

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, January 12, 2016**

Be it known that the City of La Feria City Commission met in Regular Meeting on **Tuesday, January 12, 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 of the City Commission was 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	

PUBLIC COMMENTS

Mayor Gonzales announced the public comment period open. Ms. Bertha Mascorro of 108 Angelita Dr., La Feria, addressed the Commission with concerns about solid waste disposal at certain locations in the community. She expressed concern over the amount of garbage at certain locations and overflowing commercial waste containers, quantity of rodents and flies in the City, further stating the trash situation is a public health and environmental concern. She is seeking information about how the City plans to deal with this matter and believes there is a situation that must be rectified. Delores Fuller of 1000 Chelo Drive, La Feria addressed the Commission regarding the police department. She is concerned over the number of police units that have over 100,000 miles and stated that the City has not added police officers to cover the additional area annexed thus they are not patrolling the neighborhoods. She also expressed concern over the number of public intoxication (PI) charges issued in La Feria and has spoken to a man from Travis County about her concern. Ms. Fuller plans to work with MADD and the man from Travis County to encourage the Legislature to take action.

REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, DECEMBER 22, 2015

The minutes were provided for review. Commissioner Lozano requested the minutes include "which Commissioner states what comments...for historical context and overall understanding." Mayor Gonzales asked for additions or comments to the minutes, and entertained a motion for

approval. Commissioner Guevara made a motion to approve the minutes. Commissioner Lozano requested to amend the motion to include the name of the person making specific comments in the minutes.

Mayor Gonzalez asked for input from City Attorney Rick Talbert regarding the motion on the floor and Commissioner Lozano's request. Discussion ensued regarding amending the current minutes, setting a policy under a separate item to address preparation of the minutes in the future, and the creation of a historical reference identifying Commissioner's comments. Mr. Talbert referenced the difficulty in capturing all the comments and selecting which ones make it into the record. The Commission may set a policy to transcribe the tapes of each meeting under a separate item if it so chooses, amend the minutes under discussion to include specific comments, not approve them, or table the current agenda item.

Mayor Gonzalez indicated the request to include specific comments did not have anything to do with the last meeting and if this is a request for a policy change, it should be addressed under a different forum. Following discussion Mayor Gonzalez entertained a second to the motion. The motion was then seconded by Commissioner Betancourt, followed by the vote as indicated to approve the minutes as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Julian Guevara Jr., Commissioner Position 4
SECONDER:	John Betancourt, Commissioner Position 1
AYES:	Betancourt, Hernandez, Maldonado, Guevara Jr., Lozano

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

Staff provided guidance to assure the Commission was comfortable using the computer tablets and using Accela software to access the agenda packet. The goal is to provide an opportunity to work within the software in anticipation of the Accela training to be provided at the next Commission meeting.

The Commission was asked to follow along on their respective tablets and ask questions as needed throughout the meeting.

With no further questions on the software, the Mayor declared the workshop closed.

RESULT:	NO ACTION REQUIRED
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CONSIDER AND TAKE ACTION TO APPROVE AN ORDINANCE TEMPORARILY CLOSING CERTAIN AND SPECIFIED STREETS DURING THE 2016 FIESTA DE LA FERIA

A copy of the Ordinance was provided for review and discussion. The Ordinance is similar to that passed in previous years for the Fiesta de La Feria. A correction was made to the Ordinance changing "2015" found on the fourth line of the "Now therefore be it resolved" section to 2016.

READING OF THE CAPTION OF ORDINANCE 2016--01

Following discussion, a motion was made and seconded as noted to read the caption. The caption was then read by Mr. Talbert.

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

APPROVAL OF ORDINANCE 2016-01

Following reading of the caption, a motion was made to approve Ordinance 2016-01 with the correction previously noted.

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 THE FINAL PLAT OF THE SALDIVAR & FLORES SUBDIVISION

Documentation was provided regarding the final plat of Saldivar & Flores Subdivision, a five acre residential development on the west side of South Kansas City Road. The plat was prepared with septic tanks and well water with a reverse osmosis water system, meeting all the County and City requirements. The City is in the process of installing sewer lines in that area and will provide a letter to the County indicating residents will be able to connect by the time the house is complete, therefore they may not have to install septic tanks. The Planning and Zoning Commission met on Monday, January 11, 2016 and recommend approval of the subdivision plat to the Commission. Staff identified the location using Google Earth for the Commission to view.

