



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 15, 2016**

On this 15th day of March 2016 at 5:33 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	Letty Lopez
Commissioner	Leo Muñoz
City Manager	Mike R. Perez
City Secretary	Elizabeth M. Walker
City Attorney	Juan E. Gonzalez

Also present: Jose Pena, IT Director; Mary Barrera, Finance Director; Pete Garcia, Public Works Director; Chief Tony Lopez, Fire Department; Chief Stephen Mayer, Police Department; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; Arnold Becho, Library Director; David Arce, Parks and Recreation Director; Rosa Huerta, Municipal Court Administrator; 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, March 11, 2016.

B. Invocation.

Father Francisco Solis, St. Joan of Arc Church, led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

E. Roll Call.

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

II. PUBLIC COMMENTS

There were no comments received.

III. PUBLIC HEARING

Commissioner Tafolla, seconded by Commissioner Kerr, moved to concurrently

open the public hearing for III. A, B and C at 5:37 pm. The motion carried unanimously; Mayor Suarez was present and voting.

- A. To solicit input on behalf of Ismael Rodriguez for a conditional use permit to operate an event center at 1025 N. Texas Blvd. Suite 3, also being 13.69 acres Irrigation Tract N688.8'-W1021.05' AKA Tract A, B, C & N96'-S271.20'-W381' out of Farm Tract 120, West Tract Subdivision, Weslaco, Hidalgo County, Texas.

There were no comments received.

- B. To solicit input on behalf of Edith Garcia for a conditional use permit to obtain a Wine and Beer Retailer's Off-Premise Permit at 1400 North Westgate Drive, Suite 400, also being Lots 16-18, Block D, Expressway Heights Subdivision, Weslaco, Hidalgo County, Texas.

There were no comments received.

- C. To solicit input on behalf of Robert W. McNabney for a conditional use permit to obtain a Wine and Beer Retailer's On-Premises Permit at 2901 W. Business 83, also being 1.77 acres Irrigation Tract S881.60'-E179.15' out of Farm Tract 626, West Tract Subdivision, Weslaco, Hidalgo County, Texas.

Rebecca McNabney, applicant, stated she and her husband are seeking to open a sports bar.

Commissioner Tafolla, seconded by Commissioner Kerr, moved to close the public hearing. The motion carried unanimously; Mayor Suarez was present and voting.

IV. CONSENT AGENDA

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

- A. Approval of the Minutes of the Regular Meeting on March 1, 2016. (Staffed by City Secretary's Office.) Attachment.
- B. Approval on second and final reading of Ordinance 2016-10, authorizing a budget amendment in the amount of \$39,236.00 for bus transportation services between South Texas College Mid Valley Campus and the Delta area, and authorize the Mayor to execute the interlocal agreement for these services. (First reading held March 1, 2016; Staffed by City Manager's Office.) Attachment.
- C. Acceptance of the 2015 Racial Profiling compiled by the Weslaco Police Department as required by the Texas Code of Criminal Procedure Article 2.133 and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

Attachment.

- D. Acceptance of a check from the Texas Comptroller of Public Accounts annual allocation from the Law Enforcement Officer Standards and Educations (LEOSE) in the amount of \$4,403.66 to be utilized for training for the Weslaco Peace Officers. (Staffed by Police Department.) Attachment.
- E. Acceptance of 2016 Dodge Ram 1500 from the Office of Fleet Management GSA Federal Acquisition Service, US Marshals, from their seized funds and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- F. Acceptance of a check from Trek B in the amount of \$5,236.20 from LRGV Regional Advisory Council on Trauma TSA "V" to be utilized for Emergency Medical Services (EMS) education and training for the Weslaco Fire Fighters. (Staffed by Fire Department.) Attachment.

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

For the record the ordinance reads as follows:

ORDINANCE 2016-10

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.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect upon final reading.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 1st day of March, 2016.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 15th day of March, 2016.

CITY OF WESLACO
/s/ David Suarez, MAYOR

ATTEST:

/s/Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/Juan E. Gonzalez, CITY

V. APPOINTMENTS

- A Discussion and consideration to approve Resolution 2016-26 and Resolution 2016-27 appointing members to unexpired terms to the Board of Adjustment and Appeals Zoning Ordinance. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

In response to Commissioner Kerr, one application has been received from Edward Mejia. In response to Mayor Suarez, Mr. Mardoqueo Hinojosa stated the excessive absences of two members resulted in a lack quorum for meetings and staff recommends to appoint for unexpired terms.

Commissioner Tafolla, seconded by Mayor Pro-Tem Noriega, moved to remove Robert Escobar and approve Resolution 2016-26 appointing Edward Mejia to that unexpired term to the Board of Adjustment and Appeals Zoning Ordinance. The motion carried unanimously; Mayor Suarez was present and voting.

There was no action on Resolution 2016-27. For the record the following is the resolution:

RESOLUTION NO. 2016-26

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 Edward Mejia is appointed to serve an unexpired term on the Board of Adjustments & Appeals-Zoning Ordinance and the term will expire on 21st day of December, 2017.

PASSED AND APPROVED on this 15th day of March, 2016.

