



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, APRIL 15, 2014**

On this 15th day of April 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	David R. Fox
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	Ramon Vela

Also present: Juan Salas, IT Department; Sonia Flores, Assistant Finance Director; Mardoqueo Hinojosa, City Engineer/Interim Planning Director; Chief Michael Kelley, Police Department; David Arce, Park & Recreation Director; Assistant Chief Rudy Garza, Fire Department; Martin Mata, Assistant Library Director; Oscar Garcia, Public Facilities Director; Christine Suing, Human Resources Department; George Garrett, Aviation Director; Gloria Givilancz, 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, April 11, 2014.
- B. Mayoral Proclamations and Recognitions.
The Mayor recognized Public Safety Telecommunicators Week April 14-18.
- C. Invocation.
Pastor Art Beckwith from RGV Fellowship Church delivered the invocation.
- D. Pledge of Allegiance.
Mayor Suarez recited the Pledge of Allegiance and Mayor Pro-Tem Cuellar recited the Texas flag.
- E. Roll Call.
Elizabeth Walker, City Secretary, called the roll, noting perfect attendance.

II. PUBLIC HEARINGS

- A. To solicit input on behalf of Danessa Peterson (Liebhaber) and Denise Peterson to
Minutes of the Regular Meeting of the Weslaco City Commission on April 15, 2014

amend Ordinance 320 and the City of Weslaco Zoning map to rezone 515 N. Pueblo Street, also being Lots 1, 2, 3 & North 10' of Lot 4, Block 5, Hughes Subdivision, Weslaco, Hidalgo County, Texas, from "R-1 One Family Dwelling District" to "B-1 Neighborhood Business District."

- B. To solicit input on behalf of Andrew L. Martinez and Aaron L. Martinez. to approve a Conditional Use Permit to obtain a Wine and Beer Retailer's Off-Premise Permit at 1400 North Westgate Drive, Suite 400, also being Lots 16, 17, and 18, Block D, Expressway Heights Subdivision, Weslaco, Hidalgo County, Texas.
- C. To solicit input on behalf of Contex Restaurants, Inc., owner, RMH Franchise Corporation, d.b.a. Applebee's Neighborhood Grill & Bar. to approve a Conditional Use Permit to obtain an On-Premise Mixed Beverage Permit and a Mixed Beverage Late Hours Permit at 1829 West Expressway 83, also being Lots 2 and 3, Cash Nix Addition Phase 2, Weslaco, Hidalgo County, Texas.
- D. To solicit input on behalf of Enrique N. Hinojosa, Jr. to approve a Conditional Use Permit to obtain an On-Premise Mixed Beverage Permit and a Mixed Beverage Late Hours Permit at 415 S. International Blvd., also being Lot 1, Block 1, Palm Aire Subdivision, Weslaco, Hidalgo County, Texas.
- E. To solicit input regarding a Budget and Program Amendment to Urban County Program funding Year 25 (2012) utilizing the original work plan.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to open the public hearing items concurrently. The motion carried unanimously; Mayor Suarez was present, but not voting. Ms. Peterson spoke in support of her rezone request at 515 N. Pueblo; Mr. Hinojosa spoke in support of his request for a Conditional Use Permit at Palm Aire Subdivision, agreeing to the stipulation of an armed guard inside all days open.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to close the public hearing items concurrently. The motion carried unanimously; Mayor Suarez was present, but not voting.

III. PUBLIC COMMENTS

There were no comments received.

IV. 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 April 1, 2014. (Staffed by City Secretary's Office.) Attachment.
- B. Authorization of the use of Federal Forfeiture Funds for payment of overtime in an

amount not to exceed \$8,000.00 for law enforcement investigations and operations that may result in furthering law enforcement goals and mission and authorize a budget amendment as appropriate. (Staffed by Police Department.) Attachment.

