



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JANUARY 6, 2015**

On this 6th day of January at 5:34 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	Olga Noriega
Commissioner	Greg Kerr
Commissioner	Gerardo “Jerry” Tafolla
Commissioner	Lupe Rivera
Commissioner	Fidel L. Pena, III
Interim City Manager	Mike R. Perez
City Secretary	Elizabeth Walker
City Attorney	Frank Garza

Also present: Juan Salas, IT Department; Sonia Flores, Assistant Finance Director; Trinidad Cantu, Assistant Public Utilities Director; Mardoqueo Hinojosa, City Engineer/Interim Planning Director; Interim Chief Chris Sanchez, Fire Department; Ted Walensky, Police Department; David Arce, Parks and Recreation Director; Veronica Ramirez, Human Resources Director; Olga Garza, Public Facilities Assistant Director; George Garrett, Airport Director; Arnold Becho, Library Director; Martin Mata, Library Assistant Director; Joey Trevino, 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, January 2, 2015.

B. Invocation.

Mayor Suarez delivered the invocation.

C. Pledge of Allegiance.

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

D. Roll Call.

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

II. PUBLIC COMMENTS

There were no comments received.

III. CONSENT AGENDA

The following items are of a routine or administrative nature. The City Commission has been furnished with background and support material on each item, and/or it had been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote. Possible action.

- A. Approval of the Minutes of the Regular Meetings on December 16, 2014. (Staffed by City Secretary's Office.) Attachment.
- B. Approval on Second and Final Reading of Ordinance 2014-26 amending Ordinance 320 and the City of Weslaco Zoning map to rezone 416 E 18th St., also being West Tract an Irrigation Tract E15.4'-N 295'FT 751 & W132.6'-N295'FT 751 1.00 acres, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District. (First Reading held December 16, 2014; Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval of Resolution 2015-01 amending Resolution 2013-98 authorizing the Mayor, Commissioners, and Interim City Manager to exercise certain powers identified with BBVA Compass Bank, including opening accounts, transferring funds, securing safe deposit boxes, and making inquiries pertaining to accounts and authorize the Mayor and City Commissioners to execute any related documents. (Staffed by Finance Department.) Attachment.
- D. Approval of Resolution 2015-02 amending Resolution 2013-99 authorizing the Mayor, Commissioners, and Interim City Manager to exercise certain powers identified with Plains Capital Bank, including opening accounts, transferring funds, securing safe deposit boxes, and making inquiries pertaining to accounts and authorize the Mayor and City Commissioners to execute any related documents. (Staffed by Finance Department.) Attachment.
- E. Authorization of a budget amendment in the amount of \$25,000.00 for security improvements at Public Facilities. (Staffed by Public Facilities.) Attachment.

Mayor Pro-Tem Noriega requested item III. E be withdrawn from the consent agenda for further discussion.

Mayor Pro-Tem Noriega, seconded by Commissioner Pena, moved to approve items III. A, B, C and D as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the Ordinance reads as follows:

ORDINANCE NO. 2014-26

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 416 E 18TH ST., ALSO BEING WEST TRACT AN IRR TR E15.4`-N 295`FT 751 & W132.6`-N295`FT 751 1.00 ACRES, WESLACO, HIDALGO COUNTY, TEXAS, FROM R-1 ONE FAMILY DWELLING DISTRICT TO B-1 NEIGHBORHOOD BUSINESS DISTRICT.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: R-1 Single Family Dwelling District to B-1 Neighborhood Business District,, also being West Tract an IRR TR E15.4`-N 295`FT 751 & W132.6`-N295`FT 751 1.00 acres, being 416 E 18th Street, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 16th day of December, 2014.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 6th day of January, 2015.

