

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, December 8, 2015**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, December 8, 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
Mr. John Hernandez	City Commissioner
Ms. Olga H. Maldonado	City Commissioner
Mr. Julian Guevara Jr.	City Commissioner

The following City Commission members were absent from said meeting.

Ms. Esmeralda Lozano	City Commissioner/Mayor Pro Tem
Mr. John Betancourt	City Commissioner

The following staff members were present:

Mr. Sunny K. Philip	City Manager
Mr. Richard S. Talbert	City Attorney
Ms. Paula Rodriguez	Planning & Community Dev. Director
Ms. Kin I. Mendoza	Finance Director
Ms. Esmeralda R. Sánchez	City Secretary

A copy of the signature roster of all others present is attached as a part of the minutes hereof.

As requested by Mayor Victor Gonzalez, Jr., Commissioner Maldonado gave the invocation at 6:56 PM. After the invocation, Mayor Gonzalez 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 Gonzalez announced the public comment period open. Ms. Delores Fuller of 1100 S. Chelo Dr., La Feria, Texas addressed the Commission regarding her visit with City Manager Sunny K. Philip. Mrs. Fuller shared positive comments regarding the visit and informed the Commission that she will continue visiting with Mr. Philip regarding specific items as they arise.

The Mayor then declared the public comments section of the meeting closed and stated no official action was required by the Commission.

REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, NOVEMBER 24, 2015

Following review, Commissioner Maldonado made a motion to approve the minutes of proceedings of the regular meeting held on Tuesday, November 24, 2015. The motion was seconded by Commissioner Guevara and passed by unanimous vote of the City Commission present.

WORKSHOP TO PROVIDE INFORMATION REGARDING USE OF ACCELA LEGISLATIVE MANAGEMENT SOFTWARE.

Staff introduced the use of Accela Legislative Management software accessed via tablets during the meeting. Passwords were distributed and a guided example was presented with the Commission utilizing their respective tablets. A discussion followed regarding the various features available to the Commission. After review of the features, the Commission continued to follow the meeting agenda on the tablets utilizing Accela software while following the example presented on-screen. Additional information will be presented through workshops in future meetings and a formal training session will be scheduled with Accela staff.

Mayor Gonzalez declared no official action was required.

PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC REGARDING A REQUEST BY ACME PARTNERSHIP, L.P. (NATIONAL MEDIA CORPORATION, GENERAL PARTNER) FOR A SPECIFIC USE PERMIT FOR THE PLACEMENT OF A CHANGING VARIABLE ELECTRONIC MESSAGING (CVEM) SIGN IN ACCORDANCE WITH THE CITY OF LA FERIA ORDINANCE 2015-01.

Mayor Gonzalez opened the public hearing at 7:38 PM. The Shrine Club property located east of Beddoes Road along US Highway 83/IH 2 on the west frontage road was voluntarily annexed through previous action of the City Commission. Acme Partnership, L.P. has requested a Specific Use Permit (SUP) for the placement of a changing variable electronic messaging (CVEM) sign at the Shrine Club property, approximately 870 feet east of the intersection of Beddoes Road and US Hwy 83/IH 2. The property is owned by the Rio Grande Valley Shrine Club Al Amin Temple.

Mr. Philip discussed the details of the request noting the similarity to the SUP issued for the LFIDC property by the Commission in a previous meeting. Ms. Delores Fuller of 1100 S. Chelo Drive, La Feria, Texas asked if the public hearing was required by law. Public hearings for these type of items are required by law.

There being no further comments regarding the specific use permit request for the CVEM sign, Mayor Gonzalez declared the public hearing closed at 7:41 P.M.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A SPECIFIC USE PERMIT REQUEST BY ACME PARTNERSHIP, L.P. (NATIONAL MEDIA

CORPORATION, GENERAL PARTNER) FOR THE PLACEMENT OF A CHANGING VARIABLE ELECTRONIC MESSAGING (CVEM) SIGN WITHIN THE CITY LIMITS OF THE CITY OF LA FERIA IN ACCORDANCE WITH CITY OF LA FERIA ORDINANCE 2015-01 AND AUTHORIZING THE MAYOR TO EXECUTE THE ORDER.

