



**A REGULAR MEETING  
OF THE WESLACO CITY COMMISSION  
TUESDAY, OCTOBER 21, 2014**

On this 21<sup>st</sup> day of October 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; Oscar Garcia, Public Facilities Director; Olga Garza, Public Facilities Assistant Director; Sonia Flores, Assistant Finance Director; George Garrett, Airport Director; Arnold Becho, Library 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 Saturday, October 18, 2014.
- B. Invocation.  
Pastor David McAnn from First Presbyterian 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 arrival of Commissioner Fox arrived at 5:50 p.m.

## II. PUBLIC COMMENTS

No comments were 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 of October 7, 2014. (Staffed by City Secretary's Office.) Attachment.
- B. Authorization to solicit proposals to purchase two (2) half-ton pick-up trucks to be used by the Public Utilities Department, authorize a budget amendment as appropriate and authorize the Mayor to execute any related documents. (Staffed by Public Utilities.) Attachment.
- C. Approval of a one-year extension to the Interlocal Agreement with Texas A&M University-Kingsville to actively participate in the Regional Task Force formed to respond and aid compliance with the Texas Commission on Environmental Quality Phase II Storm Water Rules with an annual membership fee of \$11,025.00, authorize a budget amendment as appropriate and authorize the Mayor to execute related documents. (Staffed by Public Utilities.) Attachment.
- D. Authorization to submit an application renewing the ERate 2015-2016 Grant program, the acceptance of funds upon award, the acceptance of additional funding if awarded during the grant year, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Staffed by Library.) Attachment.
- E. Acceptance of monetary contributions and gift donations from local vendors and/or the public for library programming within fiscal year 2014 – 2015, including the Summer Reading Program (SRP) and Winter Reading Program (WRP). (Staffed by Library.) Attachment.
- F. Approve a budget amendment as appropriate for the Consolidated Plan for Community Planning & Development (CDBG) Urban County Program Fiscal Year 25 (2012), adding \$31,367.30 for the purchase of minor equipment, furnishings shelving and related fixtures for the library and authorize the Mayor to execute any related documents. (Public hearing held October 7, 2014; Staffed by City Manager's Office.) Attachment.
- G. Approve a budget amendment as appropriate for the Consolidated Plan for Community Planning & Development (CDBG) Urban County Program Fiscal Year

24 and 25 (2011 and 2012), utilizing the original work plan to add the following scope of work: the installation of water lines and sewer lines and related street resurfacing improvements to include but not limited to engineering, advertisements and material testing as it pertains to project completion in the alleys between Calle Del Cedro, Calle Del Pino, Missouri Avenue and Texas Blvd. as previously environmentally cleared and authorize the Mayor to execute any related documents. (Public hearing held October 7, 2014; Staffed by City Manager's Office.) Attachment.

- H. Authorization of the renewal of participation in the Texas Facilities Commission Federal Surplus Property Program and authorize the Mayor to execute any related documents. (Staffed by Finance.) Attachment.
- I. Authorization to use funds from the Court Technology Fund to pay the yearly fee for the Incode Service fee, which includes the Court Case Management, Cash Drawer, and Receipt Printer, in the combined amount not to exceed \$9,281.53. (Staffed by Municipal Court.) Attachment.
- J. Approval of the request from San Martin de Porres Catholic Church to place a banner over Texas Boulevard/FM 88 promoting an event November 2, 2014, and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation. (Staffed by the City Manager's Office.)

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.

**V. APPOINTMENTS**

*Standard Documentation on Appointments*

- A. Discussion and consideration to approve Resolution 2014-41 appointing one member to an expired term on the Parks and Recreation Advisory Board and authorize the Mayor to execute any related documents. Possible action. (This item was tabled October 7, 2014; Staffed by Parks and Recreation Department.) Attachment.