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

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

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

VI. OLD BUSINESS

- A. Discussion and consideration to approve on Second and Final Reading Ordinance 2016-08, amending the Code of Ordinances Chapter 142, the "Tow Truck Ordinance," and authorize the Mayor to execute any related documents. Second and Final Reading of Ordinance 2016-08. Possible action. (First Reading held February 16, 2016 and there was no action on this item March 1, 2016; Staffed by the Police Department.) Attachment.

Commissioner Tafolla, seconded by Mayor Pro-Tem Noriega, moved to approve Ordinance 2016-08 amending the Tow Truck Ordinance.

Chief Mayer briefly reviewed changes discussed at the workshop included raising the fee from \$75.00 to \$125.00, adding \$10 for additional 15 minutes, and removing unnecessary equipment. At a previous meeting other changes discussed were limiting the number of towing services to thirteen (13) and all to be located within five (5) miles of city limits.

In response to Commissioners Kerr and Lopez there is no shortage of towing services; the increase in fee would be in line with regional standard and the owner

could have discretion of charging a lower fee but not likely. In response to Commissioner Tafolla and Mayor Suarez the clarification was any towing service cited for any non-compliance issue would be removed from the list at any time during the year regardless if the violation was at the local level or State.

Commissioner Tafolla, seconded by Mayor Pro Tem Noriega amended the motion to approve on Second and Final Reading Ordinance 2016-08, amending the Code of Ordinances Chapter 142, the "Tow Truck Ordinance," to increase the fee to \$125.00; establishing an additional \$10.00 fee for each additional 15 minutes; removing unnecessary equipment; limiting the number of towing services to thirteen (13); creating a waiting list and non-compliance towing companies will be removed and placed at the end of the waiting list for a future vacancy upon compliance and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Ismael Rodriguez to approve a conditional use permit to operate an event center at 1025 N. Texas Blvd. Suite 3, also being 13.69 acres Irrigation Tract N688.8'-W1021.05' AKA Tract A, B, C & N96'-S271.20'-W381' out of Farm Tract 120, West Tract Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Mardoqueo Hinojosa, City Engineer, stated there was no objection from property owners and recommended approval with the condition the building having a sprinkler system installed.

Mayor Pro-Tem Noriega, seconded by Commissioner Kerr, moved to approve a conditional use permit to operate an event center at 1025 N. Texas Blvd. Suite 3, also being 13.69 acres Irrigation Tract N688.8'-W1021.05' AKA Tract A, B, C & N96'-S271.20'-W381' out of Farm Tract 120, West Tract Subdivision, Weslaco, Hidalgo County, Texas as recommend with the condition a sprinkler system be installed and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- B. Discussion and consideration after public hearing on behalf of Edith Garcia to approve a conditional use permit to obtain a Wine and Beer Retailer's Off-Premise Permit at 1400 North Westgate Drive, Suite 400, also being Lots 16-18, Block D, Expressway Heights Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Mardoqueo Hinojosa, City Engineer, stated twenty-six property owners were notified with no objection received. Planning and Zoning and staff recommend approval.

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

- C. Discussion and consideration after public hearing on behalf of Robert W. McNabney to approve a conditional use permit to obtain a Wine and Beer Retailer's On-Premises Permit at 2901 W. Business 83, also being 1.77 acres of Irrigation Tract S881.60'-E179.15' out of Farm Tract 626, West Tract Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Mardoqueo Hinojosa, City Engineer, stated twelve property owners were notified with no objection received. Planning and Zoning and staff recommended approval with the condition that two (2) security guards are present at all times when open for business, which is the same condition imposed on the previous operators.

Commissioner Tafolla, seconded by Commissioner Lopez, moved to approve as recommended a conditional use permit to obtain a Wine and Beer Retailer's On-Premises Permit at 2901 W. Business 83, also being 1.77 acres of Irrigation Tract S881.60'-E179.15' out of Farm Tract 626, West Tract Subdivision, Weslaco, Hidalgo County, Texas with the condition two (2) security guards are present at all times when open for business 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 a six (6) month extension to the plat for Las Delicias Phase II Subdivision, being a 9.14 acre Tract of Land out of Farm Tract 275, West and Adams Tracts Subdivision, Weslaco, Hidalgo County, Texas, located on the Southeast corner of Mile 3 ½ West and Mile 12 North and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Mardoqueo Hinojosa, City Engineer, stated the owner and developer are requesting additional time to complete improvements before expiration of the platting process. Planning and Zoning and staff recommended approval.

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

- E. Discussion and consideration to authorize the submission of a grant to Resources & Ecosystems, Sustainability, Tourist Opportunities & Revived Economies (RESTORE) from the Texas Commission on Environmental Quality for a Regional Detention Facility (RDF) adjacent to Harlon Block Park with no local match required and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Mardoqueo Hinojosa, City Engineer, stated staff is working with Texas A&M

Kingsville (TAMUK) as part of the storm water task force for a grant where no local funds would be required. If funds are approved it would assist in building a regional detention facility adjacent to Harlon Block Sports Complex.

In response to Commissioner Muñoz, all municipalities along the coastal area are eligible to apply; the grant is being prepared by staff with assistance from TAMUK and criteria eligibility will be maximized to include information on recent flooding, parks master plan and master drainage plan. In response to Mayor Suarez deadline is April 16, 2016.

