



**A REGULAR MEETING  
OF THE WESLACO CITY COMMISSION  
TUESDAY, SEPTEMBER 16, 2014**

On this 16<sup>th</sup> day of September 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
Interim City Attorney	Juan Guerra

Also present: Juan Salas, IT Department; Bret Mann, Finance Director; David Salinas, Public Utilities Director; Mardoqueo Hinojosa, City Engineer/Interim Planning Director; Interim Chief Chris Sanchez, Fire Department; Interim Chief Sergio Ramirez, Police Department; David Arce, Parks and Recreation Director; Veronica Ramirez, Human Resources Director; Olga Garza, Public Facilities Assistant Director; Sonia Flores, Assistant Finance Director; George Garrett, Airport Director; Martin Mata, Library Assistant Director; Joe Pedraza, Health Official; Christine Suing, Human Resources; Gloria Givilancz, Grants Compliance Coordinator, 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, September 12, 2014.
- B. Invocation.  
Pastor Raja Masilamony from Seventh Day Adventists 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 perfect attendance.

**II. PUBLIC COMMENTS**

Mr. Michael Fisher requested the reinstatement of an independent Crimestoppers local organization.

Mr. Felix Sanchez, on behalf of the Weslaco Firefighters Labor Organization, requested a one-year extension of the Collective Bargaining Agreement with no salary increase.

### **III. PUBLIC HEARINGS**

- A. To solicit input regarding the proposed Municipal Budget for the City of Weslaco for the fiscal year beginning October 1, 2014 and ending September 30, 2015.
- B. To solicit input on behalf of Robert Acosta, d.b.a. El Rancho Grande for a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit and a Late Hours and live music permit at 318 W. Pike Blvd., also being Lot 3, Block 1, Palm Plaza Shopping Center Unit #1 Subdivision, Weslaco, Hidalgo County, Texas.
- C. To solicit input on behalf of Robert Acosta, d.b.a. El Dorado Restaurant #2 for a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 1609 W. Business 83, also being Lot 5, Westgate Center Subdivision, Weslaco, Hidalgo County, Texas.
- D. To solicit input on behalf of Dave Ocanas Jr. to amend Ordinance 320 and the City of Weslaco Zoning map to rezone 702 S. Pleasantview Drive, also being West Tract Subdivision, BLK FT 702 150' X 150' of LT 9, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District.

At 5:42 p.m. Commissioner Tafolla, seconded by Mayor Pro-Tem Cuellar, moved to open the public hearings concurrently. The motion carried unanimously; Mayor Suarez was present and voting.

Mr. Bret Mann presented the proposed Municipal Budget, highlighting the changes as recommended by staff in the Water, Wastewater, Sanitation, Internal Service, Hotel/Motel, Utility, and General Funds. Some changes include a proposed raise in the minimum wage for all regular, full time employees to \$10.10/hour, a 5% salary increase for non-union employees who have not received a raise since October 2013, and new positions within the Police Department, Parks and Recreation Department and the City Secretary's Office. Other points of the presentation identified the maintenance of the property tax rate as \$0.6867/\$100.00 valuation, fulfilling the commitment to reduce the property tax rate by \$0.01 every other year; the reduction of the water and wastewater base rate \$0.87/each, the reduction of administrative fees to the utility fund, a \$1 million loan for parks improvements, a 1% of revenue allocation for the year-end contingency expense, and a 100% funding for the Weslaco Museum from the General Fund.

Ms. Benita Valadez commented that the increase had been by percentage but the decrease by flat rate; Commissioner Noriega noted that the decrease is not across the board, limited to residential customers inside city limits only.

Mr. David Salinas elaborated on the rate structure and noted that multifamily customer still pays less than the average residential consumer. The City Manager noted that this rate change shifts the burden to businesses, which elsewhere pay more than residents; in Weslaco, the residential customer has been subsidizing the commercial accounts.

Regarding item III. C., Mr. Bobby Acosta explained his restaurant will not have any bar, but he seeks a conditional use permit to host events.

Regarding item III. D., Mr. Dave Ocanas stated he hopes to operate a barber shop at this location.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to close the public hearings concurrently at 6:06 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

#### 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 following:
  - 1) Regular Meeting of September 2, 2014 and
  - 2) Special Meeting of September 5, 2014. (Staffed by City Secretary's Office.) Attachment.
  
- B. Approval of the use of Harlon Block Sports Complex on Sunday, November 9, 2014 from 6:00 a.m. – 12:00 p.m. for Heroes of Faith 5k (Pajama Run), authorize street closures as appropriate, 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. (Staffed by Parks and Recreation Department.) Attachment.
  
- C. Approval of a request for Pico De Gallo Century Bike Ride to use City Park on December 20, 2014 from 6:00 a.m. – 8:00 p.m. for a 100 mile bike ride, 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. (Staffed by Parks and Recreation Department.) Attachment.
  
- D. Approval of an agreement with Amigos Library Services, a discount program for

library related materials and services for a cost not to exceed \$1,000.00 per year for membership fee, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Staffed by Library.) Attachment.

