

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, August 9, 2016**

Be it known that the City of La Feria City Commission met in Regular Meeting on **Tuesday, August 9, 2016 at 6:30 PM** in the City Commission Meeting Room, 115 E. Commercial Avenue, La Feria, TX 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.

**DETERMINE QUORUM PRESENT AND CALL MEETING TO ORDER - MAYOR**

Mayor Olga H. Maldonado declared a quorum was present and called the meeting to order.

Attendee Name	Title	Status	Arrived
Olga H. Maldonado	Mayor	Present	6:30 PM
Julian Guevara Jr.	Commissioner	Present	6:30 PM
Esmeralda Lozano	Commissioner	Present	6:30 PM
Eric Hoff	Commissioner	Present	6:30 PM
Jesse Zuniga	Commissioner	Present	6:30 PM
Victor Gonzalez Jr.	Commissioner	Absent	

**STAFF MEMBERS PRESENT**

The following Staff members were present at said meeting:

Ms. Esmeralda R. Sánchez, Interim City Manager/City Secretary  
 Mr. Richard S. Talbert, City Attorney  
 Ms. Paula Rodriguez, Planning and Community Development Director  
 Ms. Kin Mendoza, Finance Director  
 Ms. Tabitha M. Outlaw, Administrative Assistant

**PUBLIC COMMENTS**

No one signed up for public comments.

**CLOSED EXECUTIVE SESSION: ATTORNEY CONSULTATION PURSUANT TO SECTION 551.071(2), TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE AND COUNSEL WITH RESPECT TO THE CITY'S RIGHTS, DUTIES, PRIVILEGES, AND OBLIGATIONS IN CONNECTION WITH A CONTRACT OF EMPLOYMENT DATED APRIL 11, 1996 BETWEEN THE CITY OF LA FERIA, SIGNED BY THEN MAYOR PAUL F. BEECHNER, AND MR. SUNNY K. PHILIP.**

A motion by Mayor Pro-Tem Lozano to move out of order on the agenda to this item was made, seconded by Commissioner Hoff, and approved by the Commission.

Mayor Maldonado declared the meeting in Executive Session at 6:35 PM.

Mayor Maldonado declared the meeting back in Open Session at 7:55 PM

<b>RESULT:</b>	<b>NO ACTION REQUIRED</b>
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**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE SPECIAL MEETING OF THE CITY COMMISSION HELD ON SATURDAY, JULY 16, 2016.**

A copy of the minutes were provided to the Commission. This item was considered concurrently with the next agenda item: Review and take action to approve minutes of City Commission meeting held Tuesday, July 16, 2016.

A motion to approve the minutes was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Commissioner
<b>SECONDER:</b>	Eric Hoff, Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, JULY 26, 2016.**

A copy of the minutes were provided to the Commission. This item was considered concurrently with the previous agenda item: Review and take action to approve minutes of City Commission meeting held Tuesday, July 26, 2016.

A motion to approve the minutes was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Commissioner
<b>SECONDER:</b>	Eric Hoff, Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE SPECIAL MEETING OF THE CITY COMMISSION HELD ON TUESDAY, AUGUST 2, 2016.**

A motion to table this item was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>	<b>Next: 8/23/2016 6:30 PM</b>
<b>MOVER:</b>	Esmeralda Lozano, Commissioner	
<b>SECONDER:</b>	Julian Guevara Jr., Commissioner	
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga	

**REVIEW PROPOSED NORTHWEST PARK IMPROVEMENTS WITH MEGAMORPHOSIS ARCHITECTS AND CONSIDER ACTION TO AUTHORIZE ADVERTISEMENT FOR BIDS FOR CONSTRUCTION OF THE PARK.**

Mr. John Percy of Megamorphosis Architects provided a detailed presentation of the proposed improvements for Northwest Park to the Commission. Mr. Percy discussed the improvements to include a raised curb around the entire park, mesh fencing, use of two existing concrete slabs for a basketball court and a shaded play area, mulch beds with potted flowers around the outside of the fence, two other play areas with appropriate equipment, and a sidewalk around the outside of the park. Three dimensional renderings of the park in the existing neighborhood were presented. Commissioner Hoff discussed the issue of parking on this area by residents. At the request of the Commission, Ms. Sánchez reviewed the funding source for this project. The funding is provided through the Certificate of Obligation from Ordinance 2015-03 dated February 24, 2015. Mayor Pro-Tem Lozano discussed the needs to address at existing facilities before proceeding with a new park, including safety issues. Mayor Maldonado and Commissioner Guevara raised concerns about the park design, cost, and the use of such a park by neighborhood residents. After further discussion of the Certificate of Obligation and allowable use of funds, a motion to table this item was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>	<b>Next: 9/27/2016 6:30 PM</b>
<b>MOVER:</b>	Eric Hoff, Commissioner	
<b>SECONDER:</b>	Esmeralda Lozano, Commissioner	
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga	

