

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, October 14, 2014**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, October 14, 2014, at 6:30 P.M.** in the City Commission Meeting Room, 115 E. Commercial Avenue, La Feria, Texas 78559. The purpose of said meeting was to consider and take action on those items of City Business as was duly posted by agenda in accordance with State Open Meetings Law. The following City Commission members were present at said meeting.

Mr. Victor Gonzalez, Jr.	Mayor – Late 7:30 P.M.
Ms. Esmeralda Lozano	City Commissioner/Mayor Pro Tem
Mr. John Edward Betancourt	City Commissioner
Mr. John Hernandez	City Commissioner
Mr. Julian Guevara, Jr.	City Commissioner
Ms. Olga H. Maldonado	City Commissioner

The following staff members were present.

Mr. Sunny K. Philip	City Manager
Mr. Richard S. Talbert	City Attorney
Ms. Maria Chavero	Finance Director
Ms. Paula Rodriguez	Planning and Community Dev. Dir.
Ms. Esmeralda Sanchez	Capital Projects Coordinator
Ms. Olga Oberwetter	City Secretary

A copy of the signature roster of all others present is attached as a part of the minutes hereof.

At 6:35, P.M., Mayor Pro Tem Ms. Esmeralda Lozano gave the invocation. After the invocation, Mayor Pro Tem Lozano led everyone present in reciting the Pledge of Allegiance to the Flag of the United States of America. She then declared that a quorum of the City Commission was present and called the meeting to order.

PUBLIC COMMENTS

Mayor Pro Tem Ms. Esmeralda Lozano declared the public comments session open. No one signed up to speak before the City Commission, so Mayor Pro Tem Lozano declared the public comment session closed.

REVIEW AND TAKE ACTION TO APPROVE THE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, SEPTEMBER 23, 2014

After review of the minutes, Commissioner Olga Maldonado moved to approve the minutes of proceedings of the regular meeting of the City Commission held on Tuesday, September 23, 2014. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

RECOGNITION OF GOVERNMENT FINANCE OFFICERS ASSOCIATION OF USA AND CANADA'S (GFOA) AWARD FOR EXCELLENCE IN FINANCIAL REPORTING OF THE CITY OF LA FERIA'S FINANCIAL STATEMENTS FOR FISCAL YEAR ENDED SEPTEMBER 30, 2013

City Manager Mr. Sunny K. Philip explained that the City has strived to make the most transparent and comprehensive information available as possible. To that effect, the City started a journey a long time ago to make 10 years of history available in the financial reports that are submitted to the Government Finance Officers Association of USA and Canada (GFOA) for their consideration for the award of excellence in financial reporting. They have reviewed the report for the year ended September 30, 2013 and they have determined that it is worthy of the recognition again this year. Mr. Philip said that the majority of the credit belongs to Ms. Maria Chavero who heads the Finance Department. The City Commission congratulated Ms. Chavero and the City of La FERIA for receiving the recognition for Excellence in Financial Reporting Award from GFOA once more. There was no official action needed on this item.

REVIEW BID TABULATION FOR THE CATHODIC PROTECTION EQUIPMENT FOR CLARIFIERS AND ELEVATED WATER TANK AND CONSIDER AND TAKE ACTION TO AWARD CONTRACT TO THE LOWEST MOST QUALIFIED AND RESPONSIBLE BIDDER

City Manager Mr. Sunny K. Philip reviewed the bid tabulation for the Cathodic Protection Equipment for Clarifiers and Elevated Water Tank. Only one bid was received and that was from Corpro Waterworks of 2069A Lake Industrial Court, Conyers, Georgia, in the amount of \$71,655.00. The project is funded through the Texas Department of Agriculture grant funds, and the Utilities Board reviewed the bid and they are recommending to the City Commission award of contract to Corpro Waterworks. The City engineer is also recommending award of contract to Corpro Waterworks. Commissioner John Hernandez moved to award contract for the Cathodic Protection Equipment for clarifiers and elevated water tank to the lowest most qualified and responsible bidder Corpro Waterworks in the amount of \$71,655.00. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO CONDEMN PROPERTY FOR DEMOLITION LOCATED ON WEST PRIMROSE, LOT 4, BLOCK 5, LA FERIA, TEXAS, WHICH IS A FIRE DAMAGED HOUSE AND DECLARE THE PROPERTY AS A NUISANCE AND DEEM IT AS AN EMERGENCY ACTION REQUIRING IMMEDIATE ATTENTION