- E. Approval of an agreement with Trans-Amigos Express and Texpress for the delivery of library materials for a cost not to exceed \$2,175.00 per year, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Staffed by Library.) Attachment.
- F. Approval of a Cooperative Agreement with Region One Education Service Center for the provision of free General Educational Development (GED) classes at the Mayor Joe V. Sanchez Public Library beginning September 2014 and ending June 2015, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Staffed by Library.) Attachment.
- G. Approval of the renewal of the Reading Is Fundamental (RIF) Grant for Fiscal Year 2014-2015, accept funds upon award throughout the year, provide local matching funds so long as these funds do not exceed 25% of the total granted amount in each instance to not exceed \$700.00 total annually, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Requested by Library.) Attachment.

Commissioner Noriega requested items IV. H, I, and J be withdrawn from consent agenda for further consideration.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve items IV. A, B, C, D, E, F, and G as presented. The motion carried unanimously; Mayor Suarez was present and voting.

- H. Approval of the renewal of the Lease Agreement with the Mid Valley Youth Soccer League for the use of the Soccer Fields at the City Park as described in Exhibit "A" for a term of four (4) months beginning September 1, 2014 and ending December 31, 2014, and authorize the Mayor to execute any related documents. (Commission approved Harlon Block Sports Complex on August 19, 2014; Staffed by Parks & Recreation Department.) Attachment.

In response to Commissioner Noriega, Mr. David Arce explained this is the standard agreement as reviewed by counsel and recommended by the Parks Board; we do not charge for the lease, and the City incurs the cost of paint and labor to stripe the fields.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Suarez was present and voting.

- I. Authorization to extend the contract one year with Chemtrade Chemicals US, LLC in accordance with Request For Bids No. 2012-13-11 for Aluminum Sulfate and

Liquid Ammonium Sulfate chemicals necessary for the operation of the Water and Wastewater systems; authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Staffed by Public Utilities Department.) Attachment.

In response to Commissioner Noriega, Mr. David Salinas explained that after undergoing the bid process, the bids received were higher than the existing contract and therefore proposes extending the current contract.

- J. Authorization to extend the contract one year with DPC Industries Inc. in accordance with Request For Bids No. 2012-13-15 for Chlorine necessary for the operation of the Water and Wastewater systems, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Staffed by Public Utilities Department.) Attachment.

Commissioner Tafolla, seconded by Commissioner Pena, moved to approve items IV. I and J as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Commissioner Pena, seconded by Mayor Suarez, moved to withdraw item VIII. Executive Session from its posted sequence for immediate consideration. The motion carried unanimously; Mayor Suarez was present and voting.

## **VIII. EXECUTIVE SESSION**

At 6:22 p.m., the Mayor announced the regular meeting to convene in Executive Session. At 7:59 p.m., the Mayor announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

## **IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION**

- A. Pending Litigation – Consultation with Special Counsel regarding a revised settlement agreement in Cause No. C- 929-13-H *City of Weslaco, Texas v. City of Mercedes, Texas* in the 389<sup>th</sup> 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 City Attorney regarding C-7017-14-H *Modesto Pineda, Sr., Modesto Pineda, Jr. v. City of Weslaco* as authorized by §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-3865-10-I, *City of Weslaco v. Champion Energy Services, LLC* as authorized by §551.071 of the Texas Government Code.

Commissioner Pena, seconded by Commissioner Fox, moved to authorize Special Counsel to negotiate as discussed in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

- D. 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.

Mayor Suarez announced a Special Meeting to be held Tuesday, September 23, 2014 to discuss and disclose documents pertaining to the transfer of Knapp Medical Center.

- E. Pending Litigation - Consultation with City Attorney regarding Docket No. CL-14-3345-G *Juan Zuniga v. City of Weslaco* as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

- F. Contract Negotiations – Discussion with City Manager and City Attorney regarding the Architectural and Construction Oversight Contract between the City of Weslaco and Boultinghouse Simpson Gates Architects for the design and construction oversight of the New Valley Nature Center as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

- G. Personnel - Discussion with Police Chief regarding ongoing internal affairs investigations as authorized by Chapter 143 of the Texas Local Government Code and Article 29 of the Collective Bargaining Agreement as authorized by §551.074 of the Texas Government Code. (Requested by the Mayor.)

There was no action on this item.

**V. OLD BUSINESS**

- A. Discussion and consideration to approve on Second and Final reading Ordinance 2014-11 approving the City of Weslaco budget appropriation for the fiscal year October 1, 2014 – September 30, 2015. Roll call vote required. Possible action. (First Reading held September 2, 2014; Staffed by Finance Department.) Attachment.

Commissioner Rivera, seconded by Commissioner Tafolla, moved to approve the item as presented. The City Manager clarified that the budget is based on the tax rate as set in the subsequent agenda item, in such order as required by state statute. In response to the Mayor Pro-Tem, Mr. Bret Mann stated that for each cent reduction to the property tax rate equals a \$125,000.00 reduction in the budget as

proposed. Commissioner Pena requested consideration of a \$0.015 reduction; Mayor Suarez requested consideration of a \$0.01 reduction.