Mayor Gonzalez inquired about the location of the subdivision and the location of the water main. The subdivision is located south of Palm Drive approximately 3-4 blocks south of Mr. Ovidio Saldivar's house and the water main is located south of Mr. Saldivar's house. Mr. Philip discussed the location of the sewer main and informed the Commission that it is currently under construction. Commissioner Betancourt asked about the lighting for the subdivision. The plat is for a one lot subdivision without lighting since it is outside the city limits.

Commissioner Lozano pointed out an error on the plat indicating the sewage facilities description indicates it must be approved by Hidalgo County and inquired about responsibility for ensuring the septic tanks and ponds are installed correctly. The plat was drawn by Fulcrum Engineering, therefore they will need to revise the statement to indicate approval by Cameron County and they will also be responsible for the OSSF inspection. The engineers certify that they have reviewed the County's standard and designed accordingly. Cost of the OSSF will be incurred by the developer or the purchaser. This subdivision is one lot being developed by family.

There being no further discussion or questions for staff, Mayor Gonzalez called for a motion to approve as indicated above, followed by a vote to approve the final plat of the Saldivar & Flores Subdivision.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Hernandez, Commissioner Position 2
SECONDER:	Julian Guevara Jr., Commissioner Position 4
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/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 declared the City Commission in Executive (closed) Session at 7:03 PM. The Commission returned from Executive (closed) Session to resume the open meeting at 7:38 PM

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

Mayor Gonzalez declared no action was required as a result of Executive Session.

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
- Unger Park Project
- Fire Station Expansion & Substation
- Commercial Avenue Parking Lot
- Technology & Success Center
- 2016 Fiesta de La Feria

Mr. Philip reported on the following projects:

Several drainage improvement projects are underway. The Wilson Canal Crossing at Palis Drive has been completed and paving of the open cut road is pending. We are waiting on funding from the GLO to pay the past due invoices submitted by La Feria Irrigation District for work on Unit 4B. A meeting with the State has occurred and release of funds is expected soon, allowing us to

issue payment to the Irrigation District since they are a small entity and do not have the cash flow to continue. The contractor working on the White Ranch road crossing has been asked to speed up their efforts to prevent future delays. We are working with the state to secure a contract extension.

The water and wastewater systems improvements currently include construction by three contractors. Cornett Construction has installed water lines on the west side and is in the flushing and testing phase. We have discussed the option to "hook-up" residents at no charge through this funding source. Construction of the office at the water treatment plant is scheduled to begin in a couple of weeks by J-Con Construction. They are the same contractor that is working on the fire station expansion and sub-station. Saenz Brothers is working on the sewer projects. The City made a decision to extend the main trunk lines so residents do not have to incur such high costs. When they are ready to connect to the sewer system, the lines are in place. Staff is reviewing the expenditures to date and is in the process of identifying additional system improvements related to the current projects that may also be funded through the TWDB funds. The final analysis is about two months away from completion.

Commissioners Guevara, Lozano, and Maldonado discussed concerns over sewer system improvements in Lobitas Subdivision, the timeline to complete improvements, payment for sewer services, and earlier discussions with residents of Lobitas Subdivision. Lobitas Subdivision was annexed into the City. Mr. Philip explained the City's policy decision regarding annexing an area as it is. The City then evaluates what type of sewer system is acceptable, i.e. Rancho Blanco and Lobitas Subdivision. Both of these subdivisions were developed in half-acre lots to meet the City and County requirements for septic systems. This is permitted by all entities and there is not a problem with these sites. When the City decides to extend sewer services, we must consider the lack of unlimited local funds and we don't want to make the 2,000 other customers pay an exorbitant amount of money to extend the services to a few. As part of the initial funding we were able to extend the sewer line to White Ranch Road planting the main trunk line in the area so residents could hook up. There was not enough funding to complete additional work and there was no local money available. We are in the process of evaluating the budget, considering the pending bid for Phase 2 of the sewer system improvements to determine how much money may be left to complete additional work. Some residents have been connected through two different projects in the Lobitas area. Rancho Blanco area may require a lift station to service the residents. We have assured that there is looping for the water system from the subdivision to the system. The availability of funds will become more evident in approximately two months, at which time we will be able to procure the second phase and determine how much money remains from the original allocation. We are also considering the cost of sewer improvements for the area on North Beddoes Road area with a few homes and the Lobitas Subdivision. Although discussion included comments indicating some of the families of Lobitas Subdivision expected improvements within three to five years of annexation. Mr. Philip does not recall such a promise made on behalf of the City. When an area is annexed it comes in as a County Road and if necessary, the City makes those repairs. However, we cannot take on the cost of installing underground drainage and curb and gutter. The City's policy is not to make such improvements due to the high cost. These types of improvements are paid by other taxpayers through tax rates. Commissioner Lozano inquired about providing an update to the residents to meet a ten-year timeframe to provide services to annexed areas. Mr. Philip informed