Commissioner Tafolla, seconded by Commissioner Kerr, moved to authorize as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to approve the Contingency Fund Request (CFR) of the contract with CDM Constructors, Inc. for the Water Treatment Plant expansion project as follows:

A) PCO #3 - \$844,465.00;

B) PCO #4 - \$36,631.00.

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

Mayor Pro Tem Noriega, seconded by Commissioner Lopez, moved to discuss.

The City Manager stated these are proposed changes to the existing contract with CDM Contractors. Mardoqueo Hinojosa, City Engineer, recapped the construction cost as original contracted amount of \$38,551,584; \$29 million as direct cost and \$7.1 million as indirect cost; \$1.1 million contingency by the city; \$1.1 million contingency by the contractor; payment was released last meeting in the amount of \$495,000.00. There is \$5.6 million pending balance of expenditures including retainage.

Mary Barrera, Finance Director, stated the available resources of funds for the project was \$43,948,935.07 as bonds; expenditures were \$49,044,036.40 that includes costs for issuance of bonds, engineering consultant, retainage, and contractors. There was an original deficit of \$5,173,866.22; however, there is a direct cost savings estimate of \$3,103.575 that could be applied to the deficit and funds from the sanitation fund of \$2 million were borrowed to cover the shortage leaving an adjusted deficit of \$1,271,386.61. CCI may file a delay of claim against the City. City Manager, Mike Perez, recommended to table until staff meets with contractor and engineer on additional work needed.

Mayor Pro-Tem Noriega, seconded by Commissioner Kerr, moved to table as recommended. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to approve Ordinance 2016-11 on first as final reading

authorizing the issuance of “City of Weslaco, Texas Limited Tax Refunding Bonds, Series 2016,” a paying agent/registrar agreement, and an escrow agreement; providing for the sale of such bonds; delegating authority to City representatives to select obligations to be refunded and approve final terms of the bonds, approving all other matters related thereto and authorize the Mayor to execute any related documents. First and Final Reading of Ordinance 2016-11. Possible action. (Staffed by Financial Advisor and Bond Counsel.) Attachment.

Commissioner Tafolla, seconded by Commissioner Kerr moved to approve Ordinance 2016-11 on first and final reading.

The City Manager stated staff’s recommendation is refinancing as structured savings, rather than level in order to save an estimated \$500,000.00 the first year, and issues as a competitive sale. Dan Martinez, bond counsel, stated the ordinance authorizes the refinancing of the bonds and assigns delegation of authority to City representatives Mayor, City Manager, and Finance Director; savings would be 3.2% in interest for the Bond Series 2007. In response to Mayor Suarez, the transaction will be finalized within 45-60 days upon monitoring of the market for the best rate.

Commissioner Tafolla, seconded by Commissioner Kerr, amended the motion to reflect staff’s recommendation, approving Ordinance 2016-11 on first as final reading authorizing the issuance of “City of Weslaco, Texas Limited Tax Refunding Bonds, Series 2016,” as a structured savings and a competitive sale, a paying agent/registrar agreement, and an escrow agreement; providing for the sale of such bonds; delegating authority to City representatives to select obligations to be refunded and approve final terms of the bonds, approving all other matters related thereto and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the ordinance is as follows:

ORDINANCE 2016-11

ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF WESLACO, TEXAS LIMITED TAX REFUNDING BONDS, SERIES 2016”, A PAYING AGENT/REGISTRAR AGREEMENT, AND AN ESCROW AGREEMENT; PROVIDING FOR THE SALE OF SUCH BONDS; DELEGATING AUTHORITY TO CITY REPRESENTATIVES TO SELECT OBLIGATIONS TO BE REFUNDED AND APPROVE FINAL TERMS OF THE BONDS; AND APPROVING ALL OTHER MATTERS RELATED THERETO

WHEREAS, the City of Weslaco, Texas (the “City”) has been organized, created, and established pursuant to the laws of the State of Texas as a home rule city and political subdivision of the State of Texas;

WHEREAS, the City Commission of the City (the “City Commission”) desires to refund certain of its outstanding bonds listed on Schedule I attached hereto;

WHEREAS, Chapter 1207, Texas Government Code, authorizes the City to issue refunding bonds and to deposit the proceeds from the sale thereof, and any other available funds or resources, directly with a trust company or commercial bank not a depository of the City, and such deposit, if made before

such payment dates, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Obligations (defined below);

WHEREAS, the City Commission of the City hereby finds and declares a public purpose and deems it advisable to refund the Refunded Obligations in order to effect present value savings; and

WHEREAS, all the Refunded Obligations mature or are subject to redemption prior to maturity within 20 years of the date of the bonds hereinafter authorized;

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

Section 1. Authorization of the Bonds and Approval Parameters. There is hereby ordered to be issued, under and by virtue of the laws of the State of Texas, including particularly Chapter 1207, Texas Government Code, as amended, a series of bonds of the City to be known as "CITY OF WESLACO, TEXAS LIMITED TAX REFUNDING BONDS, SERIES 2016" (the "Bonds"), payable from ad valorem taxes as provided in this Ordinance, for the purposes of refunding the Refunded Obligations and paying costs of issuance thereof.

