



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 4, 2014**

On this 4th day of February 2014 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	David Suarez
Mayor Pro-Tem	J.F. “Johnny” Cuellar
Commissioner	Olga M. Noriega
Commissioner	Gerardo “Jerry” Tafolla
Commissioner	Lupe Rivera
Commissioner	Fidel L. Pena, III
City Manager	Leonardo Olivares
City Secretary	Elizabeth M. Walker
City Attorney	Barry Jones for Ramon Vela

Also present: Juan Salas, IT Department; Bret Mann, Finance Director; Mardoqueo Hinojosa, City Engineer/Interim Planning Director; Arnold Becho, Library Director; David Salinas, Public Utilities Director; Oscar Garcia, Public Facilities Director; Christine Suing, Human Resources; and other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, February 28, 2014.

B. Invocation.

Pastor Bob Slade from the Love of Christ Church delivered the invocation.

C. Pledge of Allegiance.

Mayor Suarez recited the Pledge of Allegiance and Mayor Pro-Tem Cuellar recited the Texas flag.

D. Roll Call.

Elizabeth Walker, City Secretary, called the roll, noting the absence of Commissioner Fox.

II. PUBLIC COMMENTS

Ms. Avelina Trevino reported on various concerns in her neighborhood.

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requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 on February 18, 2014. (Staffed by City Secretary's Office.) Attachment.
- B. Acceptance of the 2013 Racial Profile Report compiled by the Weslaco Police Department as required by the Texas Code of Criminal Procedure Article 2.133 and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- C. Approval of agreement to construct and transfer ownership of a traffic light to be built in Blue Wave Subdivision by developer B.P.M.P Texas Real Estate, LLC and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement Department.) Attachment.

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

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to remove items VI. A., V. A. and addendum item on Executive Session from its posted sequence for immediate consideration. The motion carried unanimously; Mayor Suarez was present, but not voting.

VI. REPORT

- A. Report on upgrade on bond rating by Standard & Poor's. Attachment.

Mr. Chris Vela, representing financial advisor FirstSouthwest, reported the good news that the City increased two notches in its bond rating from A- to A+, which validates changes in municipal operations and lowers the interest rate on pending transactions.

- V. A. Discussion and consideration to approve Ordinance 2014-01 authorizing the issuance of "City of Weslaco, Texas Tax and Revenue Certificates of Obligation, Series 2014;" entering into a bond purchase agreement and a paying agent/registrars agreement, and other matters related thereto, and authorize the Mayor to execute any related documents. First as Final Reading of Ordinance 2014-01. Possible action. (Notice of Intent to issue approved January 21, 2014; Staffed by Finance Department.) Attachment.

The City Manager stated this is the third of three installments to finance the water and wastewater treatment system improvements. Mr. Chris Vela reported a \$9,075,000.00 par amount with a 4.134% all-in true interest cost; the delivery date of the funds is April 1, 2014.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to approve the item as presented. The motion carried unanimously; Mayor Suarez was present, but

not voting.

For the record, Ordinance 2014-01 reads as follows:

ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF
WESLACO, TEXAS TAX AND REVENUE CERTIFICATES OF
OBLIGATION, SERIES 2014"; ENTERING INTO A BOND PURCHASE
AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT;
AND OTHER MATTERS RELATED THERETO

WHEREAS, the City Commission of the City of Weslaco (the "Issuer" or the "City") deems it advisable to issue Certificates of Obligation hereinafter described (the "Certificates") for the purposes specified in Section 1 hereof;

WHEREAS, the Certificates hereinafter authorized and designated are to be issued and delivered for cash pursuant to the Certificate of Obligation Act of 1971, Section 271.041 et seq, Texas Local Government Code, as amended (the "Act");

WHEREAS, notice of intention to issue the Certificates has been duly published in *The Monitor*, which is a newspaper of general circulation in the City, in its issues of January 25, 2014 and February 1, 2014, the date of the first publication being at least 30 days prior to the tentative date stated in the notice for passage of this Ordinance, such action being hereby ratified and approved;

WHEREAS, the City has received no petition from the qualified electors of the City protesting the issuance of the certificates; and

WHEREAS, the City Commission of City of Weslaco, Texas (the "Issuer" or the "City") desires to issue Certificates under the Act, the proceeds of which are to be used for the purposes described below;

WHEREAS, it is considered to be in the best interest of the City that the Certificates be issued and the terms hereafter provided are the most reasonable available and are hereby determined by the City Commission to be in the best interest of the City.

