



**NOTICE OF A MEETING  
OF THE WESLACO HEALTH FACILITIES  
DEVELOPMENT CORPORATION  
JANUARY 31, 2013**

NOTICE IS HEREBY GIVEN THAT the Board of Directors of the Weslaco Health Facilities Development Corporation of the City of Weslaco, Texas will hold a Meeting in the Legislative Chamber, located at 255 South Kansas Avenue, on Thursday, January 31, 2013 at 5:00 p.m. for the purpose of discussing the following items:

**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 Weslaco Health Facilities Development Corporation 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.

**I. CALL TO ORDER**

- A. Certification of Public Notice.
- B. Pledge of Allegiance.
- C. Roll Call.

**II. NEW BUSINESS**

- A. Discussion and consideration to consent to the payment of legal fees to Shelton Valadez Attorneys at Law by the City of Weslaco in Cause No. *C-081-13 B, Weslaco Health Facilities Development Corporation v. Knapp Medical Center, et.al.* Possible action.
- B. Discussion and consideration to enter into an agreement to reimburse the City of Weslaco for all legal fees paid by the City in Cause No. *C-081-13 B, Weslaco Health Development Facilities Corporation v. Knapp Medical Center, et.al.* Possible action.

**III. EXECUTIVE SESSION**

*Texas Government Code, Section 551 Open Meetings:*

*§551.145. Closed Meeting Without Certified Agenda or Tape Recording; Offense; Penalty*

(a) A member of a governmental body commits an offense if the member participates in a closed meeting of the governmental body knowing that a certified agenda of the closed meeting is not being kept or that a tape recording of the closed meeting is not being made.

(b) An offense under Subsection (a) is a Class C misdemeanor.

*§551.146. Disclosure of Certified Agenda or Tape Recording of Closed Meeting; Offense; Penalty; Civil Liability*

(a) An individual, corporation, or partnership that without lawful authority knowingly discloses to a member of the public the certified agenda or tape recording of a meeting that was lawfully closed to the public under this chapter:

- (1) commits an offense; and
- (2) is liable to a person injured or damaged by the disclosure for:
  - (A) actual damages, including damages for personal injury or damage, lost wages, defamation, or mental or other emotional distress;

- (B) reasonable attorney fees and court costs; and
- (C) at the discretion of the trier of fact, exemplary damages.
- (b) An offense under Subsection (a)(1) is a Class B misdemeanor.
- (c) It is a defense to prosecution under Subsection (a)(1) and an affirmative defense to a civil action under Subsection (a)(2) that:
  - (1) the defendant had good reason to believe the disclosure was lawful; or
  - (2) the disclosure was the result of a mistake of fact concerning the nature or content of the certified agenda or tape recording. [Added by Acts 1993, 73rd Leg., ch. 268, § 1, eff. Sept. 1, 1993.]

**NOTE:** Any documentation related to the following item will be distributed during Executive Session as part of the certified agenda; such documents may be available to any member of the Weslaco Health Facilities Development Corporation for advance inspection through the City Secretary's Office.

- A. Discussion with City Attorney and special counsel regarding Cause No. *C-081-13 B Weslaco Health Facilities Corporation vs Knapp Medical Center, et.al.* as authorized by Section 571.074 Government Code. Possible action.

**IV. POSSIBLE ACTION ON WHAT IS DISCUSSED  
IN EXECUTIVE SESSION**

**V. ADJOURNMENT**

I hereby certify this **Notice of a Meeting of the Weslaco Health Facilities Development Corporation** was posted in accordance with the Open Meetings Act on the outside bulletin board at City Hall of the City of Weslaco, located at the 255 South Kansas Avenue entrance, visible and accessible to the general public during and after regular working hours. This notice was posted on this 28 day of January, 2013 at 5:00 p.m. and will remain so posted continuously for at least 72-hours preceding the scheduled time of this meeting in accordance with Chapter 551 of the Texas Government Code.

/s/Leonardo Olivares, City Manager

**NOTE:** If any accommodation for a disability is required, please notify the City Secretary's Office at (956) 968-3181, Ext. 3100 prior to the meeting date.