A REGULAR MEETING

OF THE WESLACO CITY COMMISSION

TUESDAY, DECEMBER 19, 2017

On Tuesday, December 19, 2017, at 5:36 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	Gerardo "Jerry" Tafolla
Commissioner	Leo Muñoz
Commissioner	Greg Kerr
Commissioner	Jose "J.P" Rodriguez
Commissioner	Letty Lopez
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
City Secretary	Elizabeth Walker
City Attorney	Juan E. Gonzalez

Also present: Mary Barrera, Finance Director; Rogelio Martinez, Information Technology Interim Director; Tony Lopez, Fire Chief; Ted Walensky, Assistant Police Chief; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; David Arce, Parks and Recreation Director; Andrew Munoz, Airport Director; Arnold Becho, Library Director; Joe Pedraza, Health Official; and other staff members

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, December 15, 2017. The Mayor Pro Tem led an impromptu birthday song for Pastor Wright.

B. Invocation.

Pastor Elizabeth Wright, First Methodist Church, led the invocation.

C. Pledge of Allegiance.

The Mayor led the Pledge of Allegiance and Texas Flag.

D. Mayoral recognition.

Mayor Suarez proclaimed, "Diego Castillo Day" to celebrate his title win in the Texas Silver Gloves Title 70-pounds Weight Division.

E. Roll Call.

Elizabeth Walker, City Secretary, called the roll, noting perfect attendance and a quorum present.

II. PUBLIC COMMENTS

There were no public comments.

III. PUBLIC HEARING

A. To solicit input on behalf of Rashad Javed Rana to rezone 1720 W. 18th Street also being the 3.00 acres out of Farm Tract 658, West Tract, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling to R-3 Rural District.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to open the public hearing at 5:44 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

Rashad Rana, applicant, stated he purchased the agricultural land for the purpose of raising goats as a personal hobby.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez moved to close the public hearing at 5:46 p.m. 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 following:

1.) Minutes of the Regular Meeting on December 5, 2017

2.) Record of the Workshop on December 6, 2017. (Staffed by City Secretary's Office) .

B. Approval on second and final reading of the following

1) Ordinance 2017-53 authorizing a budget amendment as appropriate in the amount of $17,167.11 to purchase Water Rescue Dry Suits awarded under a Homeland Security Grant and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

C. Approval of the request from the Weslaco Area Chamber of Commerce to hold the 29th Annual Texas Onion Fest on Saturday, March 24, 2018 at the Mayor Pablo G. Pena 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 and Westgate and Frontage for two weeks prior to the

event, to waive appropriate ordinances associated with the event and allow a carnival. (Requested by Weslaco Area Chamber of Commerce.)

D. Authorization to solicit Requests for Proposals (RFP) for Fireworks Display for 4th of July Celebration at Harlon Block Park or Pablo G Pena City Park on Wednesday, July 4, 2018, and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

E. Approval of Resolution 2017-86 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 2017 and 2018 to fund the operations of the Recycle Center, authorized acceptance upon award, and authorize the Mayor to execute any related documents. (Staffed by Public Works.)

Commissioner Pedraza, seconded by Commissioner Kerr, moved to approve consent agenda items A through E as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the ordinance is as follows:

ORDINANCE 2017-53

AN ORDINANCE AMENDING ORDINANCE NUMBER 2017-37, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018, FINDING NEED TO AMEND THE 2017-2018 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 2017-2018 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 2017-2018 Official Budget, adopted by Ordinance 2017-37, 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 5th day of December 2017.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 19th day of December 2017.

For the record, the resolution is as follows.

RESOLUTION 2017-86

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESLACO AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT; AUTHORIZING THE MAYOR TO ACT ON BEHALF OF THE CITY OF WESLACO IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED CITY OF WESLACO WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE LOWER RIO GRANDE DEVELOPMENT COUNCIL, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS.

WHEREAS, the Lower Rio Grande Valley Development Council is directed by the Texas Commission on Environmental Quality to administer solid waste grant funds for implementation the COG's adopted regional solid waste management plan; and

WHEREAS, City of Weslaco in the State of Texas is qualified to apply for grant funds under the Request for Applications.