- C. Authorization of the use of Federal Forfeiture Funds to purchase equipment for the motorcycle officers from Consolidated Telecom Services and INTAPOL Industries as the best qualified, most advantageous bidders in an amount not to exceed \$6,000.00 and authorize a budget amendment as appropriate. (Staffed by Police Department.) Attachment.
- D. Acceptance of a check from Mid Valley Events (Color Dash), in the amount of \$2,600.00 for the use at Harlon Block Park Sports Complex on March 29, 2014, deposit into the Parks Department Recreation Program Budget account #01-540-2500, and authorize a budget amendment as appropriate. (Staffed by Parks and Recreation Department.) Attachment.
- E. Approval of an expenditure not to exceed \$13,000.00 from the Internal Service Fund to replace obsolete computers, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department) Attachment.
- F. Approval of an expenditure not to exceed \$18,000.00 from the Internal Service Fund to replace main application server for City Hall, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department) Attachment.

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

Commissioner Tafolla, seconded by Mayor Pro-Tem Cuellar, moved that items VI. A., VII B., IX. be taken from their posted sequence for immediate consideration. The motion carried unanimously; Mayor Suarez was present, but not voting.

VI. OLD BUSINESS

- A. Discussion and consideration to declare as surplus outdated GLOCK Caliber .40 Generation 2 and 3 service weapons and authorize the sale of fifty-eight of them to current Weslaco Police Officers at a one-time payroll deduction in the amount of \$250.00/each and authorize a budget amendment as appropriate. Possible action. (This item was tabled April 1, 2014; Staffed by Police Department.) Attachment.

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

The City Manager recommended to expand the sale to current officers as well as former officers who pay for and pass their background check. Chief Kelly reiterated his recommendation limiting the sale to current officers only. The Mayor Pro-Tem

suggested waiting on approval of this item until staff resolve their differences.

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.

VII. NEW BUSINESS

- B. Discussion and consideration on behalf of Danessa Peterson (Liebhaber) and Denise Peterson to approve Ordinance 2014-05 amending Ordinance 320 and the City of Weslaco Zoning map to rezone 515 N. Pueblo Street, also being Lots 1, 2, 3 & North 10' of Lot 4, Block 5, Hughes Subdivision, Weslaco, Hidalgo County, Texas, from "R-1 One Family Dwelling District" to "B-1 Neighborhood Business District" and authorize the Mayor to execute any related documents. First Reading of Ordinance 2014-05. Possible action. (A three-fourths vote is required to approve in accordance with Code of Ordinances §150-20(d) as Planning & Zoning Commission recommended denial; Staffed by Planning and Code Enforcement Department.) Attachment.

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

Commissioner Noriega advised the applicant that the Comprehensive Plan is under review and the assigned zoning to her property may change; Commissioner Fox suggested that a notice be sent to all those denied a rezone within the past five years be notified of the Comprehensive Plan review.

IX. EXECUTIVE SESSION

At 6:05 p.m., the Mayor announced the regular meeting to convene in Executive Session. At 7:48 p.m., the Mayor announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

V. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2014-15, Resolution 2014-16, Resolution 2014-17, Resolution 2014-18, Resolution 2014-19, Resolution 2014-20, and Resolution 2014-21, appointing seven members to expired terms on the Board of Adjustments and Appeals to the Building Codes and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

The City Manager stated this Board meets as needed, albeit rarely; all four year terms to this board have since expired.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve Resolution 2014-15, Resolution 2014-16, Resolution 2014-17, Resolution 2014-18, Resolution 2014-19, and Resolution 2014-20 reappointing Clemente Del Campo,

Mike Hinojosa, Ramiro Flores, Irma Salinas, Pablo Pena, and Noe Villarreal, respectively, and approving Resolution 2014-21 appointing George Vela to an expired term on the Board of Adjustments and Appeals to the Building Codes and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present, but not voting.

For the record, the Resolutions read as follows:

RESOLUTION NO. 2014- 15

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

WHEREAS, the City of Weslaco created and established the Board of Adjustments & Appeals-Building Codes.

