION NOMINATING A CANDIDATE TO
COUNTY OF HIDALGO	§	HIDALGO COUNTY APPRAISAL DISTRICT BOARD
CITY OF WESLACO	§	OF DIRECTORS.

WHEREAS, the City of Weslaco, a governmental unit entitled to vote in the selection of a Board of Directors for the Hidalgo County Appraisal District, has been notified by the Chief Appraiser of Hidalgo County, Texas, that nominations to the said Board of Directors should be submitted in Resolution form to the Chief Appraiser by October 15, 2013; and

WHEREAS, the City wishes to nominate David Hernandez as candidate for Director of the Hidalgo County Appraisal District.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSISON OF THE CITY OF WESLACO as follows:

1. The City Commission of the City of Weslaco does hereby nominate David Hernandez as a candidate for the Director of Hidalgo County Appraisal District.
2. A certified copy of this Resolution shall be delivered to the Chief Appraiser Hidalgo County, Texas, to evidence this nomination.

PASSED AND APPROVED this 17th day of September, 2013.

/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 on Second and Final Reading to approve Ordinance 2013-23 approving the City of Weslaco budget appropriation for the fiscal year October 1, 2013 – September 30, 2014. Roll call vote required. Possible action. (First Reading held September 3, 2013; Requested by Finance Department.) Attachment.

The City Manager stated the Commission just held the second public hearing for this item.

Commissioner Tafolla, seconded by Mayor Pro-Tem, moved to approve the item as presented.

In response to Commissioner Noriega, the City Manager clarified that the Grants Coordinator position had been moved under the City Managers Office as well as the newly approved position of the Public Information Officer had been assigned to his department. Mr. Mann stated that there were no new positions added to his department, instead the clerks position was changed to Accountant II. Mr. Salinas stated that there was a position in his department to replace the existing position at OMI for an Administrative Aide. The City Manager stated that anyone who had separated from the City in good standing is welcome to apply. Mr. Oscar Garcia stated that the position of master certified technician was a reclassification and with no pay increase.

City Manager reviewed the following highlights to the proposed budget: estimated \$3.4 million general fund balance by September 30, 2014; raised the Texas Municipal Retirement System (TMRS) contributions from 1.5:1 to 2:1; and increased base pay for unionized police by \$500.00 as per the approved Collective Bargaining Agreement.

The City's bond rating has been upgraded from BBB+ to an A-. The overall outlook for the City has changed greatly from a negative to a stable positive. At the start of this next fiscal year the general fund balance will be the highest since 1992.

A plan has been out in place to lower property taxes \$0.05/\$100 valuation over the next ten (10) years. In an ongoing effort to improve the City's transparency staff created the position of a Public Information Officer who will oversee the operations

of the PEG television Channel. There is \$8.7 million in funds for capital improvement projects that will come at no increase in taxes. After 20 years the Public Utilities Department will take over operations of its own water and wastewater treatment plants, which will allow the City to save \$300,000.00 a year. There is no proposed increase to residential water, sewer, garbage, or brush rates.

Commissioner Noriega asked if the City would continue to participate with the Amigos Del Valle; City Manager stated that it was his intention to remain a member.

Commissioner Noriega opposed the motion because she believes staff is not providing concrete answers. By roll call vote, the motion carried (5-1); Mayor Wise was present, but not voting.

For the record, Ordinance 2013-23 reads as follows:

ORDINANCE NO. 2013-23

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014.

BE IT ORDAINED BY CITY OF WESLACO, TEXAS:

That, the City Manager of the City of Weslaco has heretofore duly and timely filed in accordance with the law, a budget for said City covering the fiscal year running from October 1, 2013 to September 30, 2014, that due and timely public notice that a Public Hearing on such budget would be held on September 3, 2013, was given and made in accordance with state law and within the time limits set forth by law; that such Public Hearing was held in accordance with the law on September 3, 2013, and that it is the opinion and judgment of the Weslaco City Commission that said budget, which is attached hereto, be and same is hereby in all things approved and same is proper and correct.

WHEREFORE, said budget is here and now hereby in all things approved and adopted and it shall be effective as of October 1, 2013.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 3rd day of September, 2013.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 17th day of September, 2013.

