



**A REGULAR MEETING  
OF THE WESLACO CITY COMMISSION  
TUESDAY, DECEMBER 1, 2015**

On this 1<sup>st</sup> day of December 2015 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	Olga Noriega
Commissioner	Greg Kerr
Commissioner	Letty Lopez
Commissioner	Fidel L. Pena, III
Commissioner	Gerardo “Jerry” Tafolla
Commissioner	Leo Muñoz
City Manager	Mike R. Perez
City Secretary	Elizabeth Walker
City Attorney	Juan E. Gonzalez

Also present: Maria Barrera, Finance Director; Jose Pena, IT Director; Pete Garcia, Public Works Director, Chief Tony Lopez, Fire Department; Capt. Robert de la Cerda, Police Department; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; Arnold Becho, Library 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, November 13, 2015.
- B. Invocation.  
Pastor J.J. Wicke, First United Methodist Church, led the invocation.
- C. Pledge of Allegiance.  
The Mayor led the Pledge of Allegiance and Texas Flag.
- D. Roll Call.  
Ms. Elizabeth Walker, City Secretary, called the roll, noting perfect attendance.

**II. PUBLIC COMMENTS**

Lazaro “Larry Cardenas Jr. and Vickie Wilt voiced comments opposed to the Single Member Districts and requested, if possible, the Commission place the issue on the ballot, rather than a petition process, to allow the voters to reconsider the form of government. Gloria Egli and Joe Garza voiced favor for the Single Member District

form of government.

### 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 November 17, 2015. (Staffed by City Secretary's Office.) Attachment.
- B. Approval on second and final reading of the following:
  - 1) Ordinance 2015-38 to rezone 105 W. Esplanada St., also being a Lot 4, Block 7, Esplanada Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District. (First reading held November 17, 2015; Staffed by Planning and Code Enforcement Department.) Attachment.
  - 2) Ordinance 2015-39 relocating 4-feet out of a 10-foot drainage easement along the West side lot 4 rock springs ridge subdivision to the eastside lot 3 Rock Springs Ridge Subdivision to the drainage easement, Hidalgo County, Texas and ordaining other matters with respect to the subject matter hereof. (First Reading held November 17, 2015; Staffed by Planning and Code Enforcement Department.) Attachment.
  - 3) Ordinance 2015-40 authorizing a budget amendment in the amount not to exceed \$241,750.00 for the emergency purchase of pumps and hoses. (First reading held November 17, 2015; Staffed by Public Works.) Attachment.
- C. Acceptance of a donation to the Weslaco Fire Department for the Volunteer Community Programs which include the Community Emergency Response Team (CERT), Medical Reserve Corps (MRC) from South Texas Electrical Cooperative, Inc. in the amount of \$1,000.00 and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.
- D. Approval of the request from the Weslaco Area Chamber of Commerce to hold the 27<sup>th</sup> Annual Texas Onion Fest on Saturday, April 2, 2016 at the Weslaco City Park on Airport Drive, to sell beer during the event, to place a banner promoting the event at the intersection of Texas and Pike Boulevard for two weeks prior to the event, to waive appropriate ordinances associated with the event and allow the Heart of America Carnival March 24 - April 3, 2016. (Requested by Weslaco Area Chamber of Commerce.) Attachment.
- E. Approval of Resolution 2015-64 authorizing the submittal of a Solid Waste Grant Application to the Lower Rio Grande Valley Development Council in the amount of \$30,000.00 for fiscal years 2016 and 2017 to fund the operations of the Recycle

Center with no local match required, authorize acceptance upon award, and authorize the Mayor to execute any related documents. (Staffed by Public Works.) Attachment.

- F. Approval of Resolutions 2015-65 and 2015-66 amending Resolutions 2015-35 and 2015-36 authorizing the Mayor and City Commission to exercise certain powers identified with BBVA and Frost Bank, including opening accounts, certificate of deposits, transferring funds, securing safe deposit boxes, and making inquiries pertaining to accounts and authorizes the Mayor and Commission to execute any related documents. (Staffed by Finance Department.) Attachment.

Commissioner Kerr, seconded by Commissioner Pena, moved to approve the consent agenda items A, B, C, D, E and F as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Following are Ordinance 2015-38, 2015-39 and 2015-40:

**ORDINANCE NO. 2015-38**

**AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 105 W. ESPLANADA ST., ALSO BEING A LOT 14, BLK 7, ESPLANADA SUBDIVISION, 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 being Lot 14, Blk 7, Esplanada Subdivision, also being 105 W. Esplanada St., 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 17<sup>th</sup> day of November 2015.

