

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

Be it known that the City of La Feria City Commission met in Regular Meeting on **Tuesday, July 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 Maldonado declared a quorum 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	Present	6:30 PM

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 Chelo Drive, La Feria, Texas signed up to address the Commission. Ms. Fuller expressed that she was happy with the new Chief of Police and his years of experience. She went on to state that a new park was not needed in La Feria. Ms. Fuller invited the number of people that were present to attend the meetings, get interested in the charter, and in people's contracts. She discussed sitting through the charter meetings during which no one spoke and stated that the committee ate \$900 worth of food. Ms. Fuller commented that people in La Feria do not care what is happening in town because they are not present at the meetings. She further stated that the police chief has a big job because he does not have power but has knowledge. Ms. Fuller commented that the police department has never been directed by the Chief of Police, although the former Chief tried. Ms. Fuller indicated that she has information gathered through public information requests and will be meeting with Senator Lucio to discuss such. Referencing an agenda from 2014, Ms. Fuller commented that the Mayor, a Commissioner

at the time, asked about whether the City had cameras in the park, and the city manager responded that we did have cameras. Ms. Fuller said according to her notes the city manager stated all the parks had cameras. She went on to state that a rape occurred at the nature center and that items were stolen from the sports complex, swimming pool, and Tiny Town Park. Ms. Fuller stated she was glad to see so many people present and hopes they come again.

Mr. Ralph Muse of 151 S. Parker Road, La Feria, Texas addressed the Commission. Mr. Muse stated he has been on the Utility Board for a long time and has been a resident of La Feria since 1975 and had nothing but praise for Sunny Philip. He stated that if it were not for Sunny, La Feria would not have the sewer and water plant that we have today. He said Mr. Philip managed to get all the grants and loans needed, otherwise the City would have had to pay for all that work. The City was able to get \$16 Million of improvements for a little over \$3 Million, thanks to Sunny. Mr. Muse stated he would not like to see anything bad happen to Sunny because this City needs him and people like him.

Mrs. Ruth Dearing of 600 East Expressway 83 (VIP Park) La Feria, Texas addressed the Commission. Mrs. Dearing stated that when she saw the agenda for tonight's meeting she knew she had to attend and speak as a resident of La Feria and further stated that she and her husband John chose to make La Feria their permanent home, as many others at VIP Park have done. Mrs. Dearing stated their choice was largely due to Sunny Philip and the way the City impressed them. She went on to state that the City is clean, there is plenty for everyone and anyone to do, young people have plenty to keep them entertained including parks, the rec center, sports leagues, swimming pool, and there is a curfew so the kids don't graffiti which is seen in many other small towns. Mrs. Dearing commented on their appreciation of the fire and police department, which are outstanding. The town is clean, well maintained, and for the most part the city maintenance staff is out doing a great job. She stated La Feria is somewhere people want to come and stay or to make their permanent home. She went on to state that they are finding that more and more of their park residents are becoming full time Texans, full time La Feria residents, and buying property. Mrs. Dearing stated this is one of the nicest communities they have ever seen and this is because of Sunny Philip and his commitment to making the City as great a small town as any can be. He has great knowledge of how to get grants so the town can move forward and remain a desirable place for people who want to live here. Mrs. Dearing commented that many of their residents volunteer at the Fiesta, help fill candy bags, help police department with toys and cash, help the local churches with food banks and clothing, donate to the schools through box tops for education and have provided judges for the BBQ event. Mrs. Dearing stated that because of Mr. Philip, the City of La Feria has a lot of things going to get the entire area involved, out and about, and enjoying the events, projects, and progress this small town enjoys. Without his vision and the willingness of others such as the City Staff and Commission, this city would be like other small towns that get swallowed up by the large cities and we would not have the wonderful place to live in La Feria.

Brad Shields of 500 N. Kansas City Road, La Feria, Texas was present to address the Commission regarding the agenda item about Mr. Philip. Mr. Shields stated that he is a member of the La Feria Industrial Development Corporation Board, served on the City Charter Committee, and has been involved with other non-profits to express how he has been involved with the City in the past. He stated that he and others City Charter Committee members present