WHEREAS, the Board of Adjustments & Appeals-Building Codes shall consist of seven (7) members appointed by the Commission and shall serve a four (4) year term; and

WHEREAS, a board member shall not act in a case in which he/she has personal interest; and

WHEREAS, the board shall hear all appeals on requests for variances under the International and Residential Building Codes and city codes such as plumbing, electrical, housing and mechanical; and

WHEREAS, every decision of the board shall promptly be filed in the office of the Building Official, and shall be opened to public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Clemente del Campo is appointed to serve an expired term on the Board of Adjustments & Appeals-Building Codes and the term will expire on 16th day of April 2018.

PASSED AND APPROVED on this 15th day of April, 2014.

RESOLUTION NO. 2014- 16

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

WHEREAS, the City of Weslaco created and established the Board of Adjustments & Appeals-Building Codes.

WHEREAS, the Board of Adjustments & Appeals-Building Codes shall consist of seven (7) members appointed by the Commission and shall serve a four (4) year term; and

WHEREAS, a board member shall not act in a case in which he/she has personal interest; and

WHEREAS, the board shall hear all appeals on requests for variances under the International and Residential Building Codes and city codes such as plumbing, electrical, housing and mechanical; and

WHEREAS, every decision of the board shall promptly be filed in the office of the Building Official, and shall be opened to public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Mike Hinojosa is appointed to serve an expired term on the Board of Adjustments & Appeals-Building Codes and the term will expire on 16th day of April 2018.

PASSED AND APPROVED on this 15th day of April, 2014.

RESOLUTION NO. 2014- 17

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

WHEREAS, the City of Weslaco created and established the Board of Adjustments & Appeals-Building Codes.

WHEREAS, the Board of Adjustments & Appeals-Building Codes shall consist of seven (7) members appointed by the Commission and shall serve a four (4) year term; and

WHEREAS, a board member shall not act in a case in which he/she has personal interest; and

WHEREAS, the board shall hear all appeals on requests for variances under the International and Residential Building Codes and city codes such as plumbing, electrical, housing and mechanical; and

WHEREAS, every decision of the board shall promptly be filed in the office of the Building Official, and shall be opened to public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Ramiro Flores is appointed to serve an expired term on the Board of Adjustments & Appeals-Building Codes and the term will expire on 16th day of April 2018.
PASSED AND APPROVED on this 15th day of April, 2014.

RESOLUTION NO. 2014-18

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

WHEREAS, the City of Weslaco created and established the Board of Adjustments & Appeals-Building Codes.

WHEREAS, the Board of Adjustments & Appeals-Building Codes shall consist of seven (7) members appointed by the Commission and shall serve a four (4) year term; and

WHEREAS, a board member shall not act in a case in which he/she has personal interest; and

WHEREAS, the board shall hear all appeals on requests for variances under the International and Residential Building Codes and city codes such as plumbing, electrical, housing and mechanical; and

WHEREAS, every decision of the board shall promptly be filed in the office of the Building Official, and shall be opened to public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Irma Salinas is appointed to serve an expired term on the Board of Adjustments & Appeals-Building Codes and the term will expire on 16th day of April 2018.
PASSED AND APPROVED on this 15th day of April, 2014.

RESOLUTION NO. 2014-19

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

WHEREAS, the City of Weslaco created and established the Board of Adjustments & Appeals-Building Codes.

WHEREAS, the Board of Adjustments & Appeals-Building Codes shall consist of seven (7) members appointed by the Commission and shall serve a four (4) year term; and

WHEREAS, a board member shall not act in a case in which he/she has personal interest; and

WHEREAS, the board shall hear all appeals on requests for variances under the International and Residential Building Codes and city codes such as plumbing, electrical, housing and mechanical; and

WHEREAS, every decision of the board shall promptly be filed in the office of the Building Official, and shall be opened to public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Irma Salinas is appointed to serve an expired term on the Board of Adjustments & Appeals-Building Codes and the term will expire on 16th day of April 2018.

PASSED AND APPROVED on this 15th day of April, 2014.

RESOLUTION NO. 2014-20

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

WHEREAS, the City of Weslaco created and established the Board of Adjustments & Appeals-Building Codes.