### **PRESENTATION AND DISCUSSION ON THE CITY OF LA FERIA DRAFT COMPREHENSIVE MASTER PLAN AND THE STRATEGIC PLAN.**

A copy of the Comprehensive Master Plan was provided to the Commission. Mr. Chris Stewart of K. Friese and Associates presented a review of the plan, stating that 34 surveys were submitted by residents. Mayor Pro-Tem Lozano questioned when and where the surveys were done and what was the target percentage that was being addressed. Mr. Stewart discussed that there was not a percentage being targeted and that a city of this size would be lucky to have 100 surveys submitted. Mayor Pro-Tem Lozano expressed disappointment in the number of surveys submitted and her ability to acquire more surveys going door to door in the city. The funding agency deadline to submit is approaching, putting time restraints on securing more responses. Following discussion of the need for more surveys, Mr. Stewart stated he will keep the survey open online and upload any paper surveys submitted. Ms. Sánchez stated additional surveys should be turned in by August 18, 2016 to give the Commission time to make an effort to collect more surveys and to allow time for Mr. Stewart to get the information uploaded.

Mr. Stewart discussed the population growth through 2036, the housing conditions in older neighborhoods, multiple housing types, land use, and economic issues in the city. Mayor Pro-Tem Lozano inquired about higher income level of housing to add a new economic element to the city. Mr. Stewart stated the plan does not cover what areas should include particular types of housing. The economic development chapter of the plan includes results from the survey regarding requests for high end retail, restaurants, grocery stores, and entertainment venues. Mr. Stewart spoke to two developers that stated there needs to be a threshold of about 30,000 people within a 20 minute drive to attract more economic development, currently La Feria has about 18,000 people within a 20 minute drive. The additional growth is expected to happen within the next 20 years. After further review and discussion, Ms. Sánchez stated that a copy of the Comprehensive Plan would be made available at the library and City Hall for public review. The final public hearing will be scheduled for Tuesday, August 30, 2016 at 6:30 p.m.

<b>RESULT:</b>	<b>NO ACTION REQUIRED</b>
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**CONSIDER AND TAKE ACTION TO APPROVE A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS DESIGNATING A CITY OF LA FERIA STAFF MEMBER TO ESTABLISH WATER AND WASTEWATER SERVICE WITH THE MILITARY HIGHWAY WATER SUPPLY CORPORATION FOR THE BLUETOWN FIRE SUBSTATION AND CANCEL RESOLUTION 2016-13.**

A copy of Resolution 2016-19 was provided to the Commission.

Ms. Sánchez discussed that Resolution 2016-13 needs to be canceled and a new resolution is needed authorizing Interim City Manager Esmeralda Sanchez to establish services for the Fire Substation with Military Highway Water Supply Corporation.

**MOTION TO READ RESOLUTION 2016-19 REGARDING ESTABLISHMENT OF WATER AND WASTEWATER SERVICES FOR BLUETOWN FIRE SUBSTATION.**

A motion to read the caption of Resolution 2016-19 was made, seconded, and approved as noted.

City Attorney, Richard Talbert read the caption of Resolution 2016-19.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Commissioner
<b>SECONDER:</b>	Julian Guevara Jr., Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga

**MOTION TO APPROVE RESOLUTION 2016-19.**

A motion to approve Resolution 2016-19 was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Commissioner
<b>SECONDER:</b>	Julian Guevara Jr., Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga

**CONSIDER AND TAKE ACTION TO ACCEPT THE CERTIFICATION REGARDING ANTICIPATED TAX COLLECTION RATE FOR TAX YEAR 2016 (FISCAL YEAR 2016/2017).**

A copy of the certification for the anticipated tax rate was provided to the Commission.

Ms. Mendoza discussed that last year the collection rate was reported at 95%. According to county records, the City's collection rate was actually at 100%, therefore the anticipated collection rate for tax year 2016 is 100%. This item is needed to calculate the effective and rollback tax rates.