NOW THEREFORE, BE IT RESOLVED by the City Commission that the City of Weslaco approves submission of the grant; and

BE IT FURTHER RESOLVED THAT:

1. David Suarez, Mayor, is authorized to request grant funding under the Lower Rio Grande Valley Development Council. Request for Applications of the Regional Solid Waste Grants Program and act on behalf of City of Weslaco in all matters related to the grant application and any subsequent grant contract and grant project that may result;

2. That if the project is funded, City of Weslaco will comply with the grant requirements of the Lower Rio Grande Valley Development Council, Texas Commission on Environmental Quality and the State of Texas;

3. The grant funds and any grant-funded equipment or facilities will be used only for the purposes for which they are intended under the grant;

4. That activities will comply with and support the adopted regional and local solid waste management plans adopted for the geographical area in which the activities are performed.

5. The City of Weslaco agrees to transfer partial funds in the amount not to exceed $10,000.00 to the Valley Nature Center for the sponsorship of project as stated on the LRGVDC Solid Waste Grant application, as per recommendation of the Weslaco Recycling Task Force Committee.

APPROVED AND ADOPTED by the City Commission of the City of Weslaco, Texas at a regular meeting held on the 19th day of December 2017.

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. APPOINTMENTS

A. Discussion and consideration to approve Resolution 2017-85 establishing an appointment policy and rotation schedule for the designation of the Mayor Pro Tempore. Possible action. (Staffed by City Secretary's Office.)

Commissioner Kerr, seconded by Commissioner Muñoz, moved to approve Resolution 2017-85 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the following is the resolution:

RESOLUTION NO. 2017-85

A RESOLUTION OF THE CITY OF WESLACO ESTABLISHING AN APPOINTMENT POLICY AND ROTATION SCHEDULE FOR THE MAYOR PRO TEMPORE OF ITS COMMISSION

WHEREAS, The Weslaco City Charter prescribes that in the absence of the Mayor a Mayor Pro Tempore shall be chosen; and

WHEREAS, if the Mayor is absent or otherwise unable to act, the Mayor Pro Tempore shall serve until the Mayor returns or is able to act and has all the powers and duties of the Mayor.

NOW, THEREFORE, BE IT RESOLVED that we, the duly elected Commissioners of the City of Weslaco, resolve the City is better served by engaging its members in leadership roles.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Commission adopts this policy to rotate the duties of Mayor Pro Tempore among all six individuals serving as Commission members in accordance with the following guidelines:

1. The City Commission shall appoint the Mayor Pro Tempore on a one-year rotational basis by seniority.
2. The order of the rotation shall begin with the Commission member who has the longest tenure of total years on the Commission, followed by the Commission member with the second longest tenure, and so on.
3. When two or more members have the same tenure on the Commission, the order of rotation among those tied for tenure is determined by lot from random drawing.

4. If the office of Mayor Pro Tempore becomes vacant prior to the expiration of the annual term, the next Commission member in rotation shall assume the office for the balance of the term then the full term as scheduled by rotation.
5. The appointment of the Mayor Pro Tempore takes place at the first regular meeting following the canvass each year.
6. This policy is expected to provide an orderly and fair procedure for alternating the position of Mayor Pro Tempore but the City Commission reserves the right to deviate from this policy by majority vote as they see fit for differing circumstances.
7. For the inauguration of this policy, the following schedule is determined based on date sworn into office:

Name	**Sworn into Office**	**Mayor Pro Tem Term**
Commissioner Gerardo "Jerry" Tafolla	5/19/2009	2017-2018
Commissioner Greg Kerr	11/12/2014	2018-2019
Commissioner Letty Lopez	11/11/2015	2019-2020
Commissioner Leo Muñoz	11/11/2015	2020-2021
Commissioner Josh Pedraza	11/16/2016	2021-2022
Commissioner Jose “JP” Rodriguez	11/14/2017	2022-2023

8. Should any Commissioner cease to hold office, the name shall be removed from the rotation list and those listed below shall advance a year in expected term. Newly elected Commissioners shall be entered at the bottom of the rotation list in accordance with the date sworn and provision 3 in these guidelines; ideally, Commissioners served two continuous years on the Commission to be eligible to serve as Mayor Pro Tempore.
9. Once all seated Commissioners have had the opportunity to serve as Mayor Pro Tempore, the rotation shall repeat starting anew with the Commissioner with most seniority.