NOW, THEREFORE, IT IS ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT:

Section 1. Authorization of the Certificates. There is hereby authorized to be issued and delivered, a series of certificates of the City to be known as "CITY OF WESLACO, TEXAS TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014" (the "Certificates") in the original aggregate principal amount of \$_____, payable from and secured by a subordinated lien on the Net Revenues as specified in Section 12 and further payable from the proceeds of an ad valorem tax levied upon all taxable property within the City, within the limitation prescribed by law, for the purpose of providing for the payment of contractual obligations to be incurred in connection with the design, planning, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of certain City-owned public property, specifically being: (1) improvements to the waterworks and sewer system including water and sewer pump stations, filtration systems, clearwells, and sewer elevated storage tanks, transmission lines, and system plant modifications, and (2) payment of contractual obligations for professional services in connection therewith (to wit: architectural, engineering, financial advisory, and legal).

Section 2. Designation, Date, Denominations, Numbers, and Maturities of the Certificates.

The Certificates shall be dated as of March 1, 2014 shall be in denominations of \$5,000 each or any integral multiple thereof, shall be numbered I-1 for the Initial Certificate and consecutively from R-1 upward for the definitive certificates and shall mature on August 15 in each of the years as provided below unless theretofore called for redemption prior to maturity in accordance with the provisions of the Form of the Certificates contained in Section 6 hereof, and the Certificates shall bear interest at the rates per annum shown below from the initial date of delivery and payable on February 15, 2015 and on each August 15 and February 15 thereafter through the respective maturity date or earlier redemption, to wit: Years of Stated Maturity (August 15), Principal, Installment, Interest Rate.

Section 3. Paying Agent/Registrar. The principal of and interest on the Certificates, due and payable by reason of Stated Maturity, redemption, or otherwise, shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, and such payment of principal of and interest on the Certificates shall be without exchange or collection charges to the Owner (as hereinafter defined) of the Certificates. The selection and appointment of U.S. Bank, National Association, Houston, Texas, to serve as the initial Paying Agent/Registrar for the Certificates is hereby approved and confirmed, and the City agrees and covenants to cause to be kept and maintained at the corporate trust office of the Paying Agent/Registrar books and records (the "Register") for the registration, payment and transfer of the

Certificates, all as provided herein, in accordance with the terms and provisions of a Paying Agent/Registrar Agreement, attached, in substantially final form, as Exhibit A hereto, and such reasonable rules and regulations as the Paying Agent/Registrar and City may prescribe. The Paying Agent/Registrar has agreed to keep a copy of the Register at its offices, or its agent's offices, located in Houston, Texas. The City covenants to maintain and provide a Paying Agent/Registrar at all times while the Certificates are Outstanding, and any successor Paying Agent/Registrar shall be (i) a national or state banking institution or (ii) an association or a corporation organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers. Such Paying Agent/Registrar shall be subject to supervision or examination by federal or state authority and authorized by law to serve as a Paying Agent/Registrar. The City reserves the right to appoint a successor Paying Agent/Registrar upon providing the previous Paying Agent/Registrar with a certified copy of a resolution or ordinance terminating such agency. Additionally, the City agrees to promptly cause a written notice of this substitution to be sent to each Owner of the Certificates by United States mail, first-class postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar. Both principal of and interest on the Certificates, due and payable by reason of Stated Maturity, redemption, or otherwise, shall be payable only to the registered owner of the Certificates appearing on the Register (the "Owner" or "Owners") maintained on behalf of the City by the Paying Agent/Registrar as hereinafter provided (i) on the Record Date (hereinafter defined) for purposes of payment of interest thereon, and (ii) on the date of surrender of the Certificates for purposes of receiving payment of principal thereof upon redemption of the Certificates or at the Certificates' Stated Maturity. The City and the Paying Agent/Registrar, and any agent of either, shall treat the Owner as the owner of a Certificate for purposes of receiving payment and all other purposes whatsoever, and neither the City nor the Paying Agent/Registrar, or any agent of either, shall be affected by notice to the contrary. Principal of the Certificates shall be payable only upon presentation and surrender of the Certificates to the Paying Agent/Registrar at its corporate trust office. Interest on the Certificates shall be paid to the Owner whose name appears in the Register at the close of business on the last business day of the month next preceding an Interest Payment Date for the Certificates (the "Record Date") and shall be paid (i) by check sent by United States mail, first-class postage prepaid, by the Paying Agent/Registrar, to the address of the Owner appearing in the Register or (ii) by such other method, acceptable to the Paying Agent/Registrar, requested in writing by the Owner at the Owner's risk and expense. If the date for the payment of the principal of or interest on the Certificates shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a day. The payment on such date shall have the same force and effect as if made on the original date any such payment on the Certificates was due. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the Special Payment Date - which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Owner appearing on the Register at the close of business on the last business day next preceding the date of mailing of such notice.

