

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, April 14, 2015**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, April 14, 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 Hernandez	City Commissioner
Ms. Olga H. Maldonado	City Commissioner
Mr. Julian Guevara, Jr.	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 6:36 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 asked Commissioner Esmeralda Lozano to read 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 Ms. Josie Rowhan who introduced herself and said she lives at 620 E. First Street in South Texas Haven Park. Ms. Rowhan spoke in regards to the loud music that can be heard from R & R Tavern at 500 E. Highway 83 (Business), La Feria, Texas. She said she is tired of complaining about the loud music and that she had sent an anonymous letter but nothing had been done. Ms. Rowhan said that after R & R Tavern was remodeled, the music became louder. She said she would like to see the Police Department enforce the ordinance on noise. She had a copy of the ordinance which she left with City Secretary/Human Resource Director Ms. Olga Oberwetter for copying and distributing to the Mayor and Commissioners (Note:

Copies were made and distributed.) Mayor Victor Gonzalez, Jr. thanked Ms. Rowhan for her comments.

Next, Mayor Gonzalez acknowledged Mrs. Delores Fuller who introduced herself and said she lives at 1000 Chelo, La Feria, Texas. She spoke regarding equal justice and justice for all. Mrs. Fuller called the La Feria Municipal Court a Kangaroo Court and said that one judge arrives to court late and leaves before he sees all the people in the courtroom. She said ordinances are ignored or used selectively. Mrs. Fuller said that there has never been anything done about people running stop signs. Then she reminded the Commission that they are the bosses of the City, and if employees are not doing their jobs, the Commission needs to get rid of them. Mayor Gonzalez thanked Ms. 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, MARCH 10, 2015**

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, March 10, 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 ACCEPT THE CITY OF LA FERIA COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014**

Mr. Quentin Anderson, CPA, Partner with Long Chilton, LLP was present at the meeting to present the City of La Feria Comprehensive Annual Financial Report for the fiscal year ending September 30, 2014. Mr. Anderson introduced Mr. Robert Rodriguez also with Long Chilton, LLP who was also present at the meeting. Mr. Anderson highlighted the various sections of the report and said pages 9 through 13 is the letter from management which provides a profile of city government. It also provides an overview of the projects that are ongoing in the city. He also reviewed the Independent Auditors' Report on pages 21 through 23 and said this is where the auditors render their opinion of the financial reports. Mr. Anderson said that in their opinion, "...the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of La Feria, Texas, as of September 30, 2014, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America." Mr. Anderson then reviewed all the financial statements. Upon City Manager Mr. Sunny K. Philip's request, Mr. Anderson explained the requirements of a Single Audit which is required by Federal Law if an entity receives over \$500,000 in Federal grant funds. He also reviewed other compliance requirements and referred the Commission to page 161 and page 165 which is the Independent Auditor's Report on Compliance. After review and discussion, Commissioner Esmeralda Lozano moved to accept the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2014. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**PRESENTATION OF RACIAL PROFILING REPORT BY POLICE CHIEF DONATO GARCIA AND CONSIDER AND TAKE ACTION TO ACCEPT THE REPORT**

Chief Donato Garcia reviewed the Racial Profiling Report for 2014 with the City Commission. He reviewed the numbers presented in the Summary report. There were a total of 1,933 citations issued in the period of January 1, 2014 through December 31, 2014. Of that number 1,194 citations were issued to males and 739 citations were issued to females. Chief Garcia said there were no racial profiling complaints filed for 2014. Commissioner Olga H. Maldonado asked if this report had been filed with the State and Chief Garcia responded that it had already been filed. Commissioner Olga H. Maldonado moved to accept the Racial Profiling Report presented by Police Chief Donato Garcia. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO ADOPT PROCLAMATION PROCLAIMING APRIL AS "FAIR HOUSING MONTH"**

City Manager Mr. Sunny K. Philip said that the proclamation was included in the City Commission packet and that a similar notice regarding fair housing was published in the newspaper. Commissioner Esmeralda Lozano read the proclamation. After reading of the proclamation, Commissioner Julian Guevara, Jr. moved to adopt the Proclamation Proclaiming April as "Fair Housing Month." Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO ADOPT A PROCLAMATION OF THE CITY OF LA FERIA PROCLAIMING THE MONTH OF MAY AS MOTORCYCLE SAFETY AND AWARENESS MONTH**

City Manager Mr. Sunny K. Philip explained that this is the second year that this proclamation is brought before the City Commission. Mr. Bob Keen was present representing the motorcycle club and said they just want to bring awareness of motorcycle safety. He requested a picture with the City Commission. Commissioner Esmeralda Lozano read the proclamation. After reading of the proclamation, Commissioner Olga H. Maldonado moved to adopt the proclamation of the City of La Feria proclaiming the month of May as Motorcycle Safety and Awareness Month. Commissioner Esmeralda Lozano seconded the motion, and the motion carried by unanimous vote of the City Commissioners present. The City Commission took a picture with Mr. Keen.