The City Manager reiterated this budget as proposed calls for a reduction in utility rates, maintaining the plan introduced last year, which reduces utilities and ad valorem tax rates on alternating years. Mr. Mann cautioned that a vote should be taken tonight as published, since any delays may not meet the publication deadline ahead of the close of the fiscal year. Various suggestions were proposed by the Commission, including cutting proposed new positions, increasing expected sales tax revenue, and eliminating automatic overtime for firefighters.

At 9:10 p.m., the Mayor announced a recess; at 9:18 p.m., the Commission reconvened in regular session.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to table this item until later in the meeting. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to take item VI. A. from its posted sequence for immediate consideration. The motion carried unanimously; Mayor Suarez was present and voting.

- VI.** A. Discussion and consideration to award the Group Health Insurance Package to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.

Commissioner Fox noted his abstention from the discussion and vote.

The Mayor Pro-Tem explained that Aetna had proposed a 15% increase; staff then went out to bid and Blue Cross Blue Shield responded with a bid to match the current rate. Mr. Mann confirmed that the increase had been included in the budget as proposed.

Mayor Pro-Tem Cuellar, seconded by Commissioner Pena, moved to award the Group Health Insurance Package to Blue Cross Blue Shield as the best qualified, most advantageous bidder, authorized a budget amendment as appropriate, and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting. Commissioner Fox abstained.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to return to item V. A. as tabled. The motion carried unanimously; Mayor Suarez was present and voting.

- V.** Discussion and consideration to approve on Second and Final reading Ordinance 2014-11 approving the City of Weslaco budget appropriation for the fiscal year October 1, 2014 – September 30, 2015. Roll call vote required. Possible action.

(First Reading held September 2, 2014; Staffed by Finance Department.)  
Attachment.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to approve the item as presented. Each withdrew his motion.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to approve to approve on Second and Final reading Ordinance 2014-11 approving the City of Weslaco budget appropriation for the fiscal year October 1, 2014 – September 30, 2015 with an amendment to decrease health insurance costs to \$359.02/employee/month. By roll call vote, the motion carried with Commissioner Noriega opposed; Mayor Suarez was present and voting.

For the record, the Ordinance reads as follows:

**ORDINANCE NO. 2014-11**

**AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE  
CITY OF WESLACO, TEXAS, FOR THE FISCAL YEAR BEGINNING  
OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015.**

**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, 2014 to September 30, 2015, that due and timely public notice that a Public Hearings on such budget would be held on September 2, 2014, was given and made in accordance with state law and within the time limits set forth by law; that such Public Hearings were held in accordance with the law on September 16, 2014, 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, 2014.

**PASSED AND APPROVED** on first reading at a regular meeting of the City Commission this 2<sup>nd</sup> day of September, 2014.

**PASSED AND APPROVED** on second reading at a regular meeting of the City Commission this 16<sup>th</sup> day of September, 2014.

/s/ David Suarez, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

- B. Discussion and consideration to approve on Second and Final reading Ordinance 2014-12 adopting the City of Weslaco ad valorem property tax rate of \$0.6867/\$100.00 valuation, effectively a 5.13 percent increase in the tax rate, pursuant to §26.05(d) of the Texas Tax Code on all taxable property within the City of Weslaco, Texas for Tax Year 2014, 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 2, 2014; Staffed by Finance Department.) Attachment.

Mayor Pro-Tem Cuellar, seconded by Commissioner Pena, moved to approve on Second and Final reading Ordinance 2014-12 adopting the City of Weslaco ad valorem property tax rate of \$0.6767/\$100.00 valuation, pursuant to §26.05(d) of the Texas Tax Code on all taxable property within the City of Weslaco, Texas for Tax Year 2014, 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. By roll call vote, the motion carried unanimously; Mayor Suarez was present and voting.

For the record, the Ordinance reads as follows:

**ORDINANCE NO. 2014-12**

**AN ORDINANCE LEVYING AN AD VALOREM TAX ON ALL TAXABLE PROPERTY WITHIN THE CITY OF WESLACO, TEXAS FOR THE TAX YEAR 2014, 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 2014 (\$0.1901) 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	0.0387
2010 Certification of Obligation Refunding Bonds	0.0381
2012 Certification of Obligation Refunding Bonds	0.0869
2013 Certification of Obligation Bonds	<u>0.0264</u>

\$0.1901

**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 2014 (\$0.4866) 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. The City of Weslaco ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.04 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A

\$100,000 HOME BY APPROXIMATELY \$-14.00.

**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, 2015, 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 2015	7.0%
March 2015	9.0%
April 2015	11.0%
May 2015	13.0%
June 2015	15.0%
July 2015	18.0%

**PASSED AND APPROVED** on first reading at a regular meeting of the City Commission this 2<sup>nd</sup> day of September 2014.

**PASSED AND APPROVED** on second reading at a regular meeting of the City Commission this 16<sup>th</sup> day of September 2014.

