

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, February 11, 2014**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, February 11, 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
Ms. Lori Weaver	City Commissioner/Mayor Pro Tem
Mr. John Hernandez	City Commissioner
Ms. Angelica P. Baldivia	City Commissioner

Absent: Mr. John Edward Betancourt 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 6:30 P.M., Mayor Victor Gonzalez, Jr. asked Commissioner Angelica P. Baldivia 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.

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS
OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON
TUESDAY, DECEMBER 17, 2013**

After review of the minutes, Commissioner Lori Weaver moved to approve the minutes of proceedings of the regular meeting of the City Commission held on Tuesday, December 17, 2013. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS
OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON
TUESDAY, JANUARY 14, 2014**

These minutes were not ready at meeting time, so Commissioner Angelica P. Baldivia moved to table this item until a later meeting. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REPORT BY TXDOT ON LA FERIA RELATED PROJECTS AND DISCUSSION WITH THE CITY COMMISSION

Mr. Juan A. Bernal, P.E., CFM, Transportation Engineer from the Pharr TxDOT office, reported that the TxDOT Municipal Maintenance Agreement which is listed as the next item on this meeting's agenda is a standard agreement that has been in place with all municipalities, and that it would not include any added inconvenience to the City of La Feria. He also addressed the lighting on Expressway 83. He said that when the lighting was installed, TxDOT paid for the construction and installation, and at the same time signed an agreement with the City of La Feria for the maintenance and utilities. Mayor Victor Gonzalez, Jr. inquired how the maintenance was handled if the lights were in both the city and county sections. Mr. Bernal responded that the County does not have an agreement with TxDOT for lighting that's why the County sections are dark. City Manager Mr. Sunny K. Philip said the City has an agreement with TxDOT for the lights from Mile 3 east to White Ranch Road and that there are three meters controlling this area. Mr. Philip said that most of the maintenance issues have been taken care of by Public Works Director Javier Martinez. Regarding the flashing lights at the school zone, Mr. Bernal reported that the school district needs to make a request to TxDOT for setting the timer on the flashing lights if the lights are on State highways, otherwise, the City or County would be the appropriate entity to contact. Mayor Gonzalez thanked Mr. Bernal for his report.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A MUNICIPAL MAINTENANCE AGREEMENT WITH THE STATE OF TEXAS TO FIX RESPONSIBILITIES FOR MAINTENANCE, CONTROL, SUPERVISION, AND REGULATION OF STATE HIGHWAYS WITHIN AND THROUGH ITS CORPORATE LIMITS

This item was tabled on a motion by Commissioner John Hernandez and a second by Commissioner Angelica P. Baldivia. The motion carried by unanimous vote of the City Commissioners present.

PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC REGARDING THE REQUEST BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION FOR A SPECIFIC USE PERMIT FOR ALCOHOL SALES RELATED TO THE FIESTA DE LA FERIA CELEBRATION WHICH WILL BE HELD FEBRUARY 22, 2014

City Manager Mr. Sunny K. Philip reported that the La Feria Industrial Development Corporation has sold alcohol at the Fiesta de La Feria event for several years as a fundraiser and that without a Specific Use Permit approved by the City Commission, the Fiesta Committee would not be able to do so. Mayor Victor Gonzalez, Jr. declared the public hearing open at 6:43 P.M. There were no comments regarding this item, so Mayor Gonzalez declared the public hearing closed at 6:43 P.M.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY THE REQUEST BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION FOR A SPECIFIC USE PERMIT FOR ALCOHOL SALES RELATED TO THE FIESTA DE LA FERIA CELEBRATION WHICH WILL BE HELD FEBRUARY 22, 2014

Commissioner Lori Weaver moved to approve the request by the La Feria Industrial Development Corporation for a Specific Use Permit for alcohol sales related to the Fiesta de La Feria Celebration which will be held February 22, 2014. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

A RESOLUTION OF THE CITY OF LA FERIA AUTHORIZING THE INCLUSION OF WEEKEND VOTING TO BE HELD ON SATURDAY, MAY 3 AND SUNDAY, MAY 4, 2014 AND DESIGNATING THAT THE EXTENDED HOURS (12-HOUR DAYS) BY HELD ON MONDAY, MAY 5 AND TUESDAY, MAY 6, 2014 FOR THE CITY GENERAL AND SPECIAL ELECTION 2014 AND ESTABLISHING HOURS FOR SATURDAY, MAY 3, TO BE FROM 10:00 A.M. TO 2:00 P.M. AND SUNDAY, MAY 4 TO BE FROM 2:00 P.M. TO 6:00 P.M.