**REVIEW PROPOSALS RECEIVED AND CONSIDER AND TAKE ACTION TO AWARD THE CONTRACT FOR GRANT ADMINISTRATION SERVICES FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, 2014 TEXAS CAPITAL FUND GRANT IN SUPPORT OF CARDENAS BMW CAR DEALERSHIP**

City Manager Mr. Sunny K. Philip explained that the City went through the process of advertising for proposals for Grant Administration Services for the Texas Community Development Block Grant Program, 2014 Texas Capital Fund Grant. Only one proposal was received and that was from Judy Langford of Langford Community Services of Austin, Texas. Capital Projects Coordinator Esmeralda Sanchez distributed the scoring sheet for Langford Community Services which showed a total of 98 points out of a maximum 100 points. After a brief discussion, Commissioner Olga H. Maldonado moved to authorize City

Manager Mr. Sunny K. Philip to negotiate and execute the contract for Grant Administration Services for the Texas Community Development Block Grant Program, 2014 Texas Capital Fund Grant in support of Cardenas BMW car dealership with Judy Langford of Langford Community Services of Austin, Texas. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW PROPOSALS RECEIVED AND CONSIDER AND TAKE ACTION TO AWARD THE CONTRACT FOR ENGINEERING SERVICES FOR INFRASTRUCTURE IN SUPPORT OF CARDENAS BMW CAR DEALERSHIP FUNDED THROUGH THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, 2014 TEXAS CAPITAL FUND GRANT**

Commissioner Esmeralda Lozano moved to go into executive session under Section 551.071 Consultation with the City Attorney regarding this item. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present. Mayor Victor Gonzalez, Jr. declared the meeting in executive (closed) session at 7:33 P.M. After executive session deliberations, Mayor Victor Gonzalez, Jr. declared the meeting back in open session at 8:03 P.M.

City Manager Mr. Sunny K. Philip explained that the Commission is familiar with the project which will include water lines, sewer lines, and street construction in support of the new business, Cardenas BMW. He said that program guidelines require the City to advertise for proposals for engineering services. Mr. Philip said that a total of seven (7) proposals were received and scoring sheets were delivered to the Commission prior to the meeting. Capital Projects Coordinator Esmeralda Sanchez and Mr. Philip evaluated the proposals and a ranking of the proposals was included with the scoring sheets. The highest score was Sigler, Winston, Greenwood & Associates with a score of 85 out of a maximum 87 points. Commissioner Esmeralda Lozano asked for clarification of how the scoring was determined. Both Mr. Philip and Ms. Sanchez explained at length the process they had worked through to arrive at the scores. Mayor Victor Gonzalez, Jr. explained that for procurement of professional services, the highest score would get the bid. Commissioner John Hernandez moved to authorize City Manager Mr. Sunny K. Philip to negotiate and execute the contract for engineering services for infrastructure in support of Cardenas BMW car dealership funded through the Texas Community Development Block Grant Program, 2014 Texas Capital Fund Grant with Sigler, Winston, Greenwood and Associates. 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 JOINING CAMERON COUNTY AND OTHER CITIES AND TOWNS THROUGHOUT CAMERON COUNTY EXPRESSING SUPPORT FOR THE BILLS FILED OR TO BE FILED IN THE 84<sup>TH</sup> TEXAS LEGISLATURE BY SENATOR EDDIE LUCIO, JR., REPRESENTATIVE RENE OLIVIERA, AND REPRESENTATIVE EDDIE LUCIO III TO ALLOW THE VOTERS OF CAMERON COUNTY TO DECIDE ON THE CREATION OF A HOSPITAL OR HEALTHCARE DISTRICT WHICH TAX RATE WOULD BE CAPPED AT AN ABSOLUTE MAXIMUM OF \$0.25 PER \$100 VALUATION**

This item was discussed and the City Commission instructed staff to publish a notice of public hearing and to ask that someone from Cameron County be present at the meeting

when the public hearing is held. Commissioner Olga H. Maldonado moved to table this item until such time as a public hearing can be held. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**MONTHLY FINANCIAL REPORTS FOR THE MONTH OF FEBRUARY 2015**

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

Mayor Victor Gonzalez, Jr. asked for a review of the first and last page of the financial reports. Finance Director Ms. Maria Chavero presented the abbreviated version of the report. 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 551.072 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**

There was no action taken on this item.

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

There was no action taken on this item.

**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 on the following:

- Drainage Improvements – Everything is under control.
- Water and Wastewater Systems Improvements – The City is working with the La Feria Irrigation District to construct a small water storage reservoir at the La Feria Irrigation District owned property to the east of the La Feria Main Reservoir located on South Main Street.
- The Safe Rooms – The City is working with the contractor. There were some delays getting the funds from the State, and also the contractor was not paying their subcontractors.

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

Commissioner John Hernandez moved to approve Commissioner John Betancourt's absence from the 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 Esmeralda Lozano seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**ADJOURNMENT**

Mayor Victor Gonzalez, Jr. adjourned the meeting at 9:00 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 10:22 P.M. on April 24, 2015, as official record.

  
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Olga Oberwetter, City Secretary

**CITY COMMISSION REGULAR MEETING**  
**AT THE**  
**CITY COMMISSION MEETING ROOM**  
**TUESDAY, APRIL 14, 2015, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Bob Keen	25192 Drv 12 Way	San Benito, Tx (956)-423-3168
2	John F. ...	670 E ...	367-4052
3	Faith DeBane	613 East 7th St	797-3870
4	Frank Keenan	700 E ...	797-1912
5	John ...	611 Int'l Blvd	Westaco 968-2194
6	Chris ...	Police Dept	
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Bob Keen E-Mail  
25192 Drv 12 Way Bob@CCBikefest.com  
San Benito, Tx 78586 SudsNbuttrfly@aol.com

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