As authorized by Section 1207.007, Texas Government Code, Mr. David Suarez, Mayor, Mr. Mike Perez, City Manager, and Ms. Maria Barrera, Finance Director, each an "Authorized Representative", are hereby authorized, appointed, and designated as officers of the City authorized to act on behalf of the City in selling and delivering the Bonds authorized herein and carrying out the procedures specified in this Ordinance, including determining the method of sale, the aggregate principal amount of each maturity of the Bonds and the rate of interest to be borne on the principal amount of each maturity, the allocation of generated from the sale of the Bonds, the redemption provisions therefor, the City contribution, if any, and the obligations to be refunded (the "Refunded Obligations"). Each of the above individuals, acting for and on behalf of the City, is authorized to execute the Pricing Certificate substantially in the form attached hereto as Exhibit A within 180 days after the adoption of this Ordinance. The Bonds shall be issued in the principal amount not to exceed \$23,500,000; the maximum maturity will not exceed February 15, 2027, net present value savings on the Bonds shall be not less than 3.50%, and the net effective per annum rate, calculated in a manner consistent with the provisions with Chapter 1204 Texas Government Code, shall not exceed 3.50%. The execution of the Pricing Certificate shall evidence the sale date of the Bonds by the City to the Initial Purchaser (hereinafter defined). Upon execution of the Pricing Certificate, it shall become a part of this Ordinance and be incorporated by reference herein, and (to the extent necessary or appropriate) Bond Counsel is authorized to complete this Ordinance to reflect such final terms.

Section 2. Date, Denominations, Numbers, and Maturities of and Interest on the Bonds. The Bonds shall be dated April 1, 2016 and shall be in the denomination of \$5,000 or any integral multiple thereof. [Interest shall commence to accrue on the Bonds on such date.] The Bonds shall be in the respective denominations and principal amounts hereinafter stated, with the Initial Bond (as hereinafter defined) being number I-1 and the Definitive Bonds (as hereinafter defined) numbered consecutively from R-1 upward, payable to the Initial Purchaser (as hereinafter defined), or to the registered assigned or assignees of the Bonds or any portion or portions thereof (in each case, the "Registered Owner").

The Bonds shall mature on February 15 in each of the years and in the amounts and bear interest as set forth in the Pricing Certificate.

Section 3. General Characteristics. The Bonds shall be issued, shall be payable, shall have the characteristics, and shall be signed and executed (and the Bonds shall be sealed) all as provided, and in the manner indicated in the form set forth below.

(a) Registration, Transfer, and Exchange; Authentication: The City shall keep or cause to be kept at the designated payment office of U.S. Bank National Association, Houston, Texas (the "Paying

Agent/Registrar”) books or records for the registration of the transfer and exchange of the Bonds (the “Register”), and the City hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers and exchanges under such reasonable regulations as the City and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, and exchanges as herein provided. The Mayor and the City Secretary are authorized to enter into a Paying Agent/Registrar Agreement substantially in the form of Exhibit B attached hereto. The Paying Agent/Registrar shall obtain and record in the Register the address of the registered owner of each Bond to which payments with respect to the Bonds shall be mailed, as herein provide; but it shall be the duty of each Owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. To the extent possible and under reasonable circumstances, all transfers of the Bonds shall be made within three business days after request and presentation thereof. The City shall have the right to inspect the Register during the regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Paying Agent/Registrar’s standard or customary fees and charges for making such registration, transfer, exchange, and delivery of a substitute Bond or Bonds shall be paid as provided in the “Form of Bonds” set forth in this Ordinance. Registration of assignments, transfers, and exchanges of Bonds shall be made in the manner provided and with the effect stated in the “Form of Bonds” set forth in this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

Except as provided in subsection (c) below, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any Definitive Bond, date and manually sign the Paying Agent/Registrar’s Authentication Certificate, and no such Bond shall be deemed to be issued or outstanding unless such Authentication Certificate is so executed. The Paying Agent/Registrar promptly shall cancel all paid Bonds and Bonds surrendered for transfer and exchange. No additional ordinances, orders, or resolutions need be passed or adopted by the governing body of the City or any other body or person so as to accomplish the forgoing transfer and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Bonds. Pursuant to Chapter 1201, Texas Government Code, the duty of transfer and exchange of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and upon the execution of said certificate, the transferred and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bonds which initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts (the “Initial Bond”).

(b) Payment of Bonds and Interest. The City hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bonds, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the City and the Paying Agent/Registrar with respect to the Bonds.

(c) In General. The Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the Owners thereof; (ii) may be transferred and assigned; (iii) may be exchanged for other Bonds; (iv) shall be administered, and the Paying Agent/Registrar and the City shall have certain duties and responsibilities with respect to the Bonds, all as provided, and in the manner and to the effect as required or indicated, in the “Form of Bonds” set forth in this Ordinance. The Initial Bond shall be delivered to the Initial Purchaser and is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each Bond issued in exchange for the Initial Bond or any Bond or Bonds issued under this Ordinance, the Paying Agent/Registrar shall execute the Paying Agent/Registrar’s Authentication Certificate, in the form set forth in the “Form of Bonds” in this Ordinance.