the Commission that the approved Ordinance to annex an area indicates the City needs to provide comparable services as exist within the city limits. Currently, there are areas within the city limits that are half-acre tracts with approved septic systems that comply with state, county, and city rules. When an area is annexed, it does not mean the other taxpayers pay to extend the sewer services for the new area. If there are several homes in an area they can choose to share the cost. We can also seek grant funds to extend services so the rate payers do not pay for the capital improvements. Residents in such areas only pay for services they receive. In Lobitas Subdivision they do pay water since the developer installed those lines. Commissioner Guevara inquired about those residents paying city taxes and was informed that they do pay taxes but tax money does not subsidize the utility system. Tax money is used to fund the City. The City's tax base is not high enough to complete infrastructure improvements.

Commissioner Lozano requested providing clarification to residents of the current status since they pay taxes and were annexed over ten years ago. Mr. Talbert informed the Commission that the residents do receive City services such as fire protection, police protection and the law generally states the infrastructure must be extended to same extent of comparable properties within the City. Discussion followed regarding annexation laws and what residents can expect from the City. Mr. Philip informed the Commission that we are estimating the cost of providing sewer services within a reasonable time. The City did not hold any meetings with the residents of the Lobitas Subdivision, City staff did not attend any meetings with the residents. If a meeting was held with the residents, it may have been held by the Commissioners. The only communication was through public hearings during the annexation process. We have extended the main line to the area and if funds are available after bidding out the remaining projects we may be able to extend services. This will become evident in another month or two after awarding the remaining sewer project. Commissioner Maldonado stated she remembers more than a handful of people talking about what they were promised and requested we send out something simple indicating what we can provide and what services are available. Mayor Gonzalez commented on providing a summary of what has been provided to residents since the annexation. Trunk lines have been laid in the area and what remains is to hook up the remaining residents. Mr. Philip will look at the estimate for remaining sewer projects and draft a summary in about two months. The motor control project will be procured next and we will be able to provide free hook-ups for the areas in which the water lines were extended. Construction of the office at the water treatment plant will begin within a week or so.

The safe rooms are close to completion. The expected date was at the end of December 2016, however due to delivery delays and working with the surety, construction will be extended. We hosted the TDEM quarterly meeting on January 6 at the Library meeting room and discussed the possibility of requesting additional funds for the cost overrun.

Construction on Unger Park is almost complete. A change order was approved for the six-foot fence around the soccer fields.

Construction of the new parking lot on Commercial Avenue is underway with the paving expected to begin soon.

The Technology and Success Center is also underway. The team from Our Lady of the Lake (OLLU) University was here recently and will be hiring staff for employment and planning for next Fall. The contractor is on schedule to complete construction by June 30, 2016 and will work with OLLU staff to install the technology components they require.

The 2016 Fiesta de La Feria is scheduled for February 27th. The planning committee has meeting regularly and recently scheduled an evening meeting. We are striving to contain the cost including identification of a new printing company that will produce the Visitor Guide at a lower cost and improved quality. Commissioner Lozano requested projected expenditures by line item. Commissioner Maldonado discussed the impact of the new open carry laws on our event. We will work with police department to assure proper signage is placed as allowed by law.

RESULT: NO ACTION REQUIRED

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

Mayor Gonzalez declared no action was needed on this item.

RESULT: NO ACTION REQUIRED

ACTION FOR ADJOURNMENT

A motion to adjourn the meeting was made and voted on as indicated.

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

ADJOURNMENT

Mayor Gonzalez adjourned the meeting at 8:31 PM.

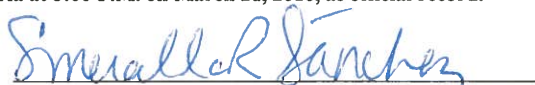
APPROVED:


 Victor Gonzalez, Jr., Mayor

ATTEST:


 Esmeralda R. Sánchez, City Secretary

These minutes were prepared and filed with the City of La Feria at 8:00 P.M. on March 21, 2016, as official record.


 Esmeralda R. Sánchez, City Secretary