

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, August 12, 2014**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, August 12, 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, 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 6:32, 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.

PUBLIC COMMENTS

Mayor Victor Gonzalez, Jr. declared the public comments session open and acknowledged Mrs. Delores Fuller. Mrs. Fuller asked how she could find out what was done after someone presents something to the Commission. Mayor Victor Gonzales, Jr. responded that Mrs. Fuller should follow up with City Manager Mr. Sunny K. Philip for that type of information. Mrs. Fuller commented that if there was no ordinance regarding slum lords, that there should be, because she knows one. Mrs. Fuller praised Investigator Francisco Rivera for having such a neat and organized office, and said that the Police Department was as clean as a hospital. Mayor Gonzalez acknowledged that yes, Investigator Rivera's office is neat and organized, but that so were all the other offices. Mayor Gonzalez thanked Mrs. Fuller for her comments. No one else signed up

to speak before the City Commission, so Mayor Gonzalez 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, JULY 22, 2014

After review of the minutes, Commissioner John Hernandez moved to approve the minutes of proceedings of the regular meeting of the City Commission held on Tuesday, July 22, 2014. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY THE REPLAT OF LOT 1 BLOCK 3, LA SIESTA ESTATES SUBDIVISION PHASE I

City Manager Mr. Sunny K. Philip explained that the City Commission had conducted a public hearing on this replat at a previous meeting (Tuesday, June 24, 2014), and that the Planning and Zoning Commission met on August 4, 2014 and approved the replat for this subdivision and they are recommending approval. He said the replat meets the minimum subdivision requirements and that the developers are requesting two variances: no curb and gutter and no street lights. Mr. Philip said water service will be provided by Military Water Supply Corporation and that sewer service will be septic tanks. He said the lots are all at least half acre. Mr. Philip said that based on Commissioner Olga H. Maldonado's request, staff included a copy of the soil inspections along with a copy of the plat and notices of the public hearings. Mr. Philip said the engineer who developed the plat is present tonight and the Commission could direct any questions they might have on this subdivision to her. Ms. Marie Leal, Engineer with the firm of Brown, Leal, & Associates said that the development sits outside of the city limits of La Feria, in La Feria's ETJ (Extra Territorial Jurisdiction) and that the primary ruling law is by Cameron County. She said the original plat was done to Cameron County Standards about three or four years ago, and that this is Phase II of the subdivision. Ms. Leal said that no lighting is required by the County. The consensus of the Commission seemed to be that if the developer is not required to provide lighting and curb and gutter that the City would then be required to provide those items at taxpayer's expense when and if the City annexes the area. Commissioner Esmeralda Lozano had environmental concerns about the use of septic tanks and the effect on the residents and inquired if there was a topography map that would show how the watershed flows. City Manager Mr. Sunny K. Philip said that the City is relying on the professional engineers such as Ms. Leal and Mr. Jack Brown who are the professionals and that staff has quite a bit of trust in their license and their experience and in the County Health Department. After a lengthy discussion Commissioner Julian Guevara, Jr. moved to approve the replat of Lot 1, Block 3, La Siesta Estates Subdivision Phase I with the variances of no street lights or curb and gutter. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO ACCEPT THE CERTIFIED APPRAISAL ROLL SUBMITTED BY CAMERON APPRAISAL DISTRICT

City Manager Mr. Sunny K. Philip reviewed the certified appraisal roll submitted by Cameron Appraisal District with the Commission. Commissioner Olga H. Maldonado moved to accept the Certified Appraisal Roll submitted by Cameron Appraisal District.

Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE A REQUEST FROM TEXAS A&M UNIVERSITY-KINGSVILLE FOR AN EXTENSION OF THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF LA FERIA AND TEXAS A&M UNIVERSITY-KINGSVILLE TO CONTINUE PARTICIPATION IN THE LOWER RIO GRANDE VALLEY REGIONAL STORMWATER TASKFORCE; EXTENDING THE TERM OF THE CURRENT INTERLOCAL AGREEMENT FOR ONE YEAR (AUGUST 15, 2014 THROUGH AUGUST 14, 2015) AND AUTHORIZING THE PAYMENT OF THE MEMBERSHIP FEES OF \$6,638.00 FOR 2014-2015

City Manager Mr. Sunny K. Philip gave a brief background on this interlocal agreement. He said the City of La Feria along with almost all other cities in the Valley participate with this taskforce. He said the State of Texas regulates storm water to meet TCEQ Standards. He added that Planning and Community Development Director Ms. Paula Rodriguez was the staff member assigned to this group. He explained that the City of La Feria storm water includes the area in the city limits and the area in the City's 5-mile ETJ. Paula Rodriguez and Esmeralda Sanchez, Capital Projects Coordinator, are attending the Geographic Information Systems (GIS) training free of charge because of the City's participation in this taskforce, otherwise it would cost the City a lot of money. Mr. Philip said a copy of the existing agreement was included with the packet to the Commission, along with a copy of the letter that will be sent to them with payment of the membership fees of \$6,638.00 for FY 2014-2015. Commissioner Esmeralda Lozano inquired of Ms. Rodriguez when she would be reporting to the City Commission what was learned at the meetings. Ms. Paula Rodriguez said that she would be happy to provide updates of anything of interest. Mr. Philip responded that staff could report on a quarterly basis, but he also offered that the taskforce holds workshops and staff would be glad to provide that information to the Commission for the Commission to attend. Commissioner John Betancourt moved to approve the request from Texas A&M University-Kingsville for an extension of the Interlocal Agreement between the City of La Feria and Texas A&M University-Kingsville to continue participation in the Lower Rio Grande Valley Regional Stormwater Taskforce; extending the term of the current Interlocal Agreement for one year (August 15, 2014 through August 14, 2015) and authorizing the payment of the membership fees of \$6,638.00 for 2014-2015. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE PROPOSED SCHEDULE FOR BUDGET DEVELOPMENT AND APPROVAL FOR THE CITY OF LA FERIA AND ITS SUBSIDIARIES

