

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, May 27, 2014**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, May 27, 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. Esmeralda Lozano	City Commissioner/Mayor Pro Tem
Mr. John Edward Betancourt	City Commissioner
Mr. John Hernandez	City Commissioner
Mr. Julian Guevara	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 6:30 P.M., Mayor Victor Gonzalez, Jr. asked Commissioner Esmeralda Lozano 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, APRIL 8, 2014**

This item was tabled on a motion by Commissioner Olga H. Maldonado and a second by Commissioner Julian Guevara, Jr. to allow staff to schedule a workshop to discuss the items considered during this meeting so that the newly elected officials can be brought up to date on projects. The motion carried by unanimous vote of the City Commission.

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS
OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON
TUESDAY, MAY 13, 2014**

This item was tabled on a motion by Commissioner Esmeralda Lozano and a second by Commissioner Olga H. Maldonado to allow staff to schedule a workshop to discuss the

items considered during this meeting so that the newly elected officials can be brought up to date on projects. The motion carried by unanimous vote of the City Commission.

REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE SPECIAL MEETING OF THE CITY COMMISSION HELD ON TUESDAY, MAY 20, 2014

After review of the minutes, Commissioner John Betancourt moved to approve the minutes of proceedings of the special meeting of the City Commission held on Tuesday, May 20, 2014. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE RESOLUTION ELECTING A MAYOR PRO-TEMPORE OF THE CITY OF LA FERIA

Commissioner Olga H. Maldonado moved to elect Commissioner Esmeralda Lozano as Mayor Pro-Tempore of the City of La Feria. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of 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 Commission. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2014-10. After reading of the caption, City Commissioner John Betancourt moved to approve Resolution 2014-10 electing City Commissioner Esmeralda Lozano as Mayor Pro-Tempore of the City of La Feria. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA DESIGNATING DEPOSITORY SIGNATORIES FOR BBVA COMPASS BANK

City Manager Mr. Sunny K. Philip explained the resolution and requested that in addition to the additional signatory of the Mayor Pro-Tempore's name added to the resolution, that the motion state that a revision be made to Item (2) on the second page to add the following, "Number of authorized signatures required for this purpose 2." Commissioner Olga Hinojosa Maldonado 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 Commission. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2014-11. After reading of the caption, City Commissioner John Betancourt moved to approve Resolution 2014-11 designating depository signatories for BBVA Compass Bank and adding the number of authorized signatures required to open any deposit or checking accounts in the name of the City of La Feria to be two (2). Commissioner Esmeralda Lozano seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA DESIGNATING DEPOSITORY SIGNATORIES FOR CERTAIN FUNDS OF THE CITY OF LA FERIA IN PLAINS CAPITAL BANK

City Manager Mr. Sunny K. Philip explained the resolution and requested that in addition to the additional signatory of the Mayor Pro-Tempore's name added to the resolution, that the motion state that a revision be made to Item (b) on the second page to add the following, "Number of authorized signatures required for this purpose 2." Mr. Philip said

this account is for a small amount of money for the Fire Station and the Library projects. Commissioner Julian Guevara, Jr. noted that the resolution mentioned that a Plains Capital Bank was in La Feria and that there is not a Plains Capital Bank in the city. City Secretary Ms. Olga Oberwetter said she would correct that to name the bank as the Harlingen Plains Capital Bank as that is where the City's account is held. Commissioner Olga H. Maldonado 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 Commission. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2014-12. After reading of the caption, Commissioner John Hernandez moved to approve Resolution 2014-12 designating depository signatories for certain funds of the City of La Feria in Plains Capital Bank in Harlingen and adding the number of authorized signatures required to open any deposit or checking accounts in the name of the City of La Feria to be two (2). Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commission.