CITY OF WESLACO
/s/ David Suarez, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Frank Garza, CITY ATTORNEY

For the record, the Resolutions read as follows:

RESOLUTION NO. 2015-01

STATE OF TEXAS	§ RESOLUTION AUTHORIZING MAYOR DAVID
COUNTY OF HIDALGO	§ SUAREZ, MEMBERS OF THE CITY COMMISSION,
CITY OF WESLACO	§ AND APPROPRIATE STAFF AS SIGNATORIES ON
	CERTAIN LEGAL FINANCIAL DOCUMENTS FOR
	THE CITY OF WESLACO

1. I, **Elizabeth Walker**, certify that I am the **City Secretary** of The City of Weslaco, organized under the laws of **Texas**, Federal Employer ID Number **74-6002544**, engaged in Municipal business under the name of the **City of Weslaco**, and that the following is a correct copy of the resolution adopted at a meeting of the City Commission duly and properly called and held on **January 6, 2015**. This resolution appears in the minutes of this meeting and has not been rescinded or modified.

2. Be it Resolved that,

(a) BBVA Compass Bank is designated as a depository for the funds of the City of Weslaco.

(b) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by this Financial Institution.

(c) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and

borrowings by or on behalf of the City of Weslaco with this financial institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.

(d) Any of the persons named below, so long as they act in a representative capacity as agents of the City of Weslaco, are authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated below, from time to time with this financial institution, concerning funds deposited in this financial institution, moneys borrowed from this financial institution or any other business transacted by and between the City of Weslaco and this financial institution subject to any restrictions stated below.

(e) Any and all prior resolutions adopted by the City Commission of the City of Weslaco and certified to this Financial Institution as governing the operations of the City of Weslaco's account(s), are in full force and effect, unless supplemented or modified by this authorization.

(f) The City of Weslaco agrees to the terms and conditions of any account agreement, properly opened by any authorized representative(s) of the City of Weslaco, and authorizes the financial institution named above, at anytime, to charge the City of Weslaco for all checks, drafts, or other orders, for the payment of money, that are properly drawn on this financial institution, and contain the required number of signatures for this purpose.

3. The officials designated below are authorized to conduct business as indicated:

Name and Title	Signature
(A) David Suarez, Mayor	_____
(B) Olga Noriega, Mayor Pro-Tem	_____
(C) David R. Fox, Commissioner	_____
(D) Greg Kerr, Commissioner	_____
(E) Gerardo Tafolla, Commissioner	_____
(F) Lupe Rivera, Commissioner	_____
(G) Fidel Peña, Commissioner	_____
(H) Mike Perez, Interim City Manager	_____
(I) Elizabeth Walker, City Secretary	_____
(J) Sonia Flores, Assistant Finance Director	_____

Indicate A, B, C, D and/or E

- A – H (1) Exercise all of the powers listed (2) through (9)
- A – H, J (2) Open any deposit or checking account(s) in the name of the City of Weslaco
- A – H (3) Endorse checks and orders for the payment of money and withdraw funds on deposit with this financial institution.
Number of authorized signatures required for this purpose 2.
Number of authorized signatures required for payroll purpose 1.
- A – H (4) Open any certificate of deposit account and withdraw or transfer funds from the certificate of deposit on deposit with this financial institution.

Number of authorized signatures required for this purpose 2.

- A – H, J (5) Transfer funds from operations account to the payroll account, investment account or paying agent approved by City Commission by telefax or other electronic means.
Number of authorized signatures required for this purpose 1.
- A – H (6) Borrow money on behalf and in the name of the City of Weslaco executes and delivers promissory notes or other evidences of indebtedness.
Number of authorized signatures required for this purpose 2.
- A – H (7) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the City of Weslaco as security for sums borrowed and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.
Number of authorized signatures required for this purpose 1.
- A – H, J (8) Enter into written lease for the purpose of renting and maintaining a Safe Deposit Box in this financial institution.
Number of authorized signatures required to gain access and to terminate the lease 1.
- A – K, J (9) Authorized to make inquiries as to status, account balance pertaining to the City of Weslaco.

4. I further certify that the City Commission of the City of Weslaco has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the foregoing resolutions and to confer the power granted to the persons named who have full power and lawful authority to exercise the same.

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of this Corporation on January 6, 2015.