/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 on Second and Final Reading to approve Ordinance 2013-24 approving the City of Weslaco ad valorem property tax rate of \$0.6867/\$100.00 valuation, assessed lower than the rate last year, pursuant to §26.05(d) of the Texas Tax Code on all taxable property within the City of Weslaco, Texas for Tax Year 2013, fixing the tax rate for the use and support of the general government and for the interest and sinking fund for the redemption of bonds and other indebtedness of the City of Weslaco, providing for the assessment of annual occupation taxes provided by law, and fixing a lien on all taxable property. Roll call vote required. Possible action. (First Reading held September 3, 2013; Requested by

Finance Department.) Attachment.

The City Manager stated that this was the second reading of the tax rate. There is a proposed \$0.01 decrease every other year for the next ten (10) years for a total of a \$0.05/\$100 valuation tax decrease and the City will be able to continue with its functions.

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

For the record, Ordinance 2013-24 reads as follows:

ORDINANCE NO. 2013-24

AN ORDINANCE LEVYING AN AD VALOREM TAX ON ALL TAXABLE PROPERTY WITHIN THE CITY OF WESLACO, TEXAS FOR THE TAX YEAR 2013, FIXING THE TAX RATE FOR THE USE AND SUPPORT OF THE GENERAL GOVERNMENT AND FOR THE INTEREST AND SINKING FUND FOR THE REDEMPTION OF BONDS AND OTHER INDEBTEDNESS OF THE CITY OF WESLACO, TEXAS, PROVIDING FOR THE ASSESSMENT OF ANNUAL OCCUPATION TAXES PROVIDED BY LAW, AND FIXING A LIEN ON ALL TAXABLE PROPERTY.

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

I.

THAT, there shall be and it is hereby levied on all property whether, real, personal or mixed, within the corporate limits of the City of Weslaco, Texas, not otherwise exempt, an ad valorem tax for the year 2013 (\$0.1861) on each one hundred dollar valuation of property for the purpose of paying interest on and providing a sinking fund for the redemption of outstanding indebtedness of the City of Weslaco as follows:

2007 Certification of Obligation Bonds	0.0378
2010 Certification of Obligation Refunding Bonds	0.0317
2012 Certification of Obligation Refunding Bonds	0.0908
2013 Certification of Obligation Bonds	<u>0.0258</u>
	\$0.1861

II.

THAT, there shall be and is hereby levied on all property, whether, real, personal or mixed, within the City of Weslaco, Texas, not otherwise exempt, an ad valorem tax for the year 2013 (\$0.5006) on each one hundred dollar valuation of such property for the purpose of paying current expenses for the maintenance of public parks and other improvements and purposes as provided by the Charter of the City of Weslaco, Texas, and the laws of the State of Texas. **THIS TAX RATE WILL DECREASE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL DECREASE FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$1.00.**

III.

THAT there is hereby fixed on each and every item of taxable property a lien for the purpose of securing the payment of the taxes assessed thereon, and said lien shall continue to exist against any item of property against which a tax is assessed here under until such tax, together with all interest shall be paid.

IV.

THAT, there be and is hereby levied and ordered collected an annual occupational tax on fifty percent (50.0%) of the State Occupation Tax on each occupation taxed by the State of Texas.

V.

IF, any person shall neglect or refuse to pay the taxes herein imposed on him or his property, on or before January 31, 2014, the tax collector shall apply the following schedule of penalty and interest rates for use in calculating the total amount due on delinquent tax bills:

February 2014	7.0%
March 2014	9.0%
April 2014	11.0%
May 2014	13.0%
June 2014	15.0%
July 2014	18.0%

PASSED AND APPROVED on first reading at a special meeting of the City Commission this 3rd day of September 2013.

PASSED AND APPROVED on second reading at a special meeting of the City Commission this 17th day of September 2013.

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

VI. NEW BUSINESS

- A. Discussion and consideration to approve the Annual Work Plan and Budget for the Economic Development Corporation of Weslaco (EDCW) Fiscal Year 2013-2014 as approved by the EDCW Board of Directors on September 11, 2013. Possible action. (Requested by the Economic Development Corporation of Weslaco.) Attachment.

There was no action on this item.

