

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, February 23, 2016**

Be it known that the City of La Feria City Commission met in Regular Meeting on **Tuesday, February 23, 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 Gonzalez declared a quorum present and called the meeting to order.

Attendee Name	Title	Status	Arrived
John Betancourt	Commissioner Position 1	Present	
John Hernandez	Commissioner Position 2	Present	
Olga H. Maldonado	Commissioner Position 3	Present	
Julian Guevara Jr.	Commissioner Position 4	Present	
Esmeralda Lozano	Mayor Pro-Tem/Commissioner Position 5	Present	
Victor Gonzalez Jr.	Mayor	Present	

STAFF MEMBERS PRESENT

The following Staff members were present at said meeting:

Mr. Sunny K. Philip, City Manager
 Mr. Richard S. Talbert, City Attorney
 Ms. Paula Rodriguez, Planning and Community Development Director
 Ms. Kin Mendoza, Finance Director
 Ms. Esmeralda Sanchez, City Secretary

PUBLIC COMMENTS

Ms. Delores Fuller of 1000 S. Chelo Drive addressed the Commission. Ms. Fuller shared her opinion of the park restrooms with the Commission indicating they were not sufficiently clean and should be locked until they are clean. She is confused about who is supposed to clean the restrooms at the parks because she has seen the public works department out there too. Ms. Fuller made comments about cleaning stainless steel and believes it is not cleaned well. She also discussed the police department stating that the most important person in the police department is the dispatcher and named Liza as the dispatcher who has been employed for over 15 years. She was a police officer and then went to dispatch and received a \$2.00 decrease in pay. Ms. Fuller stated she contacted the Chief about the number of officers stated in the newspaper. She went on to talk about her use of the Public Information Act to collect information monthly about public intoxication arrest records. She further mentioned being overcharged for a previous request for

which she would be receiving a refund. Ms. Fuller indicated she will continue to use the Public Information Act to access information.

PRESENTATION OF CHECK TO THE CITY OF LA FERIA BY THE VETERANS MONUMENT COMMITTEE TO ASSIST IN THE CONSTRUCTION OF A MEMORIAL MONUMENT HONORING ALL VETERANS

The Veterans Memorial Monument Committee was in attendance at the meeting and presented a check to the City of La Feria to assist in the construction of a memorial monument honoring all Veterans. Mr. Ed Canales introduced members of the Committee responsible for raising \$10,555 for this effort. The Committee has been collecting funds through various efforts. Mr. Joe Perez credited the Citizens of La Feria for making the donations. Commissioner Lozano thanked the Veterans present for their service. Mr. Philip discussed the proposed memorial would be constructed of granite rather than the original "rustic" design. The plan is to build the memorial on the west side of FM 506 between Commercial Ave and Business Hwy 83. Commissioner Lozano requested consideration of maintenance costs to address possible "calcification" from water when preparing next year's budget. A handout indicating the sample monument was distributed to the Commission.

RESULT:	NO ACTION REQUIRED
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MOTION TO ACCEPT DONATION FROM VETERANS MEMORIAL MONUMENT COMMITTEE FROM THE VETERANS MEMORIAL MONUMENT COMMITTEE

Following discussion with the Committee and recognition of those members present, a motion was made, seconded, and approved as noted to accept the donation of funds for construction of the Veterans Memorial from the Veterans Memorial Monument Committee. Upon approval of the motion to accept the donation the ceremonial check was presented to Mayor Gonzalez.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
SECONDER:	Olga H. Maldonado, Commissioner Position 3
AYES:	Betancourt, Hernandez, Maldonado, Guevara Jr., Lozano

CONSIDER AND TAKE ACTION TO AUTHORIZE CITY MANAGER TO PROCEED WITH THE CONSTRUCTION OF A VETERANS MEMORIAL MONUMENT WITHIN THE PARK LOCATED AT THE SOUTHWEST CORNER OF MAIN STREET AND BUSINESS HIGHWAY 83 IN THE CITY OF LA FERIA

Following discussion about the design, a motion was made, seconded, and approved as noted authorizing the City Manager to proceed with construction of the Veterans Memorial Monument within the park located at the southwest corner of Main Street and Business Hwy 83 in the City of La Feria.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Julian Guevara Jr., Commissioner Position 4
SECONDER:	Olga H. Maldonado, Commissioner Position 3
AYES:	Betancourt, Hernandez, Maldonado, Guevara Jr., Lozano

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA, TEXAS, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG) - 2015 COMMUNITY DEVELOPMENT (CD) FUND CONTRACT NUMBER 7215279 FOR THE ELEVATED WATER TOWER IMPROVEMENTS PROJECT

Mr. Philip explained the Texas Community Block Development Grant (TxCDBG) program requirement regarding designating authorized signatories for contractual documents and for requesting funds pertaining to TxCDBG Community Development Fund Contract Number 7215279 for the Elevated Water Tower Improvements Project. Resolution 2016-08 was included in the meeting packet describing the requirement and naming the City Manager as the authorized signatory for contractual documents and authorizing the following to sign request for funds documentation: City Manager, City Secretary, Finance Director, and Planning and Community Development.

