

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, September 9, 2014**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, September 9, 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 Hernandez	City Commissioner
	Mr. Julian Guevara, Jr.	City Commissioner
	Ms. Olga H. Maldonado	City Commissioner
Absent:	Ms. Esmeralda Lozano	City Commissioner/Mayor Pro Tem
	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 6:32, 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 said she had received a message saying "Try, Fail; Try, Fail; You are only a failure when you quit trying." She said she had no complaint about the custodian's wages, because she did some research on that, and the pay should be four times that or more. She said her complaint was about the policemen's and dispatcher's wages being just a few dollars different than the custodians. Mrs. Fuller referenced Mr. Jim Oates and asked if everyone who received a new house had a video of the before and after done of their home, and if so, she wanted to see them. Mrs. Fuller also spoke about nepotism and said she needed to research it. On a different subject,

Mrs. Fuller told the Commission that she was very happy about the Commission approving Veterans' Day as a holiday for the employees. She said that a City Commissioner (John Hernandez) is the recipient of a Purple Heart and that he deserved the holiday. Mrs. Fuller again mentioned that the police officers and dispatchers are most important to the community and deserve better wages. 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 SPECIAL MEETING OF THE CITY COMMISSION HELD ON FRIDAY, SEPTEMBER 5, 2014

After review of the minutes, Commissioner Julian Guevara, Jr. moved to approve the minutes of proceedings of the special meeting of the City Commission held on Friday, September 5, 2014. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW AND TAKE ACTION TO APPROVE BUDGET AMENDMENTS FOR FY 2013-2014

City Manager Mr. Sunny K. Philip explained that the third column from the right hand side of the General Fund Budget Summary is the figure that is being considered under this item. He said the bottom line is the 2013-2014 budget is being amended by \$189,052.00. Mr. Philip said this is the same information that was presented at the last workshop, and that the budget amendment reflects decreases and increases throughout the various line items. He offered to review the information again with the City Commission, which offer was found to be not necessary.

Commissioner Olga H. Maldonado moved to approve the budget amendments for FY 2013-2014. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE THE CITY OF LA FERIA GENERAL FUND BUDGET FOR FY 2014-2015

City Manager Mr. Sunny K. Philip explained that information for agenda items 6, 7, 8 and 9 dealing with the City's budget process were all included in the General Fund Budget packet that had been provided to the City Commission. He said that all items discussed at the previous budget workshops had been incorporated in the proposed budget. He reviewed that the total revenues for the proposed budget for FY 2014-2015 were at \$13,453,748.00 and the expenditures were the same, making this a balanced budget. Mr. Philip explained that the revenues expected from property taxes and from non-property taxes is almost the same, signifying that there is some economic development happening in the city. Going back five or 10 years ago, the property taxes may have been 75% and the sales taxes (non-property taxes) only 25%. Mr. Philip reviewed other highlights of the budget, saying that the fire contract with the County will be coming before the Commission for approval at a later time due to the County's attorney reviewing the contract. He said there are revenues coming in from the HMGP, EDA, and GLO grants for improvements in infrastructure which spending is governed by the covenants of grant contract documents. Mr. Philip said there are some amounts paid to the General Fund from the LFIDC and the LFEDC for providing administrative services for those entities. Mr. Philip then reviewed the budget expenditures which he