PASSED AND APPROVED this the 19th day of December 2017.

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 the FY 2017-2018 Proposed Street Improvement Project and authorize the Mayor to execute any related documents. Possible action. (There was no action on this item October 17, 2017; Staffed by Public Works.)

Commissioner Kerr, seconded by Mayor Pro Tem Tafolla, moved to approve.

Pete Garcia, Public Works Director, stated during the December 13 workshop the inventory of proposed street improvements were evaluated and prioritized. Mayor Suarez noted streets were added during the workshop and none removed; over the past three years funding has been reduced.

The City Manager stated $400,000.00 is available for paving; he recommended staff proceed with improvements through the top five and revisit at a later date the remaining streets and determine funding. He added that a class from the University of Texas Rio Grande Valley could help to assess streets using a metrics set.

Commissioner Kerr withdrew his motion.

Commissioner Muñoz, seconded by Commissioner Lopez, moved to approve streets 1 through 5 from the FY 2017-2018 inventory list as presented and to assess and prioritize 6 through 32 based on condition. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration on Resolution 2017-84 to terminate the Multiple Use Agreement with the Texas Department of Transportation for inactive approved bus stop locations along their right-of-way on U.S. Business Highway 83 and Texas Boulevard. Possible action. (There was no action on December 5, 2017; Staffed by Planning and Code Enforcement.)

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

Mardoqueo Hinojosa, City Engineer/Director of Planning and Code Enforcement, stated right-of-way is needed to construct. The City Manager stated construction of bus shelters typically are coordinated efforts with Valley Metro.

Gabriel Zuniga, with Valley Metro, stated these proposed bus locations have just five feet of right-of-way and no shoulder available; normally 8 feet to 10 feet is needed. Sarah Dierlam commented the bus shelter increases the ridership program as it offers visibility; Valley Metro is willing to support this project with Planning, adding grant funds can be available for the installation.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved no action be taken. The motion carried unanimously; Mayor Suarez was present and voting.

VII. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Rashad Javed Rana to approve Ordinance 2017-54 rezoning 1720 W. 18th Street also being the 3.00 acres out of Farm Tract 658, West Tract, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling to R-3 Rural District. First reading of Ordinance 2017-54. Possible action. (This item requires three-fourths vote as it was denied by Planning and Zoning Commission; Staffed by Planning and Code Enforcement Department.)

Commissioner Kerr abstained from vote and discussion.

Mayor Pro Tem Tafolla, seconded by Commissioner Pedraza, moved to discuss.

Mardoqueo Hinojosa stated a joint meeting was held December 6 with the Planning and Zoning Commission to review proposed changes to the zoning ordinance. A consensus was to permit

livestock in an R-3 zone South of 18th Street. This property is on the northside of 18th Street; additionally, the 2040 Land Use Map does not identify the area as R-3 Zone. Staff recommends denial as it would not conform with the adopted land use map.

In response to Mayor Pro Tem Tafolla, the City Attorney stated the land use determines the tax rate not the zoning district, further clarifying that the Appraisal District does not bind the City to zoning. In response to Commissioner Muñoz, the area has been R-1 and livestock has not been permitted. Currently, R-3 zoning designation is at Los Ranchitos, south of the floodway.

The City Manager stated neighbors' concerns were the effects of farm animals such as odor, sound and value of their property. He recommended to table until January 16, 2018.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to table until January 16, 2018. The motion carried; Commissioner Kerr abstained; Mayor Suarez present and voting.