REPORT AND DISCUSSION WITH THE CITY COMMISSION ON PLANNED INDEPENDENCE DAY CELEBRATION AND OTHER COMMUNITY ACTIVITIES

City Manager Mr. Sunny K. Philip explained that the different celebrations that are held by the City throughout the year are for the purpose of bringing the community together and for people to enjoy the events. Mr. Philip said that there is a 35 or 40 member volunteer committee that meets on a regular basis and plans the various events. He added that the Independence Day Celebration includes a major fireworks display and that two years ago, the City started a barbecue cook off along with the Independence Day Celebration. Last year the cook off participants asked to set up on the evening before the event and that request was granted. Mr. Philip said the next two items on the agenda deal with the Independence Day Celebration because consumption of alcoholic beverages at the parks is not allowed unless approved by the City Commission and fireworks are not allowed in the city limits, so the City Commission must approve that activity also. Commissioner Olga H. Maldonado inquired about police presence at the event and Mr. Philip responded that there would be officers assigned beginning Thursday night. Commissioner Olga H. Maldonado also suggested that the hours for alcoholic consumption be added to the ordinance which will be considered in the next agenda item. Commissioner Esmeralda Lozano inquired about whether the Chamber of Commerce would be participating in the event. Mr. Philip said that they are looking to have a booth as a fundraiser. Commissioner Lozano also inquired about the budget and expenses for the event. Mr. Philip said that all the events for the City are done on a shoestring budget, but that information can be provided. Commissioner John Betancourt inquired about what the cost for the fireworks would be if the City contracted with some firm to do it instead of having the fireworks done in-house. Mr. Philip responded that it would be approximately 10 times the expense. Mayor Victor Gonzalez, Jr. asked if there was a program for the event done already and there is not one ready yet. Commissioner John Hernandez asked if the La Feria Recreation Center across from the Veterans Memorial Park/Sports Complex would be open that day, and Mr. Philip responded that the Recreation Center would not be open during the Independence Day Celebration. This item was for discussion only, so there was no action needed.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS AUTHORIZING THE CONSUMPTION

OF ALCOHOLIC BEVERAGES AT THE VETERANS MEMORIAL PARK/SPORTS COMPLEX DURING THE HOURS OF CELEBRATION ON JULY 3 AND JULY 4, 2014 OR ON AN ALTERNATE DATE SELECTED BY THE EVENT PLANNING COMMITTEE AND APPROVED BY THE CITY MANAGER FOR THE CITY OF LA FERIA INDEPENDENCE DAY CELEBRATION

City Manager Mr. Sunny K. Philip suggested that the hours of alcoholic consumption to be added to the ordinance start at 4:00 P.M. on Thursday, July 3 and end at 11:00 P.M. on Friday, July 4, 2014. The addition of the hours would become Item #3 and the original Item #3 would become Item #4. Commissioner Julian Guevara, Jr. moved to read the ordinance by caption only, in lieu of reading it in its entirety. Commissioner Esmeralda Lozano seconded the motion, and the motion carried by unanimous vote of the City Commission. City Attorney Mr. Richard S. Talbert read the caption of Ordinance 2014-05. After reading of the caption, City Commissioner John Betancourt moved to approve Ordinance 2014-05 as amended with the hours of consumption of alcoholic beverages at the Veterans Memorial Park/Sports Complex during the hours of celebration on July 3 and July 4, 2014 or an alternate date selected by the Event Planning Committee and approved by the City Manager for the City of La Feria Independence Day Celebration. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE A FIREWORKS DISPLAY AS PART OF THE CITY OF LA FERIA INDEPENDENCE DAY CELEBRATION TO BE HELD ON FRIDAY, JULY 4, 2014 AT THE VETERANS MEMORIAL PARK/SPORTS COMPLEX

Commissioner Olga H. Maldonado moved to approve a fireworks display by the Event Planning Committee as part of the City of La Feria Independence Day Celebration to be held on Friday, July 4, 2014 at the Veterans Memorial Park/Sports Complex. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