RESOLUTION NO. 2015-02

**STATE OF TEXAS § RESOLUTION AUTHORIZING MAYOR DAVID
COUNTY OF HIDALGO § SUAREZ, MEMBERS OF THE CITY COMMISSION,
CITY OF WESLACO § AND APPROPRIATE STAFF AS SIGNATORIES ON
 § CERTAIN LEGAL FINANCIAL DOCUMENTS FOR
 § THE CITY OF WESLACO**

1. I, Elizabeth Walker, certify that I am the **City Secretary** of The City of Weslaco, organized under the laws of Texas, Federal Employer ID Number 74-6002544, engaged in Municipal business under the name of the City of Weslaco, and that the following is a correct copy of the resolution adopted at a meeting of the City Commission duly and properly called and held on January 6, 2015. This resolution appears in the minutes of this meeting and has not been rescinded or modified.
2. Be it Resolved that,
- (a) Plains Capital Bank is designated as a depository for the funds of the City of Weslaco.
- (b) This resolution shall continue to have effect until express written notice of its rescission

or modification has been received and recorded by this Financial Institution.

- (c) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the City of Weslaco with this financial institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.
- (d) Any of the persons named below, so long as they act in a representative capacity as agents of the City of Weslaco, are authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated below, from time to time with this financial institution, concerning funds deposited in this financial institution, moneys borrowed from this financial institution or any other business transacted by and between the City of Weslaco and this financial institution subject to any restrictions stated below.
- (e) Any and all prior resolutions adopted by the City Commission of the City of Weslaco and certified to this Financial Institution as governing the operations of the City of Weslaco's account(s), are in full force and effect, unless supplemented or modified by this authorization.
- (f) The City of Weslaco agrees to the terms and conditions of any account agreement, properly opened by any authorized representative(s) of the City of Weslaco, and authorizes the financial institution named above, at anytime, to charge the City of Weslaco for all checks, drafts, or other orders, for the payment of money, that are properly drawn on this financial institution, and contain the required number of signatures for this purpose.

4. The officials designated below are authorized to conduct business as indicated:

Name and Title	Signature
(A) David Suarez, Mayor	_____
(B) Olga Noriega, Mayor Pro-Tem	_____
(C) David R. Fox, Commissioner	_____
(D) Greg Kerr, Commissioner	_____
(E) Gerardo Tafolla, Commissioner	_____
(F) Lupe Rivera, Commissioner	_____
(G) Fidel Peña, Commissioner	_____
(H) Mike Perez, Interim City Manager	_____
(I) Elizabeth Walker, City Secretary	_____
(J) Sonia Flores, Assistant Finance Director	_____

Indicate A, B, C, D and/or E

- A – H (1) Exercise all of the powers listed (2) through (9)
- A – H, J (2) Open any deposit or checking account(s) in the name of the City of Weslaco
- A – H (3) Endorse checks and orders for the payment of money and withdraw funds on deposit with this financial institution.
Number of authorized signatures required for this purpose 2.
Number of authorized signatures required for payroll purpose 1.

- A – H (4) Open any certificate of deposit account and withdraw or transfer funds from the certificate of deposit on deposit with this financial institution. Number of authorized signatures required for this purpose 2.
- A – H, J (5) Transfer funds from operations account to the payroll account, investment account or paying agent approved by City Commission by telefax or other electronic means. Number of authorized signatures required for this purpose 1.
- A – H (6) Borrow money on behalf and in the name of the City of Weslaco executes and delivers promissory notes or other evidences of indebtedness. Number of authorized signatures required for this purpose 2.
- A – H (7) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the City of Weslaco as security for sums borrowed and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment. Number of authorized signatures required for this purpose 1.
- A – H, J (8) Enter into written lease for the purpose of renting and maintaining a Safe Deposit Box in this financial institution. Number of authorized signatures required to gain access and to terminate the lease 1.
- A – K, J (9) Authorized to make inquiries as to status, account balance pertaining to the City of Weslaco.

4. I further certify that the City Commission of the City of Weslaco has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the foregoing resolutions and to confer the power granted to the persons named who have full power and lawful authority to exercise the same.

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of this Corporation on January 6, 2015.

CITY OF WESLACO
/s/ David Suarez, **MAYOR**

ATTEST:
/s/ Elizabeth M. Walker, **CITY SECRETARY**

APPROVED AS TO FORM:
/s/ Frank Garza, **CITY ATTORNEY**

IV. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2015-03 appointing one member to an expired term on the Board of Adjustments & Appeals – Zoning Board. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Interim City Manager Mike Perez stated Paul Garza would like to continue serving

on the Board of Adjustments & Appeals – Zoning Board.