B. Discussion and consideration to approve a six-month extension of the Final Plat for Descanso Subdivision – being a 5.278 acres out of Farm Tract 743, the West and Adams Tract Subdivision Weslaco, Hidalgo County, Texas, located at 2200 S. Texas Boulevard. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated the final plat was approved last year. Ordinance allows two extensions, six-months each; this was the first one applicant is requesting. Staff recommends approval.

Mayor Pro Tem Tafolla, seconded by Commissioner Pedraza, moved to approve a six-month extension of the Final Plat for Descanso Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to approve City cost share participation in an amount not to exceed $43,000.00 for sanitary sewer upgrades on the Midway Mobile Subdivision to accommodate future growth. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated the proposed development is located on Mile 6 ½ and Midway Road; the development needs an 8" sewer line and staff requests to oversize to a 12" sewer line to accommodate surrounding area and future growth. Staff recommends a reimbursement agreement that will reimburse the City from any future development connected to the sewer line.

In response to Mayor Pro Tem Tafolla, the City Manager stated recent state laws make annexation difficult, but future development may seek to connect to services and reimbursement agreements good for ten years. In response to Mayor Suarez the development Could have 104 water connections to North Alamo Water Supply Corporation.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to approve City cost share participation in an amount not to exceed $43,000.00 for sanitary sewer upgrades on the Midway Mobile Subdivision The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to approve final payment to CDM Constructors, Inc. for the Weslaco Water Treatment Plant & Offsite Distribution System Project. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mayor Pro Tem Tafolla, seconded by Commissioner Pedraza, moved to approve.

The City Manager recommended to table for executive session. Mayor Pro Tem Tafolla rescinded his motion.

E. Discussion and consideration to approve Interlocal Agreement for Mile 6 West Project Phase III with Hidalgo County for an amount not to exceed $532,772.26. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated parcels for right-of-way acquisition have been identified for Phase III of the Mile 6 West; the anticipated City cost-share is $275,000 more than initially estimated, with City total contribution now $532,772.26. Staff recommends approval of the Interlocal for Mile 6 West Project Phase III and funds are available.

Mayor Pro Tem Tafolla, seconded by Commissioner Pedraza, moved to approve Interlocal Agreement for Mile 6 West Project Phase III with Hidalgo County for an amount not to exceed $532,772.26 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to amend Section V of the Interlocal Cooperation Agreement for Tax Assessment and Collection and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Mary Barrera, Finance Director, recommended approval of the amendment to the Interlocal agreement which will permit the County to disburse fees for the collections by the delinquent tax attorney directly to the firm.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve and amend Section V of the Interlocal Cooperation Agreement for Tax Assessment and Collection. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to allow the Library to participate within the Region 1 ERate application for the establishment of a regional fiber optic network and to submit a Letter of Agency allowing Region 1 to apply on behalf of the City of Weslaco. Possible action. (Staffed by Library.)

Arnold Becho, Library Director, stated a new fiber optic network thru the ERate program will connect participating school districts and public libraries for the goal of providing internet access. Staff is requesting permission to be included in the application process; process and decision approval is still two years away. The cost is slightly more but participation ensures the City's cost of internet would not go up if ERate were to be discontinued.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve the Library to participate within the Region 1 ERate application for the establishment of a regional fiber optic

network and to submit a Letter of Agency allowing Region 1 to apply on behalf of the City of Weslaco. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve final payment and execution of the substantial completion document for the Roof Renovation Project at the Mayor Joe V Sanchez Public Library. Possible action. (Staffed by Library.)

Arnold Becho stated the project was completed and on November 10 a water test was done; any issues found were resolved and since then several rain events have occurred and no leaks were observed. Staff recommends approval on final payment and project completion noted.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve final payment and execution of the substantial completion document for the Roof Renovation Project at the Mayor Joe V Sanchez Public Library. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to approve Ordinance 2017-55 authorizing a budget amendment for Airport in amount of $41,815.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)

Andrew Muñoz, Airport Director, stated the project is eligible for grant reimbursement of 90% from TxDOT with local match fund of 10% from the City. Monies are for the payment of survey and appraisal services for the proposed airport development project. Staff recommends approval.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Ordinance 2017-55 authorizing a budget amendment for Airport in amount of $41,815.00 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to terminate the Fire Service contract with the City of Progreso for fire protection services within the City of Progreso by the Weslaco Fire Department. Possible action. (Staffed by Fire Department.)