Section 4. Form of the Bonds. The Form of the Bonds, including the Form of Paying Agent/Registrar’s Authentication Certificate, the Form of Assignment, and the Form of the Comptroller’s Registration Certificate to accompany the Initial Bond on the initial delivery

thereof, shall be, respectively, substantially as follows, with such appropriate variations, omissions, or insertions as are permitted or required by this Ordinance:

THE CITY OF WESLACO, TEXAS (the "City"), a home rule city and political subdivision of the State of Texas, promises to pay to the Registered Owner, specified above, or registered assignees (the "Owner") on the Maturity Date, specified above, upon presentation and surrender of this Bond at the designated payment office of U.S. Bank National Association, Houston, Texas, or its successor (the "Paying Agent/Registrar"), the Principal Amount, specified above, in lawful money of the United States of America, and to pay interest thereon at the Interest Rate, specified above, calculated on the basis of a 360-day year of twelve 30-day months, from the later of the Dated Date, specified above, or the most recent interest payment date to which interest has been paid or duly provided for. Interest on this Bond is payable by check dated August 15, 2016 and each February 15 and August 15 thereafter, mailed to the Owner of record as shown on the books of registration kept by the Paying Agent/Registrar (the "Register"), as of the date which is the last business day of the month next preceding the interest payment date or in such other manner as may be acceptable to the Owner and the Paying Agent/Registrar. Notwithstanding the above paying procedures, upon written request to the City and the Paying Agent/Registrar, the Owner of at least \$1,000,000 in principal amount may receive all payments of principal and interest hereon by wire transfer on each payment date. CUSIP number identification with appropriate dollar amount of payment pertaining to each CUSIP number (if more than one CUSIP number) must accompany all payments of interest and principal, whether by check or wire transfer. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment thereof have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due payment (the "Special Payment Date", which shall be 15 calendar days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first class, postage prepaid, to the address of the Owner appearing on the books of the Paying Agent/Registrar at the close of business on the last business day next preceding the date of mailing of such notice. The City covenants with the Owner that no later than each principal installment payment date and interest payment date for this Bond it will make available to the Paying Agent/Registrar the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bond, when due, in the manner set forth in the Ordinance defined below.

IF THE DATE for the payment of the principal or interest on this Bond shall be a Saturday, a Sunday, a legal holiday, or a day on which banking institutions in the city where the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which such banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is one of a series of Bonds, dated as of April 1, 2016 (the "Bonds") of like designation and tenor, except as to number, interest rate, denomination, and maturity issued pursuant to the Ordinance adopted by the City Commission of the City on March 15, 2016 and the "Pricing Certificate" authorized therein (together the "Ordinance"), in the original aggregate principal amount of \$7,870,000 for the purpose of providing money for refunding certain outstanding obligations of the City described in the Ordinance and to pay costs of issuance of the Bonds by virtue of the laws of the State of Texas, including particularly Chapter 1207, Texas Government Code.

THE CITY RESERVES THE RIGHT, at its option, to redeem the Bonds maturing on or after February 15, prior to their scheduled maturities, in whole or in part, in integral multiples of \$5,000 on, or any date thereafter, at a price of par value plus accrued interest on the principal amounts called for redemption from the most recent interest payment to the date fixed for redemption. If less than all the Bonds are redeemed at any time, the particular maturities of Bonds to be redeemed shall be selected by the City. If less than all of the Bonds of a certain maturity are to be redeemed, the particular Bond or portions thereof to be redeemed will be selected by the Paying Agent/Registrar by such random method as the Paying Agent/Registrar shall deem fair and appropriate.

IF A BOND SUBJECT TO REDEMPTION is in a denomination larger than \$5,000, a portion of such Bond may be redeemed, but only in integral multiples of \$5,000. Upon surrender of any Bond for redemption in part, the Paying Agent/Registrar shall authenticate and deliver in exchange therefor a Bond or Bonds of like maturity and interest rate in an aggregate principal amount equal to the unredeemed portion of the Bond so surrendered.

AT LEAST 30 DAYS PRIOR to the date fixed for any redemption of Bonds or portions thereof prior to maturity, a written notice of such redemption shall be given by the City to the Paying Agent/Registrar, and the Paying Agent/Registrar shall send a copy of such notice at least 30 days prior to the date fixed for redemption by United States mail, first-class postage prepaid, addressed to the Registered Owner of each Certificate to be redeemed in whole or in part at the address shown on the Registration Books; provided, however, that the failure to send, mail, or receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Certificate. When Bonds or portions thereof have been called for redemption, and due provision has been made to redeem the same, the principal amounts so redeemed shall be payable solely from the funds provided for redemption, interest which would otherwise accrue on the amounts called for redemption shall terminate on the date fixed for redemption, and redeemed Bonds shall no longer be regarded as outstanding except for the right of the Registered Owner or Registered Owners thereof to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment.