City Manager Mr. Sunny K. Philip explained that the City Secretary would have to issue an order to be posted notifying the public of the weekend voting. Commissioner John Hernandez moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2014-04. After reading of the caption, Commissioner John Hernandez moved to approve Resolution 2014-04 authorizing the inclusion of weekend voting to be held on Saturday, May 3 and Sunday, May 4, 2014 and designating that the extended hours (12-hour days, 8:00 a.m. to 8:00 p.m.) by held on Monday, May 5 and Tuesday, May 6, 2014 for the City General Election 2014 and establishing hours for Saturday, May 3, to be from 10:00 A.M. to 2:00 P.M. and Sunday, May 4 to be from 2:00 P.M. to 6:00 P.M. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

A RESOLUTION OF THE CITY COMMISSION OF LA FERIA, CAMERON COUNTY, TEXAS, ORDERING A GENERAL ELECTION IN THE CITY OF LA FERIA ON SATURDAY, MAY 10, 2014, FOR THE PURPOSE OF ELECTING A CITY COMMISSIONER FOR POSITION NUMBER THREE, AND A CITY COMMISSIONER FOR POSITION NUMBER FIVE ON THE CITY COMMISSION TO HOLD OFFICE FOR A PERIOD OF THREE (3) YEARS AS PRESCRIBED BY THE HOME RULE CHARTER OF THE CITY OF LA FERIA, DESIGNATING POLLING PLACES, PROVIDING FOR DESIGNATION OF OFFICERS FOR SUCH ELECTION, ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION, AND PROVIDING FOR OTHER MATTERS RELATING TO THE GENERAL ELECTION

City Manager Mr. Sunny K. Philip asked Mayor Gonzalez, to read both this item and the next item to be considered together. He explained that when staff posted the agenda there was a bit of confusion as to whether the position vacated through the Mayor's election would have to be filled by Special Election or General Election. Therefore, two items were listed with two separate resolutions, but after discussion with City Attorney Mr. Richard S. Talbert, the conclusion was that only one resolution was needed to elect by General Election, Commissioner Positions 3, 4, and 5. A revised Resolution 2014-05 was presented at the meeting. Commissioner Lori Weaver moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2014-05. After

reading of the caption, Commissioner Angelica P. Baldivia moved to approve Resolution 2014-05 ordering a General Election in the City of La Feria on Saturday, May 10, 2014, for the purpose of electing a City Commissioner for Position Number Three, City Commissioner Position Number Four, and a City Commissioner for Position Number Five on the City Commission to hold office for a period of three (3) years as prescribed by the Home Rule Charter of the City of La Feria, designating polling places, providing for designation of officers for such election, ordering notice of election to be given as prescribed by law in connection with such election, and providing for other matters relating to the General Election. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

A RESOLUTION OF THE CITY COMMISSION OF LA FERIA, CAMERON COUNTY, TEXAS, ORDERING A SPECIAL ELECTION IN THE CITY OF LA FERIA ON SATURDAY, MAY 10, 2014 FOR THE PURPOSE OF ELECTING A CITY COMMISSIONER FOR POSITION NUMBER FOUR TO FILL A VACANCY CREATED BY THE ELECTION OF A NEW MAYOR, TO HOLD OFFICE FOR A PERIOD OF THREE (3) YEARS AS PRESCRIBED BY THE HOME RULE CHARTER OF THE CITY OF LA FERIA, DESIGNATING POLLING PLACES, PROVIDING FOR DESIGNATION OF OFFICERS FOR SUCH ELECTION, ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION, AND PROVIDING FOR OTHER MATTERS RELATING TO THE SPECIAL ELECTION

This item was placed on the agenda in error. There was no action needed. The City Commissioner Position Number Four was added to the revised Resolution 2014-05, so that the City General Election will elect Positions 3, 4 and 5.

REVIEW BIDS RECEIVED AND CONSIDER AND TAKE ACTION TO AWARD CONTRACT FOR FUEL SERVICE, GAS AND DIESEL

City Manager Mr. Sunny K. Philip explained the bids received and said the low bidder was Gold Star Petroleum, Inc. Commissioner John Hernandez moved to award the Fuel Service Contract for Gas and Diesel to Gold Star Petroleum who was the low bidder. Commissioner Lori Weaver seconded the motion, and 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/CITY OF LA FERIA; AND SECTION 551.087 TO DISCUSS ECONOMIC DEVELOPMENT NEGOTIATIONS.