After discussion, a motion to approve the anticipated tax rate was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Commissioner
<b>SECONDER:</b>	Eric Hoff, Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga

**CONSIDER AND TAKE ACTION TO ACCEPT THE CERTIFICATION OF DEBT SERVICE REQUIREMENT FOR FISCAL YEAR 2016/2017.**

A copy of the certification of debt service requirement was provided to the Commission. This includes the bond payments to be paid next fiscal year, for a total of \$1,074,129. Commissioner Hoff requested clarification of the principal and interest of the Certificates of Obligation. Ms. Mendoza discussed the amounts of the principal and interest and stated that the City shares the balance due with the Utilities Board on some debt obligations. This item is required to calculate the effective and rollback tax rates.

A motion to accept the certification of debt service requirement was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Commissioner
<b>SECONDER:</b>	Julian Guevara Jr., Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga

**CONSIDER AND TAKE ACTION TO ACCEPT EFFECTIVE & ROLLBACK TAX RATES, SCHEDULES AND FUND BALANCES.**

A copy of the effective and rollback tax rate calculation was provided to the Commission. The calculation results, based on information provided to Cameron County, show an effective tax rate of \$0.749382 and a rollback tax rate of \$0.810991. The requirements of selecting an effective tax rate versus a rollback tax rate were discussed by Mr. Talbert. The information will be published in the newspaper and further discussed at a future public hearing.

After review and discussion, a motion to accept the effective and rollback tax rates as presented was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Commissioner
<b>SECONDER:</b>	Jesse Zuniga, Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga

**DISCUSS AND TAKE ACTION TO APPROVE A PROPOSED TAX RATE FOR TAX YEAR 2016 (FISCAL YEAR 2016/2017).**

Ms. Sánchez reviewed and discussed recommendations for the proposed tax rate. The current rate was identified as .76 cents. The proposed tax rate will allow the City to prepare a budget for further discussion. Mr. Talbert explained the limitations of setting the proposed tax rate too low and the advantage of getting the proposed tax rate below the rollback rate.

After further discussion, a motion to set the proposed tax rate for FY 2016-2017 at .810 cents was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Commissioner
<b>SECONDER:</b>	Julian Guevara Jr., Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga

**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).**

Ms. Sánchez read the schedule for the proposed public hearings: Tuesday, August 23, 2016 at 6:30 PM and Tuesday, August 30, 2016 at 6:30 PM.

After review and discussion, a motion was made, seconded, and approved by Roll Call.

<b>RESULT:</b>	<b>APPROVED VIA ROLL CALL [UNANIMOUS]</b>
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga

**BUDGET WORKSHOP #1 – PRELIMINARY DISCUSSION WITH CITY COMMISSION REGARDING THE BUDGET FOR FISCAL YEAR 2016/2017.**

A copy of the Bailey H. Dunlap Memorial Library, the La Feria Recreation Center revenue and expenditure reports and the Payroll Budget FY 2015-2016 were provided to the Commission.

The library and recreation center are sustained by the City. Ms. Sánchez and Ms. Mendoza met with the Library Board and made adjustments based on that meeting. In reviewing the library report, clarification was made on the donation amount of the two Trusts and the other donations the library receives. Mayor Pro-Tem Lozano inquired about different fundraisers that may be possible to assist in raising money for the library. Mayor Pro-Tem Lozano inquired about the possibility of a print card for the library as a source of generating revenue. The Library staff will work at applying for more grant money. The expenses for building repair and maintenance was higher than what was budgeted due to air conditioning repairs on the old and new building. The approved FY 2015-2016 budget was \$131,324, and the expected year end expenditures are \$133,192. The proposed budget for FY 2016-2017 is \$141,523.

Mayor Pro-Tem Lozano inquired about the travel expense and discussed the TML Conference portion on municipal libraries. Ms. Sánchez clarified the conference attended by the librarian was recommended by the Library Board. Commissioner Hoff inquired about the consultant fees. Ms. Sánchez reviewed that the consultant fees are the libraries portion for the IT Consultant. Commissioner Hoff inquired about the quality of the new books coming in and the old books going out. Ms. Sánchez discussed how the Apollo software is assisting the library in its process of restocking books. Mayor Pro-Tem Lozano inquired about whether or not a yearly plan is submitted by the Library Board.