City Manager Mr. Sunny K. Philip explained that Ms. Ester Vasquez is the owner of a property located on West Primrose that was destroyed by fire. He said Ms. Vasquez and her friend were present tonight but do not speak English so if they have any questions, someone would have to explain to them in Spanish. Mr. Philip said that the City is trying to qualify Ms. Vasquez for assistance through a grant from Texas Department of Housing and Community Affairs (TDHCA) and that there are two ways to qualify them. One is that they must be living in the home, but in this case that is not possible; the other is if the City Commission can take action to condemn the home. Ms. Vasquez has said that they have no objection to condemnation of the house. Mr. Philip added that the State

consolidates funds in December and that there might be a chance that funding would be available to build a home for Ms. Vasquez. Mr. Philip said he has asked City Attorney Mr. Richard S. Talbert to come up with the language to protect the interests of the City. Mr. Philip stated that for the record, the City needs to ask Ms. Vasquez if she agrees with the City taking action to condemn the house, and he asked Capital Projects Coordinator Ms. Esmeralda Sanchez to translate the information to Ms. Vasquez. Mayor Pro Tem Ms. Esmeralda Lozano inquired of City Attorney Mr. Talbert what would happen to the property once the City condemns it as far as ownership. Mr. Talbert responded that the City is only condemning the structure and placing a lien on the property until Ms. Vasquez pays the costs of demolition. City Manager Mr. Sunny K. Philip explained that the TDHCA would not approve an application if there is a lien on the property, so he would work Ms. Vasquez if she needs to arrange a loan so that there would be no lien on the property. Ms. Esmeralda Sanchez translated in Spanish all that had been discussed and asked Ms. Vasquez if she would agree to the condemnation of her home. Ms. Vasquez responded that she did. Commissioner John Betancourt said that Ms. Vasquez needs to understand that this is not a guarantee that the City would build her a home, but that it would try to get funding for a new home. The timing of the application and the process for approval was discussed and explained to Ms. Vasquez. The question of the cost of demolition was also addressed, and it was established that a cost of \$700.00 or less would be paid by Ms. Vasquez, whether a lump sum or through payments. Ms. Vasquez provided some photos of the house and said she had already provided copies to Assistant Finance Director Ms. Kin Mendoza who works with TDHCA on housing issues. Mayor Pro Tem Esmeralda Lozano inquired about the legality of the documents if the documents presented to Ms. Vasquez were not presented in her native language which is Spanish. City Attorney Mr. Richard S. Talbert responded that the document would be valid; that the argument might be that there was not a meeting of the minds, but that it would be a two page document and it could be explained to Ms. Vasquez. Mayor Pro Tem Esmeralda Lozano asked Ms. Esmeralda Sanchez to explain the Commission's concerns to Ms. Vasquez. Ms. Esmeralda Sanchez translated all the necessary concerns expressed by the City Commission. And Ms. Vasquez indicated that she did understand all the requirements and would abide by the City's action. Commissioner John Hernandez said that he wanted to make sure that if Ms. Vasquez was approached by any person and told rumors, that she would make an appointment to speak with Ms. Kin Mendoza and Mr. Sunny K. Philip to find out the truth of what the status of the application might be. Commissioner Olga H. Maldonado moved to condemn the property for demolition located on West Primrose, Lot 4, Block 5, La Feria, Texas, which is a fire damaged house and declare the property as a nuisance and deem it as an emergency action requiring immediate attention. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present. Mayor Pro Tem Esmeralda Lozano thanked Ms. Esmeralda Sanchez for her translation of all items covered.

REVIEW AND DISCUSS WITH THE CITY COMMISSION "HALLOWEEN IN THE PARK" EVENT PLANNED TO BE HELD AT THE VETERANS MEMORIAL PARK/SPORTS COMPLEX ON SATURDAY, OCTOBER 25, 2014 AND BOXING EVENT AT THE RECREATION CENTER PLANNED FOR SATURDAY, OCTOBER 18, 2014

City Manager Mr. Sunny K. Philip said this is the second year that the City is holding the Halloween in the Park event, and that Commissioner Olga H. Maldonado came up with the prizes for the adult costume contest. Capital Projects Coordinator Esmeralda Sanchez will be leading a costume parade. There will be a DJ playing music until the band begins to play at 7:00 p.m. The other event is the Boxing tournament which will be held on Saturday, October 18, 2014. The USA Boxing Show will give the City 10% of the proceeds, and the concession will be run by the Recreation Center staff. The Recreation Center keeps all the profits from the concession stand. They will have security available during the boxing event. There was no action needed on this item.