Section 4. Right of Prior Redemption. (a) Optional Redemption. The City reserves the right to redeem the Certificates maturing on or after August 15, 20__, in whole or in part in principal amount of \$5,000 or an integral multiple thereof, on August 15, 20__, or any date thereafter, at the redemption price of par plus interest accrued to the specific date of redemption, and shall direct the Paying Agent/Registrar to call by lot Certificates, or portions thereof, within such maturity or maturities and in such principal amounts, for redemption. (b) Notice of Redemption. Notice of any redemption shall be given as provided in the FORM OF CERTIFICATES included in Section 6 hereof. If such notice of redemption is given, and if due provision for such payment is made, the Certificates, or the portions thereof which are to be so redeemed, thereby automatically shall be redeemed prior to their scheduled maturities, and shall not bear interest after the date fixed for their redemption, and shall not be regarded as being outstanding except for the right of the Owner to receive the redemption price plus accrued interest to the date fixed for redemption from the Paying Agent/Registrar out of the funds provided for such payment. The Paying Agent/Registrar shall record in the Register all such redemptions of principal of the Certificates or any portion thereof. By the date fixed for any such redemption due provision shall be made by the City with the Paying Agent/Registrar for the payment

of the required redemption price for the Certificates, or the portions thereof which are to be so redeemed, plus accrued interest thereon to the date fixed for redemption. If such notice of redemption is given and if due provision for such payment is made, all as provided above, the Certificates, or the portions thereof which are to be so redeemed, thereby automatically shall be redeemed prior to their scheduled maturities and shall not bear interest after the date fixed for their redemption and shall not be regarded as being outstanding except for the right of the Owner to receive the redemption price plus accrued interest to the date fixed for redemption from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Certificate shall be redeemed, a substitute Certificate or Certificates having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the Owner, and in an aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Owner upon the surrender thereof for cancellation, at the expense of the City all as provided in this Ordinance.