/s/ David Suarez, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

- C. Discussion and consideration to approve on Second and Final reading Ordinance 2014-13 amending §1 of Ordinance 77-16 and §1 of Ordinance 67-10 by providing for a new schedule of rates to be charged for treated water delivered through the system of the Public Utilities Department of the City of Weslaco and providing for a new schedule of rates to be charged for the use of wastewater treatment facility of the City of Weslaco, and ordaining other matters with respect to the subject matter hereof. Possible action. (First Reading held September 2, 2014; Staffed by Public Utilities Department.) Attachment.

The City Manager clarified 90% of residents within Weslaco's city limits would see a reduction in their water rates. The Mayor Pro-Tem emphasized this is the second consecutive year decreasing rates, when just a few years ago commit to raising rates over five years.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to approve the item as presented. The motion carried with Commissioner Noriega opposed; Mayor Suarez was present and voting.

For the record, the Ordinance reads as follows:

**ORDINANCE NO. 2014-13**

**AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE 77-16, CODIFIED IN THE WESLACO CODE OF ORDINANCES AS SECTION 138.58 “WATER RATES PRESCRIBED” AND AMENDING SECTION 1 OF ORDINANCE 67-10, CODIFIED IN THE WESLACO CODE OF ORDINANCES AS SECTION 138.59 “SEWER RATES PRESCRIBED;” BY PROVIDING FOR A NEW SCHEDULE OF RATES TO BE CHARGED FOR TREATED WATER DELIVERED THROUGH THE SYSTEM OF THE WATER DEPARTMENT OF THE CITY OF WESLACO; AND PROVIDING FOR A NEW SCHEDULE OF RATES TO BE CHARGED FOR THE USE OF WASTEWATER TREATMENT FACILITIES OF THE CITY OF WESLACO; AND PROVIDING FOR AN EFFECTIVE DATE AFTER THE SECOND PUBLICATION OF THIS ORDINANCE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.**

**SECTION 1. BE IT ORDAINED BY THE CITY OF WESLACO, TEXAS,** to amend Section I of Ordinance No. 77-16, adopted on August 16, 1977, and Codified in the Weslaco Code of Ordinances as Section 138.58 and entitled “*Water Rates Prescribed*”, to adopt a new schedule of rates to be charged for treated water delivered through the system of the water department of the City of Weslaco so that after Second and Final Reading of this Ordinance, Weslaco Code of Ordinances Section 138.58, will read as follows:

**ARTICLE II. SERVICE CHARGES**

**Sec. 138.58. Water Rates Prescribed.**

There are hereby established the following schedules of rates to be charged for treated water delivered through the system of the water department of the city:

*A. Residential Inside City Limits*

- (1) Minimum monthly bill, (not including water)..... \$14.75  
  
Minimum monthly bill, (includes 2,000 gallons of water) if applied for by a Resident over 65 years of age, Disabled, or a Veteran .....\$9.54
- (2) Charge per each 1,000 gallons or portion thereof.....\$2.71

*B. Commercial Inside City Limits*

- (1) Minimum monthly bill (not including water):
  - 5/8 inch or ¾ inch meter..... \$18.07
  - 1 inch meter..... \$21.01
  - 1 ½ inch meter.....\$27.14
  - 2 inch meter.....\$36.24
  - 3 inch meter.....\$59.11
  - 4 inch meter.....\$88.94
  - 6 inch meter.....\$156.42
  - 8 inch meter.....\$203.04
- (2) Charges per each 1,000 gallons or portion thereof:
  - 0 to 15,000 gallons .....\$3.03
  - 15,000 to 15,001 gallons (An addition to the base fee when this level is

reached.).....	\$9.91
15,002 to 30,000 gallons.....	\$3.38
30,000 to 35,000 gallons.....	\$3.40
35,000 to 35,001gallons (An addition to the base fee when this level is reached.)	
.....	\$9.26
Over	
35,001gallons.....	\$3.40

C. *Multi Family Inside City Limits*

(1) Minimum monthly bill (not including water):	
5/8 inch or 3/4 inch meter.....	\$18.07
1 inch meter.....	\$21.01
1 1/2 inch meter.....	\$27.14
2 inch meter.....	\$36.24
3 inch meter.....	\$59.11
4 inch meter.....	\$88.94
6 inch meter.....	\$156.42
8 inch meter.....	\$203.04

Multi Family residents whose water rates increase because of Ordinance 2013-26 affixing the rate structure for “Multi Family Inside City Limits” may request a 2% reduction of their current minimum monthly bill as assigned by the Water Rates prescribed to be “Residential Inside City Limits” from the Weslaco City Manager.