CONSIDER AND TAKE ACTION TO APPROVE A RESOLUTION DOCUMENTING THE ANNUAL REVIEW AND APPROVING ANY MODIFICATION NECESSARY OF THE CITY OF LA FERIA INVESTMENT POLICY

City Manager Mr. Sunny K. Philip explained that every year, as required by law, the City Commission reviews and readopts the Investment Policy. A copy of the investment policy was included in the package. There were no changes made to the policy from the previous year. Commissioner John Betancourt moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2014-25. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2014-25 documenting the annual review and approving any modification necessary of the City of La Feria Investment Policy. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA TEMPORARILY CLOSING CERTAIN AND SPECIFIED STREETS WITHIN THE LIMITS OF THE CITY OF LA FERIA AND MODIFYING TRAFFIC PATTERNS ON CERTAIN STREETS FOR THE PURPOSE OF ENSURING THE SAFETY AND GENERAL WELFARE OF THE PUBLIC DURING THE ANNUAL "LIGHTING OF THE TREE" CELEBRATION TO BE HELD ON THURSDAY, NOVEMBER 13, 2014

City Manager Mr. Sunny K. Philip explained that a copy of the ordinance was included in the Commission's packet and it is similar to the ordinance approved in prior years. Commissioner Julian Guevara, Jr. moved to read the ordinance by caption only, in lieu of reading it in its entirety. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present. City Attorney Mr. Richard S. Talbert read the caption of Ordinance 2014-10. After reading of the caption, Commissioner Olga H. Maldonado moved to approve Ordinance 2014-10 approving temporarily closing certain and specified streets within the limits of the City of La Feria and modifying traffic patterns on certain streets for the purpose of ensuring the safety and general welfare of the public during the annual "Lighting of the Tree" celebration to be held on Thursday, November 13, 2014. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA DESIGNATING DECEMBER 13, 2014 AS THE

DATE FOR THE 16TH ANNUAL CHRISTMAS PARADE IN LA FERIA AND AUTHORIZING THE TEMPORARY CLOSING OF CERTAIN AND SPECIFIED STREETS WITHIN THE LIMITS OF THE CITY OF LA FERIA AND MODIFYING TRAFFIC PATTERNS ON CERTAIN STREETS FOR THE PURPOSE OF ENSURING THE SAFETY AND GENERAL WELFARE OF THE PUBLIC DURING THE 16TH ANNUAL CHRISTMAS PARADE ON SAID DATE OR IN THE EVENT OF INCLEMENT WEATHER ANY OTHER ALTERNATE DATE APPROVED BY THE CITY MANAGER

City Manager Mr. Sunny K. Philip explained that a copy of the ordinance was included in the Commission's packet and it is similar to the ordinance approved in prior years. Mr. Philip said that the parade starts in front of the Library and goes north to Ninth Street, then west to the La Feria High School, crosses Canal Street and goes behind the High School and comes out on the south side of the high school. He said for the safety of the participants the streets are closed off and that action has to be done by ordinance.

Commissioner John Betancourt moved to read the ordinance by caption only, in lieu of reading it in its entirety. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present. City Attorney Mr. Richard S. Talbert read the caption of Ordinance 2014-11. After reading of the caption, Commissioner John Hernandez moved to approve Ordinance 2014-11 designating December 13, 2014 as the date for the 16th Annual Christmas Parade in La Feria and authorizing the temporary closing of certain and specified streets within the limits of the City of La Feria and modifying traffic patterns on certain streets for the purpose of ensuring the safety and general welfare of the public during the 16th Annual Christmas Parade on said date or in the event of inclement weather any other alternate date approved by the City Manager. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW AND DISCUSS WITH THE CITY COMMISSION PROPOSED APPLICATION FOR FUNDING TO BE SUBMITTED FOR CONSIDERATION UNDER THE "RESTORE ACT"

City Manager Mr. Sunny K. Philip asked that this item be moved to executive session for discussion. Commissioner Olga H. Maldonado moved to consider this item under executive session. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW AND DISCUSS WITH THE CITY COMMISSION PROPOSED APPLICATION TO BE SUBMITTED FOR DESIGNATION OF AN AREA INCLUDING THE CITY OF LA FERIA AS A "PROMISE ZONE"

City Manager Mr. Sunny K. Philip explained that President Obama had started an initiative of the second round of the Promise Zone. During the Clinton administration, there was an area known as the Empowerment Zone which started on the west side of the Valley from the Edcouch/Elsa/La Villa area and through Sebastian all the way down to Port Isabel. Mr. Philip said these designations provide awareness that this area needs help, and the idea is for the entities to apply to all the funding agencies and the agencies need to provide extra scoring points for entities in the Zone. Now the Promise Zone would provide this type of awareness. He added that this is not economic development; that it is for serving the community. Mr. Philip said that La Feria meets the criteria for such designation and if an application can be presented to include the cities of Santa

Rosa, Combes, Primera, Rio Hondo, Lyford and Raymondville maybe it would be approved. Mr. Philip said there is no initiative on the County level or the Development Council level. Capital Projects Coordinator Ms. Esmeralda Sanchez said that there is no funding up front included with the designation of Promise Zone, but once the City has the designation, there is a possibility for future funding of projects. There was no action needed on this item.