Section 5. Initial Certificate; Exchange or Transfer of Certificate. Initially, one Certificate (the "Initial Certificate") numbered I-1 and being in the principal amount of the Certificate shall be registered in the name of the Initial Purchaser and shall be executed and submitted to the Attorney General of Texas for approval, and thereupon certified by the Comptroller of Public Accounts of the State of Texas or his duly authorized agent, by manual signature, and the Initial Certificate shall be effective and valid without the Authentication Certificate being signed by the Paying Agent/Registrar. At any time thereafter, the Owner may deliver the Initial Certificate to the Paying Agent/Registrar for exchange, accompanied by instructions from the Owner or designee designating the persons, maturities, and principal amounts to and in which the Initial Certificate is to be transferred and the addresses of such persons, and the Paying Agent/Registrar shall thereupon, within not more than three days, register and deliver such Certificates upon authorization of the City as provided in such instructions. Each Certificate shall be transferable only upon the presentation and surrender thereof at the designated payment office of the Paying Agent/Registrar, duly endorsed for transfer, or accompanied by an assignment duly executed by the Owner or his authorized representative in form satisfactory to the Paying Agent/Registrar. Upon presentation of any Certificate for transfer, the Paying Agent/Registrar shall authenticate and deliver in exchange therefore, to the extent possible and under reasonable circumstances within three business days after such presentation, a new Certificate or Certificates, registered in the name of the transferee or transferees, in authorized denominations and of the same maturity and aggregate principal amount and bearing interest at the same rate as the Certificate or Certificates so presented. All Certificates shall be exchangeable upon presentation and surrender thereof at the designated payment office of the Paying Agent/Registrar for a Certificate or Certificates of the same maturity and interest rate and in any authorized denomination, in an aggregate principal amount equal to the unpaid principal amount of the Certificate or Certificates presented for exchange. The Paying Agent/Registrar shall be and is hereby authorized to authenticate and deliver exchange Certificates in accordance with this Ordinance and each Certificate so delivered shall be entitled to the benefits and security of this Ordinance to the same extent as the Certificate or Certificates in lieu of which such Certificate is delivered. The City or the Paying Agent/Registrar may require the Owner of any Certificate to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with the transfer or exchange of such Certificate. Any fee or charge of the Paying Agent/Registrar for such transfer or exchange shall be paid by the City.

Section 6. General Characteristics and Form of the Certificates. The Certificates shall be issued, shall be payable, may be redeemable prior to their scheduled maturities, shall have the characteristics, and shall be signed and executed (and the Certificates shall be sealed) all as provided and in the manner indicated in the form set forth below. The Form of the Certificates, the form of Statement of Insurance, the Form of the Registration of the Comptroller of Public Accounts of the State of Texas to be printed and manually endorsed on each of the Initial Certificate, the Form of the Authentication, and the Form of Assignment, which shall be, respectively, substantially as follows, with necessary and appropriate variations, omissions, and insertions as permitted or required by this Ordinance, and the definitions contained within each such form shall apply solely to such form: FORM OF DEFINITIVE CERTIFICATE, R-_____ \$_____, REGISTERED, United States of America, State of Texas; CITY OF WESLACO, TEXAS, TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014, DATED DATE, INTEREST RATE, MATURITY DATE, DELIVERY DATE, CUSIP NUMBER, March 1, 2014 % April 1, 2014; REGISTERED OWNER: SAMCO CAPITAL MARKETS, INC.; PRINCIPAL AMOUNT: _____ DOLLARS (\$_____).

THE CITY OF WESLACO, TEXAS (the "City"), a body corporate and municipal corporation located in the County of Hidalgo, State of Texas, for value received, acknowledges itself indebted to and

hereby promises to pay to the order of the Registered Owner specified above, or the registered assigns thereof (the "Owner"), on the Stated Maturity date specified above, the Principal Amount specified above (or so much thereof as shall not have been paid upon prior redemption) and to pay interest on the unpaid principal amount hereof from the Delivery Date specified above, or from the most recent interest payment date to which interest has been paid or duly provided for until such principal sum has become due and payment thereof has been made or duly provided for, to the earlier of redemption or Stated Maturity, at the per annum rate of interest specified above computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 15 and August 15 of each year commencing February 15, 2015.

PRINCIPAL OF THIS CERTIFICATE shall be payable to the Registered Owner hereof (the "Owner"), upon presentation and surrender, at the corporate trust office of U.S. Bank, National Association, Houston, Texas (the "Paying Agent/Registrar") executing the registration certificate appearing hereon or a successor thereof. Interest shall be payable to the Owner of this Certificate (or one or more Predecessor Certificates, as defined in the Ordinance hereinafter referenced) whose name appears on the Register maintained by the Paying Agent/Registrar at the close of business on the Record Date, which is the last business day of the month next preceding each interest payment date. All payments of principal of and interest on this Certificate shall be in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. Interest shall be paid by the Paying Agent/Registrar by check sent on the appropriate date of payment by United States mail, first-class postage prepaid, to the Owner hereof at the address appearing in the Register or by such other method, acceptable to the Paying Agent/Registrar, requested by the Owner hereof at the Owner's risk and expense.