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

The City Secretary stated she heard personally from Julian Flores, who desires to continue to serve on the Parks and Recreation Advisory Board; his letter of interest has been received and filed.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to approve Resolution 2014-41 reappointing Julian Flores as one member to an expired term on the Parks and Recreation Advisory Board and authorize the Mayor to execute any

related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- B. Discussion and consideration to approve Resolution 2014-44 appointing member(s) of the City Commission, not to exceed three, to an inaugural term(s) on the Steering Committee for the 2014 Comprehensive Plan. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Mr. Mark Long, with the firm Gonzalez de la Garza, explained the purpose of the Steering Committee is to develop a master plan for the City, including a master drainage plan and a parks master plan. The Committee, consisting of 22 members, will identify existing land uses, community profile and character analysis, and project what Weslaco will look like in the year 2040.

As for the next steps of the plan, input will be solicited through November, and the website [www.weslaco2040.com](http://www.weslaco2040.com) will be launched.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve Resolution 2014-44 appointing Mayor Suarez to the Steering Committee for the 2014 Comprehensive Plan. The motion carried unanimously; Mayor Suarez was present and voting.

Commissioner Rivera, seconded by Commissioner Tafolla, moved to appoint Commissioner Fox to the Steering Committee for the 2014 Comprehensive Plan. The motion carried unanimously; Mayor Suarez was present and voting.

Commissioner Rivera, seconded by Mayor Pro-Tem Cuellar, moved to appoint Commissioner Tafolla to the Steering Committee for the 2014 Comprehensive Plan. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the Resolution reads as follows:

**RESOLUTION NO. 2014-44**

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING REPRESENTATION FROM THE WESLACO CITY COMMISSION TO THE STEERING COMMITTEE FOR THE 2014 COMPREHENSIVE PLAN.**

**WHEREAS**, the Steering Committee for the 2014 Comprehensive Plan is charged with making recommendations for the sustainable growth and development of the City of Weslaco; and

**WHEREAS**, membership to this Committee is intended to represent a diversity of stakeholders across the community, including its elected leadership; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT** the following members of the Commission, not to exceed three, are appointed to serve a term on the Steering Committee for the 2014 Comprehensive Plan for a term length to be determined: Mayor David Suarez, Commissioner David Fox, and Commissioner Gerardo Tafolla.

**PASSED AND APPROVED** this 21<sup>st</sup> day of October, 2014.

/s/ David Suarez, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ CITY ATTORNEY

**VI. OLD BUSINESS**

- A. Discussion and consideration to award the best qualified, most advantageous bidder in response to Request for Bids for the Lift Stations Alarm Monitoring Equipment and Services, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (This item was tabled on October 7, 2014; Staffed by Public Utilities Department.) Attachment.

Commissioner Pena, seconded by Commissioner Tafolla, moved to remove the item from the table. The motion carried unanimously; Mayor Suarez was present and voting.

In response to Commissioner Pena, Mr. David Salinas clarified the total first year costs as bid, including installation and operation, were \$53,461.80 and \$69,189.00 from Superior Alarms and ASG, respectively. He added this is a two year contract with a one year warranty and a one year service agreement that can renew; staff's recommendation is Superior Alarms as the most advantageous bidder.

Commissioner Pena, seconded by Mayor Pro-Tem Cuellar, moved to award Superior Alarms as the best qualified, most advantageous bidder in response to Request for Bids for the Lift Stations Alarm Monitoring Equipment and Services, 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.

- B. Discussion and reconsideration on behalf of Erica Flores to approve a Conditional Use Permit to obtain a Beer and Wine Retailers Off-Premise permit at 525 North Cantu St., also being Lot 7, Block 5, Villa Vista Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Public hearing held and item failed October 7, 2014; Requested by Commissioner Fox and Mayor Pro-Tem Cuellar.) Attachment.

Mayor Pro-Tem Cuellar stated that during the public hearing on this item the previous meeting, the Weslaco Independent School District expressed opposition, though the location historically has had such a permit. WID subsequently rescinded its opposition.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to reconsider the item. Each withdrew the motion when the City Attorney advised that parliamentary procedure stipulates a member of the prevailing party must move to reconsider.

Commissioner Fox, seconded by Mayor Pro-Tem Cuellar, moved to reconsider the item.

In response to Commissioner Noriega, Interim City Attorney Juan Guerra clarified that it would not be necessary for this item to return to the Planning & Zoning Commission to be re-approved; she requested such legal opinion in writing to be sure the action is not later voidable.