**PASSED AND APPROVED** on second reading at a regular meeting of the City Commission this 1st day of December 2015.

**ORDINANCE NO. 2015-39**

**AN ORDINANCE RELOCATING 4-FEET OUT OF A 10-FOOT DRAINAGE EASEMENT ALONG THE WESTSIDE LOT 4 ROCK SPRINGS RIDGE SUBDIVISION TO THE EASTSIDE LOT 3 ROCK SPRINGS RIDGE SUBDIVISION TO THE DRAINAGE EASEMENT, HIDALGO COUNTY, TEXAS AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.**

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

**SECTION I.** Relocating 4-feet out of a 10-foot drainage easement along the west side lot 4 Rock Springs Ridge Subdivision to the eastside lot 3 Rock Springs Ridge Subdivision to the drainage easement, 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 17<sup>th</sup> day of November, 2015.

**PASSED AND APPROVED** on second reading at a regular meeting of the City Commission this 1<sup>st</sup> day of December, 2015

**ORDINANCE 2015-40**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 2015-27, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016, FINDING NEED TO AMEND THE 2015-2016 MUNICIPAL BUDGET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.**

WHEREAS, the City Commission of the City of Weslaco utilized diligent thought and attention to the preparation of the 2015-2016 budget; and

WHEREAS, unusual and unforeseen conditions have arisen during the fiscal year which have, or will require, the expenditure of additional funds constituting an emergency expenditure; and

WHEREAS, Section 102.009 of the Texas Local Government Code authorizes the City to amend its budget in such a manner as to provide for emergency expenditures as an amendment to the original budget in a case of grave public necessity to meet an unusual and unforeseen condition; and

WHEREAS, the City Commission finds the amendments in the line items identified in the attached Exhibit are reasonable, necessary, and for municipal purposes.

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

SECTION 1. FINDINGS. The City Commission finds the statements made in the preamble above are true.

SECTION 2. BUDGET LINE ITEMS. The City Commission approves the budget amendments in the attached Exhibit as such change is necessary to meet an unusual and unforeseen condition as the result of an emergency.

SECTION 3. BUDGET TOTAL. The City Commission further finds the amended budget line items identified in such Exhibit will not cause the total expenditures in the budget to exceed the total amount of estimated revenue.

SECTION 4. APPROVAL. The 2015-2016 Official Budget, adopted by Ordinance 2015-27, is hereby reallocated, revised, amended and approved as set forth in the attached Exhibit.

SECTION 5. AUTHORIZATION. The City Manager is authorized to undertake action to execute such transfers in accordance with state law, and file, or cause to be filed, a true and correct copy of this Ordinance, with the attached budget amendment, with the City Secretary.

SECTION 6. SEVERABILITY CLAUSE. It is the intent of the City Commission that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.



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 any time, 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)	Leonardo Munoz Jr., Commissioner	
(D)	Greg Kerr, Commissioner	
(E)	Gerardo Tafolla, Commissioner	
(F)	Leticia Lopez, Commissioner	
(G)	Fidel Peña, Commissioner	
(H)	Mike R. Perez, City Manager	
(I)	Elizabeth M Walker, City Secretary	
(J)	Maria Barrera, Finance Director	
(K)	Sonia Flores, Asst. 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, (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 December 1, 2015**

**RESOLUTION NO. 2015-66**

**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 M. 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 December 1, 2015. This resolution appears in the minutes of this meeting and has not been rescinded or modified.

2. Be it Resolved that,

(a) Frost 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)	Leonardo Munoz Jr., Commissioner	
(D)	Greg Kerr, Commissioner	
(E)	Gerardo Tafolla, Commissioner	
(F)	Leticia Lopez, Commissioner	
(G)	Fidel Peña, Commissioner	
(H)	Mike R. Perez, City Manager	
(I)	Elizabeth M Walker, City Secretary	
(J)	Maria C. Barrera, Finance Director	
(K)	Sonia Flores, Asst. 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, (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 December 1, 2015.**

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

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

**APPROVED AS TO FORM:**  
**/s/Juan E. Gonzalez, CITY ATTORNEY**

#### **IV. APPOINTMENTS**

- A. Discussion and consideration to approve Resolution 2015-63 removing Leticia Lopez and appointing one member to an unexpired term on the Ambulance Advisory Board. Possible action. (Staffed by Fire Department) Attachment.

Mayor Pro-Tem Noriega, seconded by Commissioner Tafolla, moved to appoint Ricardo Hinojosa.

Commissioner Lopez, seconded by Commissioner Kerr, moved to appoint Annette Valadez.