WHEREAS, the Board of Adjustments & Appeals-Building Codes shall consist of seven (7) members appointed by the Commission and shall serve a four (4) year term; and

WHEREAS, a board member shall not act in a case in which he/she has personal interest; and

WHEREAS, the board shall hear all appeals on requests for variances under the International and Residential Building Codes and city codes such as plumbing, electrical, housing and mechanical; and

WHEREAS, every decision of the board shall promptly be filed in the office of the Building Official, and shall be opened to public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Noe Villarreal is appointed to serve an expired term on the Board of Adjustments & Appeals-Building Codes and the term will expire on 16th day of April 2018.

PASSED AND APPROVED on this 15th day of April, 2014.

RESOLUTION NO. 2014- 21

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

WHEREAS, the City of Weslaco created and established the Board of Adjustments & Appeals-Building Codes.

WHEREAS, the Board of Adjustments & Appeals-Building Codes shall consist of seven (7) members appointed by the Commission and shall serve a four (4) year term; and

WHEREAS, a board member shall not act in a case in which he/she has personal interest; and

WHEREAS, the board shall hear all appeals on requests for variances under the International and Residential Building Codes and city codes such as plumbing, electrical, housing and mechanical; and

WHEREAS, every decision of the board shall promptly be filed in the office of the Building Official, and shall be opened to public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT George Vela is appointed to serve an expired term on the Board of

Adjustments & Appeals-Building Codes and the term will expire on 16th day of April 2018.
PASSED AND APPROVED on this 15th day of April, 2014.

/s/ David Suarez, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

VI. OLD BUSINESS

- A. Discussion and consideration to award the Construction-Manager-At-Risk Contractor to the best qualified, most advantageous bidder for the construction phase of the Weslaco Boys and Girls Club Recreation Center, in a Guaranteed Maximum Price amount not to exceed \$1,230,000.00, funded in part by the Texas Parks and Wildlife as Project Number 51-000065, as shown on architectural drawings design completed by Alcocer Garcia Associates Architectural Services and authorize the Mayor to execute any related documents. Possible action. (This item was tabled April 1, 2014; Staffed by Public Facilities Department.) Attachment.

The City Manager recommended no action on this item as the City approaches Texas Parks and Wildlife Department about moving the location to City Park and must pass certain environmental and funding reviews. There was no action on this item.

VII. NEW BUSINESS

- A. Discussion and consideration to approve Budget and Program Amendment No. 4 to the Weslaco Boys and Girls Club Recreation Center project, funded in part by the Texas Parks and Wildlife as Project Number 51-000065, as shown on architectural drawings design completed by Alcocer Garcia Associates Architectural Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Facilities Department.) Attachment.

There was no action on this item.

- C. Discussion and consideration on behalf of Andrew L. Martinez and Aaron L. Martinez to approve a Conditional Use Permit to obtain a Wine and Beer Retailer's Off-Premise Permit at 1400 North Westgate Drive, Suite 400, also being Lots 16, 17, and 18, Block D, Expressway Heights Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

The City Manager stated Planning and Zoning Commission and staff recommend approval.

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

- D. Discussion and consideration on behalf of Contex Restaurants, Inc., owner, RMH Franchise Corporation, d.b.a. Applebee's Neighborhood Grill & Bar to approve a

Conditional Use Permit to obtain an On-Premise Mixed Beverage Permit and a Mixed Beverage Late Hours Permit at 1829 West Expressway 83, also being Lots 2 and 3, Cash Nix Addition Phase 2, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

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.

- E. Discussion and consideration after public hearing on behalf of Enrique N. Hinojosa, Jr. to approve a Conditional Use Permit to obtain an On-Premise Mixed Beverage Permit and a Mixed Beverage Late Hours Permit at 415 S. International Blvd., also being Lot 1, Block 1, Palm Aire Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

The City Manager stated Planning and Zoning Commission and staff recommend approval contingent on a security officer present.

Commissioner Pena, seconded by Mayor Pro-Tem Cuellar, moved to approve the item as presented with the condition that a security officer be on premise as stipulated. The motion carried unanimously; Mayor Suarez was present, but not voting.