Commissioner Fox, seconded by Mayor Pro-Tem Cuellar, moved to amend the motion approving the item as presented, pending legal review and written memorandum to ensure such action complies with statute. The motion carried unanimously; Mayor Suarez was present and voting.

The original motion carried unanimously; Mayor Suarez was present and voting.

Subsequent to this discussion, the following legal opinion was filed:

*The Law Offices of*  
**GUERRA & FARAH PLLC**  
*Your Rights. Your Life. Our Priority.*  
**TOLL FREE: (866) 529-6606**

<p><b>EL PASO OFFICE</b> 1231 E. Missouri El Paso, Texas 79902 P 915 533 0850 F 915 533 1155 WWW.GFLAWOFFICES.COM</p> <p><b>MILAD K. FARAH**</b> <b>GEOFFREY A. BOBSCHOW*</b> **Licensed in Texas and New Mexico *Licensed in Texas</p>	<p><b>CORPORATE OFFICE</b> 4101 Washington Ave., 3<sup>rd</sup> Floor Houston, Texas 77007 P 713 529 6606 F 713 529 6605 WWW.GUERRAFARAHADOGADO.COM</p> <p><b>JUAN L. GUERRA, JR.*</b> <b>GEORGE K. FARAH*</b> <b>SARAH C. DIONNE*</b></p>	<p><b>MCALLEN OFFICE</b> 421 S. 12<sup>th</sup> Street McAllen, Texas 78501 P 956 800 4340 F 956 800 4341 WWW.MCALLENTXTATTORNEY.COM</p> <p><b>ALYSSA L. ROMERO*</b></p>
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**TO: Weslaco City Commission**

**From: The Law Offices of Guerra & Farah PLLC**

**Re: The proposed motion to approve issuance of a conditional use permit for 525 N. Cantu**

**Date: October 30, 2014**

After reviewing the minutes from the preceding City Commission meetings, it appears that the first time this item was in front of the Commission, the motion to issue a conditional permit did not pass. Commissioners Noriega, Peña, and Fox voted against the motion. Commissioner Fox had the prevailing vote that caused the item to fail. At the following meeting, the same item was placed on the agenda sponsored by Commissioner Fox for discussion and reconsideration. After discussion, Commissioner Fox made the motion to approve the item which passed with a majority vote, pending legal review. The procedure followed regarding this agenda item complies with Robert's Rules of Order.

Commissioner Noriega suggested that because the item failed to pass at the prior board meeting then the applicant should go back through the Planning and Zoning Department process. It should be noted that the Planning and Zoning Department had already approved the applicant for a conditional use permit. After reviewing City Ordinances, Charter, case law, statutes, and Robert's Rules of Order nothing was found to support Commissioner Noriega's position. It is our professional opinion that the item does not have to go back to the Planning and Zoning Department and that the proper procedure was followed to pass the item.

Please let me know if you have any questions.

Sincerely,

**Alyssa L. Romero**  
**Juan L. Guerra**  
**Attorneys at Law**

### **III. PUBLIC HEARING**

- A. To solicit input in compliance with the Consolidated Plan for Community Planning & Development (CDBG) Urban County Program Fiscal Year 28 (2015).

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to open the public hearing at 6:03 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

Christian Munoz, representing Nuestra Clinica del Valle, requested \$15,000.00 for the community health center to provide medical and dental services to citizens, as his program is facing a 60% cut in federal funding.

Jose Perez, Director of the Senior Companion Program, requested \$10,000.00 to continue to serve homebound adults, especially the elderly, and grow the program in Weslaco.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to close the public hearing at 6:18 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

### **VII. NEW BUSINESS**

- A. Discussion and consideration to accept bids received on tax resale property described as follows:

(1) Lot 67, Block III, Tierra Santa Golf Club & Community, Phase I, an addition to the City of Weslaco; and

(2) Lot 68, Block III, Tierra Santa Golf Club & Community, Phase I, an addition to the City of Weslaco,

approve Resolution 2014-43 authorizing the tax resale, authorize a budget amendment as appropriate, and authorize the Mayor to execute the tax resale deeds and any related documents. Possible action. (Staffed by Finance Department.) Attachment.

