



**A REGULAR MEETING  
OF THE WESLACO CITY COMMISSION  
TUESDAY, FEBRUARY 3, 2015**

On this 3<sup>rd</sup> day of February 2015 at 5:31 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	David R. Fox
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; Veronica Ramirez, Human Resources Director; David Salinas, Public Utilities Director, Trinidad Cantu, Assistant Public Utilities Director; Mardoqueo Hinojosa, City Engineer/Planning Director; Interim Chief Chris Sanchez, Fire Department; Captain Ted Walensky, Police Department; David Arce, Parks and Recreation Director; Olga Garza, Public Facilities Assistant Director; George Garrett, Airport Director; Arnold Becho, Library Director; Martin Mata, Library Assistant Director; 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 30, 2015.
- B. Invocation.  
Reverend Rosalio Martinez from Primera Asamblea de Dios Templo delivered the invocation.
- C. Pledge of Allegiance.  
Mayor Suarez recited the Pledge of Allegiance and the Texas flag.
- D. Roll Call.  
Elizabeth Walker, City Secretary, called the roll, noting Commissioner Fox’s arrival at 5:37 p.m.

**II. PUBLIC COMMENTS**

Mr. James Moore and Dr. Leticia Volpe spoke in support of Knapp Medical Center, pleading not to relinquish the deed restrictions on the property until the public receives answers about the sale of the hospital.

**III. CONSENT AGENDA**

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

A. Approval of the Minutes of the Regular Meeting on January 20, 2015. (Staffed by City Secretary's Office.) Attachment.

B. Approval on Second and Final Reading of the following Ordinances:

1.) Ordinance 2015-01 amending Ordinance 320 and the City of Weslaco Zoning map to rezone 301 S. Bridge Ave., also being Lot 6, Blk 4, Molby Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-4 Neighborhood Office District.

2.) Ordinance 2015-02 amending Ordinance 320 and the City of Weslaco Zoning map to rezone Lots 1, 2, 11, and 12, Block 2 and Lot 1, Block 3, Fresno Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-2 Secondary Highway Business District.

(Staffed by Planning and Code Enforcement Department.) Attachment.

Commissioner Tafolla, seconded by Commissioner Fox, moved to approve items III. A and B as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the Ordinances read as follows:

**ORDINANCE NO. 2015-01**

**AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 301 S. BRIDGE AVE., ALSO BEING LOT 6, BLK 4, MOLBY SUBDIVISION, WESLACO, HIDALGO COUNTY, TEXAS, FROM R-1 ONE FAMILY DWELLING DISTRICT TO B-4 NEIGHBORHOOD OFFICE DISTRICT.**

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

**SECTION I:** R-1 Single Family Dwelling District to B-4 Neighborhood Office District being Lot 6, Blk 4, Molby Subdivision, also being 301 S. Bridge Ave., 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 20<sup>th</sup> day of January, 2015.

**PASSED AND APPROVED** on second reading at a regular meeting of the City Commission this 3<sup>rd</sup> day of February, 2015.

**ORDINANCE NO. 2015-02**

**AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF LOTS 1, 2, 11, AND 12, BLOCK 2 AND LOT 1, BLOCK 3, FRESNO SUBDIVISION, WESLACO, HIDALGO COUNTY, TEXAS, FROM R-1 ONE FAMILY DWELLING DISTRICT TO B-2 SECONDARY HIGHWAY 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-2 Secondary Highway Business District, being Lots 1, 2, 11, and 12, Block 2 and Lot 1, Block 3, Fresno Subdivision, 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 20<sup>th</sup> day of January, 2015.

**PASSED AND APPROVED** on second reading at a regular meeting of the City Commission this 3<sup>rd</sup> day of February, 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 2015-11 confirming one appointment by the Chief Executive to an expired term on the Weslaco Civil Service Commission as per Local Government Code §143.006 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.

Mayor Pro-Tem Noriega, seconded by Commissioner Pena, moved to approve Resolution 2015-11 confirming the reappointment of Kevin Bloomquist to an expired term on the Weslaco Civil Service Commission. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the Resolution reads as follows:

**RESOLUTION NO. 2015-11**

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE WESLACO CIVIL SERVICE COMMISSION.**

**WHEREAS**, the City of Weslaco has established the Weslaco Civil Service Commission pursuant to Chapter 143 of The Texas Local Government Code; and

**WHEREAS**, the terms of the members of this board are for 3 years; and

**WHEREAS**, the Civil Service Board members shall serve without compensation; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT** it consents to the appointment of Kevin Bloomquist on the Civil Service Board and the term will begin on February 17, 2015 and expires on February 17, 2018.