said includes a 3% increase for employees pay. He said the insurance premium came in at an increase of about 5.5% instead of the estimated 10%. He also mentioned that there is an effort throughout the nation to increase the minimum wage for employees, and that this budget included the City's commitment to increase any full time permanent employee who is currently making less than \$9.00 an hour to \$9.00. There would be some adjustments made for those employees that are on the borderline. Mr. Philip said there has been some discussion about increasing the police pay, but at this time there is no additional money available. He said that during the year, the City would do a survey and analyze what can be done and that proposal would be brought back before the City Commission for their action. Mr. Philip said there is a Bond issue being proposed in the amount of 4.7 million dollars, without increasing taxes and out of that a \$300,000 plus will be utilized by the Utilities Board, and the remainder will be to fund improvements to streets, the parking lot for the domes, some IT upgrades and some other items. Mr. Philip said the budget is balanced primarily because when the City applied for the General Land Office (GLO) and Texas Water Development Board (TWDB) grants, the City asked for administrative money. If those additional funds were not available to subsidize the operation of the City, that would be the additional money needed to be raised by increasing taxes or other fees. Mr. Philip said that La Feria is still a small community with limited resources. Mr. Philip then asked from comments from the City Commission. Commissioner Olga H. Maldonado inquired about the Police Department grant funds asking if that was Border Star or Stonegarden. Finance Director Ms. Maria Chavero said it included both and that the amount for Border Star was \$15,000.00 and the Stonegarden amount was \$20,000.00. Commissioner Maldonado asked if the training line item included the amount for the LEOS fund amount which the State provides for certain training for police officers and dispatchers. Ms. Chavero said it was included in the amount for the training line item. Commissioner Maldonado said the LEOS fund should be tracked separately. Mr. Philip said that on the revenue side, it is recorded in the Miscellaneous line item, but he said staff would get with the Police Department to track it separately. Commissioner Maldonado questioned the amount allocated for the dispatcher's training and said that State requires that the dispatchers have to have at least 20 hours of specialized training a year and it appeared that the amount allocated would not be sufficient. Finance Director Ms. Maria Chavero said most of the dispatchers' training is local, and therefore; the travel expense would be less. Mayor Victor Gonzalez, Jr. said that if the amount exceeded the budgeted amount, it could be handled with a budget amendment. Commissioner Maldonado inquired if the increase in the budget for the police officers and dispatchers was also 3% as the other employees. Mr. Philip said that it was. Commissioner Maldonado asked if she could make a motion that she did not want to approve the budget but would approve it with stipulations. City Attorney Mr. Richard S. Talbert said she could not make a negative motion, she either approved it or not. Commissioner Maldonado asked City Manager Mr. Sunny K. Philip if he had an idea of when the item dealing with the police pay would be brought back to the City Commission. Mr. Philip responded that it would be within a 45 day period. Commissioner Maldonado inquired what the total amount of the 3% increase for all employees was. Finance Director Ms. Maria Chavero said she did not have that figure available as a whole. Mr. Philip said the Police Department is budgeted at 3% at this time, but it will be brought back before the Commission. Commissioner John Hernandez moved to approve the City of La Feria General Fund Budget for FY 2014-2015. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by a vote

of two to one. City Secretary Ms. Olga Oberwetter asked for clarification on the vote. Commissioner John Hernandez and Commissioner Julian Guevara, Jr. voted for approval of the budget. Commissioner Olga H. Maldonado voted against approval.

CONSIDER AND TAKE ACTION TO APPROVE CAPITAL PROJECTS BUDGET FOR FY 2014-2015

City Manager Mr. Sunny K. Philip reviewed the Capital Projects budget which included some recently completed projects, as well as those under construction or soon to be under construction for a total amount of \$57,289,141.00. He said the total amount to be spent during the fiscal year of 2014-2015, starting October 1, 2014 and ending on September 30, 2015 is \$4,681,969.00. Mr. Philip said that of the \$57 million in capital projects, \$45 million is coming in the form of grant funds. He added that there is one item that is not included in this figure, which is the old water tower on Business 83 which will require some rehab or complete reconstruction. This water tower was built in 1973 and recently there was a leak which had to be repaired. At the same time, Mr. Philip said he requested an estimate for complete reconstruction and that came in at about \$1.7 million. This would be an item that would be considered at a later time, and it would be brought back to the City Commission for consideration. Commissioner Olga H. Maldonado moved to approve the Capital Projects Budget for FY 2014-2015. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO CONFIRM THE BUDGETS OF LA FERIA UTILITIES BOARD, LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION, LA FERIA ECONOMIC DEVELOPMENT CORPORATION, LA FERIA TAX INCREMENT REINVESTMENT ZONE BOARD, AND BAILEY H. DUNLAP MEMORIAL PUBLIC LIBRARY FOR FY 2014-2015

City Manager Mr. Sunny K. Philip explained that the budgets of the component units were also included in the General Fund Budget packet. He said all the respective boards have met and approved their budgets. He reviewed the one page summary with all the budgets listed. After review, Commissioner Olga H. Maldonado moved to confirm the budgets of La Feria Utilities Board, La Feria Industrial Development Corporation, La Feria Economic Development Corporation, La Feria Tax Increment Reinvestment Zone Board, and Bailey H. Dunlap Memorial Public Library for FY 2014-2015. 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 ORDINANCE ADOPTING TAX YEAR 2014 AD-VALOREM TAX RATES