Antonio Lopez, Fire Chief, stated the fire contract has been in place for two years but they now have their own fire department which Weslaco continues to support through mutual aid. By separate agreement, ambulance service is provided. The City Manager noted monies owed to the City is $58,000 and recommended termination of the agreement of fire services and negotiation of a payment plan with the City of Progreso.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to terminate the Fire Service contract with the City of Progreso for fire protection services within the City of Progreso. The motion carried unanimously; Mayor Suarez was present and voting.

VIII. REPORTS

A. Report by Perdue Brandon Fielder Collins & Mott LLP on delinquent tax collection.

Hiram Gutierrez, representing Perdue Brandon Fielder Collins & Mott LLP, reviewed the collections for the period of October 1, 2016 through September 30, 2017 that included phone

contacts, mailings, inspections of property, payment arrangements, litigation, tax sales and bankruptcy representation. He reported collections were $348,134 delinquent tax base; $174,366 interest and penalty for a total of $522,500 collected.

B. Report by Lower Rio Grande Valley Development Council on Valley Metro Ridership Program.

Sarah Dierlam apologized for their absence last meeting and presented the 2016-2017 Ridership program, noting the most popular route in Weslaco was 31. Schedule are revised as a result of peak times. In 2018 fare is free and the public can download an app to see buses in real time.

IX. EXECUTIVE SESSION

At 7:08 p.m. Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved the regular meeting to convene in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:33 p.m. Mayor Suarez announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

A. 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. Personnel - Discussion and possible selection of Interim Police Chief as authorized by Section 551.074 of the Texas Government Code.

There was no action on this item.

C. 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.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to approve payment at the time settlement documents finalized and their insurance funds. The motion carried unanimously; Mayor Suarez was present and voting.

D. Legal Consultation - Seek City Attorney opinion relating to the mediation with CDM as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

E. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related for retail development Project Ocean as authorized by §551.087 of The Texas Government Code.

Commissioner Kerr abstained from discussion and vote.

There was no action on this item.

F. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project Anchor as authorized by §551.087 of the Texas Government Code.

Commissioner Kerr abstained from discussion and vote.

There was no action on this item.

G. Real Property – Consultation with City Attorney on the purchase, sale, exchange, lease or value of real property consisting of 2 acres more or less with improvements out of Farm Tract 666 located on South Westgate Drive as authorized by §551.072 of the Texas Local Government Code.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to authorize the City Manager to negotiate as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

H. Real Property – Consultation with City Attorney on the purchase, sale, exchange, lease or value of real property consisting of 12.79 unimproved acres more or less out of Farm Tract 666 located on Mile 6 and 18th Street as authorized by §551.072 of the Texas Local Government Code.

Mayor Pro Tem Tafolla, seconded by Commissioner Pedraza moved to authorize the City Manager to negotiate as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

VII. NEW BUSINESS

D. Discussion and consideration to approve final payment to CDM Constructors, Inc. for the Weslaco Water Treatment Plant & Offsite Distribution System Project. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to approve partial payment in the amount of $48,277.64 for undisputed amounts billed and $35,931.00 for interest in accordance with the Prompt Pay Act for total of $84,208.64. The motion carried unanimously; Mayor Suarez was present and voting.

XI. ADJOURNMENT

Mayor Pro Tem Tafolla, seconded by Commissioner Pedraza, moved to adjourn at 8:25 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

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MAYOR, David Suarez

ATTEST:

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CITY SECRETARY, Elizabeth Walker

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MAYOR PRO-TEM, Gerardo “Jerry” Tafolla

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COMMISSIONER, Leo Muñoz

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COMMISSIONER, Greg Kerr

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COMMISSIONER, Jose “J.P.” Rodriguez

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COMMISSIONER, Letty Lopez

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COMMISSIONER, Josh Pedraza