**PASSED AND APPROVED** on this 3<sup>rd</sup> day of February 2015.

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

**ATTEST:**

/s/ Elizabeth M Walker, **CITY SECRETARY**

**APPROVED AS TO FORM:**

/s/Frank Garza, **CITY ATTORNEY**

- B. Discussion and consideration to approve Resolution 2015-12 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. (Staffed by Parks and Recreation Department.) Attachment.

Commissioner Kerr, seconded by Commissioner Rivera, moved to approve Resolution 2015-12 reappointing Ismael Quiroz to an expired term on the Parks and Recreation Advisory Board. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the Resolution reads as follows:

**RESOLUTION NO. 2015-12**

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE PARKS & RECREATION ADVISORY BOARD.**

**WHEREAS**, the City of Weslaco has established the Parks & Recreation Advisory Board pursuant to Section 17-17 of the Weslaco Municipal Code Book; and

**WHEREAS**, the terms of the members of this board are for three years; and

**WHEREAS**, the Parks & Recreation Advisory Board members shall serve without compensation; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF**

**WESLACO, TEXAS THAT** Ismael Quiroz Jr. is appointed to serve a two year term on the Parks & Recreation Advisory Board, and the term will begin on March 6, 2015 and end on March 5, 2018.

**PASSED AND APPROVED** on this 3<sup>rd</sup> day of February 2015.

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

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

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

- C. Discussion and consideration to approve Resolution 2015-13 appointing one member to an expired term on the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.

Commissioner Kerr, seconded by Mayor Pro-Tem Noriega, moved to approve Resolution 2015-13 reappointing George Guerra to an expired term on the Ambulance Advisory Board. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the Resolution reads as follows:

**RESOLUTION 2015-13**

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE AMBULANCE ADVISORY BOARD.**

**WHEREAS**, the City of Weslaco has established the Ambulance Advisory Board pursuant to Section 14-1(A) of Ordinance No. 78-39; and

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

**WHEREAS**, the Ambulance Advisory Board members shall serve without compensation; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT** George Guerra is appointed to serve a two year term on the Ambulance Advisory Board and the term will begin on March 20, 2015 and expire on March 20, 2017.

**PASSED AND APPROVED** on this 3<sup>rd</sup> day of February, 2015.

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

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

**APPROVED AS TO FORM:**

/s/Frank Garza, CITY ATTORNEY

- D. Discussion and consideration to approve Resolutions 2015-14, 2015-15, and 2015-16 appointing three members to expired terms on the Library Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.) Attachment.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve Resolution 2015-14 reappointing Joel de los Santos to an expired term on the Library Board. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Pro-Tem Noriega, seconded by Commissioner Pena, moved to approve Resolutions 2015-15 and 2015-16 reappointing Christine Warren and Idolina Garcia to expired terms on the Library Board. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the Resolutions read as follows:

**RESOLUTION NO. 2015-14**

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE LIBRARY BOARD.**

**WHEREAS**, the City of Weslaco has established the Library Board pursuant to Section 17-17 of the Weslaco Municipal Code Book; and

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

**WHEREAS**, the Library Board members shall serve without compensation and unlimited terms; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT** Joel de los Santos is appointed to serve a two year term on the Library Board and the term will expire on March 5, 2017.

**PASSED AND APPROVED** on this 3<sup>rd</sup> day of February 2015.

**RESOLUTION NO. 2015-15**

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE LIBRARY BOARD.**

**WHEREAS**, the City of Weslaco has established the Library Board pursuant to Section 17-17 of the Weslaco Municipal Code Book; and

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

**WHEREAS**, the Library Board members shall serve without compensation and unlimited terms; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT** Christine Warren is appointed to serve a two year term on the Library Board and the term will expire on March 5, 2017.

**PASSED AND APPROVED** on this 3<sup>rd</sup> day of February 2015.

**RESOLUTION NO. 2015-16**

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE LIBRARY BOARD.**

**WHEREAS**, the City of Weslaco has established the Library Board pursuant to Section 17-17 of the Weslaco Municipal Code Book; and

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

**WHEREAS**, the Library Board members shall serve without compensation and unlimited terms; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT** Idolina Garcia is appointed to serve a two year term on the Library Board and the term will expire on March 5, 2017.