Mr. Michael Cano, representing Linebarger, stated tax foreclosure is a last resort; for these two properties identified, the bids received recover 100% of the taxes due to the City.

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.

For the records, the Resolution reads as follows:

#### **RESOLUTION NO. 2014-43**

**STATE OF TEXAS            §   A RESOLUTION AUTHORIZING TAX RESALE**  
**COUNTY OF HIDALGO       §**  
**CITY OF WESLACO         §**

**WHEREAS**, by Tax Resale conducted on September 2, 2014 the properties described below were struck-off in accordance with Texas Tax Code Ann. §34.05; and

**WHEREAS**, these properties were acquired by the City through previous tax foreclosure proceedings:

- 1)        Lot 67, Block III, Tierra Santa Golf Club and Community, Phase I, an addition to the City of Weslaco
- 2)        Lot 68, Block III, Tierra Santa Golf Club and Community, Phase I, an addition to the City of Weslaco.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Weslaco approves the bids received on the properties described and authorizes the Mayor to execute tax resale deeds conveying the approved properties.

**PASSED AND APPROVED** on this 21<sup>st</sup> day of October, 2014.

/s/ David Suarez, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ CITY ATTORNEY

- B.    Discussion and consideration to approve the Final Plat of Sinai Subdivision, being 4.10 acre tract of land out of Farm Tract 708, West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas, located east of Mile 3½ West, approximately 2,027 feet north of Mile 6 North Road and authorize the Mayor to execute any related documents. Possible action. (Requires three-fourths vote as Planning and Zoning Commission recommended denial; Staffed by Planning and Code Enforcement.) Attachment.

Mr. Mardoqueo Hinojosa stated that the discrepancies cited by the Planning and Zoning Commission as cause for denial have been cured by the applicant; staff recommends approval.

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.

- C.    Discussion and consideration to approve Ordinance 2014-18 regarding the voluntary annexation of Sinai Subdivision also being the 4.24 acre tract of land out of Farm Tract No. 708, West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas, located east of Mile 3 ½ West, approximately 2,027 feet north of Mile 6 North Road. First reading of Ordinance 2014-18. Possible action. (Staffed by Planning and Code Enforcement.) Attachment.

In response to Commissioner Pena, Mr. Hinojosa clarified this land is not part of the

annexation dispute with the City of Mercedes; the land area in the proposed annexation is greater than that in the final plat of the preceding item because the City seeks to annex the right of way to access the property, as worded in the metes and bounds.

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 to reject all bids from Request for Bids No. 2013-14-18 for Sodium Hypochlorite and authorize the re-bid to obtain more favorable bids, 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 that the City received one bid in response to the request and hopes to receive more bids; Mr. Salinas stated vendors had been contacted but they didn't bid.

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.

- E. Discussion and consideration to reject all bids from Request for Bids No. 2013-14-18 for Sodium Thiosulfate and authorize the re-bid to obtain more favorable bids, 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 cited the same issue as the previous item. In response to Commissioner Noriega, Mr. Salinas stated the City must open bid at the advertised time, but those bids received have not been made public.

Commissioner Tafolla, 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 to amend Purchase Order no. 14-01819 of \$45,830.00 to Radiant Industrial Solutions, Inc. awarded on June 17, 2014 for a total purchase of \$79,425.00 for Module Repair and installation of UV Lamps at the City of Weslaco South Wastewater Treatment Plant, 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 the City previously looked to install UV lamps, but the vendor made recommendations for improved efficiencies; Mr. Salinas stated these

recommendations are consisted with the Preliminary Engineering Report subsequently presented by Briones and recently approved by the Commission. These lamps are watertight and modular to sit above ground, since the plant sits three feet below the specified level, to help prevent flooding and burnout. The funding source is the CIP fund.

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.

- G. Discussion and consideration to approve the City of Weslaco's Debt Management Policy and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.

The City Manager stated this item is separate from the fund balance policy, adding more clarity to the roles of staff and Commission. In response to Commissioner Noriega, Mr. Bret Mann stated he presents a revised policy now since the fund reserve goal of 25% has been achieved.