took offense to the comments made earlier about no involvement because there were heated debates at those meetings and further stated that Mrs. Fuller herself thanked them for some of their input. Mr. Shields addressed the Commission as a citizen of La Feria, and shared his experience with the City and running of it. For one thing he stated there is a college in La Feria, Sunny tirelessly finds funding sources that most people do not know about. He shared comments about other cities stating that if they know La Feria is submitting an application, they may not apply because they know their application will be second to La Feria's. He further commented on connections to USDA, which provides funding for rural sources, and addressed the drainage issues plus expanded drainage for the rest of the County, indicating Mr. Philip works well with the County. Mr. Shields complimented this Board, previous boards, and the whole staff for not having legal troubles and issues that other cities and districts have had because in his opinion nothing is worse than seeing your city or school district on the news for the wrong reasons. Mr. Shields stated that in his career as a lawyer, he has represented many cities, schools, and political subdivisions. From what he has seen, La Feria overall runs better than most such entities, and he would like that to continue. Mr. Shields said that looking across the board at all the accomplishments there is no doubt that Sunny does a great job here and lots of people would like to have him here. He also stated that if there are other problems below that, everyone has a duty to work that out and go forward in the best way possible for everybody. Mr. Shields stated Sunny has shown that for a city this size, the things he can accomplish are remarkable at times, and a lot of things in the pipeline are very impressive as well. Mr. Shields stated that with the Board's experience, they may have some politics involved, but we all want to see La Feria do best and we have the people here to do it both on the Board and with the City Manager, it is just a question of working out any issues below the surface to get that done.

Bishop Ronaldo Ortiz of 208 W. Chelo Drive, La Feria, Texas addressed the Commission. He stated it was an honor and a challenge to be present being that one of the topics dominating is the issue of Sunny Philip. Bishop Ortiz stated that he came to La Feria in 1984 as a young pastor and since then has been part of the community and seen how it has developed over the years. He commented that when he first came to La Feria there were two stop lights, the church was on a gravel road with the County on the North side, and city limits on the south side and Mr. Kolterman was the City Manager at the time which is how he came to meet Mr. Philip who was working in the background at the time. Bishop Ortiz stated that when Mr. Kolterman retired, Sunny stepped up to become the City Manager and it was one of the greatest decisions the City of La Feria could have made. As people prior to him have stated, and looking around the City, you can see that most of the advancements in this City have been done with Mr. Philip's leadership, as part of a team with the City Commission and Mayor's that have been on board during his tenure. Bishop Ortiz stated his stance this evening was to reconsider whatever has come up to question Mr. Philip's continuance with the City of La Feria, beseeching the Commission as a citizen, stating that as a Christian his duty was to pray for the Commission and that will never subside. As a citizen he stated it was his right to speak out whenever he sees and believes an injustice or perhaps decisions are being considered that may later hurt us. He asked the Commission as a citizen to please reconsider, taking Mr. Philip into account to work out the differences even though there are arguments or different ways of doing things. He stated that Mr. Philip is a man that has been educated and prepared for all he has done in 30 years in La Feria having been in the best interest to see this city develop and come to what it is now and what can come in the future. Bishop Ortiz asked the Commission to give Mr. Philip a chance to

do a little bit more, let it come out of him to retire and let the city transition smoothly into new leadership and not have something that the Commission made because they wanted someone else and have the transition be one of distrust and hurt. Bishop Ortiz encouraged the Commission as a citizen.

Following Bishop Ortiz's comments, the City Secretary notified Mayor Maldonado of an audience member who requested to address the Commission during public comments, but did not submit a public comment form before the meeting, as is the process. The speakers identified above submitted a public comment form prior to the beginning of the City Commission meeting. Mayor Maldonado stated no additional public comments would be heard beyond those that submitted forms before the meeting.

REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE SPECIAL MEETING OF THE CITY COMMISSION HELD ON THURSDAY, JUNE 16, 2016.

The minutes of the proceedings of the special meeting held Thursday, June 16, 2016 were provided to the Commission. Following review, a motion to approve the minutes was made, seconded, and passed as noted.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Victor Gonzalez Jr., Commissioner
SECONDER:	Julian Guevara Jr., Commissioner
AYES:	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.

REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, JUNE 28, 2016.

The minutes of the proceedings of the regular meeting held Tuesday, June 28, 2016 were provided to the Commission. Following review, a motion to approve the minutes was made, seconded, and passed as noted.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Esmeralda Lozano, Commissioner
SECONDER:	Victor Gonzalez Jr., Commissioner
AYES:	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.

CLOSED EXECUTIVE SESSION: ATTORNEY CONSULTATION PURSUANT TO SECTION 551.071(2), TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE AND COUNSEL REGARDING APPROPRIATE PROCESS AND PROCEDURE FOR CONDUCTING A PERFORMANCE EVALUATION OF THE CITY MANAGER BY THE CITY COMMISSION AND RELATED LEGAL ISSUES.

The Commission moved into Executive (closed) Session at 6:46 PM.

The Commission returned to Open Session at 7:36 PM and Mayor Maldonado declared no action was required as a result of Executive Session.

