

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, November 4, 2014**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, November 4, 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
Mr. John Edward Betancourt	City Commissioner
Mr. John Hernandez	City Commissioner
Ms. Olga H. Maldonado	City Commissioner
Mr. Julian Guevara, Jr.	City Commissioner

Absent: Ms. Esmeralda Lozano City Commissioner/Mayor Pro Tem

The following staff members were present.

Mr. Sunny K. Philip	City Manager
Mr. Richard S. Talbert	City Attorney
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 6:32, P.M., Mayor Victor Gonzalez, Jr. gave the invocation. After the invocation, Mayor Victor Gonzalez, Jr. led everyone present in reciting the Pledge of Allegiance to the Flag of the United States of America. He then declared that a quorum of the City Commission was present and called the meeting to order.

**PUBLIC COMMENTS**

Mayor Victor Gonzalez, Jr. declared the public comments session open. No one signed up to speak before the City Commission, so Mayor Gonzalez declared the public comment session closed.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY INTERLOCAL AGREEMENT FOR COOPERATION & JOINT SPONSORSHIP – VALLEY METRO AND THE CITY OF LA FERIA, TEXAS TO CONTINUE PARTICIPATION IN THE REGIONAL PUBLIC TRANSPORTATION SYSTEM MANAGED BY THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC) AND TO AUTHORIZE THE CONTRIBUTION OF**

**\$9,260.00 FOR FY 2014/2015, BEGINNING OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015**

City Manager Mr. Sunny K. Philip discussed that years ago the City of La Feria was not a member of Valley Metro, but the City had worked with the Development Council concerning the route and asked that they first go to TSTC, then to the medical complex, and then the downtown area. They have taken staff's comments into consideration and the ridership from La Feria is there. Mr. Gabriel Zuniga with Valley Metro was present to answer any questions the Commission might have. He said the route for this area is Route 41. Mr. Zuniga reported that for FY 2012, the ridership was 4,800; for FY 2013 it was 6,200; and for FY 2014, the projection is that it will be 8,000. Mr. Zuniga said this is 36% of the population picked up for that route. Commissioner Betancourt inquired if there would be any additional routes added to this area. Mr. Zuniga responded that indirectly there might be because they are working on the possibility of establishing a college type network that would connect all the campuses in the Valley. Commissioner John Hernandez said that he had heard a lot of good things about it and only had one complaint from a good friend of his who had a difficult time lifting a bicycle and that no one helped him. Mr. Zuniga said that due to liability issues, Valley Metro employees cannot help. Mr. Zuniga explained the different fares available to the public. Mayor Victor Gonzalez, Jr. said that on October 22, Mr. Ken Jones, Director of the Lower Rio Grande Valley Development Council made a presentation on all departments and how they benefit everybody in the Valley. One of the presentations was done by the Transportation Department for Valley Metro, and they will be purchasing bigger buses with better equipment which will allow customers to go on line and see exactly where the bus is. Mr. Zuniga said that they will have a Smart phone app or a dedicated link to log into and see all the routes and where the buses are. Commissioner John Hernandez moved to approve the Interlocal Agreement for Cooperation & Joint Sponsorship with Valley Metro and the City of La Feria, Texas to continue participation in the regional public transportation system managed by the Lower Rio Grande Valley Development Council (LRGVDC) and to authorize the contribution of \$9,260.00 for FY 2014/2015, beginning October 1, 2014 through September 30, 2015. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA DESIGNATING PERSONS AUTHORIZED TO SIGN DOCUMENTS ASSOCIATED WITH ACCESSING GRANT FUNDS FROM THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AS ADMINISTERED THROUGH THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR CONTRACT NUMBER 713271**

City Manager Mr. Sunny K. Philip said that a copy of the revised resolution was distributed by City Secretary Ms. Olga Oberwetter. The revision was made to show the appropriate signatory as designated when the resolution submitting the application was approved by the City Commission. Commissioner John Betancourt moved to read the resolution 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 Resolution 2014-26. After reading of the caption, Commissioner Julian Guevara, Jr. moved to approve Resolution 2014-26 designating persons authorized to sign documents

associated with accessing grant funds from the Texas Community Development Block Grant Program as administered through the Texas Department of Agriculture for Contract Number 713271. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA DESIGNATING PERSONS AUTHORIZED TO SIGN DOCUMENTS ASSOCIATED WITH ACCESSING GRANT FUNDS FROM THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AS ADMINISTERED THROUGH THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR CONTRACT NUMBER 7214114**

City Manager Mr. Sunny K. Philip said that this resolution is similar to the one before and that staff has used this same resolution in previous years, but the agency name has changed from the "Office of Rural Community Affairs" to the "Texas Department of Agriculture" and a correction would have to be made on this and the previous resolution in reference to the agency. City Secretary Ms. Olga Oberwetter said she would make the corrections on the originals before getting signatures. Commissioner John Betancourt moved to read the resolution 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 Resolution 2014-27. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2014-27 designating persons authorized to sign documents associated with accessing grant funds from the Texas Community Development Block Grant Program as administered through the Texas Department of Agriculture for Contract Number 7214114. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA, TEXAS, AUTHORIZING THE SUBMISSION OF AN AMY YOUNG BARRIER REMOVAL PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE HOUSING TRUST FUND THROUGH THE HOME PROGRAM RESERVATION SYSTEM; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE AMY YOUNG BARRIER REMOVAL PROGRAM**