**PASSED AND APPROVED** on this 3<sup>rd</sup> day of February 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 January 6, 2015 until the first meeting in February; First reading held December 2, 2014. Staffed by Fire Department.) Attachment.

There was no action on this item.

- B. Discussion and consideration to approve on Second and Final Reading Ordinance 2015-03 amending the Code of Ordinances §114-17, "Political signs and banners; removal," adding such sections to provide for the placement of political signs on private property, to provide for the regulation of electioneering on public property and election polling places; to provide a repealing clause; to provide a severability

clause; to provide a penalty for each offense; and to provide an effective date. Possible action. (First reading held January 6, 2015; Staffed by City Secretary's Office.) Attachment.

Mayor Pro-Tem Noriega, seconded by Commissioner Rivera, moved to table this item until March 17, 2015. The motion carried unanimously; Mayor Suarez was present and voting.

## **VI. NEW BUSINESS**

- A. Discussion and consideration to approve a Public Purpose Exhibit Contract transferring the contract with Clarke Design for Valley Nature Center exhibits to the Lower Rio Grande Valley Nature Center and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment.

The City Secretary noted for the record the correct amount of the contract is \$131,282.68.

Commissioner Pena, seconded by Commissioner Tafolla, moved to approve a Public Purpose Exhibit Contract transferring the contract with Clarke Design for Valley Nature Center exhibits to the Lower Rio Grande Valley Nature Center, and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- B. Discussion and consideration to accept the engineering proposal from Dunham Engineering in the amount of \$60,000.00; authorize a budget amendment as appropriate and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities Department.) Attachment.

In response to Commissioner Tafolla, Mr. David Salinas stated that five responses had been received to the Request for Qualifications; the Commission selected Dunham Engineering, which originally proposed \$102,000.00 which they have since negotiated to a lower fee. The Mayor Pro-Tem requested that the negotiation include LED lights.

Mayor Pro-Tem Noriega, seconded by Commissioner Kerr, moved to accept the engineering proposal from Dunham Engineering in the amount of \$60,000.00; authorized a budget amendment as appropriate, and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- C. Discussion and consideration to authorize Magic Valley Electric Cooperative, Inc. to build a new power line in an existing City Drainage Easement located north of Interstate 2 (U.S. Expressway 83) and east of Lin's Grand Buffet – Weslaco Subdivision and authorize the Mayor to execute any related documents. Possible

action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Mr. Mardoqueo Hinojosa stated the Planning and Zoning Commission recommends approval, as well as staff.

Commissioner Pena, seconded by Commissioner Rivera, moved to authorize Magic Valley Electric Cooperative, Inc. to build a new power line in an existing City Drainage Easement located north of Interstate 2 (U.S. Expressway 83) and east of Lin's Grand Buffet – Weslaco Subdivision and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- D. Discussion and consideration to approve Ordinance 2015-04 amending Ordinance 69-9 "An Ordinance Establishing a First Zone and a Second Fire Zone, and Fixing the Boundaries of Each Such Zone," excluding certain zones from First and Second Fire Zones and authorize the Mayor to execute any related documents. First Reading of Ordinance 2015-04. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Mr. Hinojosa explained that two fire zones were created in 1969 when buildings were simply closer together; the proposed construction in this zone complies with current building code; Commissioner Pena noted that the only risk is borne by the property owner, which requested reconsideration of this zone.

Commissioner Pena, seconded by Commissioner Kerr, moved to approve Ordinance 2015-04 amending Ordinance 69-9 "An Ordinance Establishing a First Zone and a Second Fire Zone, and Fixing the Boundaries of Each Such Zone," excluding certain zones from First and Second Fire Zones and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- E. Discussion and consideration to approve Ordinance 2015-05 creating a Weslaco Historical Commission, adopting its mission and appointing members. First Reading of Ordinance 2015-05. Possible action. (Requested by Mayor Pro-Tem Noriega and Commissioner Fox; staffed by Planning and Code Enforcement Department.) Attachment.

Mayor Pro-Tem Noriega, seconded by Commissioner Rivera, moved to approve Ordinance 2015-05 creating a Weslaco Historical Commission, adopting its mission and appointing members. The motion carried unanimously; Mayor Suarez was present and voting.