THE BONDS are issued pursuant to the Ordinance whereunder the City covenants to levy a continuing, direct, annual ad valorem tax on taxable property within the City, within the limitations prescribed by law, for each year while any part of the Bonds are considered outstanding under the provisions of the Ordinance, in a sufficient amount to pay interest on each Bond as it becomes due, to provide for the payment of the principal or maturing amounts, as appropriate, of the Bonds when due and to pay the expenses of assessing and collecting such tax. Reference is hereby made to the Ordinance for provisions with respect to the custody and application of the City's funds, remedies in the event of a default hereunder or thereunder, and the other rights of the Owner.

THIS BOND IS TRANSFERABLE OR EXCHANGEABLE only upon presentation and surrender at the designated payment office of the Paying Agent/Registrar. If a Bond is being transferred, it shall be duly endorsed for transfer or accompanied by an assignment duly executed by the Owner, or his authorized representative, subject to the terms and conditions of the Ordinance. If a Bond is being exchanged, it shall be in the principal amount of \$5,000 or any integral multiple thereof, subject to the terms and conditions of the Ordinance. The Owner of this Bond shall be deemed and treated by the City and the Paying Agent/Registrar as the absolute owner hereof for all purposes, including payment and discharge of liability upon this Bond to the extent of such payment, and the City and the Paying Agent/Registrar shall not be affected by any notice to the contrary.

THE CITY MAY MAKE ANY NOTICE OF REDEMPTION CONDITIONAL on the occurrence of a condition precedent. In the event that the City chooses to provide a conditional notice of redemption, the City shall include in the notice of redemption that the redemption is conditioned upon the occurrence of a condition precedent.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the City, resigns, or otherwise ceases to act as such, the City has covenanted in the Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Registered Owner.

IN CASE any officer of the City whose manual or facsimile signature shall appear on any Bond shall cease to be such officer before the delivery of any such Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in office until such delivery. Any Bond which bears the facsimile signature of such person who at the actual time of the delivery of such Bond shall be an officer authorized to sign such Bond, but who at the date of such

Bonds was not such an officer, shall be validly and sufficiently signed for such purpose as if such person had been such officer as the date of such Bond. The City authorizes the printing of a true and correct copy of an opinion of Winstead PC, Attorneys, relating to the validity and enforceability of the Bonds under Texas law and the status of interest on the Bonds under federal income tax laws on the reverse side of each of the Bonds over a certificate of identification executed by the facsimile signature of the City Secretary of the City, and also authorizes the imprinting of CUSIP (the American Bankers Association's Committee on Uniform Securities Identification Procedures) numbers on the Bonds; provided, however, that the failure of such opinion, certificate, or CUSIP numbers to appear on any Bond, or any errors therein or in any part of the Bond the form of which is not included in this Ordinance, shall in no way effect the validity or enforceability of the Bonds or relieve the Initial Purchaser of its obligation to accept delivery of and pay for the Bonds.

IT IS HEREBY CERTIFIED, COVENANTED, AND REPRESENTED that all acts, conditions, and things necessary to be done precedent to the issuance of the Bonds in order to render the same legal, valid, and binding obligations of the City have happened and have been accomplished and performed in regular and due time, form, and manner, as required by law; that provision has been made for the payment of the principal of and interest on, or maturing amounts of (as appropriate) the Bonds by the levy of a continuing, direct, annual ad valorem tax upon taxable property within the City; and that issuance of the Bonds does not exceed any constitutional or statutory limitation.

BY BECOMING the Owner of this Bond, the Owner thereby acknowledges all of the terms and provisions of the Ordinance, agrees to be bound by such terms and provisions, and agrees that the terms and provisions of this Bond and the Ordinance constitute a contract between each Owner and the City.

IN WITNESS WHEREOF this Bond has been signed with the manual or facsimile signature of the Mayor of the City and countersigned with the manual or facsimile signature of the City Secretary of the City, and the official seal of the City has been duly impressed, or placed in facsimile, on this Bond.

CITY OF WESLACO, TEXAS

/s/ David Suarez, Mayor

/s/ Elizabeth Walker, City Secretary

- H. Discussion and consideration to approve a Memorandum of Understanding with the Hidalgo County Regional Mobility Authority in support of the International Bridge Trade Corridor and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment.

The City Manager recommended approval by Resolution this Memorandum of Understanding with the Hidalgo County Regional Mobility Authority that supports application of a grant to build International Bridge Trade Corridor (Eastern Loop) that has an estimated \$125 million minimum regional impact.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Resolution 2016-29 authorizing a Memorandum of Understanding with the Hidalgo County Regional Mobility Authority in support of the International Bridge Trade Corridor (Eastern Loop) and authorize the Mayor to execute any related documents as recommended by staff. The motion carried unanimously; Mayor Suarez was present and voting.

For the record the following is Resolution:

Resolution 2016-29

WHEREAS, Hidalgo County Regional Mobility Authority (hereinafter referred to as **HCRMA**) provides the highest quality transportation and mobility based services, in the most efficient and cost- effective manner, to facilitate and execute the needs that are established for the current freight infrastructure project known as the International Bridge Trade Corridor (IBTC) as determined by the Texas Department of Transportation or the United States Department of Transportation; and

WHEREAS, The cities of Pharr, Edinburg, McAllen, Mission, San Juan, Alamo, Donna, Weslaco, Edcouch, Elsa, La Villa, Mercedes, Progreso, Palmhurst, Palmview, Penitas, Granjeno, La Joya, & Hidalgo (Hereinafter referred to as **ALL CITIES LISTED**) provide services to increase the business activity of South Texas through their local economic development entities and/or municipal efforts;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO that HCRMA and ALL CITIES LISTED hereby enter into a Memorandum of Understanding (hereinafter "MOU") to establish a partnership in areas of benefit to all entities.