City Manager Mr. Sunny K. Philip explained that the City has worked with the Down Payment Assistance Program and the Rehab Program in the past. In the Rehab Program, the City constructed five homes during the last round of funding. The City has some applicants already processed and ready to go, but will have to wait until December to see whether they will be funded or not. Mr. Philip said there used to be plenty of funding, but now it is going very fast. Mr. Philip said these programs are for demolishing and rebuilding homes, but the Amy Young Barrier Removal Program would provide access for the elderly and handicapped persons by remodeling their homes to remove any barriers to accessibility. There is some money available under the reservation system and the City has received some inquiries concerning this type of assistance. Commissioner John Betancourt moved to read the resolution 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 Resolution 2014-28. After reading of the caption, Commissioner John Hernandez moved to approve Resolution 2014-28 authorizing the submission of an Amy Young Barrier Removal Program application to the Texas Department of Housing and Community Affairs for the Housing Trust Fund through the Home Program Reservation System; and authorizing the City Manager to act as the City's authorized representative in all matters pertaining to the City's participation in the Amy Young Barrier Removal Program. 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 ORDINANCE  
AMENDING CERTAIN PROVISIONS OF ARTICLE 3.09, ARTICLE 14.04  
EXHIBIT A SECTION 18 OF THE CODE OF ORDINANCES PERTAINING TO  
OFFSITE CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS AND  
PERMISSIBLE LOCATIONS**

City Manager Mr. Sunny K. Philip discussed this ordinance and said that it is not ready for approval. Mr. Philip said that a sign company has approached the City to allow them to advertise on a digital sign with a total of seven messages, and they have offered the City one message for the City's advertising of special events or emergencies. Mr. Philip said that the current ordinance prohibits electronic message signs, and it needs to be addressed in the Zoning Ordinance. City Attorney Mr. Richard S. Talbert said that the Zoning Ordinance needs to be amended for land use, and that the City Commission could require an SUP which would give the City Commission control of these signs. Mr. Talbert said there are also some required public hearings which would need to be scheduled. Commissioner Olga H. Maldonado moved to table this item. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**DISCUSSION ON CONSIDERATION OF THE CREATION OF A CITY OF LA  
FERIA ANNEXATION COMMITTEE IN RELATION TO PROCEDURES  
REQUIRED FOR ANNEXATION OF PROPERTY BY THE CITY OF LA FERIA**

This item was tabled on a motion by Commissioner Olga H. Maldonado and a second by Commissioner Julian Guevara, Jr. The motion carried by unanimous vote of the City Commissioners present.

**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**

Commissioner John Betancourt moved to table this item. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

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

There was no action needed on this item since there was no executive session held.

**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:

- At the last meeting, staff reported on the number of projects that were under different stages of construction and future projects, and Mayor Gonzalez requested a hard copy of the list, so that was distributed tonight. Mr. Philip asked City Secretary Ms. Olga Oberwetter to make sure that Commissioner Esmeralda Lozano would receive a copy.
- Drainage Improvement Project – Various projects are ongoing now, on Rabb Road, Kansas City Road, Levee Crossing, Evans Canal Crossing, drainage from Santa Rosa to the Tio Cano area, drainage from Tio Cano to the floodway, and the southwest drainage by the Harlingen Irrigation District. All are going okay without much problem. What is waiting to be advertised is the Wilson Canal improvements, but the City is waiting on the final environmental clearance.
- Water & Wastewater Systems Improvement Project – Several projects are listed on the list. At the last City Commission meeting the Commission awarded the project for the Ultra Violet disinfection system building and the Cathodic protection system. Several projects have been submitted to the Texas Water Development Board for review.
- Safe Rooms – the projects construction is moving along well. The contractor is doing a good job.
- The City has submitted a request to the Hazard Mitigation Team for additional funding for Rabb Road since the project cost is approximately \$3 million and the initial grant amount received was \$1.8 million, with the difference being paid by the GLO grant. The Hazard Mitigation Team is reviewing it, and they notify the City.
- The Lighting of the Tree is next Thursday at 5:30 P.M.

Mayor Victor Gonzalez, Jr. said there is an invitation from the Texas Municipal League for the Region 12 Quarterly meeting in Palmview, and he asked everyone to get with City Secretary Ms. Olga Oberwetter to let her know if they were attending. Ms. Oberwetter said she would call everyone to get an RSVP in by the deadline.

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

Commissioner Olga H. Maldonado moved to excuse Commissioner Esmeralda Lozano's absence from this meeting. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

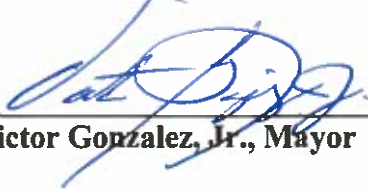
**ACTION FOR ADJOURNMENT**

There being no further business to conduct, Commissioner John Hernandez moved to adjourn the meeting. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**ADJOURNMENT**

Mayor Victor Gonzalez, Jr. adjourned the meeting at 7:20 P.M.

**APPROVED:**

  
\_\_\_\_\_  
Victor Gonzalez, Jr., Mayor

**ATTEST:**

  
\_\_\_\_\_  
Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 7:35 P.M. on November 15, 2014, as official record.

  
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Olga Oberwetter, City Secretary

**CITY COMMISSION REGULAR MEETING**  
**AT THE**  
**CITY COMMISSION MEETING ROOM**  
**TUESDAY, NOVEMBER 4, 2014, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1 Gabriel Zuniga	510 S. Pleasantview Dr. Westaco TX	956.800.4305
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