- F. Discussion and consideration to approve a Budget and Program Amendment to the Urban County Program funding Year 25 (2012) utilizing original work plan, decreasing the Public Facilities Improvements (Library) activity by \$20,000.00 and creating a Public Service (general) Library activity funding of \$20,000 with the purchase of minor equipment and related fixtures for the Library and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment.

The City Manager explained this is a program change for operating equipment and furnishings.

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.

- G. Discussion and consideration on behalf of John Phillips to approve the Final Plat of the Re-subdivision of Greener Pastures Mobile Home Subdivision, being 4.642 acres out of Lots 20-24, 82 & 133-136 of Greener Pastures Mobile Home Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

The City Manager stated this is a 22-lot subdivision; variances have been requested on lot sizes and set-backs. Planning and Zoning Commission and staff recommend

approval.

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

- H. Discussion and consideration on behalf of John Phillips to authorize the replacement of an existing force main for Lift Station #34, located adjacent to Greener Pastures Mobile Home Subdivision, and grant a variance for placing mobile structures over utility lines and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

The City Manager stated the City is partnering with the owner, \$75,000.00 to be paid by the owner, \$25,000.00 to be paid by the City.

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.

- I. Discussion and consideration to approve Resolution 2014-22 authorizing a cost sharing agreement with the Texas Department of Transportation Aviation Division for a Drainage Study for the Weslaco Mid Valley Airport in an amount not to exceed \$150,000.00 with 10% local match, City participation being \$15,000.00, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment.

The City Manager explained this is a half million dollar drainage study, by which the City may recoup \$135,000.00 through the Texas Department of Transportation Aviation Division.

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.

- J. Discussion and consideration to approve Resolution 2014-23 supporting One Day Lower Rio Grande Valley and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Economic Development Corporation.) Attachment.

Mr. Joey Trevino reported the Rio Grande Valley is one of eleven cities selected for participation in this project; on April 26, record video, geotag it and upload it to the website onedayinlrgv.org.

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.

VIII. REPORTS

- A. Report on legislative interim update by Caballero Governmental Affairs.

Attachment.

Ms. Elvia Caballero reported on interim charges of the Texas Legislature and encouraged the development of a legislative agenda.

B. Report on Water Treatment Plant expansion project by Briones Engineering.

Mr. Rolando Briones reported on inflow and infiltration and outlined the proposed expansion from 2.5 to 3.5 mgd.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

A. Pending Litigation – Consultation with Special Counsel regarding Cause No. C-5929-13-H City of Weslaco, Texas v. City of Mercedes, Texas in the 389th Judicial District Court of Hidalgo County pursuant to §551.071 of the Texas Government Code.

There was no action on this item.

B. Pending Litigation – Consultation with Special Counsel and City Attorney regarding a proposed settlement offer in the Sigler Winston Greenwood & Associates Inc. v. City of Weslaco, Cause No. C-3090-11-D pursuant to §551.071 of the Texas Government Code.

There was no action on this item.

C. Pending Litigation - Consultation with City Attorney regarding Cause No. C-081-13 B, Weslaco Health Facilities Development Corporation v. Knapp Medical Center, et.al. as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

D. Pending Litigation - Consultation with assigned defense counsel Anthony B. James regarding C-2201-11-I Pascual Hernandez et. al. v. City of Weslaco in the 398th Judicial District Court of Hidalgo County as authorized by §551.071 of the Texas Government Code.

Mayor Pro-Tem Cuellar, seconded by Commissioner Pena, moved to approve the settlement agreement as discussed regarding C-2201-11-I Pascual Hernandez et. al. v. City of Weslaco and directed assigned defense counsel to prepare the Compromise Settlement and Release and authorize the Mayor to execute all related documents. The motion carried unanimously; Mayor Suarez was present, but not voting.

XI. ADJOURNMENT

With no other business before the Commission, at 8:48 p.m. Mayor Pro-Tem Cuellar, seconded by Commissioner Pena, moved to adjourn the April 15, 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

COMMISSIONER, David R. Fox

COMMISSIONER, Olga M. Noriega

COMMISSIONER, Gerardo "Jerry" Tafolla

COMMISSIONER, Lupe Rivera

COMMISSIONER, Fidel L. Pena, III