(2) Charges per each 1,000 gallons or portion thereof:	
0 to 15,000 gallons .....	\$3.03
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.).....	\$9.91
15,002 to 30,000 gallons.....	\$3.38
30,000 to 35,000 gallons.....	\$3.40
35,000 to 35,001gallons (An addition to the base fee when this level is reached.)	
.....	\$9.26
Over 35,001 gallons.....	\$3.40

D. *Irrigation Meters Inside City Limits*

(1) Minimum monthly bill (not including water):	
5/8 inch or 3/4 inch meter.....	\$10.47
1 inch meter.....	\$14.06
1 1/2 inch meter.....	\$22.35
2 inch meter.....	\$31.46
3 inch meter.....	\$54.33
4 inch meter.....	\$84.16
6 inch meter.....	\$151.64
8 inch meter.....	\$198.26
(2) Charges per each 1,000 gallons or portion thereof:	
0 to 10,000 gallons .....	\$2.97
10,000 to 15,000 gallons.....	\$2.97
Over 15,000 gallons.....	\$3.07
(3) Irrigation meters with no associated wastewater service will not be assessed monthly charges for wastewater service.	

E. *Service Provided to Customers Residing Outside of the City Limits*

(1) Minimum monthly bill, (not including water).....	\$23.43
--	---------

(2) Charge per each 1,000 gallons or portion thereof.....\$4.07

F. *Commercial Outside City Limits*

(1) Minimum monthly bill (not including water):  
5/8 inch or 3/4 inch meter..... \$27.11  
1 inch meter..... \$31.52  
1 1/2 inch meter.....\$40.71  
2 inch meter.....\$54.36  
3 inch meter.....\$88.67  
4 inch meter.....\$133.41  
6 inch meter.....\$234.63  
8 inch meter.....\$304.56

(2) Charges per each 1,000 gallons or portion thereof:  
0 to 15,000 gallons .....\$4.55  
15,000 to 15,001 gallons (An addition to the base fee when this level is reached).....  
\$14.87  
15,002 to 30,000 gallons.....\$5.07  
30,000 to 35,000 gallons.....\$5.10  
35,000 to 35,001gallons (An addition to the base fee when this level is reached.).....  
\$13.89  
Over  
35,001gallons.....\$5.10

G. *Multi Family Outside City Limits*

(1) Minimum monthly bill (not including water):  
5/8 inch or 3/4 inch meter..... \$27.11  
1 inch meter..... \$31.52  
1 1/2 inch meter.....\$40.71  
2 inch meter.....\$54.36  
3 inch meter.....\$88.67  
4 inch meter.....\$133.41  
6 inch meter.....\$234.63  
8 inch meter..... \$304.56

(2) Charges per each 1,000 gallons or portion thereof:  
0 to 15,000 gallons .....\$4.55  
15,000 to 15,001 gallons (An addition to the base fee when this level is  
reached.)...\$14.87  
15,002 to 30,000 gallons.....\$5.07  
30,000 to 35,000 gallons.....\$5.10  
35,000 to 35,001gallons (An addition to the base fee when this level  
isreached.).....\$13.89  
Over 35,001 gallons.....\$5.10

H. *Irrigation Meters Inside City Limits*

(1) Minimum monthly bill (not including water):  
5/8 inch or 3/4 inch meter.....\$15.71  
1 inch meter..... \$21.09  
1 1/2 inch meter.....\$33.53  
2 inch meter.....\$47.19  
3 inch meter.....\$81.50  
4 inch meter.....\$126.24  
6 inch meter.....\$227.46  
8 inch meter.....\$297.39

- (2) Charges per each 1,000 gallons or portion thereof:
  - 0 to 10,000 gallons .....\$4.46
  - 10,000 to 15,000 gallons..... \$4.46
  - Over 15,000 gallons.....\$4.61
- (3) Irrigation meters with no associated wastewater service will not be assessed monthly charges for wastewater service.

**I. Tapping Fees.**

The following charges shall be made as tapping fees for making connections for the use of any water user (deposit and permit fees are not included):

Meter Size	Inside City	Outside City
5/8"	\$348.10	\$522.15
1"	\$514.22	\$771.32
1 1/2"	\$890.82	\$1,336.23
2"	\$3,286.06	\$4,929.09
3"	\$4,612.93	\$6,919.39
4"	\$6,936.71	\$10,405.06

For all other size taps, the tapping charge shall be based upon the current cost of the meter, required materials, and labor therefore.

In cases where the developer has installed their own water lines, tapping saddles, corp. stop, tubing and angle stop up to the ground surface, the fees for a 5/8" meter will be \$232.07 for a connection inside the city limits and \$348.10 for a connection outside the city limits.

**J. Fire Protection Sprinkler Fees**

There shall be no additional charge per month in addition to the other charges listed in this section, for accounts with a fire protection sprinkler system.

