

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, February 10, 2015**

Be it known that the City of La Feria City Commission met in regular session on Tuesday, February 10, 2015, 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
Ms. Esmeralda Lozano	City Commissioner/Mayor Pro Tem
Mr. John Edward Betancourt	City Commissioner
Mr. John Hernandez	City Commissioner
Ms. Olga H. Maldonado	City Commissioner
Mr. Julian Guevara, Jr.	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 6:38 P.M., Mayor Victor Gonzalez, Jr. asked Commissioner Olga H. Maldonado to give 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. Mayor Gonzalez thanked the staff and the Commission for picking up the slack during his absence from the meetings due to his heart surgery. He said he had been out since the first week of December, but he is now doing well in his recovery. Mayor Gonzalez announced that Mayor Pro Tem Ms. Esmeralda Lozano would be reading the items on the agenda, but he would be presiding over the meeting.

**PUBLIC COMMENTS**

Mayor Victor Gonzalez, Jr. declared the public comments session open and acknowledged Mr. David Gray who said he was representing a company that wants to open a new branch in South Texas. He said he had submitted an offer on a property along the Expressway, but the asking price was \$100,000.00 per acre and he is trying to negotiate the price down. He also said that a new listing was just released last week and the price per acre was \$50,000.00. Mr. Gray said the City of La Feria stands to benefit by

the company locating in La Feria. Mayor Victor Gonzalez, Jr. thanked Mr. Gray and said that the City Manager and the City Commission would work with him to try to locate the business in La Feria.

Mayor Gonzalez, then acknowledged Mr. Joseph L. Perez who said that a group of people in La Feria formed a committee about five years ago to construct a Veteran's Memorial in La Feria. Commissioner Esmeralda Lozano inquired if he was a veteran and he said, "Yes." She thanked him for his service. Mr. Perez said he was here tonight to see if the City of La Feria was still interested in building the Veteran's Memorial and if not he could donate that money to some other cause. He said there is \$10,500.00 in the bank. Mayor Victor Gonzalez, Jr. thanked Mr. Perez and told him that the City of La Feria is committed to the Veteran's Memorial and that at a future meeting the item could be placed on the agenda for discussion. (Note: It will be placed on the agenda for the City Commission meeting of March 10, 2015). No one else signed up to speak before the City Commission, so Mayor Victor Gonzalez, Jr. 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, JANUARY 13, 2015**

Commissioner Olga H. Maldonado asked to make a minor correction on the minutes on Page 272 regarding a second to a motion. The minutes stated that Commissioner John Betancourt seconded the motion and Commissioner Maldonado said it was Commissioner Julian Guevara, Jr. who seconded the motion. City Secretary Ms. Olga Oberwetter explained that when she hears two people making the second, she selects one and lists that as the second, but she offered to change the minutes if that was the Commission's instruction. The Commission decided not to make a change, and Commissioner Olga H. Maldonado moved to approve the minutes of proceedings of the regular meeting of the City Commission held on Tuesday, January 13, 2015. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

**PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC REGARDING A REQUEST BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION FOR A SPECIFIC USE PERMIT FOR ALCOHOL SALES RELATED TO THE FIESTA DE LA FERIA CELEBRATION AND LA FERIA CENTENNIAL CELEBRATION WHICH WILL BE HELD ON THE EXTENDED DATES OF FEBRUARY 27-28, 2015**

City Manager Mr. Sunny K. Philip said that it is a practice that the City Commission authorize the sale of alcohol at the Fiesta de La Feria. The LFIDC went through the process of advertising the public hearing and mailing out notices to the public. Mayor Victor Gonzalez, Jr. declared the public hearing open at 6:50 P.M. No one spoke on this item, so Mayor Gonzalez, Jr. declared the public hearing closed at 6:50 P.M. There was no action needed on this item.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY A REQUEST BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION FOR A SPECIFIC USE PERMIT FOR ALCOHOL SALES RELATED TO THE FIESTA DE LA FERIA CELEBRATION AND LA FERIA CENTENNIAL CELEBRATION WHICH WILL BE**