PASSED AND APPROVED on this 15th day of March 2016.

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

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

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

- I. Discussion and consideration to approve Resolution 2016-28 dissolving the Interjurisdictional Emergency Management Program among the Cities of Weslaco, Donna, and Mercedes and authorizing the Mayor to appoint an Emergency Management Coordinator for the City of Weslaco and execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.

The City Manager stated George Garrett was the Emergency Management Coordinator (EMC) for Weslaco, Mercedes and Donna. With his retirement the City Manager recommended appointing Fire Chief Antonio Lopez as the Emergency Management Coordinator and dissolving the joint shared EMC duties with Mercedes and Donna so they may continue to allow Mr. Garrett as their EMC.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record the following is the resolution:

RESOLUTION NO. 2016-28

**THE STATE OF TEXAS § A RESOLUTION DISSOLVING AN
COUNTY OF HIDALGO § INTERJURISDICTION EMERGENCY
CITY OF WESLACO § MANAGEMENT PROGRAM**

WHEREAS, the City of Weslaco established a program of comprehensive emergency management which includes the mitigation, preparedness, response and recovery phases of emergency management; and

WHEREAS, the City of Weslaco by Resolution 2004-27 established an interjurisdiction emergency management program with the City of Donna; and

WHEREAS, the City of Weslaco by Resolution 2015-42 established an interjurisdiction emergency management program with the City of Mercedes.

THEREFORE, BE IT RESOLVED that the Weslaco-Donna and Weslaco-Mercedes Interjurisdictional Emergency Management Programs are hereby dissolved, so that the officers and employees of the three cities of Weslaco, Donna, and Mercedes may formulate and implement individualized Emergency Management Plans, together with any other such organized volunteer groups as their own plans may specify.

BE IT FURTHER RESOLVED the Mayor of the City of Weslaco shall appoint an Emergency Management Coordinator to coordinate all aspects of the its own program of comprehensive emergency management, in accordance with Ordinance 2004-27 and Chapter 418 of the Texas Government Code.

PASSED AND APPROVED this 15th day of March, 2016.

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

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

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

- J. Discussion and consideration to approve Airport Project Participation Agreement with the Texas Department of Transportation for project 1621WESLA, the extension of runway and taxiway improvements at the Mid Valley Municipal Airport with ten percent local match and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.

Commissioner Kerr abstained from discussion and vote and filed a conflict of interest disclosure.

Mary Barrera, Finance Director, stated the participation agreement was for continued improvements at the airport for runway and taxiway expansion. The City would have a local match of \$280,260.90. The City Manager recommended approval, stating this is the final phase of the extension of the runway.

In response to Commissioner Muñoz and Mayor Suarez a previous budget amendment was for acquisition of right-of-way and staff would see if EDC could

partner in this cost.

Commissioner Tafolla, seconded by Commissioner Lopez, moved to approve as presented. The motion carried with Commissioner Kerr abstaining; Mayor Suarez was present and voting.

- K. Discussion and consideration to award the best qualified, most advantageous respondent to the Request for Proposals for basic maintenance of internal connections and other computer services within the ERate Year 19 cycle (FY 2016-2017), and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.) Attachment.

Arnold Becho, Library Director, recommended awarding Insight as the best qualified, most advantageous respondent to the Request for Proposals for basic maintenance of internal connections and other computer services. This is an annual process for ERate services and the vendor offered technical support.

Mayor Pro Tem Noriega, seconded by Commissioner Tafolla, moved to award Insight as the best qualified, most advantageous respondent to the Request for Proposals for basic maintenance of internal connections and other computer services within the ERate Year 19 cycle (FY 2016-2017), and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- L. Discussion and consideration to award the best qualified, most advantageous respondent to the Request for Proposals for internet access services within the ERate Year 19 cycle (FY 2016-2017), and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.) Attachment.

Arnold Becho, Library Director, recommended awarding SmartCom Telephone for internet access services as the best qualified, most advantageous respondent to the Request for Proposals as they had the lower cost and most familiarity with the services.

Commissioner Tafolla, seconded by Commissioner Lopez, moved to award SmartCom as the best qualified, most advantageous respondent to the Request for Proposals for internet access services within the ERate Year 19 cycle (FY 2016-2017), and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- M. Discussion and consideration to approve a 36-month lease for multi-function printers for City departments using a cost per copy method as budgeted and authorize the Mayor to execute a purchasing coop pre-approved contract and any other related documents. Possible action. (Staffed by Information Technology Department.) Attachment.

Jose Pena, IT Director, stated leases for copiers will be expiring May and October.

Three vendors were evaluated with purchasing cooperative pricing and staff recommends awarding to Digital, the current vendor, a three-year renewal that will have a cost savings of \$4,838.00 annually.