RESULT: NO ACTION REQUIRED

PERSONNEL MATTER; CLOSED MEETING PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE TO: (1) DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE, THAT IS, CITY MANAGER SUNNY K. PHILIP; AND/OR (2) TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE, THAT IS, CITY MANAGER SUNNY K. PHILIP. [NOTE: THIS ITEM MAY BE HELD IN OPEN SESSION IF SO REQUESTED BY THE CITY MANAGER SUNNY K. PHILIP]

Mayor Maldonado read the agenda item and the Commission went into Closed Session at 7:37 PM.

The Commission returned to Open Session at 11:07 PM and declared no action was required as a result of closed session deliberations.

RESULT: NO ACTION REQUIRED

CONSIDERATION AND APPROPRIATE ACTION, IF ANY, IN CONNECTION WITH THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE, THAT IS, CITY MANAGER SUNNY K. PHILIP, AND RELATED MATTERS, AS PER THE PROVISION OF ARTICLE III, SECTION 3.01 OF THE CITY OF LA FERIA CITY CHARTER.

A motion to terminate employment of City Manager Sunny K. Philip was made, seconded, and approved as noted.

RESULT: APPROVED [UNANIMOUS]
MOVER: Esmeralda Lozano, Commissioner
SECONDER: Julian Guevara Jr., Commissioner
AYES: Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.

MOTION TO DIRECT CITY MANAGER

A motion directing the City Manager to turn over city assets to City Secretary was made, seconded, and approved as noted.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Esmeralda Lozano, Commissioner
SECONDER:	Victor Gonzalez Jr., Commissioner
AYES:	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.

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.

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

This item was considered concurrently with the following items: Consider and take action deemed necessary as the result of executive (closed) session deliberations; Review proposed Northwest Park Improvements with Megamorphosis Architects and consider action to authorize advertisement for bids for construction of the park; Reports by staff and discussion with City Commission; Consider and take possible action on attendance of status of Mayor and/or Commissioners.

RESULT:	TABLED [UNANIMOUS]	Next: 7/26/2016 6:30 PM
MOVER:	Victor Gonzalez Jr., Commissioner	
SECONDER:	Esmeralda Lozano, Commissioner	
AYES:	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.	

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

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

This item was considered concurrently with the following items: 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; Review proposed Northwest Park Improvements with Megamorphosis Architects and consider action to authorize advertisement for bids for construction of the park; Reports by staff and discussion with City Commission; Consider and take possible action on attendance of status of Mayor and/or Commissioners.

RESULT:	TABLED [UNANIMOUS]	Next: 7/26/2016 6:30 PM
MOVER:	Victor Gonzalez Jr., Commissioner	
SECONDER:	Esmeralda Lozano, Commissioner	
AYES:	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.	

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

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

This item was considered concurrently with the following items: 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; Consider and take action deemed necessary as the result of Executive (closed) Session deliberations; Reports by staff and discussion with City Commission; Consider and take possible action on attendance of status of Mayor and/or Commissioners.

RESULT:	TABLED [UNANIMOUS]	Next: 7/26/2016 6:30 PM
MOVER:	Victor Gonzalez Jr., Commissioner	
SECONDER:	Esmeralda Lozano, Commissioner	
AYES:	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.	

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
- July 4th Celebration and BBQ Cook-Off Competition

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

This item was considered concurrently with the following items: 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; Consider and take action deemed necessary as the result of Executive (closed) Session deliberations; Review proposed Northwest Park Improvements with Megamorphosis Architects and consider action to authorize advertisement for bids for construction of the park; Consider and take possible action on attendance of status of Mayor and/or Commissioners.

RESULT:	TABLED [UNANIMOUS]	Next: 7/26/2016 6:30 PM
MOVER:	Victor Gonzalez Jr., Commissioner	
SECONDER:	Esmeralda Lozano, Commissioner	
AYES:	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.	

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

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

This item was considered concurrently with the following items: 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; Consider and take action deemed necessary as the result of Executive (closed) Session deliberations; Review proposed Northwest Park Improvements with Megamorphosis Architects and consider action to authorize advertisement for bids for construction of the park; Reports by staff and discussion with City Commission.

RESULT:	TABLED [UNANIMOUS]	Next: 7/26/2016 6:30 PM
MOVER:	Victor Gonzalez Jr., Commissioner	
SECONDER:	Esmeralda Lozano, Commissioner	
AYES:	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.	

ACTION FOR ADJOURNMENT

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Esmeralda Lozano, Commissioner
SECONDER:	Victor Gonzalez Jr., Commissioner
AYES:	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.

ADJOURNMENT

Mayor Maldonado adjourned the meeting at 11:10 PM.

APPROVED:


 Olga H. Maldonado, Mayor

ATTEST:


 Esmeralda R. Sanchez

Esmeralda R. Sánchez, City Secretary

These minutes were prepared and filed with the City of La Feria at 2:00 PM on August 2, 2016, as official record.


Esmeralda R. Sánchez, City Secretary