The City Manager noted that this ordinance allows the appointment of seven people to survey historical buildings across the City; any designation requires petition by the property owners and 2/3 vote by the Planning and Zoning Commission. The intent is to balance the protection of older building with private property rights.

There may be a waiver for economic hardship and tax exemption incentives. The Mayor Pro-Tem noted this “saves real places that tell real stories.”

- F. Discussion and direction relating to large trucks parking in residential areas. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Mr. Mardoqueo Hinojosa reported the recommendation is to provide a 90-day period to remove on first warning, one week to comply on second warning, then citation with penalty as assigned by Municipal Court. He clarified that enforcement would be by Police Department when the truck is parked on the street or right-of-way and Code Enforcement when on private property.

Commissioner Pena, seconded by Commissioner Fox, moved to adopt the memorandum as policy for enforcement of the ordinance relating to large trucks parking in residential areas. The motion carried unanimously; Mayor Suarez was present and voting.

- G. Discussion and consideration to approve a Professional Services Agreement for Medical Services Director and authorize the Mayor to execute any related documents. Possible action. (Requested by the Mayor and Mayor Pro-Tem) Attachment.

Mayor Pro-Tem Noriega, seconded by Commissioner Pena, moved to approve a Professional Services Agreement for Medical Services Director with Dr. Andrew Levine and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

## **VII. EXECUTIVE SESSION**

At 6:26 p.m., the Mayor announced the regular meeting to convene in Executive Session. At 8:45 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. 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.

- B. Personnel - Discussion regarding the goals, objectives, and evaluation 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 City Attorney regarding Charles Bosler as authorized by §551.074 of the Texas Government Code.

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

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

Mayor Pro-Tem Noriega, seconded by Commissioner Pena, moved to authorize in Civil Action No. M-13-395, *DKIII Hornback Enterprises, Ltd., Plaintiff, v. John Cuellar, Guadalupe Rivera, Jerry Tafolla, Leo Olivarez, and Jose Martinez, David Fox and the City of Weslaco, Defendants* the settlement in the amount of \$100,000.00, \$50,000.00 of which to be paid by the City and the other \$50,000.00 paid by the risk pool and authorize the Mayor and the attorneys for the City to execute any related documents. By roll call vote, the motion carried unanimously; Mayor Suarez was present and voting.

- E. Pending Litigation - Consultation 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.

Commissioner Pena, seconded by Commissioner Rivera, moved to authorize in 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* the settlement in the amount of \$10,600.44 as paid by the risk pool and authorize the Mayor and the attorneys for the City to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- F. Potential Litigation – Discussion with the City Attorney regarding the Legislative Assistance Agreement with Caballero Governmental Affairs as authorized by §551.071 of the Texas Government Code.

Mayor Pro-Tem Noriega, seconded by Commissioner Kerr, moved to authorize the City Attorney to proceed as discussed in Executive Session regarding the Legislative Assistance Agreement with Caballero Governmental Affairs. The motion carried unanimously; Mayor Suarez was present and voting.

- G. Potential Litigation – Discussion with City Attorney 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 as authorized by §551.071 of the Texas Government Code. (Requested by the Mayor).

In response to Commissioner Kerr, the City Attorney noted he has no conflict of interest on this item as it is a collection issue.

Mayor Pro-Tem Noriega, seconded by Commissioner Pena, moved to authorize the City Attorney to proceed as discussed in Executive Session regarding 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. The motion carried unanimously; Mayor Suarez was present and voting.

- H. Pending Litigation - Discussion with City Attorney and Special Counsel regarding Cause No. C-081-13 B *Weslaco Health Facilities Development Corporation v. Knapp Medical Center, et.al.* as authorized by §571.074 of the Government Code.

Mayor Pro-Tem Noriega, seconded by Commissioner Pena, moved to authorize the City Attorney to settle with contingencies as discussed in Executive Session regarding Cause No. C-081-13 B *Weslaco Health Facilities Development Corporation v. Knapp Medical Center, et.al.* The motion carried unanimously; Mayor Suarez was present and voting.

## **IX. ADJOURNMENT**

With no other business before the Commission, at 8:52 p.m. Commissioner Pena, seconded by Commissioner Tafolla, moved to adjourn the February 3, 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

---

COMMISSIONER, David R. Fox

---

COMMISSIONER, Greg Kerr

---

COMMISSIONER, Gerardo “Jerry” Tafolla

---

COMMISSIONER, Lupe Rivera

---

COMMISSIONER, Fidel L. Pena, III