Ms. Sánchez discussed the preliminary budget for the recreation center, including the wellness

center. The recreation center has been working with a part time staff and reduced hours of operation to reduce expenses. Mayor Pro-Tem Lozano discussed the possibility of fundraisers driven by the youth of the community. The Republic Services Host Fee was discussed and clarified that it is a donation that was put into the original contract agreement when then they came to La Feria. Contributions from the vending machines is projected to rise due to closing of the concession stand. The proposed FY 2016-2017 budget of \$159,890 is a preliminary budget to cover the recreation center and wellness center. This preliminary budget includes one part-time employee for the wellness center and continued part-time employees for the recreation center. The cost for the furniture for the wellness center will come from the Certificates of Obligation. Mayor Pro-Tem Lozano inquired about the need and control of the computer lab at the recreation center with only part-time personnel. Ms. Mendoza clarified that two part-time employees at a time takes the place of one full time employee, with shortened hours of operations. Ms. Sánchez discussed the advantage of continued use of the computer lab and cited summer programs as an example.

**RESULT: NO ACTION REQUIRED**

**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/LEASE/SALE/DONATION OF REAL ESTATE BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION/THE LA FERIA ECONOMIC DEVELOPMENT CORPORATION/CITY OF LA FERIA; SECTION 551.087 TO DISCUSS ECONOMIC DEVELOPMENT NEGOTIATIONS; SECTION 551.074 TO DISCUSS PERSONNEL; SECTION 551.074 TO DISCUSS THE DUTIES AND RESPONSIBILITIES OF THE CITY MANAGER; SECTION 551.071 TO DISCUSS THREATENED LITIGATION.**

There was no Executive Session.

**RESULT: NO ACTION REQUIRED**

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

There being no Executive Session, no action was needed on this item.

**RESULT: NO ACTION REQUIRED**

**REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION.**

- Drainage Improvement Projects
- Water/Wastewater Improvement Projects
- Safe Rooms (Domes)
- Parking Lot for Main Street Safe Room and Technology & Success Center
- HOME Program

Ms. Sánchez reported on the items identified as follows:

#### Drainage Improvement Projects

The City is waiting on some change orders to work through with the Irrigation District. The City should be receiving \$400,000 from the General Land Office to be able to issue payments to contractors. Some work has been started on White Ranch Road. There will be signs posted about road closures and land owners have been notified. The projected completion of all the drainage projects is six months.

#### Water/Wastewater Improvement Projects

Saenz Brothers is working on a lift station on Kansas City Road and JM Construction is working on a lift station on the west side of town. The City is still waiting on approval of some change orders for water hook ups on the west side. Ms. Sánchez discussed the possible funding from NAD BANK that was applied for in 2010. Mr. Sunny Philip was contacted by the funding agency about their work, so he contacted Ms. Sánchez regarding the possibility of such last week. This would assist with the water line hook ups. TWDB is still waiting on their legal department to approve the eligibility of the funds to be used for the water line hook ups, so it is advantageous to pursue the NAD BANK funding. The Utility Board was updated on this information and approved for the City to meet with NAD BANK to discuss the possibility of these funds.

#### Safe Rooms (Domes)

Construction is complete. The City is working on the closeout documentation and on finalizing TDEM / FEMA requirements in the next thirty days.

#### Parking Lot for Main Street Safe Room and Technology & Success Center

This project should be done by the end of the week, striping is being painted today. A temporary parking lot was set up on the grass area behind the Technology and Success Center for Saturday's Classes.

#### HOME Program

Opening bids for construction and rehab of the four homes will be on August 16, 2016. It was clarified that the language used in requesting bids is put in place by the TDHCA.

<b>RESULT:</b>	<b>NO ACTION REQUIRED</b>
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#### **CONSIDER AND TAKE POSSIBLE ACTION ON ATTENDANCE STATUS OF MAYOR AND/OR COMMISSIONERS.**

A motion was made, seconded and approved to as noted to excuse Commissioner Gonzalez's absence from the meeting.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Commissioner
<b>SECONDER:</b>	Eric Hoff, Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga

#### **ACTION FOR ADJOURNMENT**

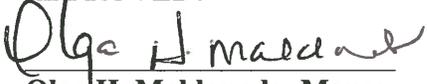
A motion to adjourn the meeting was made, seconded and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Commissioner
<b>SECONDER:</b>	Eric Hoff, Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga

**ADJOURNMENT**

Mayor Maldonado declared the meeting adjourned at 11:00 PM.

**CITY COMMISSION ADJOURNMENT**

**APPROVED:**  
  
 Olga H. Maldonado, Mayor

**ATTEST:**

  
 Esmeralda R. Sánchez, City Secretary

These minutes were prepared and filed with the City of La Feria at 2:30 PM on August 23, 2016 as official record.

  
 Esmeralda R. Sánchez, City Secretary