**SECTION II. BE IT FURTHER ORDAINED BY THE CITY OF WESLACO, TEXAS,** to amend Section I of Ordinance No. 67-10, adopted on June 27, 1967, and codified in the Weslaco Code of Ordinances as Section 138.59 and entitled "Sewer Rates Prescribed", so that after Second and Final Reading of this ordinance, Weslaco Code of Ordinances Section 138.59 will read as follows:

**ARTICLE II. SERVICE CHARGES**

**Sec. 138.59. Wastewater Rates Prescribed.**

The following rates shall be charged for use of the wastewater treatment facilities of the City of Weslaco, including storm sewer lines if used for the purpose of disposing waste or cooling water. The rates hereby established shall be applicable to all classes of customers using the city sanitary sewer system, except for industrial customers who will continue to be charged under the provisions of the industrial waste ordinance of the City of Weslaco, Ordinance No. 76-16, as amended:

*Sewer Service Provided to Customers Residing Outside of the City Limits*

- A. *Minimum Charge Inside City Limits:* The minimum monthly charge for all classes of customers using the City of Weslaco wastewater treatment facilities shall be fourteen dollars and fifty-eight cents (\$14.58) per month. The monthly base rate will be nine dollars and forty-four cents (\$9.44) if applied for by a resident over 65 years of age, Disabled, or a Veteran.

B. *Additional Charges for Single-Family Residential Users Inside City Limits.* In addition to the minimum charge listed above, a charge of one dollar and seventy-seven cents (\$1.77) will be made for each one thousand (1,000) gallons of water used, or portion thereof, for monthly metered consumption up to 35,000 gallons.

C. *Multifamily Residential and Mobile Homes Inside City Limits.* The charge for the use of the city wastewater treatment facility for duplexes or multifamily apartments or housing where the buildings are generally used solely for permanent or continuous living quarters and mobile home and/or recreational vehicle park owners on master meters shall be as follows:

Minimum monthly bill .....	\$11.81
Charges per each 1,000 gallons of metered water use, or portion thereof:	
0 to 15,000 gallons.....	\$2.28
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.)....	\$10.61
15,001 to 35,000 gallons.....	\$2.54
35,000 to 35,001 gallons (An addition to the base fee when this level is reached.).....	\$10.27
Over 35,000 gallons.....	\$2.54

D. *Commercial Customers Inside City Limits.* Commercial customers are those customers who discharge wastewater from a private building which is not residential in nature and conduct business activities for the sole purpose of making a profit, and receive an inflow of paying customers for services rendered or the purchase of goods. All sewer accounts required to file a sales tax number with the state comptroller's office or an employer's federal I.D. number with the Internal Revenue Service shall be deemed as commercial accounts. The charge for commercial users shall be as follows:

Minimum monthly bill .....	\$14.98
Charges per each 1,000 gallons of metered water use, or portion thereof:	
0 to 15,000 gallons.....	\$2.72
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.).....	\$8.66
15,001 to 35,000 gallons.....	\$3.03
35,000 to 35,001 gallons (An addition to the base fee when this level is reached.).....	\$9.03
Over 35,000 gallons.....	\$3.03

E. *Lawn and Landscape Irrigation.* All accounts shall be exempt from sanitary sewer charges on water metered solely for lawn and landscape irrigation.

F. *Industrial Users.* All industrial uses, such as canning plants, packing sheds, laundries, bottling works, milk plants and other industrial users, shall be charged a rate computed under Ordinance No. 76.16, as amended.

G. *Institutional, Etc., Users Inside City Limits.* All customers not classified as aforementioned, including institutional, religious and not-for-profit entities, shall be charged for the use of the wastewater treatment facility as follows:

Minimum monthly bill.....	\$11.81
---------------------------	---------

Charges per each 1,000 gallons of metered water use, or portion thereof:	
0 to 15,000 gallons.....	\$2.28
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.)	
.....	\$10.61
15,001 to 35,000 gallons.....	\$2.54
35,000 to 35,001 gallons (An addition to the base fee when this level is reached.).....	\$10.27
Over 35,000 gallons.....	\$2.54

H. *Commercial Laundries Inside City Limits.* Commercial customers whose principal business is the operation of a commercial laundry shall be charged for use of the city wastewater treatment facility as follows:

Minimum monthly bill.....\$14.98

Charges per each 1,000 gallons of metered water use, or portion thereof:	
0 to 15,000 gallons.....	\$2.72
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.).....	\$8.66
15,001 to 35,000 gallons.....	\$3.03
35,000 to 35,001 gallons (An addition to the base fee when this level is reached.).....	\$9.03
Over 35,000 gallons.....	\$3.03

*Sewer Service Provided to Customers Residing Outside of the City Limits*

I. *Minimum Charge Outside City Limits:* The minimum monthly charge for all classes of customers using the City of Weslaco wastewater treatment facilities shall be Twenty three and eighteen cents (\$23.18) per month.

J. *Additional Charges for Single-Family Residential Users Inside City Limits.* In addition to the minimum charge listed above, a charge of two dollars and sixty-six cents (\$2.66) will be made for each one thousand (1,000) gallons of water used, or portion thereof, for monthly metered consumption up to 35,000 gallons.