The Specific Use Permit (SUP) request submitted by Acme Partnership, L.P. was reviewed by the Commission and discussed by Staff. A similar SUP was approved by the Commission previously for a property owned by the LFIDC. Texas Department of Transportation requires a 15' radius around the sign. One of the eight messages on the sign will be reserved to advertise City related functions. The ordinance prohibits certain type of advertising on the CVEM sign, such as those of a sexual nature.

Following discussion, Commissioner Hernandez made a motion to approve the Specific Use Permit. The motion was seconded by Commissioner Guevara and passed by unanimous vote of the City Commission present.

CONSIDER AND TAKE ACTION TO APPROVE AN ORDINANCE OF THE CITY OF LA FERIA TEMPORARILY CLOSING A PORTION OF EAST CENTRAL AVENUE BETWEEN MAIN STREET /FM 506 WEST TO EAST STREET WITHIN THE LIMITS OF THE CITY OF LA FERIA AND MODIFYING TRAFFIC PATTERNS ON CERTAIN STREETS FOR THE PURPOSE OF ENSURING THE SAFETY AND GENERAL WELFARE OF THE PUBLIC DURING THE FIRST UNITED METHODIST CHURCH LIVE NATIVITY SCENE SCHEDULED ON SATURDAY, DECEMBER 19, 2015 AND SUNDAY DECEMBER 20, 2015 FROM 4:30 PM TO 9:30 PM EACH DAY.

Mr. Philip discussed the history of the Live Nativity by the First United Methodist Church (FUMC) in La Feria. To assure the safety of the participants and visitors, the Ordinance authorizes temporarily closing a portion of East Central Avenue between Main Street/FM 506 west to East Street. Spectators may walk or drive through the area of the Live Nativity. The event will take place on Saturday, December 19, 2015 and Sunday, December 20, 2015 between the hours of 6-9 PM. Closing the street from 4:30-9:30 will allow the FUMC to safely set up and close down the event on each day.

Following discussion with the Commission, a motion was made by Commissioner Guevara to read the caption of Ordinance 2015-20 to temporarily close a portion of East Central Avenue between Main street/FM 506 West to East Street and modifying traffic patterns on certain streets for the purpose of ensuring the safety and general welfare of the public during the FUMC Live Nativity event scheduled for Saturday December 19, 2015 and Sunday, December 20, 2015 from 4:30 PM to 9:30 PM each day. The motion was seconded by Commissioner Maldonado and passed by unanimous vote of the City Commission present. City Attorney Richard S. Talbert read the caption.

A motion was then made by Commissioner Hernandez to approve Ordinance 2015-20 and seconded by Commissioner Maldonado. The motion passed by unanimous vote of the City Commission present.

CONSIDER AND TAKE ACTION REGARDING A RESOLUTION TO CONSOLIDATE BIRTH, DEATH, AND FETAL DEATH RECORDS OF THE CITY OF LA FERIA AND CAMERON COUNTY BY TRANSFERRING THE DUTIES IMPOSED BY LAW RELATING TO MAINTENANCE OF BIRTH AND DEATH RECORDS IN ACCORDANCE WITH TEXAS HEALTH AND SAFETY CODE SECTION 191.023 SUBSECTION (A).

The City of La Feria has maintained birth and death records for over 50 years. The City must send personnel to annual training sessions and maintain safeguards in place to secure the documentation as prescribed by the State. Due to the low volume of activity over the years, maintenance of these records is an added cost to the City. One of the major concerns for the City is the safekeeping of the paper documents in the event of a catastrophic event such as a fire. Although the City has requested a transfer of this responsibility to the County on various occasions in the past, Cameron County Commissioners Court approved a resolution on November 17, 2015 to consolidate the City's records with the Cameron County Clerk's records. The City is required to pass a concurring resolution for the transfer of records and establish a time table. The effective date is prescribed as January 1, 2016 in the resolution. As of this date, the City of La Feria will no longer accept birth or death records at City Hall. Details regarding the transfer of documentation and all related activity will be discussed with the County Clerk's office and the responsible State office to assure appropriate procedures are in place to complete the transfer.

Following discussion, a motion was made by Commissioner Hernandez to read the caption of Resolution 2015-39 consolidating the birth, death, and fetal death records of the City of La Feria and Cameron County and concurring to the transfer of the maintenance of birth and death records from the City of La Feria to Cameron County and time table. The motion was seconded by Commissioner Guevara and passed by unanimous vote of the City Commission present. Mr. Talbert read the caption.