- B. Discussion and consideration to authorize an Interlocal Governmental Agreement with the Hidalgo County Emergency Services District No. 1 by which the City provides emergency ambulance service with not less than two ambulances to those areas of rural Hidalgo County within the established boundaries of the District and the District agrees to pay the City the sum of \$125,000.00 for the period October 1, 2013 through September 30, 2014, authorize a budget amendment as needed, and authorize the Mayor to execute any related documents. Possible action. (Requested by the Fire Department.) Attachment.

City Manager stated that this item was for ambulance services outside the city limits and would like to discuss this item in executive session. The City Attorney opined this item is permissible to discuss in regular executive session.

- C. Discussion and consideration to approve Resolution 2013-63 recognizing the importance of the International Bridge Trade Corridor (IBTC) as it will facilitate

mobility, relieve congested roadways, improve safety conditions for the traveling public and support economic development opportunities for the eastern Hidalgo County region. Possible action. (There was no action on this item August 27, 2013; Requested by Planning and Code Enforcement Department.) Attachment.

The City Manager stated that this item was part of the County's efforts to leverage funding for roads; the Weslaco-Progreso International Bridge already endorsed it. Contribution should not to exceed \$30,000.00 per year; staff recommends approval.

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

For the record, Resolution 2013-63 reads as follows:

RESOLUTION NO. 2013-63

RESOLUTION IN SUPPORT OF THE DEVELOPMENT AND CONSTRUCTION OF THE INTERNATIONAL BRIDGE TRADE CORRIDOR (IBTC)

THIS RESOLUTION is adopted this 17th day of September, 2013 by the City of Weslaco City Commission at regular meeting.

WHEREAS, the effort to construct a trade corridor in Eastern Hidalgo County is a regional effort to enhance transportation and economic development for all communities in Hidalgo County; and

WHEREAS, the cities of Alamo, Donna, Edinburg, Mercedes, Pharr, San Juan, Weslaco, along with Hidalgo County recognize the importance of the IBTC as it will facilitate mobility, relieve congested roadways, improve safety conditions for the traveling public and support economic development opportunities for our region; and

WHEREAS, the proposed project is critical to the long term economic viability of our region; and

WHEREAS, the proposed project will facilitate international commerce and the long term, sustainable development of Hidalgo County; and

WHEREAS, the cities of Alamo, Donna, Edinburg, Mercedes, Pharr, San Juan, Weslaco, along with Hidalgo County believe that financial resources are necessary to secure the potential funding from the Texas Department of Transportation in the amount of Sixty Million Dollars toward the development of the IBTC,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WESLACO, TEXAS THAT:

- 1) The total funds to be requested from the each participating entity is projected to be \$30,000.00 per year for a period of ten years.
- 2) Upon approval of this resolution, the Mayor, or his representative is hereby authorized to execute all related documents.

PASSED AND APPROVED on this 17th day of September 2013.

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

- D. Discussion and consideration to approve the Exempt and Non-Exempt classified positions with corresponding pay grade and ranges for fiscal year 2013-2014. Possible action. (Requested by the Human Resources Department.) Attachment.

The City Manager stated that this item was for amendments to the pay grades by position and departments. He added the position of Public Information Officer (PIO) and Grants Coordinator to his department; the position of PIO was created in 2011 but never funded. The IT department changed the position of Network Administrator II to an exempt position. The Public Utilities Department created two new positions which are added to the chart. He explained the difference between exempt and non exempt employees is that exempt employees are supervisory roles who exercise individual judgment.

In response to Commissioner Noriega, Ms. Veronica Ramirez stated the City Manager's position was not applicable to the pay scale, since his compensation is based on a study. The City Manager stated that his position is at the will of the Commission and they could place a cap on this salary.

Commissioner Tafolla, seconded by Mayor Pro-Tem Cuellar, moved to approve the item as presented. Commissioner Noriega opposed because she would prefer to have an amount assigned to the E-10 position. The motion carried (5-1); Mayor Wise was present, but not voting.

VII. REPORTS

- A. Report by Mayor Miguel D. Wise. Attachment.

Mayor Wise announced with heartfelt sentiments that this was his last meeting. Without taking credit, he cited some of the "monumental changes" that have taken place at the City during his term to make a stronger City. By statute he resigned his position as Mayor when he declares his candidacy for another elected office.

The Office of Congressman Ruben Hinojosa offered their commendation for Mayor Wise's public service. Mayor Pro Tem Cuellar offered Mayor Wise the best of luck in all his future endeavors and thanked him for his service to the community.