**HELD ON THE EXTENDED DATES OF FEBRUARY 27-28, 2015 AND  
AUTHORIZING THE MAYOR TO EXECUTE THE ORDER**

City Manager Mr. Sunny K. Philip said that a copy of the SUP for the Mayor's signature was included in the packet for review and consideration. Commissioner John Betancourt moved to approve the request by the La Feria Industrial Development Corporation (LFIDC) for a specific use permit for alcohol sales related to the Fiesta de La Feria Celebration and La Feria Centennial Celebration. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

**PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC REGARDING A  
REQUEST BY MEDIA CHOICE, LLC. FOR A SPECIFIC USE PERMIT FOR  
THE PLACEMENT OF A CHANGING VARIABLE MESSAGING (CVEM) SIGN  
IN ACCORDANCE WITH CITY OF LA FERIA ORDINANCE 2015-01**

City Manager Mr. Sunny K. Philip said that in a prior meeting, the City Commission approved changes to the Zoning Ordinance and the Sign Ordinance to allow for the installation of up to five (5) off site changing variable electronic messaging signs in the city limits with the stipulation that the City would be the beneficiary of at least one of the variable electronic messages from each sign for public service announcements. This is the first request for such a sign and it would be located on the west side of the canal by Mueller along Expressway 83. Mayor Victor Gonzalez, Jr. declared the public hearing open at 6:55 P.M. No one spoke on this item, so Mayor Gonzalez, Jr. declared the public hearing closed at 6:55 P.M.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY A REQUEST BY  
MEDIA CHOICE, LLC. FOR THE PLACEMENT OF A CHANGING VARIABLE  
ELECTRONIC MESSAGING (CVEM) SIGN WITHIN THE CITY LIMITS OF  
THE CITY OF LA FERIA IN ACCORDANCE WITH CITY OF LA FERIA  
ORDINANCE 2015-01 AND AUTHORIZING THE MAYOR TO EXECUTE THE  
ORDER**

City Manager Mr. Sunny K. Philip said that the SUP included in the package was not mature to act on at tonight's meeting. He said some of the reasons are the length of time the company wants and the City needs to allow City Attorney Mr. Richard S. Talbert to negotiate with the company. Mr. Philip said another reason is that the SUP is under the name of one entity and the application is under another name. City Attorney Mr. Richard S. Talbert said his advice was to table this item until all details can be worked out including transferability. Commissioner Esmeralda Lozano said that from her recollection of previous discussions that the brightness of the sign would be a factor as to not to unnecessarily distract drivers and that no political advertising would be allowed. This item was tabled on a motion by Commissioner Esmeralda Lozano and a second by Commissioner John Betancourt. It will be brought back at a later meeting and after action by the La Feria Industrial Development Corporation (LFIDC) to approve a lease with the company for the site. The motion passed by unanimous vote of the City Commission.

**REVIEW BID TABULATION AND CONSIDER AND TAKE ACTION TO  
AWARD CONTRACT FOR FUEL SERVICE, GAS AND DIESEL**

City Manager Mr. Sunny K. Philip said a copy of the bid tabulation was included in the packet. There were only two bids received. Gold Star Petroleum, Inc. that bid \$0.0599 per gallon and Oil Patch Fuel and Supply, Inc. that bid \$0.06750 per gallon. Gold Star is

the current supplier and staff recommended award to the lowest bidder Gold Star Petroleum, Inc. Commissioner Esmeralda Lozano moved to award contract for Fuel Service, Gas and Diesel to the low bidder Gold Star Petroleum, Inc. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE KENNY'S FUNLAND REQUEST TO OPERATE A CARNIVAL ON INDUSTRIAL WAY (EAST OF CHURCH'S FRIED CHICKEN AND SOUTH OF MCDONALD'S) FROM MARCH 5, 2015 THROUGH MARCH 15, 2015 (SETUP TO START ON MARCH 2, 2015)**

City Manager Mr. Sunny K. Philip introduced Ms. Kim Maples with Kenny's Funland who requested to operate a carnival on LFIDC land on Industrial Way from March 5 through March 15, 2015. Mr. Philip said that Ms. Maples would donate some of the proceeds to the City. She has provided insurance paperwork naming the LFIDC as an additional insured. City Attorney Mr. Richard S. Talbert recommended that the insurance paperwork only include the City as an additional insured. Ms. Maples said she would send that the very next day. Commissioner John Betancourt moved to approve Kenny's Funland request to operate a carnival on Industrial Way (East of Church's Fried Chicken and South of McDonald's) from March 5, 2015 through March 15, 2015 (setup to start on March 2, 2015). Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commission.