THIS CERTIFICATE is one of the series specified in its title issued in the aggregate principal amount of \$_____ (the "Certificates") pursuant to an Ordinance adopted by the governing body of the City (the "Ordinance"), for the purpose of providing for the payment of contractual obligations to be incurred in connection with the design, planning, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of certain City-owned public property, specifically being: (1) improvements to the waterworks and sewer system including water and sewer pump stations, filtration systems, clearwells, and sewer elevated storage tanks, transmission lines, and system plant modifications, and (2) payment of contractual obligations for professional services in connection therewith (to wit: architectural, engineering, financial advisory, and legal).

THE CERTIFICATES of this series scheduled to mature on and after August 15, 20__ may be redeemed prior to their scheduled maturities, in whole or part, in principal amounts of \$5,000 or any integral multiple thereof, at the option of the City, on August 15, 20__, or on any date thereafter, at the redemption price of par plus accrued interest to the date fixed for redemption.

NOTICE OF REDEMPTION shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least 30 days prior to the date fixed for any such redemption, to the Owner of each Certificate, or portion thereof to be redeemed, at its address as it appeared on the Registration Books on the 45th day prior to such redemption date; provided, however, that the failure to send, mail, or receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Certificate. By the date fixed for any such redemption, due provision shall be made by the City with the Paying Agent/Registrar for the payment of the required redemption price for this Certificate or the portion hereof which is to be so redeemed, plus accrued interest thereon to the date fixed for redemption. If such notice of redemption is given, and if due provision for such payment is made, all as provided above, this Certificate, or the portion thereof which is to be so redeemed, thereby automatically shall be redeemed prior to its scheduled maturity, and shall not bear interest after the date fixed for its redemption, and shall not be regarded as being outstanding except for the right of the Owner to receive the redemption price plus accrued interest to the date fixed for redemption from the Paying Agent/Registrar out of the funds provided for such payment. The Paying Agent/ Registrar shall record in the Registration Books all such redemptions of principal of this Certificate or any portion hereof. If a portion of any Certificate shall be redeemed, a substitute Certificate or Certificates having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the Owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Owner upon the surrender thereof for cancellation, at the expense of the City, all as provided in the Ordinance.

THE CERTIFICATES OF THIS SERIES are payable from the proceeds of an ad valorem tax levied upon all taxable property within the City, within the limitations prescribed by law, and are further payable from and secured by a lien on and pledge of the Pledged Revenues, being the Net Revenues

derived from the operation of the City's waterworks sewer system (the "System"), such lien on and pledge of the Net Revenues being subordinate and inferior to the lien on and pledge of such Net Revenues securing payment of any Prior Lien Obligations issued by the City. The City previously authorized the issuance of the currently outstanding Prior Lien Obligations, Subordinate Lien Obligations, and Limited Pledge Obligations (which are payable, in part, from and secured by a lien on and pledge of a limited amount of the Net Revenues) in the manner provided in the ordinances authorizing the issuance of the currently outstanding Prior Lien Obligations, Subordinate Lien Obligations, and the Limited Pledge Obligations. In the Ordinance, the City reserves and retains the right to issue Additional Prior Lien Obligations, Additional Subordinate Lien Obligations, and Additional Limited Pledge Obligations, while the Certificates are Outstanding, without limitation as to principal amount but subject to any terms, conditions, or restrictions as may be applicable thereto under law or otherwise. Capitalized terms used herein have the same meanings assigned in the Ordinance.

REFERENCE IS HEREBY MADE to the Ordinance, copies of which are on file in the corporate trust office of the Paying Agent/Registrar, and to all of the provisions of which the Owner by his acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied and the revenues pledged for the payment of the Certificates; the terms and conditions under which the City may issue additional Prior Lien Obligations, Additional Subordinate Lien Obligations, and Additional Limited Pledge Obligations; the terms and conditions relating to the transfer or exchange of the Certificates; the conditions upon which the Ordinance may be amended or supplemented with or without the consent of the Owner; the rights, duties, and obligations of the City and the Paying Agent/Registrar; the terms and provisions upon which this Certificate may be redeemed or discharged at or prior to the Stated Maturity thereof, and deemed to be no longer Outstanding thereunder; and for the other terms and provisions specified in the Ordinance.