Mayor Pro-Tem Noriega, seconded by Commissioner Pena, moved to approve Resolution 2015-03 reappointing Paul Garza as one member to an expired term on the Board of Adjustments & Appeals – Zoning Board. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the Resolution reads as follows:

RESOLUTION NO. 2015-03

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

WHEREAS, the City of Weslaco created and established the Board of Adjustments & Appeals-Zoning Ordinance.

WHEREAS, the term of the members of this board are for two years; and

WHEREAS, the Board of Adjustments & Appeals-Zoning Ordinance members shall serve with neither compensation nor term limits; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Paul Garza is appointed to serve an expired term on the Board of Adjustments & Appeals-Zoning Ordinance and the term will expire on 5th day of January, 2017.

PASSED AND APPROVED on this 6th day of January, 2015.

CITY OF WESLACO
/s/ David Suarez, **MAYOR**

ATTEST:
/s/ Elizabeth M. Walker, **CITY SECRETARY**

APPROVED AS TO FORM:
/s/ Frank Garza, **CITY ATTORNEY**

V. OLD BUSINESS

- A. Discussion and consideration to approve on Second and Final Reading Ordinance 2014-23, prohibiting the sale, exhibition, and possession of fireworks within the City of Weslaco, and authorize the Mayor to execute any related documents. Possible action. (This item was tabled December 16, 2014; First reading held December 2, 2014. Staffed by Fire Department.) Attachment.

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

The City Attorney stated more time would be needed to review the ordinance; he

recommended no action.

Commissioner Pena, seconded by Commissioner Kerr, moved to table the item until the first regular meeting in February 2015. The motion carried unanimously; Mayor Suarez was present and voting.

III. CONSENT AGENDA

- E. Authorization of a budget amendment in the amount of \$25,000.00 for security improvements at Public Facilities. (Staffed by Public Facilities.) Attachment.

Commissioner Pena, seconded by Mayor Pro-Tem Noriega, moved to discuss this item. The motion carried unanimously; Mayor Suarez was present and voting.

Mr. Trinidad Cantu and Ms. Olga Garza explained that in light of two recent break-ins at the Public Facilities Department over the last two months, security improvements are necessary as there is currently not adequate lighting for the area nor an alarm system to immediately notify the police department.

In response to Commissioner Tafolla, the Interim City Manager stated this money would be from the fund balance; additionally, the Council of Governments, with their 911 division located at that facility, pledged to contribute \$10,000.00 toward the security improvements. In response to the Mayor, Mr. Cantu confirmed changes to internal protocols in response to the incidents.

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

VI. NEW BUSINESS

- A. Discussion and consideration to approve the Supplemental Agreement with TEDSI Infrastructure Group for additional surveying duties for the Boys and Girls Club project at Pablo G. Peña City Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment.

The Interim City Manager stated this project is over-budget by \$357,000.00 due to the need to extend the sewer line and complete the parking lot; he recommended approval to complete the survey and deferring some cost overages until next fiscal year. In response to Mayor Pro-Tem Noriega, he does not recommend moving the location for the project as the City already extended the project timeline.

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

- B. Discussion and consideration to extend the term of the existing 125 Cafeteria Plans (optional/voluntary supplemental insurance. i.e., vision, dental, life, cancer, long-term care, etc.) for City employees for an additional year at no cost to the City, effective from April 1, 2015 to March 31, 2016 or authorize request for proposals for same and ratify the Notice of Termination. Possible action. (Staffed by Human Resources Department.) Attachment.

Ms. Veronica Ramirez stated the agents of record for each product, including dental and vision insurance through Humana, group supplemental health insurance through Allstate, universal life insurance through ING and short/long term disability through Lincoln. She added the contracts are effective for one year and have been extended twice; 2012 was the last year the City went out for bids and some have been the same vendors since prior to 2009. The Interim City Manager stated the Commission has the authority to renew one more year; he recommended going out for bids.