The City Secretary clarified Ricardo Hinojosa already serves on the board; there are no applicants on file but Ms. Valadez is completing one now from the audience.

Mayor Pro-Tem Noriega, seconded by Commissioner Kerr, moved to approve Resolution 2015-63 removing Leticia Lopez and appointing Annette Valadez as one member to an unexpired term on the Ambulance Advisory Board. The motion carried unanimously; Mayor Suarez was present and voting.

Following is Resolution 2015-63:

**RESOLUTION NO. 2015-63**

**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 Annette Valadez** is appointed to serve an unexpired term on the Ambulance Advisory Board and the term will begin on December 1, 2015 and expire on December 20, 2016.

**PASSED AND APPROVED** on this 1<sup>st</sup> day of December, 2015.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

/s/Juan E. Gonzalez, **CITY ATTORNEY**

**V. NEW BUSINESS**

- A. Discussion and consideration to direct the City Attorney to prepare a legal opinion presenting the procedure toward reconsideration of Single Member Districts. Possible action. (Requested by Commissioners Lopez and Kerr.)

Commissioner Tafolla, seconded by Commissioner Pena, moved to deny.

Commissioners Kerr and Lopez stated they requested the item placed on the agenda because of comments from the community on the importance of revisiting representation of single member districts. Commissioner Pena stated he is in favor of Single Member District but did not feel the dais should determine whether it remains or not; rather it should be the voice of the people by petition.

In response to Mayor Pro Tem Noriega, the City Attorney estimated ten to fifteen hours of research on the controlling document and other laws; he added he briefly examined the Charter which requires a 25% of the voters by petition for a referendum but State law requires 5% for a charter amendment. He believed the Charter would be the controlling document.

Commissioner Tafolla withdrew his motion.

Commissioner Tafolla, seconded by Commissioner Kerr, moved to allow the City

Secretary to find the 2007 legal opinion about the Single Member District petition within five business days then advise the City Commission and City Attorney; if no opinion is found then the City Attorney may prepare an opinion. The motion carried unanimously; Mayor Suarez was present and voting.

- B. Discussion and consideration to accept the FY 2014-2015 Annual Tax Collection Report as prepared by Pablo “Paul” Villarreal Jr., Hidalgo County Tax Assessor and Collector. Possible action. (Staffed by Finance Department.) Attachment.

Mr. Julio Espinoza, Hidalgo County Tax Department, reviewed the annual tax collections for Fiscal Year 2014-2015 for a total collection of \$10,105,365.32 and stated there was an increase in collection on current and delinquent taxes.

Commissioner Pena, seconded by Commissioner Tafolla, moved to accept the FY 2014-2015 Annual Tax Collection Report as presented. The motion carried unanimously; Mayor Suarez was present and voting.

- C. Discussion and consideration to approve the purchase of a new Fire Truck (Pumper) through Buy Board in an amount not to exceed \$525,000.00 from the Apparatus replacement program for Fiscal Year 2015-2016 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.

Chief Lopez stated this purchase would replace a 1991 pumper truck that has reached its life span. The new equipment meets NFPA standards, will meet the needs of the community over the ten year lease period at \$52,500.00/year. The City Manager stated by ordering the equipment now it would save the City \$35,000.00 and delivery of the equipment will be FY2016. In response to Commissioner Muñoz, Chief Lopez stated the equipment specifications are determined by types of services calls, structures, NFPA regulations and the necessary apparatus.

Commissioner Pena, seconded by Commissioner Kerr, moved to approve the purchase of a new Fire Truck (Pumper) through Buy Board in an amount not to exceed \$525,000.00 from the Apparatus replacement program for Fiscal Year 2015-2016. The motion carried unanimously; Mayor Suarez was present and voting.

- D. Presentation on Trails Project and authorizing submittal of a proposal to Knapp Foundation and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager’s office.)

Ms. Sally Gavlick, Consultant, reviewed the development of a proposed trails plan for three existing parks. Funding for the three proposed projects would need to be from the City, foundations, such as Knapp Community Care Foundation, Texas Parks and Wildlife and maybe even TxDOT. The projects could be done within the next 2-3 years and the next step is to hire an engineering firm to begin the design process.

In response to Commissioner Muñoz, on the concern of student runners, Ms. Gavlick stated they will meet with the school officials as well as from the bicycling and

running community to receive their input on necessary routes to be included. In response to Commissioner Tafolla, Mr. David Arce stated design and trail location whether on street or an easement will depend on the land availability in the area. The City Manager recommended approval.