RESOLUTION OF THE CITY OF LA FERIA, TEXAS AUTHORIZING REVIEW OF TEXAS GAS SERVICE COMPANY'S, (TGS) COST OF SERVICE ADJUSTMENT (COSA) TARIFF; APPROVING OF A JOINT REVIEW OF TGS'S APPLICATION ALONG WITH OTHER CITIES SERVED BY TGS; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING TGS TO REIMBURSE ALL REASONABLE COSTS ASSOCIATED WITH CITIES' EFFORTS IN THIS RATEMAKING EFFORT; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO TGS AND LEGAL COUNSEL

City Manager Mr. Sunny K. Philip explained the resolution from the Texas Gas Service Company and gave a brief history of the City's participation with other cities to review the Texas Gas Service Company's Cost of Service Adjustment (COSA) Tariff. He said after the review, an ordinance will be presented later on to the City Commission with the COSA adjustment. Commissioner Julian Guevara, Jr. moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner John Betancourt 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 2014-13. After reading of

the caption, Commissioner Olga H. Maldonado moved to approve Resolution 2014-13 authorizing review of Texas Gas Service Company's (TGS) Cost of Service Adjustment (COSA) Tariff; approving of a joint review of TGS's application along with other cities served by TGS; hiring legal and consulting services to negotiate with the Company and direct any necessary litigation and appeals; requiring TGS to reimburse all reasonable costs associated with cities' efforts in this ratemaking effort; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to TGS and legal counsel. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

MONTHLY FINANCIAL REPORTS FOR THE MONTH OF MARCH AND APRIL 2014

- **Revenue and Expenditure Report**
- **Performance Indicators**
- **Investment Report**
- **Tax Collection Report**

Finance Director Ms. Maria Chavero reviewed the financial reports for the months of March and April 2014 with the City Commission. Ms. Chavero reviewed the Budget vs. Actual Report reviewing the monthly figures for the month of March and both the monthly and year-to-date figures for the month of April. Ms. Chavero answered questions in regards to various line items. The Commission requested to have a report by department, and Ms. Chavero said that she would include a General Financial Report with the next financial report so that the expenses will be shown by department. She then reviewed the City Investment Report, the Current Year Tax Collection Report, the Delinquent Tax Collection Report and the City Sales and Use Tax Comparison Report. After review and all questions answered, Mayor Victor Gonzalez, Jr. announced that these 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 551.072 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

Mayor Victor Gonzalez, Jr. declared the meeting in Executive Session at 7:38 P.M. After Executive Session deliberations, Mayor Gonzalez, declared the meeting back in open session at 8:11 P.M.

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

There was no action needed on this item.

REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION

- **Update on Drainage Improvement Project**
- **Water and Wastewater Systems Improvements Project**
- **Fire Station Expansion and Substation Project Rebidding**
- **Status of Dome Construction Project**
- **EDA Grant for Technology and Success Center**

- **Unger Park Improvement Project**
- **Trail Improvement Project**
- **Library Grand Opening – Date: June 20, 2014**
- **Home Program construction for James Oates**
- **Rabb Road Closing for Thru Traffic**