Commissioner Pena, seconded by Mayor Pro-Tem Noriega, moved to authorize the request for proposals for the 125 Cafeteria Plans (optional/voluntary supplemental insurance. i.e., vision, dental, life, cancer, long-term care, etc.) for City employees at no cost to the City, effective from April 1, 2015 to March 31, 2016 and ratify the Notices of Termination. The motion carried unanimously; Mayor Suarez was present and voting.

- C. Discussion and consideration to ratify the Notice of Termination for the Solid Waste Collection & Disposal Service Agreement with BFI Waste Services of Texas, LP d/b/a Allied Waste Services of Rio Grande Valley and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities.) Attachment.

The Interim City Manager stated tomorrow, January 7, 2015 is the last day to give the 180-day notice to terminate the contract, and so he sent notice last week to avoid missing the deadline. He directed staff to create a business plan to potentially conduct solid waste collection services in-house, which will be presented in approximately 30-45 days. He recommended a workshop to examine carefully if this is financially viable, as it may be difficult for the city to compete with the private sector as a funded depreciation account would need to be established; by terminating now, the Commission preserves the option to bring in-house or bid out.

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

- D. Discussion and consideration to award the best qualified, most advantageous response to Request For Bids No. 2014-15-10 for two (2) 2015 Two Wheel Drive Half-Ton Pick-Up Trucks in an amount not to exceed \$47,890.00, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related

documents. Possible action. (Staffed by Public Utilities.) Attachment.

Mr. Trinidad Cantu stated the current vehicles, units 422 and 454, were purchased in 2001 and are capable of towing only up to 1,000 pounds; the collections and distribution department needs a vehicle capable of towing 3,000 pounds. In response to Mayor Pro-Tem Noriega, Mr. Cantu explained this will be funded through the Utility Department's capital fund balance. The Interim City Manager stated that any money received from TML on the claim to the vandalism of the vehicle will be assigned to the same fund.

Mayor Pro-Tem Noriega, seconded by Commissioner Kerr, moved to award Caldwell Country Chevrolet – Weslaco Motors as the best qualified, most advantageous response to Request For Bids No. 2014-15-10 for two (2) 2015 Two Wheel Drive Half-Ton Pick-Up Trucks. The motion carried unanimously; Mayor Suarez was present and voting.

- E. Discussion and consideration to award the best qualified, most advantageous response to Request For Bids No. 2014-15-09 for two (2) zero-turn mowers in an amount not to exceed \$13,198.00, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities.) Attachment.

Mr. Trinidad Cantu explained these zero-turn mowers would replace current equipment, due to the extensive repairs they require; the mowers will be used at the water treatment plant and lift station areas.

The Interim City Manager recommended staggering the purchases of the two mowers to help maintain the balance in the department's budget; alternatively, buy one and repair another based on the best value.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to award MAE Power Equipment Request For Bids No. 2014-15-09 for the purchase of one zero-turn mower in amount not to exceed \$7,000.00, 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.

- F. Discussion and consideration to approve a cemetery agreement with Jose and Emma Quesada exchanging four (4) cemetery plots located in the Old City Cemetery (located near Block 1, Lot 26, Space 4 and Block 1, Lot 25, Space 1) as inherited for four cemetery plots in the New Cemetery Expansion (Block E, Lot 11, Plot 5&6, and Block E, Lot 12, Plot 25&16), authorize a budget amendment as appropriate and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation.) Attachment.

The Interim City Manager stated both he and the City Attorney recommend approval in order to mitigate potential future claims in the Old City Cemetery, though staff

must recommend against as there is no deed on the property; though staff noted has never seen a deed for the Old City Cemetery.

Mayor Pro-Tem Noriega, seconded by Commissioner Kerr, moved to approve a cemetery agreement with Jose and Emma Quesada exchanging four (4) cemetery plots located in the Old City Cemetery (located near Block 1, Lot 26, Space 4 and Block 1, Lot 25, Space 1) as inherited for four cemetery plots in the New Cemetery Expansion (Block E, Lot 11, Plot 5&6, and Block E, Lot 12, Plot 25&16), 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.

- G. Discussion and consideration to authorize Hector Lopez to charge players to train for soccer at Pablo G. Peña City Park and/or Harlon Block Sports Complex and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation.) Attachment.