City Manager Mr. Sunny K. Philip reviewed the copy of the proposed calendar for the development and approval of the City of La Feria budget and its subsidiaries that was included in the City Commission packet. He said the City needs to notify the County by September 12, 2014, so that they can begin the process of billing and collecting taxes. Mayor Victor Gonzalez, Jr. said if any special meetings were needed, the Commission could add them at a later date. Commissioner Esmeralda Lozano asked for clarification of the acronym TIRZ. Mr. Philip said it stands for Tax Increment Reinvestment Zone and he explained the purpose of establishing such a zone. Commissioner Julian Guevara,

Jr. moved to approve the proposed schedule for budget development and approval for the City of La Feria and its subsidiaries. Commissioner Esmeralda Lozano seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO ACCEPT CERTIFICATION REGARDING ANTICIPATED TAX COLLECTION RATE FOR TAX YEAR 2014 (FY 2014/2015)

City Manager Mr. Sunny K. Philip explained that this certification and the certification on the following item are needed to complete the Effective and Rollback Tax Rates calculation. The anticipated tax collection rate is the percentage of taxes that will be collected compared to the taxes billed. Commissioner John Hernandez moved to accept Certification regarding Anticipated Tax Collection Rate for the Tax Year 2014 (FY 2014/2015). Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO ACCEPT CERTIFICATION OF DEBT SERVICE REQUIREMENT FOR FY 2014-2015

City Manager Mr. Sunny K. Philip explained that this certification is the amount of money that is needed for the next fiscal year to meet the City's debt payments. Commissioner John Betancourt moved to accept Certification of Debt Service Requirement for FY 2014-2015. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO ACCEPT EFFECTIVE AND ROLLBACK TAX RATES, SCHEDULES AND FUND BALANCES PRESENTED BY TAX ASSESSOR/COLLECTOR

City Manager Mr. Sunny K. Philip explained the Effective and Rollback Tax Rates, Schedules and Fund Balances in detail. After review, Commissioner John Betancourt moved to accept Effective and Rollback Tax Rates, Schedules and Fund Balances presented by Tax Assessor/Collector. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

DISCUSS AND TAKE ACTION TO APPROVE A PROPOSED TAX RATE FOR TAX YEAR 2014 (FISCAL YEAR 2014/2015)

City Manager Mr. Sunny K. Philip said the City Commission needs to make a determination as to what rate they wish to approve as the Proposed Tax Rate, and whichever rate they select would determine whether the City needs to conduct additional public hearings as spelled out in the Property Tax Code and the Local Government Code. He said staff recommendation is for the Commission to select the Effective Tax Rate of \$0.713587/\$100 and this would not require the additional two public hearings, nor special City Commission meetings. Commissioner John Hernandez moved to approve a Proposed Tax Rate of the Effective Tax Rate of \$0.713587/\$100 for Tax Year 2014 (Fiscal Year 2014/2015). Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO TAKE A RECORD VOTE AND SCHEDULE PUBLIC HEARINGS IF THE PROPOSED TAX RATE WILL EXCEED THE ROLLBACK RATE OR THE EFFECTIVE TAX RATE (WHICHEVER IS LOWER)

There was no action needed on this item since the City Commission approved the Proposed Tax Rate of \$0.713587/\$100 for Tax Year 2014 (Fiscal Year 2014/2015).

CONSIDER AND TAKE ACTION TO SCHEDULE A SPECIAL MEETING, IF NEEDED, FOR BUDGET WORKSHOP

City Manager Mr. Sunny K. Philip said the schedule of meetings provided for a special meeting on September 2, 2014, if needed. Commissioner Esmeralda Lozano requested another date other than the 2nd. Finance Director Ms. Maria Chavero reminded the Commission that there would be another workshop scheduled at the next meeting and that the Commission would have the opportunity to review the budget in more detail and then decide whether they would need another meeting. Commissioner John Betancourt moved to schedule a Special Meeting of the City Commission on any other day other than September 2, 2014, if needed. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commission.