City Manager Mr. Sunny K. Philip explained that the tax year 2014 is identified as such because property tax is assessed on property in existence on January 1, 2014 and those bills are sent out in October. He said once the City Commission has approved the budget, the next step in the process is to approve the Ad Valorem Tax Rate. Commissioner John Hernandez moved to read the ordinance 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 Ordinance 2014-09. After reading of the caption, Commissioner John Hernandez moved to approve Ordinance 2014-09 adopting Tax Year

2014 Ad-valorem Tax Rates. 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 CONFIRMING THE APPOINTMENT OF ALL LIBRARY BOARD MEMBERS

City Manager Mr. Sunny K. Philip explained that originally the library was built and donated to the City by the Dunlap family. The board members are appointed by the Library Board, and they met last week and reappointed all board members whose terms were expired. The City Commission confirms the appointment. Commissioner Julian Guevara, Jr. 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 2014-21. After reading of the caption, Commissioner Olga H. Maldonado moved to approve Resolution 2014-21 confirming the appointment of all Library Board members. 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 A RESOLUTION OF THE CITY OF LA FERIA, TEXAS APPOINTING ONE NEW MEMBER TO THE CITY OF LA FERIA PLANNING AND ZONING COMMISSION

Mayor Victor Gonzalez, Jr. acknowledged Mr. Darrell Guerra who was present at the meeting as the prospective appointee to the Planning and Zoning Commission. Mr. Guerra introduced himself and said he had lived in La FERIA since 1993. He said he is the director of transportation and maintenance for the La FERIA School District. City Manager Mr. Sunny K. Philip said that the Planning and Zoning Commission is an important board and Mr. Guerra would join another new appointee to the board Mr. John Drawe. Mr. Philip said he and Planning and Community Development Director Ms. Paula Rodriguez would be getting together with the two new members to discuss with them the functions of the Planning and Zoning Commission. 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 Commissioners present. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2014-22. After reading of the caption, Commissioner Julian Guevara, Jr. moved to approve Resolution 2014-22 appointing one new member to the City of La FERIA Planning and Zoning Commission. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW BID TABULATION FOR BIDS RECEIVED ON UNIT 5B – TIO CANO WATERSHED IMPROVEMENT PROJECT AND CONSIDER AND TAKE ACTION TO AWARD CONTRACT TO THE LOWEST AND MOST RESPONSIBLE BIDDER.

City Manager Mr. Sunny K. Philip reviewed the bid tabulation of the bids received on the Unit 5B-Tio Cano Watershed Improvement Project. Mr. Philip reviewed the map of the project as well. There were three bids received as follows:

<u>Company</u>	<u>Bid</u>
Texas Cordia Construction, LLC 3149-A Center Pointe Drive Edinburg, Texas 78539 Phone: 956-627-6181	\$1,348,873.00
Jimmy Closner & Sons Construction P.O. Box 170 Mercedes, TX 78570 Phone: (956) 565-2688	\$1,979,885.00
Rojas Heavy Equipment, LLC 240 Frontage Rd. Alamo, TX 78516 Phone: (956) 787-8778	\$2,463,437.50

Mr. Philip explained that there is a wide variance between bids and that the engineers were asked to review the bids with the low bidder, and the low bidder is standing by their bid. Mayor Victor Gonzalez, Jr. inquired about the certification of the materials provided for the project. Mr. Philip said the City would make sure to have the certification. Commissioner John Hernandez move to award contract to the lowest and most responsible bidder Texas Cordia Construction, LLC from Edinburg, Texas in the amount of \$1,348,873.00 contingent on receiving the proper payment and performance bonds. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

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

Commissioner John Hernandez moved to excuse the absences of Commissioner John Betancourt and Commissioner Esmeralda Lozano from this meeting. Commissioner Olga H. Maldonado 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 Olga H. Maldonado moved to adjourn the meeting. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

ADJOURNMENT

Mayor Victor Gonzalez, Jr. adjourned the meeting at 7:40 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 2:35 P.M. on September 20, 2014, as official record.


Olga Oberwetter, City Secretary



CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, SEPTEMBER 9, 2014, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Colores Fuller	1000 Cheta	7978340
2	Robert Coy		
3	Joanne Ann	909 Chapman /	893-2277
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