K. *Multi Family Outside City Limits*

(1) Minimum monthly bill (not including water):.....	\$17.72
Charges per each 1,000 gallons or portion thereof:	
0 to 15,000 gallons .....	\$3.42
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.)...\$15.92	
15,002 to 35,000 gallons.....	\$3.81
35,000 to 35,001gallons (An addition to the base fee when this level isreached.).....\$15.41	
Over 35,001 gallons.....	\$3.81

L. *Commercial Outside City Limits*

(1) Minimum monthly bill (not including water):.....	\$22.47
Charges per each 1,000 gallons or portion thereof:	
0 to 15,000 gallons .....	\$4.08
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.)...\$12.99	
15,002 to 35,000 gallons.....	\$4.55
35,000 to 35,001gallons (An addition to the base fee when this level isreached.).....\$13.55	
Over 35,001 gallons.....	\$4.55

M. *Institutional Outside City Limits*

(1) Minimum monthly bill (not including water):.....	\$17.72
Charges per each 1,000 gallons or portion thereof:	
0 to 15,000 gallons .....	\$3.42
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.)...\$15.92	
15,002 to 35,000 gallons.....	\$3.81
35,000 to 35,001gallons (An addition to the base fee when this level is reached.)....\$15.41	
Over 35,001 gallons.....	\$3.81

N. *Commercial Laundries Outside City Limits*

(1) Minimum monthly bill (not including water):.....	\$19.47
Charges per each 1,000 gallons or portion thereof:	
0 to 15,000 gallons .....	\$3.92
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.)...\$18.18	
15,002 to 35,000 gallons.....	\$4.37
35,000 to 35,001gallons (An addition to the base fee when this level is reached.)....\$17.61	
Over 35,001 gallons.....	\$4.37

**SECTION III:** All other provisions of Chapter 138, Article II, Section 138.58, and Section 138.59, and Ordinance 77-16, and Ordinance 67-10 shall remain in effect and are not being amended by this Ordinance.

**SECTION IV:** These amendments to Chapter 138, Article II, Section 138.58, and Section 138.59, shall be in effect after Second and Final Reading of this Ordinance.

**PASSED AND APPROVED** on first reading at regular meeting of the City Commission this 2<sup>nd</sup> day of September, 2014.

**PASSED AND APPROVED** on second and final reading at regular meeting of the City Commission this 16<sup>th</sup> day of September, 2014.

/s/ David Suarez, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

- D. Discussion and consideration of all invoices submitted to the City of Weslaco from the Law Offices of Guerra and Farah, PLLC, who authorized commencement of specific research, what material was produced to City as a result of research including text messages and/or email correspondence and other issues related incurring the legal fees associated with the invoice(s). Possible action. (There was no action on this item on September 2, 2014; Requested by the Mayor.) Attachment.

Commissioner Fox left the dais.

Mr. Juan Guerra explained the invoices as related to a delicate and time sensitive review of 150-pages of documentation pertaining to a candidate's residency, unrelated to any candidate filing fee issue. Commissioner Pena raised a point of order. There was no action on this item.

**VI. NEW BUSINESS**

- B. Discussion and consideration to approve the Exempt and Non-Exempt Classified positions for Fiscal Year 2014-2015. Possible action. (Staffed by Human Resources Department.) Attachment.

In response to Commissioner Noriega, Ms. Ramirez clarified the two differences from the last presentation of this item are the addition of the Master Electrician position, and the identification of the full-time Receptionist position in the City Secretary's Office lowered from N-6 to N-2

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Suarez was present and voting.

- C. Discussion and consideration on behalf of Robert Acosta, d.b.a. El Rancho Grande to approve a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit and a Late Hours and live music permit at 318 W. Pike Blvd., also being Lot 3, Block 1, Palm Plaza Shopping Center Unit #1 Subdivision, Weslaco, Hidalgo County, Texas. 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 and voting.

- D. Discussion and consideration on behalf of Robert Acosta, d.b.a. El Dorado Restaurant #2 to approve a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 1609 W. Business 83, also being Lot 5, Westgate Center Subdivision, Weslaco, Hidalgo County, Texas. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Suarez was present and voting.

- E. Discussion and consideration on behalf of Dave Ocanas Jr. to approve Ordinance 2014-16, amending Ordinance 320 and the City of Weslaco Zoning map to rezone 702 S. Pleasantview Drive, also being West Tract Subdivision, BLK FT 702 150' X 150' of LT 9, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District. First Reading of 2014-16. 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 and voting.

- F. Discussion and consideration on behalf of CJ Can Investments, LP, c/o Casimiro Cantu to approve the Final Plat of the Re-plat of Lots 1-15, Aria on 18th Street Subdivision, being a re-subdivision of 1.749 acres being all of Lots 1-15, Weslaco Business Park Subdivision, Weslaco, Hidalgo County, Texas. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

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

Commissioner Pena left the dais.

- G. Discussion and consideration on behalf of Adolfo E. & Irene S. Kaplan to approve Ordinance 2014-17 regarding the voluntary annexation of the proposed Avocado Heights Subdivision also being the 6.48 acres situated in and a part of Farm Tract No. 770, West Tract Subdivision, Weslaco, Hidalgo County, Texas, located on the south side of 18th Street, approximately 550 feet east from the intersection of Airport Drive. First Reading of Ordinance 2014-17. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Commissioner Pena returned to the dais.