BUDGET WORKSHOP – PRELIMINARY DISCUSSION WITH CITY COMMISSION REGARDING THE BUDGET FOR FY 2014-2015

City Manager Mr. Sunny K. Philip said staff wanted to take this opportunity to explain some of the Full Time Equivalents for the City and Water and Wastewater Funds, as well as the total for both. Mr. Philip explained that this is the major expense for the City. Commissioner Esmeralda Lozano asked for a hard copy of the presentation that Finance Director Ms. Maria Chavero was presenting on the screen. She also requested a copy of the current inventory of the City equipment for the Police Department, Fire Department, and Public Works such as radios, cars, any vehicle and what it would take to fix or purchase a new one, as well as how old the vehicle is, the mileage and overall condition. Mr. Philip said all Capital Outlay would be presented at the next meeting. There was no action needed as a result of the budget workshop.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA AMENDING SECTION 12.00 OF THE CODE OF ORDINANCES; ADDING SECTION 12.05.006 SPECIFYING THE TYPE OF VEHICULAR TRAFFIC PERMITTED ON PANCHO MAPLES DRIVE; AMENDING SECTION 12.02.036 ESTABLISHING REDUCED SPEED LIMIT ON PANCHO MAPLES DRIVE; ESTABLISHING A PENALTY, AUTHORIZING THE INSTALLATION OF SIGNAGE, AND ESTABLISHING AN EFFECTIVE DATE

City Manager Mr. Sunny K. Philip reviewed the revised ordinance with the City Commission. He said City Attorney Mr. Richard S. Talbert brought to staff's attention that the lowest speed limit that the City can set in other areas other than a School Zone is 25 MPH. Vehicles with tandem wheels or more than two (2) axles will not be allowed to drive on Pancho Maples Drive between Canal Street and Rabb Road unless they are providing services directly to properties along such portion of Pancho Maples Drive. Commissioner Esmeralda Lozano moved to read the ordinance 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 Ordinance 2014-07. After reading of the caption, Commissioner Olga H. Maldonado moved to approve Ordinance 2014-07 amending

Section 12.00 of the Code of Ordinances; adding Section 12.05.006 specifying the type of vehicular traffic permitted on Pancho Maples Drive; amending Section 12.02.036 establishing reduced speed limit on Pancho Maples Drive; establishing a penalty, authorizing the installation of signage, and establishing an effective date. Commissioner Esmeralda Lozano 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; SECTION 551.074 PERSONNEL MATTERS; AND SECTION 551.087 TO DISCUSS ECONOMIC DEVELOPMENT NEGOTIATIONS

Mayor Victor Gonzalez, Jr. declared the meeting in executive session at 8:29 P.M. After executive session, Mayor Gonzalez declared the meeting back in open session at 9:37 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 deliberation.

REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION

- **Report on Drainage Improvement Project**
- **Water and Wastewater Systems Improvements Project**
- **Status of Safe Rooms (Domes) Construction Project**
- **Restore Act – Possible Funding Opportunity**
- **Ground Breaking Ceremony for Safe Rooms (Domes)**

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

- Mr. Philip said there is nothing new to report on the drainage project other than Closner Construction will be starting on Kansas City Road pretty soon. There is one other item that has been cleared for advertising and that is Tamm Lane.
- Water and Wastewater System – The City Commission awarded the contract for the AC Line Replacement to Cornett Construction
- Safe Rooms – The Ground Breaking Ceremony will be at 10:00 A.M. There will be a tent outside and the presentations will be in the Indoor Recreation Center. Entertainment will be provided by El Mariachi Mundial.
- Restore Act – Possible funding for projects. The funds are made available because of the BP Petroleum explosion. The money needs to be spent within 30 miles of the coastal zone, and La FERIA falls within the specified area. Staff will monitor to see if there is any funding that the City can benefit from.

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

Everyone was present, so there was no action needed on this item.

WORKSHOP – HURRICANE PREPAREDNESS

City Manager Mr. Sunny K. Philip discussed hurricane preparedness briefly. He made reference to the handout given to the Commission on Article 1.03 Emergencies, of the La Feria Code of Ordinances, pages 1-10 thru 1-14. Mr. Philip said that in case of a hurricane threat, the water system crews get the generators prepared and the Police Department and Fire Department are here and ready to go into action. He said the U.S. Marshalls and Texas Rangers come to town to assist in any way they can. Mr. Philip said during the last hurricane, the City spent around \$750,000.00, but the City is not in that shape now. More discussion followed on the drainage system preparation and the maintenance of the drain ditches by the Irrigation District. There was no action needed as a result of the budget workshop.

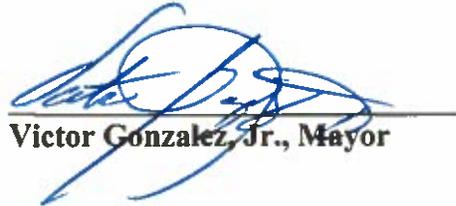
ACTION FOR ADJOURNMENT

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 10:02 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 10:35 P.M. on August 22, 2014, as official record.



Olga Oberwetter, City Secretary



CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, AUGUST 12, 2014, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Robert Fuller	1000 Ch. Dr.	DT 956 797 2340
2	Marie C. Leal	Brown, Leal & Assoc 115 Morgan Blvd. Hq. TX	(956) 428-4014
3	Robert Leal		
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40