Commissioner Kerr, seconded by Commissioner Lopez, moved to award as recommended to Digital for a 36-month lease for multi-function printers for City departments using a cost per copy method as budgeted and authorize the Mayor to execute a purchasing coop pre-approved contract and any other related documents. The motion carried unanimously, Mayor Suarez was present and voting.

- N. Discussion and consideration to award Request For Bids No. 2015-16-04 to the best qualified, most advantageous respondent for the period of one (1) year (2016 – 2017). Possible action. (Staffed by Public Works.) Attachment.

Pete Garcia, Public Facilities Director, recommended awarding to Petroleum Traders Corporation for FY2016-17 for fuel services as the best qualified and advantageous respondent to the sealed bid.

Commissioner Tafolla, seconded by Commissioner Kerr, moved to award Petroleum Traders Corporation best qualified, most advantageous respondent to Request For Bids No. 2015-16-04, diesel and unleaded fuel services, for the period of one (1) year (2016 – 2017). The motion carried unanimously; Mayor Suarez was present and voting.

- O. Discussion and consideration to select the best qualified, most advantageous respondent to the Request for Proposals 2015-16-06 Shade Canopies for Various Parks, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.

David Arce, Parks Director, recommended awarding Tenzo as the best qualified, most advantageous respondent for proposal of shade canopies at Harlon Block and City Park.

In response to Mayor Suarez, the proposal included 21 canopies for a cost of \$79,000.00; installation should take three weeks and manufacturing four weeks. In response to Mayor Pro-Tem, the cost variation could be the mobilizing of labor; all vendors gave a 10 year warranty on the screening and have an engineering seal on plans.

Commissioner Tafolla, seconded by Commissioner Kerr, moved to award Tenzo as the best qualified, most advantageous respondent to the Request for Proposals 2015-16-06 Shade Canopies at Harlon Block and City Park, and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- P. Discussion and consideration to authorize a change to the Capital Improvement Program reallocating funds for shade canopies at various City parks. Possible action.

(Staffed by Parks and Recreation Department.) Attachment.

The City Manager stated a Capital Improvement Program Fund was approved with the annual budget and any changes with the specified allocation of funds must be approved by the commission. Staff recommends approval of the reallocation of funds from the playscapes project at the Boys and Girls Club, which is small considering the expected use, to allow for the shade canopies project in the amount of \$79,000.00. The City could then budget more money next year for the playscape.

Commissioner Tafolla, seconded by Commissioner Lopez, moved to authorize the reallocation of Capital Improvement Funds in the amount of \$79,000.00 from the Boys and Girls Club project to allow for shade canopies at various City parks as recommended. The motion carried unanimously; Mayor Suarez was present and voting.

- Q. Discussion and consideration to authorize a change to the Capital Improvement Program reallocating funds for the installation of exercise equipment awarded by grant at Harlon Block Park. Possible action. (Staffed by Parks and Recreation Department.) Attachment.

In response to Commissioner Kerr, David Arce explained the monies would come from savings from the basketball/volleyball courts resurfacing project and walking/jogging trails project for an amount of \$15,000.00 that is needed for the installation of the exercise equipment and staff recommends approval.

Commissioner Kerr, seconded by Commissioner Lopez, moved to authorize the reallocation of Capital Improvement Funds from the basketball/volleyball courts resurfacing project and walking/jogging trails project in an amount of \$15,000.00 to allow for the installation of exercise equipment at Harlon Block Park. The motion carried unanimously; Mayor Suarez was present and voting.

VIII. EXECUTIVE SESSION

At 7:29 p.m., Mayor Suarez announced the regular meeting to convene in Executive Session. At 8:19 p.m., Mayor Suarez announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

- A. 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.

There was 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.

There was no action on this item.

- 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.

There was no action on this item.

- D. Pending Litigation - Consultation with City Attorney regarding Cause No. C-6090-14-B, Zequiel Montez, Gabriel Montez, Nora Montez, Irma M. Torres and Norma Garcia v. City of Weslaco as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

- E. Pending Litigation - Consultation with Attorney to give a legal briefing regarding Civil Case No. 7:15-CV-334 Alvino Flores v. City of Weslaco, et al. in the United States District Court for the Southern District of Texas – McAllen Division as authorized by §551.071(1) of the Texas Government Code.

There was no action on this item.

- F. Pending Litigation – Consultation with City Attorney regarding Cause No. C-1277-15-H Elvia Caballero Lopez d/b/a or a/k/a Caballero Governmental Affairs v. City of Weslaco, Texas in the 389th Judicial District Court of Hidalgo County pursuant to §551.071 of the Texas Government Code.

Commissioner Tafolla, seconded by Commissioner Kerr, moved to authorize the City Manager and City Attorney to mediate C-1277-15-H Elvia Caballero Lopez d/b/a or a/k/a Caballero Governmental Affairs v. City of Weslaco as authorized by the rules of Hidalgo County. The motion carried unanimously; Mayor Suarez was present and voting.

X. ADJOURNMENT

With no other business before the commission, at 8:19 p.m. on March 15, 2016, 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

COMMISSIONER, Letty Lopez

ABSENT

COMMISSIONER, Fidel L. Peña, III