A motion was then made by Commissioner Hernandez to approve Resolution 2015-39 and seconded by Commissioner Guevara. The motion passed by unanimous vote of the City Commission present.

CONSIDER AND TAKE ACTION TO APPROVE A RESOLUTION VOTING FOR A CANDIDATE TO SERVE AS A REPRESENTATIVE ON THE CAMERON APPRAISAL DISTRICT BOARD OF DIRECTORS.

The Commission passed a resolution nominating Mr. Ricardo Morado for the Cameron Appraisal District Board of Directors ballot place #9. This resolution is required to accompany the City's vote.

Following discussion, a motion was then made by Commissioner Guevara to read the caption of Resolution 2015-40 voting for a candidate to serve as a representative on the Cameron Appraisal District Board of Directors. The motion was seconded by Commissioner Maldonado and passed by unanimous vote of the City Commission present. The caption was read by Mr. Talbert.

A motion was then made to approve Resolution 2015-40 by Commissioner Maldonado and seconded by Commissioner Guevara. The motion passed by unanimous vote of the City Commission present.

CONSIDER AND TAKE ACTION TO APPROVE A RESOLUTION ACCEPTING THE ULTRAVIOLET DISINFECTION SYSTEM AT THE WATER TREATMENT PLANT COMPLETED BY R.P. CONSTRUCTORS AND FUNDED BY TWDB DWSRF 62502 CID-08.

The City received funding from the Texas Water Development Board (TWDB) Drinking Water State Revolving Fund (DWSRF) and the Texas Department of Agriculture for installation of the Ultraviolet (UV) Disinfection System at the Water Treatment Plant. The UV System disinfects treated water to a higher level than our current treatment process. TWDB requires a resolution accepting the project before final release of funds. The project was completed by R.P. Constructors for a total project amount of \$519,856.

Following discussion, Commissioner Hernandez made a motion to read the caption of Resolution 2015-41 accepting the Ultraviolet Disinfection System at the Water Treatment Plant completed by R.P. Constructors and funded by TWDB DWSRF 62502 CID-08. The motion was seconded by Commissioner Maldonado and passed by unanimous vote of the City Commission present. Mr. Talbert read the caption.

A motion was then made by Commissioner Hernandez to approve Resolution 2015-41, seconded by Commissioner Maldonado. The motion passed by unanimous vote of the City Commission present.

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 551.087 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 551.076 TO DISCUSS SECURITY DEVICES OR SECURITY AUDITS.

Mayor Gonzalez declared the meeting in Executive Session at 8:05 PM. The Commission returned from Executive Session to resume the open meeting at 8:20 PM.

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

Following executive session, a motion was made to allow the City Manager to proceed with ongoing economic development negotiations as discussed in executive session by Commissioner Maldonado. The motion was seconded by Commissioner Guevara and passed by unanimous vote of the City Commission present.

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**
- **UPDATE ON UNGER PARK PROJECT**
- **CHRISTMAS PARADE AND WINTER FESTIVAL**
- **ANNUAL CHRISTMAS PARTY**
- **CRAFT TRAINING CENTER**

Mr. Philip reported the drainage, water, wastewater, safe rooms, and Unger Park projects were progressing. The Christmas Parade and Winter Festival will proceed as planned. The La Feria Independent School District will allow the Winter Festival to take place at the High School parking lot at a cost of \$200 to be paid by the City. Copies of the school district's letter and City's response regarding the location of the Winter Festival were distributed to the Commission. The Annual Christmas Party is scheduled for Friday, December 18, 2015. Invitations were delivered to the Commission. All other projects are moving forward.

Following discussion, Mayor Gonzalez declared that no official action of the Commission was required.

ACTION FOR ADJOURNMENT

There being no further business to conduct, Commissioner Maldonado made a motion to adjourn the meeting. The motion was seconded by Commissioner Guevara and passed by unanimous vote of the City Commission present.

ADJOURNMENT

Mayor Gonzalez adjourned the meeting at 8:27 PM.

APPROVED:



Victor Gonzalez, Jr., Mayor

ATTEST:



Esmeralda R. Sánchez, City Secretary

These minutes were prepared and filed with the City of La Feria at 11:00 A.M. on December 22, 2015, as official record.



Esmeralda R. Sánchez, City Secretary