MOTION TO READ THE CAPTION OF RESOLUTION 2016-08.

A motion was made to read the caption of Resolution 2016-08, seconded, and approved as noted.

Mr. Talbert then read the resolution.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Betancourt, Commissioner Position 1
SECONDER:	John Hernandez, Commissioner Position 2
AYES:	Betancourt, Hernandez, Maldonado, Guevara Jr., Lozano

MOTION TO APPROVE RESOLUTION 2016-08 AUTHORIZING SIGNATORIES FOR TXCDBG CONTRACT 7215279.

A motion was then made to approve Resolution 2016-08, seconded, and approved as noted.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Betancourt, Commissioner Position 1
SECONDER:	John Hernandez, Commissioner Position 2
AYES:	Betancourt, Hernandez, Maldonado, Guevara Jr., Lozano

REVIEW, DISCUSS THE IMMEDIATE NEED FOR THE PURCHASE OF A NEW GARBAGE TRUCK, AND AUTHORIZE THE CITY MANAGER FOR PURCHASE OF A GARBAGE TRUCK AND TO NEGOTIATE TERMS OF FINANCING OF THE PURCHASE

Mr. Philip discussed the need for the new garbage truck indicating that the current truck requires extensive maintenance at a cost of approximately \$28,000. Documentation was provided for review. The proposed purchase is for a heavy duty garbage truck that will be able to pick up more trash per day. Financing will be provided by BBVA Compass. This truck is really needed. The garbage collection program generates revenue. The new truck will be in service, and the old truck will be in reserve. We currently have two trucks with only one working well. The second truck is now out of service with extensive maintenance required. The truck that is down was purchased as a used item. Although only one truck will be in service daily, the reserve truck will be used on holidays. We will primarily rely on the new truck and will implement a maintenance program to keep the truck in good shape. The reserve truck will be used when the new truck is being serviced. Mayor Gonzalez commented that by increasing the capacity of the truck it will reduce the number of trips to the landfill. The purchase will be made through Buyboard. The cost of \$315,000 is a good price and comparable to what other cities are purchasing. The old truck will be declared surplus at a later date and eligible for auction. Authorizing this purchase will allow us to work with BBVA Compass to prepare the documents and lock in loan terms. This purchase is not in the budget, but it is needed to continue reliable operations. The truck should be available within 60 days.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Betancourt, Commissioner Position 1
SECONDER:	Olga H. Maldonado, Commissioner Position 3
AYES:	Betancourt, Hernandez, Maldonado, Guevara Jr., Lozano

CONSIDER AND TAKE ACTION TO APPROVE A RESOLUTION ORDERING A SPECIAL ELECTION IN THE CITY OF LA FERIA, CAMERON COUNTY, TEXAS, ORDERING A SPECIAL ELECTION IN THE CITY OF LA FERIA ON SATURDAY MAY 7, 2016 FOR THE PURPOSE OF ELECTING A COMMISSIONER POSITION 3 TO FILL A VACANCY OF THE COMMISSIONER'S UNEXPIRED TERM WHICH WOULD HAVE EXPIRED IN MAY 2017, DESIGNATING POLLING PLACES, PROVIDING FOR DESIGNATION OF OFFICERS FOR SUCH ELECTION, ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION, AND PROVIDING FOR OTHER MATTERS RELATING TO THE SPECIAL ELECTION

A revised version of Resolution 2016-09 was distributed to the Commission. Mr. Philip explained the need for a special election was due to the filing for Mayor by Commissioner Maldonado, thereby vacating her current seat. He referenced the City Charter and State law. The Special Election will be held concurrent with the General Election without additional cost. We have met with the County who is administering the General Election and they will take on the Special Election too. The period to file for candidacy for Commissioner Position 3 will begin February 24, 2016 and end on March 7, 2016. The drawing for a place on the ballot will be on March 10, 2016 at 6:30 PM. The successful candidate will serve the remainder of Commissioner Maldonado's existing term. Commissioner Lozano inquired about the numbering of the Resolutions and was informed that the Resolutions are numbered by year, followed by the sequential order of each resolution.

MOTION TO READ THE CAPTION OF RESOLUTION 2016-09.

A motion was made to read the caption of Resolution 2016-09, seconded, and approved as noted.

Mr. Talbert read the caption.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
SECONDER:	Julian Guevara Jr., Commissioner Position 4
AYES:	Betancourt, Hernandez, Maldonado, Guevara Jr., Lozano

MOTION TO APPROVE RESOLUTION 2016-09.