There was no need for executive session so Commissioner Lori Weaver moved to table this item. Commissioner John Hernandez 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

This item was not needed since there was no executive session held. Commissioner Lori Weaver moved to table this item. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION

- Update on Drainage Project
- Water and Wastewater Systems Improvements Project
- Progress of Fire Station Expansion and Substation Project
- Status of Dome Construction Project
- Generator Purchase and Installation Project
- EDA Grant for Technology and Success Center
- Unger Park Improvement Project
- Trail Improvement Project

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

- Update on Drainage Project – Mr. Philip provided a copy of a map with the drainage and water projects outlined on it. He explained the different lines on the map and the different projects that are under construction now and those that will be done later under the drainage project. Mr. Philip said that staff met with TxDOT to see if they would provide funds for the crossing of the Expressway and Business 83 and they stated that they would respond in 30 days or so. Mr. Philip explained that the Tio Cano area has been studied for many years, and no action was ever taken to alleviate the flooding, so as a result of the flooding during and after Hurricane Dolly, La Feria was able to obtain funding for this project. The project will also address another major problem which is the Evans Canal Crossing. Mr. Philip said the funding is from three different grants, from the GLO and HMGP.
- Water and Wastewater Systems Improvements Project – Mayor Victor Gonzalez, Jr. asked that the water lines report be done at a later date since most of the lines are not under construction yet. Mr. Philip asked the Commission to hold on to the map so it can be reviewed later.
- Progress of Fire Station Expansion and Substation Project – Staff is working with USDA to make a few minor line item changes, but it needs approval from the Temple Office. The Contractor has been very good in holding the bid prices for this length of time.
- Status of Dome Construction Project – The City is waiting to hear about whether additional funds needed for the project will be granted from FEMA and the Texas Division of Emergency Management. The City of La Feria request will be the first cost overruns request to be considered. The City should be receiving a response soon.
- Generator Purchase and Installation Project – The project is pretty much complete and all that is left is to submit some paperwork to finalize the completion of the project.
- EDA Grant for Technology and Success Center – The City has submitted some documentation to EDA as to how the City will proceed with the project.
- Unger Park – The design is completed, and there were some minor changes needed. Staff has asked the architect to come up with some cost estimates, because the Parks

and Wildlife Department approved a \$100,000 grant, and the City will match \$100,000, but if the cost is more than that, then there will be an issue to deal with.

- Trail Improvement Project – Staff is still waiting on final word from the Parks and Wildlife Department.

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

Commissioner Angelica P. Baldivia moved to excuse Commissioner John Betancourt's absence from this meeting. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

PUBLIC COMMENTS

Mayor Victor Gonzalez, Jr. declared the public comments session open. Ms. Mimi Tinker from the South Texas Haven 55+ Homeowners Association was present to bring to the Commission's attention a problem with a property at 612 E. 1st Street. Ms. Tinker said the property is a haven for wild animals, is a potential sanitation problem and the mobile home is not properly maintained. The property owner is Susan Eaton Kersey and the association has had a problem making contact with the property owner. Mayor Gonzalez explained to Ms. Tinker that the City Commission cannot respond to any of the public comments, but he asked her to make an appointment with the City Manager to discuss the situation. No one else signed up to speak before the City Commission, so Mayor Gonzalez declared the public comment session closed.

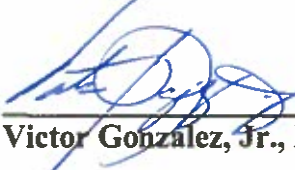
ACTION FOR ADJOURNMENT

There being no further business to conduct, Commissioner Angelica P. Baldivia moved to adjourn the meeting. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

ADJOURNMENT

Mayor Victor Gonzalez, Jr. adjourned the meeting at 7:37 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 5:30 P.M. on April 7, 2014, as official record.



 Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, FEBRUARY 11, 2014, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Jean Kummer	700 E. First	956-797-7952
2	Faith Osborne	613 E. First St.	956-797-3870
3	Mimi Tinker	500 E First St	956-330-3524
4	Marilyn Royce	516 E. 1 st St	308-233-2543
5	Earl E Hansen	615 E 1 st	402-480-5469
6	Gene Hansen	621 E. 1 st	402-480-1949
7	JUAN BERNAL		956-702-6100
8	Juanita Najera-Gonzalez	400 E Cleburne	
9	Mary Gustin		
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