THIS CERTIFICATE, subject to certain limitations contained in the Ordinance, may be transferred at the corporate trust office of the Paying Agent/Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar duly executed by the Owner hereof, or his duly authorized agent, and thereupon one or more new fully registered Certificates of the same Stated Maturity, of authorized denominations, bearing the same rate of interest, and of the same aggregate principal amount will be issued to the designated transferee or transferees.

THE CITY AND THE PAYING AGENT/REGISTRAR, and any agent of either, shall treat the Owner hereof whose name appears on the Register (i) on the Record Date as the owner hereof for purposes of receiving payment of interest hereon, (ii) on the date of surrender of this Certificate as the owner hereof for purposes of receiving payment of principal hereof at its Stated Maturity or its redemption, in whole or in part, and (iii) on any other date as the owner hereof for all other purposes, and neither the City nor the Paying Agent/Registrar, or any such agent of either, shall be affected by notice to the contrary. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the "Special Payment Date" - which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Owner appearing on the Register at the close of business on the last business day next preceding the date of mailing of such notice.

IT IS HEREBY CERTIFIED, COVENANTED, and represented that all acts, conditions, and things required to be performed, exist, and be done precedent to the issuance of this Certificate in order to render the same a legal, valid, and binding obligation of the City have been performed, exist, and have been done, in regular and due time, form, and manner, as required by law, and that issuance of the Certificates does not exceed any constitutional or statutory limitation. In case any provision in this Certificate or any application thereof shall be deemed invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions and applications shall not in any way be affected or impaired thereby. The terms and provisions of this Certificate and the Ordinance shall be construed in accordance with and shall be governed by the laws of the State of Texas.

IN WITNESS WHEREOF, this Certificate has been signed with the manual or facsimile signature of the Mayor of the City and countersigned with the manual or facsimile signature of the City Secretary of the City, and the official seal of the City has been duly impressed, or placed in facsimile, on this Certificate.

CITY OF WESLACO, TEXAS

Add.

EXECUTIVE SESSION

At 6:06 p.m., the Mayor announced the regular meeting to convene in Executive Session. At 6:23 p.m., the Mayor announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

- A. Pending Litigation – Consult with Special Assigned Counsel Arnold Aguilar regarding Civil Action No. M-13-395, DKIII Hornback Enterprises, Ltd., Plaintiff, v. John Cuellar, Guadalupe Rivera, Jerry Tafolla, Leo Olivarez, and Jose Martinez, David Fox and the City of Weslaco, Defendants in U.S. District Court for the Southern District of Texas, McAllen Division as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

IV.

APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2014-11 appointing one member to an expired term on the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to approve Resolution 2014-11 reappointing Fire Chief Santiago “Jimmy” Cuellar to an expired term on the Ambulance Advisory Board and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present, but not voting.

V.

NEW BUSINESS

- B. Discussion and consideration to authorize the solicitation of Request for Qualifications (RFQ) for professional services for the preparation of the City of Weslaco Comprehensive Plan, including Parks and Thoroughfare plans. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

The City Manager stated this is an opportunity to update the City Comprehensive Plan, last updated in 2008 by Wilbur Smith and Associates. Funding source for this project is the 2013 bond issuance.

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

- C. Discussion and consideration to authorize the solicitation of Request for Qualifications (RFQ) for professional services for the preparation of the City of Weslaco City’s Master Drainage Plan. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

The City Manager stated the last update to the Master Drainage Plan was in 1996 by Sigler Winston Greenwood and Associates.

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

- D. Discussion and consideration to approve SmartCom as the best qualified, most advantageous bidder for internet services within the 2014 Schools and Libraries Program of the Universal Service Fund E-Rate, which makes discounts available to eligible libraries for telecommunication services, internet access, and internal connections and authorize the Mayor to execute the E-Rate proposal acceptance and agreement. Possible action. (Staffed by Library Department.) Attachment.