A motion was then made to approve Resolution 2016-09 ordering a Special Election for Commissioner Position 3 and matters relating to the Special Election. The motion was seconded and approved as noted.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Julian Guevara Jr., Commissioner Position 4
SECONDER:	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
AYES:	Betancourt, Hernandez, Maldonado, Guevara Jr., Lozano

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

Mayor Gonzalez stated there was no need to meet in Executive Session and declared the item tabled.

RESULT:	NO ACTION REQUIRED
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CONSIDER AND TAKE ACTION DEEMED NECESSARY AS THE RESULT OF EXECUTIVE (CLOSED) SESSION DELIBERATIONS

There being no executive session, Mayor Gonzalez declared the item tabled.

RESULT:	NO ACTION REQUIRED
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FINANCIAL REPORT FOR THE MONTH OF JANUARY

- Sales Tax
- Property Tax
- Franchise Tax
- Performance Indicators

Financial reports for the month of March were presented by Finance Director, Kin Mendoza. Ms.

Mendoza reviewed the monthly and year to date revenues and expenditures, performance measures, sales tax report, and court fine collections. Commissioner Lozano asked how we were progressing in regards to the deficit. Ms. Mendoza indicated we have received grant funds to help the deficit, the month of March reports indicate the operating budget reflects a positive for year-to-date. Commissioner Lozano further inquired about the effect of the garbage truck purchase on the budget and details about the Library performance indicators, as well as how the information is recorded, logged, and when it is updated. She would also like to see new performance indicators such as purchase of new books, new initiatives for community involvement on the report.

Clarification of the library performance measures will be discussed with Lori Vogt and reported to the Commission at a later meeting. Following discussion Mayor Gonzalez declared the financial report to be filed for audit.

RESULT:	NO ACTION REQUIRED
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REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION

- Drainage Improvement Projects
- Water and Wastewater Systems Improvements Project
- Status of Safe Rooms (Domes) Construction Project
- Fire Station Expansion & Substation Construction
- Technology & Success Center
- 2016 Fiesta de La Feria

Mr. Philip thanked those who attended the site visit the previous Saturday. Mr. Philip defined the remaining drainage work using Google Earth to identify the specific sites. The water and wastewater projects are moving forward. Saenz Brothers are working on the East side of town and JM on the west side; approval of the Phase II sewer project is pending approval from Texas Water Development Board. The safe rooms are close to completion. The Pancho Maples site has a parking lot; the Main Street site is pending procurement of the parking lot. This will occur upon completion of the heavy construction on the site. The fire station is moving forward, although a little slower than anticipated. The Technology & Success Center is moving along and must be complete by June, but they are trying to deliver the building one month ahead of time. The Fiesta de La Feria is in the final planning stage. A copy of the Visitor Guide cover was provided to the Commission and has been submitted to the printer.

Commissioner Lozano inquired about payments to the contractors working on the various projects. Mr. Philip explained that we are working with them, however since the projects are reimbursement based, the City must pay first and then wait for the funding agency to issue payment. None of the payments are severely delayed. Some of the delays may be attributed to change orders, agency approval of changes, Railroad permits. We have met with funding agencies in some situations and they have been good at working with us to facilitate working through delayed payments and railroad permits.

Mayor Gonzalez and Commissioner Lozano inquired about Unger Park, specifically the contractor's remaining efforts on the site and the access kids currently have to the construction site that has not been cleaned up for safety concerns. Mr. Philip informed the Commission that a letter had been sent to them regarding specific pending items and Mayor Gonzalez asked that a copy be

sent to the Commission. Landscaping will be completed by the City's Public Works department. The Bottle Shop ribbon cutting will take place at 4:30 PM on Friday, February 26th.

RESULT: NO ACTION REQUIRED

CONSIDER AND TAKE POSSIBLE ACTION ON ATTENDANCE STATUS OF MAYOR AND/OR COMMISSIONERS FOR THE CITY COMMISSION MEETINGS HELD ON FEBRUARY 9, 2016 AND FEBRUARY 23, 2016

A motion was made to excuse Commissioners Betancourt and Lozano for their absence at the February 9, 2016 meeting.

All were present at the February 23, 2016 meeting, thus no action was required.

RESULT: APPROVED [UNANIMOUS]
MOVER: Olga H. Maldonado, Commissioner Position 3
SECONDER: Julian Guevara Jr., Commissioner Position 4
AYES: Betancourt, Hernandez, Maldonado, Guevara Jr., Lozano

ACTION FOR ADJOURNMENT

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

RESULT: APPROVED [UNANIMOUS]
MOVER: Olga H. Maldonado, Commissioner Position 3
SECONDER: Julian Guevara Jr., Commissioner Position 4
AYES: Betancourt, Hernandez, Maldonado, Guevara Jr., Lozano

ADJOURNMENT

Mayor Gonzalez declared the meeting adjourned at 7:33 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 9:00 PM on April 25, 2016, as official record.


 Esmeralda R. Sánchez, City Secretary