Mayor Wise departed the dais at 7:30 p.m.

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

The City Manager presented a video on a City Manager's life.

- C. Report by Economic Development Corporation of Weslaco. Attachment.

Ms. Alicia Aguilar announced that Hermes Music would be opening a location next to IHOP. Kahn's Grill and Applebee's will also be moving into Weslaco. The proposed design for Applebee's will be the second new prototype in the United States. A workshop will be held for TEDC sales tax. There has been a 6.18% increase in sales taxes over last year. Thursday Al Fresco will host the Conjuncts

Orchestra and the WISD's mariaches.

D. Report by First Southwest, the City's financial advisor.

Ms. Anne Burger representing First Southwest provided the information requested by Commissioner Noriega to the entire Commission. The net available for debt service has increased; there has also been an increase to total net system value. The City has decreased the number of its administrative contractual services. At the end of 2011 the City witnessed a financing phenomenon with the issuance of a \$8.5 million bond at a 2.75% rate which provided a savings of 0.70%. The water rate study conducted by Capex illuminated a rate inequality by implementing a rate adjustment where certain sectors were being undercharged. The revenues projected by CDM are \$14,964,998.00 by 2017 and by Capex are \$14,702,556.00 by 2018.

The City's taxable assessed value grew 4.4%, the tax supported debt has decreased. The City now has the potential to achieve 25% of operating in less than five (5) years because it is less than \$5.0 million. The proposed decrease in the tax rate has also been disclosed to the rating agencies.

Mayor Pro-Tem Cuellar asked if the Commission could reclassify on second reading the cost of a meter for multifamily housing so that regardless whether a resident owns or leases a property it should be treated as residential. Ms. Burger stated that the rating agencies understand that Resolution 2011-74 is a model as a long term planning tool. Commissioner Noriega asked Ms. Burger to evaluate the impact a change like that would have on the water rate revenues.

The City Manager stated that it was staff's recommendation to maintain the multifamily rates as commercial as part of Mr. Snowden's analysis and not to change rate classes to satisfy political grandstanding. Mr. Salinas stated that not all 900 multifamily customers would see a change in rate, since it would vary based on lease agreements and if meters were per unit or per building.

Commissioner Tafolla, seconded by Commissioner Martinez, moved to take item IX. Executive Session from its posted sequence for immediate consideration. The motion carried unanimously; Mayor Pro-Tem Cuellar was present, but not voting.

IX. EXECUTIVE SESSION

At 8:34 p.m., Mayor Pro-Tem announced the regular meeting to convene in Executive Session. At 8:52 p.m., Mayor Pro-Tem 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 – Consult with City Attorney regarding Cause No. C-3865-10-I, City of Weslaco v. Champion Energy Services, LLC as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

- B. Discussion with City Attorney to authorize Special Counsel for advice about pending or contemplated litigation pertaining to proposed annexations pursuant to §551.071 of the Texas Government Code.

There was no action on this item.

VI. NEW BUSINESS

- B. Discussion and consideration to authorize an Interlocal Governmental Agreement with the Hidalgo County Emergency Services District No. 1 by which the City provides emergency ambulance service with not less than two ambulances to those areas of rural Hidalgo County within the established boundaries of the District and the District agrees to pay the City the sum of \$125,000.00 for the period October 1, 2013 through September 30, 2014, authorize a budget amendment as needed, and authorize the Mayor to execute any related documents. Possible action. (Requested by the Fire Department.) Attachment.

The City Manager stated that staff has been negotiating with the emergency service district; currently the contract is for \$100,000.00 but has proposed an increase to \$125,000.00.

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

VIII. PUBLIC COMMENTS

Ms. Diana Lopez stated at the last Commission meeting she had commented on the alley behind her house and offered a heartfelt thanks to the workers who came to clean it.

XI. ADJOURNMENT

With no other business before the Commission, at 8:58 p.m. Commissioner Tafolla, seconded by Commissioner Martinez, moved to adjourn the September 17, 2013 regular meeting. The motion carried unanimously; Mayor Pro-Tem Cuellar 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, David R. Fox

COMMISSIONER, Olga M. Noriega

COMMISSIONER, Gerardo “Jerry” Tafolla

COMMISSIONER, Lupe Rivera

COMMISSIONER, Joe A. Martinez