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

- On the drainage project one of the projects under construction is on the west side which is called AN49, but the work actually starts on Rabb Road on the Expressway and goes south to Business 83 for road reconstruction. The contractor is installing drainage pipes at this time, and the City has sent out notices to all the residents saying that the street would be closed to thru traffic starting on the 27th of May, but the contractor who was to crush the concrete is stuck in Austin, so it will be postponed until June 18, 2014. The City will send out revised notices. The City Commission requested that the City verify that the notices are delivered by the contractor. Mr. Philip continued with his report and said that the drainage system starts on Rabb Road, comes to the east side, then travels to the Main Canal and ends up in the levee system. This project was divided into three contracts, one was cutting the IBWC levee system and pulling out a 24-inch pipe and then constructing a 7 ft. by 8 ft. concrete box approximately 200 feet long. The contractor had to dig up about 27 ft. The other parts are the Rabb Road project, and the third part of it is the purchase of two pumps which are hydraulic pressure driven pumps that will be housed in a building at the levee site. Also, on drainage there are two other areas, the Tío Cano area and the connection between Tío Cano and Santa Rosa. The drainage project is a major undertaking and must be completed by December 2015, but August 2014 is the critical timeline to have all items bid out.
- Water and Wastewater System Improvements – When the City applied for funding, it included an item that the water meter project would be a green project. The water meters are being installed by temporary workers hired by the City to work along with its Water Distribution Department employees so that the installation is being done under the supervision of the City. Cornet Construction is working on the water lines on the east side of town. The other item coming up for bids soon is the replacement of some asbestos water lines from the water plant to the water tower. There will also be some sewer lines on the west side. One of the last items will be some lines on First Street. Commissioner Esmeralda Lozano stated that some Magnolia area residents were shocked to see construction going on in their area without any notification whatsoever, so Mr. Philip asked Capital Projects Coordinator Ms. Esmeralda Sanchez to make a note of notifications required before the contractor begins work affecting residents.
- Fires Station Expansion and Sub Station Rebidding – At the previous meeting, the Commission authorized staff to mutually rescind the contract and rebid the project. Staff does not have a mutual agreement yet, so the rebidding of the project has not been done as of yet. Staff will keep the Commission informed of the progress of this project.
- Status of Dome Construction Project – One dome is a 20,000 sq. ft. building and the other is a 15,000 sq. ft. building. The 15,000 sq. ft. dome will be on the west side of the La Feria Recreation Center on Pancho Maples Drive and the 20,000 sq. ft. building will be on south FM 506 and will also be next to the 10,000 sq. ft.

building which will be the Technology and Success Center. The dome project was advertised, and the bid came in above the budget, so the City requested additional funding for the project from FEMA and it was granted. The City Commission awarded the contract to Texas Descon of McAllen, Texas on May 13, 2014, contingent on receipt of the written notification granting the additional funds. The domes will be hurricane and tornado proof. The funding is 75% from FEMA and the City's 25% was approved through a bond issue some time ago.

- EDA Grant for Technology and Success Center – This facility will be built next to the 20,000 sq. ft. dome. This will not be connected to the dome building; they will be two separate buildings.
- Unger Park – The architect is putting the final touches on the design.
- Trail Improvement Project – This project is known as the Arroyo Outlook Point. It will start from the Arroyo and come all the way to Business 83. The base work will be done as part of the drainage project.
- The Library Grand Opening will be held on June 20, 2014 at 10:00 A.M. Mr. Philip asked the Commission to mark their calendars for this event.
- Home Program Construction for James Oates – Still gathering information so this will be brought back.
- Rabb Road Closing for Thru Traffic – Already Covered.

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

There was no action needed on this item, since all members were present.

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.

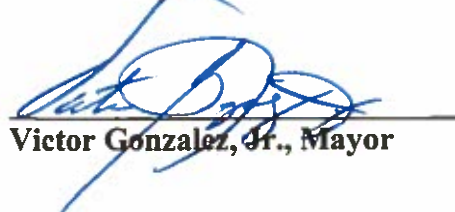
ACTION FOR ADJOURNMENT

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

ADJOURNMENT

Mayor Victor Gonzalez, Jr. adjourned the meeting at 8:45 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 10:00 P.M. on June 7, 2014, as official record.



Olga Oberwetter, City Secretary



CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, MAY 27, 2014, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Patti Lacey	28219 S. SAMAR	956-330-6976 cell
2	Frank O'Neil	28297 Oran	
3	Delores Fuller Clela		990-1862
4	Olga M. Noe		
5	Sylvia Towne	405 Chelo	797-5413
6	Paul Markowsky		797-8843
7	Umberto Gonzalez	27667 Bily Rd	956-491-6532
8	Mirtala Trevino	200 Bearfield Lane	264-4083
9	James Oates	370 Box 1831	La Feria
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