- H. Discussion and consideration on behalf of Maximo Saenz to approve the Final Plat of IDEA Public Schools Headquarters Subdivision, being a re-subdivision of 8.647 acres out of Farm Tract 152, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Suarez was present and voting.

- I. Discussion and consideration to accept an Airport Improvement Grant for engineering services for a drainage study at the Mid Valley Airport in an amount not to exceed \$90,000.00 with ten percent local match, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment.

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

- J. Discussion and consideration to approve the Annual Work Plan and Budget for the Economic Development Corporation of Weslaco (EDCW) Fiscal Year 2014-2015 as approved by the EDCW Board of Directors. Possible action. (Staffed by the Economic Development Corporation of Weslaco.) Attachment.

Commissioner Fox returned to the dais.

Mr. Joey Trevino stated that economic development is a long process, but fiscal priorities include downtown revitalization, higher education, and quality of life.

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

At 10:16 p.m., the Mayor announced a recess; at 10:20 p.m., the Commission reconvened in regular session.

- K. Discussion and consideration to approve Depository Services Contract(s) with the most advantageous bidder(s) for three (3) year contract(s) beginning October 1, 2014 and ending September 30, 2017 with an option to renew the contract(s) for two (2) years as authorized by Section 105.017 of the Local Government Code, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.

Commissioner Rivera left the dais.

The City Manager stated the City depository presently is BBVA; this establishes a backup with Frost Bank.

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

- L. Discussion and consideration to approve a Professional Services Agreement for auditing services with Garcia and Pena, CPAs for professional accounting services for the fiscal year ending September 30, 2014, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.

The City Manager stated that the City has retained Garcia and Pena for five years, which is the recommended minimum period of time to retain an auditor. Staff recommends maintaining another year through the transition of the Finance Director, who recently announced his retirement in November.

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

and voting.

- M. Discussion and consideration to accept the invitations and authorize staff to apply with the Texas Development Board (TWDB) through the Clean Water State Revolving Fund (CWSRF) for the South Wastewater Treatment Plant Master Plan and North Wastewater Treatment Plant Expansion, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities Department.) Attachment.

Commissioner Rivera returned to the dais.

Commissioner Pena, seconded by Commissioner Tafolla, moved to approve the item as presented. Each withdrew the motion.

Mr. David Salinas does not recommend carrying any note for ten years on a \$676,000.00 debt; however, this action preserves options and the City is not obligated to accept a loan if authorized.

Commissioner Pena, seconded by Mayor Pro-Tem Cuellar, directed David Salinas to begin discourse with the Texas Development Board (TWDB) regarding the Clean Water State Revolving Fund (CWSRF) for the South Wastewater Treatment Plant Master Plan and North Wastewater Treatment Plant Expansion and return to the City Commission. The motion carried unanimously; Mayor Suarez was present and voting.

- N. Discussion and consideration to award Request For Bids No. 2013-14-17 for Analytical Laboratory Service - Integrity Testing necessary for the operation of the Water and Wastewater systems to the lowest responsible bidder, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities Department.) Attachment.

Mr. Salinas noted that some bidders submitted a lower cost, but also received a lower score; Integrity Testing will save staff one and one half hours, five times a day because they will provide a local courier to pick up samples.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to award Request For Bids No. 2013-14-17 for Analytical Laboratory Service necessary for the operation of the Water and Wastewater systems to Integrity Testing as the lowest responsible bidder, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- O. Discussion and consideration to award Requests for Bids No. 2012-13-12 for Sludge Transportation and Disposal services necessary for the operation of the Water and Wastewater systems to the lowest responsible bidder, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities Department.) Attachment.

Mr. Salinas stated only one bid had been received, from the current contractor.

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

- P. Discussion and consideration of all invoices submitted to the City of Weslaco from the Law Offices of Garza and Pena, PLLC, on assigned special litigation cases and corresponding work product and other issues related incurring the legal fees associated with the invoice(s). Possible action. (Requested by Mayor Pro-Tem Cuellar and Commissioner Tafolla.)

Commissioner Pena cautioned against slanderous comments; Mr. Frank Garza warned that discussion may forfeit attorney client privilege.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, requested no action until all invoices may be presented publically.

- Q. Discussion and consideration of all invoices submitted by the firm of Bickerstaff, Heath, Delgado & Acosta LLP, to the City of Weslaco, the Weslaco Hospital Authority, and/or Weslaco Health Facilities Development Corporation. Possible action. (Requested by the Mayor).

Mayor Suarez requested to defer this item until the next meeting.

## **VII. REPORTS**

- A. Update on the status of the Weslaco Animal Shelter Advisory Committee and the ongoing operation of the Weslaco Animal Shelter. (Requested by Commissioners Pena and Noriega.)

Commissioner Pena requested to defer this item until the next meeting.

## **X. ADJOURNMENT**

With no other business before the Commission, at 10:44 p.m. Commissioner Pena, seconded by Commissioner Tafolla, moved to adjourn the September 16, 2014 regular meeting. The motion carried unanimously; Mayor Suarez was present and 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