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

- H. Discussion and consideration to approve the City of Weslaco's Fund Balance Policy and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.

Mr. Mann stated this policy stipulates that should the fund reserve dip below the established goal of 25%, the Commission should adopt a plan to replenish within three years.

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.

- I. Discussion and consideration to authorize an audit of the Hotel Occupancy Tax fund for the past five fiscal years. Possible action. (Requested by Mayor Pro-Tem Cuellar and Commissioner Fox.)

The Mayor Pro-Tem stated that at the candidates' forum last week, some questions were critical of the Hotel Occupancy Tax fund.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve the item as presented. Commissioner Noriega suggested an external audit.

Mayor Pro-Tem Cuellar, seconded by Mayor Suarez, moved to amend the motion to stipulate an external audit. Mr. Mann suggested expanding the scope of the audit to

ten years.

Mayor Pro-Tem Cuellar, seconded by Commissioner Pena, moved to amend the motion to expand the scope of the audit ten years. The motion carried unanimously; Mayor Suarez was present and voting.

The motion on the first amendment carried unanimously; Mayor Suarez was present and voting.

The original motion carried unanimously; Mayor Suarez was present and voting.

- J. Discussion and consideration to reschedule the next regular meeting of the City Commission from Tuesday, November 4 to Monday, November 3, 2014. Possible action. (Staffed by City Manager's Office.)

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

## **VIII. 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.)

Mr. Joe Pedraza, Health Official, reported the Weslaco Animal Shelter Advisory Committee held a meeting on August 25, 2014; the next meeting is expected in November. The Committee is looking into implementing spay and neuter as well as chipping programs and a dedicated webpage. Commissioner Pena requested another follow up after the Weslaco Animal Shelter Committee's next meeting in November.

- B. Update on Police Department programs and personnel.

During this presentation, the Mayor as well as Commissioner Fox, Pena, Rivera, and Tafolla each left the dais, staggered in turn, and returned.

Interim Chief Sergio Ramirez reported on the current statistics of the Police Department, including 160 automobile accidents from September 1, 2014 through October 3, 2014, as well as 26 complaints filed with the department since May of 2014, 20 of which have been completed. He restructured the department, expanding from four to six sectors and reassigned nine officers to patrol. He presented efforts to increase visibility, such as the recent addition of the night eyes program and bike patrol for the downtown area.

- C. Financial Status including General Fund Balance and Credit Rating.

Mr. Manuel Garcia reported a current fund balance of 32%, with a \$1,549,000.00 difference between revenue and expenditures. Mr. Bret Mann stated that since February, Weslaco has maintained an A+ credit rating with the highest fund balance ever, approximately 4.3 months of operating expenses in reserve.

**IX. EXECUTIVE SESSION**

At 7:45 p.m., the Mayor announced the regular meeting to convene in Executive Session. At 8:00 p.m., the Mayor announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

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

- A. Pending Litigation - 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.

- B. 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.

- 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.

Mayor Pro-Tem Cuellar, seconded by Commissioner Pena, moved to ratify the contract as authorized and executed by Mayor Suarez on October 8, 2014, setting rates and releasing claims. The motion carried unanimously; Mayor Suarez was present and voting.

**XI. ADJOURNMENT**

With no other business before the Commission, at 8:01 p.m. Commissioner Tafolla, seconded by Mayor Pro-Tem Cuellar, moved to adjourn the October 21, 2014 regular meeting. The motion carried unanimously; Mayor Suarez was present, but not voting.

**CITY OF WESLACO**

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**MAYOR, David Suarez**

**ATTEST:**

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**CITY SECRETARY, Elizabeth M. Walker**

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**MAYOR PRO-TEM, J.F. “Johnny” Cuellar**

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**COMMISSIONER, David R. Fox**

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**COMMISSIONER, Olga M. Noriega**

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**COMMISSIONER, Gerardo “Jerry” Tafolla**

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**COMMISSIONER, Lupe Rivera**

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**COMMISSIONER, Fidel L. Pena, III**