CONSIDER AND TAKE ACTION TO APPROVE 2014-2015 BUDGET AMENDMENT

City Manager Mr. Sunny K. Philip explained that a copy of the budget amendment was included in the City Commission's package. He said the increase in the budget is \$75,000.00 to provide for the additional wage increases for the Police Department. Commissioner Olga H. Maldonado moved to approve the 2014-2015 Budget Amendment. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

EXECUTIVE (CLOSED) SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW CHAPTER 551, GOVERNMENT CODE, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION 551.072 TO DISCUSS PROPOSED PURCHASE/SALE/DONATION OF REAL ESTATE BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION/THE LA FERIA ECONOMIC DEVELOPMENT CORPORATION/CITY OF LA FERIA; AND SECTION 551.087 TO DISCUSS ECONOMIC DEVELOPMENT NEGOTIATIONS

Mayor Pro Tem Ms. Esmeralda Lozano declared the meeting in executive (closed) session at 7:34 P.M. After executive session deliberations, Mayor Pro Tem Ms. Esmeralda Lozano declared the meeting back in open session at 8:31 P.M.

CONSIDER AND TAKE ACTION DEEMED NECESSARY AS THE RESULT OF EXECUTIVE (CLOSED) SESSION DELIBERATIONS

There was no action needed as a result of executive session deliberations.

REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION

- **UPDATE ON DRAINAGE IMPROVEMENT PROJECT**
- **WATER AND WASTEWATER SYSTEMS IMPROVEMENTS PROJECT**
- **STATUS OF SAFE ROOMS (DOMES) CONSTRUCTION PROJECT**
- **CONSTRUCTION OF A NEW PHARMACY**
- **PROPOSED PLANNING GRANT APPLICATIONS**
- **PROPOSED CDBG APPLICATIONS**

City Manager Mr. Sunny K. Philip reported the following:

- Drainage Improvement Project – projects are doing well. The quality of work on Rabb Road is good, but staff has been meeting with them to push for completion of the road. Kansas City Road, Closner Construction is moving systematically.
- Water & Wastewater Systems Improvement Project – Cornett Construction is finishing the water distribution system work and the water shut down is done during the night to minimize impact on the residents.

- Safe Rooms – the rain has caused some delays. They have started to install the concrete block. The engineers are checking the work to make sure that the project meets the standards to withstand hurricane and tornado threats.
- Construction of the new pharmacy – CVS has submitted the plans and the LFIDC has agreed and worked out a solution with the landowner who will be leasing the land. They plan to start construction in January 2015 and maybe occupy the building by September or October of 2015. They will be submitting a plat to replat the property into one lot.
- Planning Grant Applications – Looking at three different avenues. One is a \$60,000 Planning Application through Texas Department of Agriculture, a second application would be using the City's Consultant Petra Reyna who has talked to the EDA director asking for planning funding in connection with the Technology and Success Center. And the third application would be to USDA, since they also have some planning funds available.

CONSIDER AND TAKE POSSIBLE ACTION ON ATTENDANCE STATUS OF MAYOR AND/OR COMMISSIONERS

There was no action needed on this item.

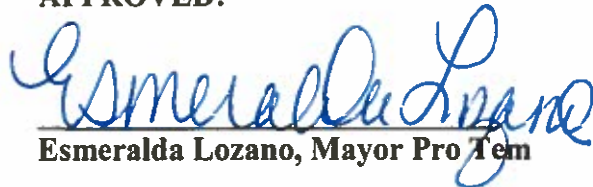
ACTION FOR ADJOURNMENT

There being no further business to conduct, Commissioner Julian Guevara, Jr. moved to adjourn the meeting. Commissioner Olga Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commission.

ADJOURNMENT

Mayor Pro Tem Esmeralda Lozano adjourned the meeting at 8:56 P.M.

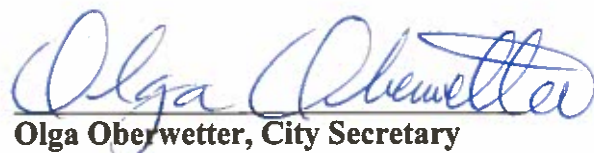
APPROVED:


Esmeralda Lozano, Mayor Pro Tem

ATTEST:


Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 2:35 P.M. on October 24, 2014, as official record.


Olga Oberwetter, City Secretary



CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, OCTOBER 14, 2014, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Ester Vasquez	513 W PAM ROSE	320 41-15
2	Silvia Vasquez	314 E PAM ROSE	577-55-23
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