Commissioner Pena, seconded by Mayor Pro-Tem Noriega, moved to discuss the item.

Mr. David Arce stated Hector Lopez would like to charge between \$30.00 and \$50.00 per child per month for soccer training at the park for personal gain. Commissioner Tafolla recommended erecting a sign at the parks to make citizens aware of the ordinance prohibiting them from charging others for any kind of product or service for personal gain on a public purpose facility.

The motion failed with all opposed (0-7); Mayor Suarez was present and voting.

- H. Discussion and consideration to approve ground leases between the City of Weslaco d.b.a. Mid Valley Airport and Shari Pate for Hangars W-3 and E-26 for a period not to exceed five (5) years and authorize the Mayor to execute any related documents. Possible action. (Requested by Mayor and Mayor Pro-Tem; staffed by Airport.) Attachment.

The City Attorney stated that Ms. Pate has been requesting approval for this item; he recommended approval for the five-year lease, beginning from the actual approval date as opposed to the May 2013 date printed on the agreement.

In response to Mayor Pro-Tem Noriega, Mr. George Garrett explained this item had been delayed due to the ongoing litigation with Ms. Pate's husband. He recommended denial of this item. The City Attorney stated it was only Mr. Pate involved in litigation with the City; the Interim City Manager recommended approval of the item.

Mayor Pro-Tem Noriega, seconded by Commissioner Kerr, moved to approve ground leases between the City of Weslaco d.b.a. Mid Valley Airport and Shari Pate for Hangars W-3 and E-26 for a period not to exceed five (5) years and authorized

the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

VII. EXECUTIVE SESSION

At 6:52 p.m., the Mayor announced the regular meeting to convene in Executive Session. At 8:44 p.m., the Mayor announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

- A. 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.

Commissioner Pena, seconded by Commissioner Tafolla, moved to approve as discussed in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

- B. Personnel - Discussion regarding the goals and objectives of the Interim City Manager for the City of Weslaco as authorized by §551.074 of the Texas Government Code.

There was no action on this item.

- C. Personnel - Discussion with the Interim City Manager regarding the Police Chief and Fire Chief applicants as authorized by §551.074 of the Texas Government Code.

There was no action on this item.

- D. Personnel - Discussion with the City Attorney regarding Adan Sanchez as authorized by §551.074 of the Texas Government Code.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve as discussed in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

- E. Pending Litigation – Discussion with the City Attorney regarding Cause No. LC14-074JM City of Weslaco and Chachalaca Aero, LLC v. John Pate in Hidalgo County, Texas as authorized by §551.071(1) of The Texas Government Code. (Requested by Mayor and Mayor Pro-Tem.)

Mayor Pro-Tem Noriega, seconded by Commissioner Rivera, moved to approve as discussed in Executive Session and cancel the lease agreement with Chachalaca

Aero, LLC. The motion carried unanimously; Mayor Suarez was present and voting.

- F. Pending Litigation - Discussion with City Attorney regarding Civil Action No. 1:14-cv-636, Robert Lopez, Federico Salazar, Javier Garcia, Maria Dolores Salinas, Ted Walensky, Xenia Yarrito Miramontes, Lorenzo Colunga, Romeo Guerra, Rodolfo Rodriguez, Jr., Felix Salinas, Gerardo Oliva, Brooks Ditto, Alberto Ponce, Esmeraldo Lopez, Liandro Gonzalez, Arnulfo Sandoval and Plaintiffs v. Sergio Ramirez, in his individual capacity, Defendant as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

IX. ADJOURNMENT

With no other business before the Commission, at 8:45 p.m. Commissioner Tafolla, seconded by Commissioner Kerr, moved to adjourn the January 6, 2015 regular meeting. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

CITY SECRETARY, Elizabeth Walker

MAYOR PRO-TEM, Olga Noriega

(absent)

COMMISSIONER, David R. Fox

COMMISSIONER, Greg Kerr

COMMISSIONER, Gerardo "Jerry" Tafolla

COMMISSIONER, Lupe Rivera

COMMISSIONER, Fidel L. Pena, III