**MONTHLY FINANCIAL REPORTS FOR THE MONTH OF DECEMBER 2014**

- **REVENUE AND EXPENDITURE REPORT**
- **PERFORMANCE INDICATORS**
- **INVESTMENT REPORT**
- **TAX COLLECTION REPORT**

Finance Director Ms. Maria Chavero reviewed the financial reports for the month of December 2014 with the City Commission. Ms. Chavero reviewed the Budget vs. Actual Report reviewing the monthly and the year-to-date figures for the month. She then reviewed the City Investment Report, the Current Year Tax Collection Report, the Delinquent Tax Collection Report, the Court Fines Collection Report and the City Sales and Use Tax Comparison Report. After review and all questions answered, Mayor Victor Gonzalez, Jr. announced that the reports would be filed for audit.

**EXECUTIVE (CLOSED) SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW CHAPTER 551, GOVERNMENT CODE, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION 551.071 CONSULTATION WITH CITY ATTORNEY REGARDING PENDING LITIGATION, CAUSE 2014-DCL-07265, CONSUELO DE LA ROSA, LEONARDO MARTINEZ, JOSE GONZALEZ, BILLY GENE SCHWARZ, CAROL L. SCHWARZ VS. CITY OF LA FERIA IN THE 138<sup>TH</sup> DISTRICT COURT OF CAMERON COUNTY; 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 Victor Gonzalez, Jr. declared the meeting in executive (closed) session at 7:09 P.M. After executive session, Mayor Victor Gonzalez, Jr. declared the meeting back in open session at 8:20 P.M.

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

There was no action needed as the 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**

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

- The drainage improvement project - Rabb Road has been completed. The City is working on the street signing and providing more police patrolling of the area. Kansas City Road is also doing good. All other drainage projects are all moving along fine. One development has come up and that is the La Feria Garden Project. The City is working on a letter to the General Land Office (GLO).
- Water and Wastewater System Projects – Two contracts are ongoing now. The Water Treatment Plant building to house the SCADA system is being built. The SCADA system was advertised for bids.
- The Dome Project – There has been a delay on payments to the dome project contractors due to FEMA's failure to reimburse the City in a timely manner. The City paid up to \$750,000.00 and halted payment of any other invoices until FEMA reimburses the City to pay for the project. The first inflation of one of the domes failed, and the contractor wanted to patch the membrane and reuse it, but Mr. Philip asked that they return it and get a new one.

Mayor Victor Gonzalez, Jr. inquired if the building at the levee had been completed. Mr. Philip said that it had and that cameras and radios are being installed. He said the pumps are secure at the City warehouse.

Staff distributed a workshop registration form for Senior Officials Workshop for All-Hazards Preparedness, an all day workshop to be presented by Texas A & M Engineering Extension Service at 108 S. Main Street, La Feria, Texas. Registration deadline is February 20, 2015.

Commissioner Esmeralda Lozano inquired about the TML Quarterly meeting and if there was a charge for that. City Secretary Ms. Olga Oberwetter said that the City would pay for the City member and spouse/guest.

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

All members were present; 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 John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**ADJOURNMENT**

Mayor Victor Gonzalez, Jr. adjourned the meeting at 8:34 P.M.

**APPROVED:**

  
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Victor Gonzalez, Jr., Mayor

**ATTEST:**

  
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Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 7:30 P.M. on February 21, 2015, as official record.

  
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Olga Oberwetter, City Secretary

**CITY COMMISSION REGULAR MEETING**  
**AT THE**  
**CITY COMMISSION MEETING ROOM**  
**TUESDAY, FEBRUARY 10, 2015, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Jennifer Craig	213 E. Dun Kin Cir. Hgn. <sup>78550</sup>	956-571-8159
2	Joseph Sney	9414 IVOON/C12 Hgn	219-771-0430
3	Adali Rinaldi	27840 Perkin Hgn TX <sup>78557</sup>	956-244-5386
4	Kim Maple	P.O. Box 143 Lafair	956-343-7839
5	David Gray	2701 Fed Circle, Hgn, Tx	956-239-6144
6	Joe A. Scott	64 Sunburst Lane Brownsville, Tx	956-832-7562
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