Commissioner Pena, seconded by Commissioner Lopez, moved to authorize a proposal be submitted to Knapp Community Care Foundation for matching funds for the project and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

## **VI. DEPARTMENT UPDATES**

### **A. Report by Weslaco Area Chamber of Commerce.**

Ms. Martha Noell expressed appreciation for the City support during the recent membership drive; continued marketing efforts for Holiday shoppers; December 19<sup>th</sup> is the Santa Dash downtown run event with 800 people already registered. She also showed the new drone video of the community.

### **B. Report by Economic Development Corporation of Weslaco.**

Mr. Joey Trevino reported on the ICSC Conference well attended by retailers; EDC open house is scheduled for December 10<sup>th</sup> from 3-6 p.m. with tree lighting event to follow and the Christmas Parade scheduled for December 18<sup>th</sup> with Alfresco event to follow.

### **C. Report by Planning and Code Enforcement Department – Engineering.**

Mr. Mardoqueo Hinojosa reported the County approved their cost participation for the change order for the Border Avenue project and with closure of the street on the South Side to begin next week; Boys and Girls Club project construction is progressing with time completion in February; on the 6<sup>th</sup> Street Waterline 2,600 linear pipe has been placed with completion date at the end of December.

### **D. Report by Public Works Department to include Water and Wastewater Systems operations.**

Mr. Pete Garcia reported the Feast of Sharing scheduled for December 12<sup>th</sup>; 82 roll off containers were hauled in continued cleanup efforts; staff continues to excavate the drain ditches and assist in demolition of structures. Trinidad Cantu reported no major issues for Water and Wastewater operations for November and presented an initial inventory completed for lift stations and noted a Capital Improvement report to follow.

### **E. Report by Parks and Recreation Department.**

Mr. David Arce reported submitted a grant for equipment at Harlon Block and Pablo

G. Pena parks; City Park lighting quotes have been received; all parks and fields are rented for the month of December. The mayor requested quotes for canopies at the bleachers.

F. Report by American Financial Bureau on Municipal Court Collections.

Ms. Annette Valadez reviewed activity since March 2015.

**VII. EXECUTIVE SESSION**

At 8:10 p.m., the Mayor announced the regular meeting to convene in Executive Session. At 9:17 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 regarding the goals, objectives, and evaluation of the City Manager for the City of Weslaco as authorized by §551.074 of the Texas Government Code.

No action on this item.

B. Pending Litigation - Consultation with City Attorney regarding *City of Weslaco v. Briones Consulting and Engineering* as authorized by §551.071 of the Texas Government Code.

Commissioner Muñoz abstained from discussion.

Commissioner Kerr, seconded by Commissioner Pena, moved to authorize the City Manager and City Attorney to discuss with Jeff Chapman *City of Weslaco v. Briones Consulting and Engineering* as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

C. Pending Litigation – Consultation with City Attorney regarding Cause No. C-0435-13-A, *Richard Stubbs v. The City of Weslaco, Texas; Veronica Ramirez, in her official capacity as Weslaco Civil Service Director*, as authorized by §551.071 of the Texas Government Code.

Commissioner Tafolla, seconded by Commissioner Kerr, moved to authorize the City Attorney to file a motion to reconsider regarding Cause No. C-0435-13-A, *Richard Stubbs v. The City of Weslaco, Texas; Veronica Ramirez, in her official capacity as Weslaco Civil Service Director* as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

D. Pending Litigation – Consultation with City Attorney regarding *Jacinto Estrada v. City of Weslaco, Texas* as authorized by §551.071 of the Texas Government Code.

No action on this item.

- E. Economic Development – Consultation with City Attorney regarding Economic Development Project Bender as authorized by §551.087 of The Texas Government Code.

Commissioner Tafolla, seconded by Commissioner Kerr, moved to authorize the Weslaco Economic Development Corporation to purchase property as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

- F. Potential Litigation - Consultation with City Attorney regarding Notice of Claim for Breach of Contract and Intent to Sue from Francisco J. Garza as authorized by §551.071 of the Texas Government Code.

Commissioner Tafolla, seconded by Commissioner Kerr, moved to authorize the City Attorney to do research on the minutes as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

**IX. ADJOURNMENT**

With no other business before the commission, at 9:18 p.m. on December 1, 2015, Commissioner Tafolla, seconded by Commissioner Kerr, moved to adjourn the 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, Leo Muñoz

\_\_\_\_\_  
COMMISSIONER, Greg Kerr

COMMISSIONER, Gerardo “Jerry” Tafolla

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COMMISSIONER, Letty Lopez

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COMMISSIONER, Fidel L. Pena, III