The City Manager stated this is a very successful grant program, which is 90% federally funded with 10% local contribution, amounting to \$105.00/month. Mr. Arnold Becho reported the library developed the scoring criteria based on other organizations and local need: SmartCom received 86 points; Time Warner 73 points. The Library reports more satisfaction with customer service by SmartCom, with miniscule downtime.

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

- E. Discussion and consideration to approve Insight Public Sector, Inc. as the best qualified, most advantageous bidder for basic maintenance of internal computing connections within the 2014 Schools and Libraries Program of the Universal Service Fund (ERate), which makes discounts available to eligible libraries for telecommunication services, internet access, and internal connections and authorize the Mayor to execute the contract acceptance. Possible action. (Staffed by Library Department.) Attachment.

The City Manager stated this item is related to the previous discussion; staff recommend approval of Insight Public Sector, Inc.

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

- F. Discussion and consideration to authorize the purchase of hose reel assembly for 1999 VAC-CON unit and/or the purchase of a new 2014 VAC-CON vacuum truck from Buyboard State Vendor, CLS Sewer Equipment Co., Inc. for a combined cost not to exceed \$347,467.74, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities Department.) Attachment.

The City Manager stated staff recommend both solutions, since it is \$17,000.00 to repair the existing unit, a “fair investment” to serve as a back-up. The combined cost

is budgeted within the capital outlay fund. In response to Commissioner Tafolla, Mr. David Salinas stated the new truck has a one-year full warranty and five year prorated warranty.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to authorize the purchase of hose reel assembly for 1999 VAC-CON unit from Vac-Con, Inc., Buyboard vendor - Contract No. 421-13, utilizing CLS Sewer Equipment Co. Inc. as additional dealer and only distributor in Texas, and to purchase a new 2014 VAC-CON vacuum truck from RUSH Truck Centers of Texas, Buyboard vendor – Contract No. 430-13, utilizing CLS Sewer Equipment Co. Inc. as additional dealer and only distributor in Texas, for a combined cost not to exceed \$347,467.74, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present, but not voting.

- G. Discussion and consideration to authorize the hiring of five personnel for either the Public Facilities Department or the Parks and Recreation Department and authorize a budget amendment as appropriate. Possible action. (Staffed by Public Facilities Department.) Attachment.

The City Manager stated the city is looking to hire in order to improve service delivery, but he is not ready to proceed with the item because he has not yet seen numbers. In response to Commissioner Rivera, Mr. David Arce stated he needs eight workers in the Parks Department, but will start with five. In response to Commissioner Pena, Mr. Oscar Garcia stated he needs equipment operators. Commissioner Pena assured helps is coming.

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

- H. Discussion and consideration to approve the following T-Hangar leases for a period not to exceed five years for aircraft storage or aviation related business only:
- 1) E6-02 with James B. Carlson Farms,
 - 2) E7-00 with Garric Warbirds,
 - 3) E8-06 with Anderson Columbia Co.,
 - 4) E9-02 with Wyatt Agri Products, and
 - 5) E10-01 with Dr. Reynaldo Rodriguez,
- and authorize the Mayor to execute related documents. Possible action. (Staffed by Airport Department.) Attachment.

The City Manager recommended tabling this item as he identified some potential issues to review with legal counsel.

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

- I. Discussion and consideration to approve an agreement to provide personnel services

to the Economic Development Corporation of Weslaco (EDCW) and authorize the Mayor to execute any related documents. Possible action. (Commission authorized a 30-day agreement January 21, 2014; Staffed by the City Manager's Office.) Attachment.

The City Manager stated since the last agreement with the Economic Development Corporation of Weslaco, a new Executive Director and Attorney have been retained. The EDCW requests staff support from the City Secretary, Information Technology, and Public Facilities departments for an additional thirty days; support by the City Manager and City Attorney is no longer needed.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve the item as presented. Mayor Suarez and Commissioners Pena and Noriega opposed (3-3); the motion failed in a tie.

VII. ADJOURNMENT

With no other business before the Commission, Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to adjourn the March 4, 2014 regular meeting. The motion carried unanimously; Mayor Suarez was present, but not voting.

CITY OF WESLACO

MAYOR, David Suarez

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, Fidel L. Pena, III