

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, May 24, 2016**

Be it known that the City of La Feria City Commission met in Regular Meeting on **Tuesday, May 24, 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 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 Position 4	Present	6:30 PM
Esmeralda Lozano	Mayor Pro-Tem/Commissioner Position 5	Present	6:30 PM
Eric Hoff	Commissioner	Present	6:30 PM
Jesse Zuniga	Commissioner	Present	6:30 PM
Victor Gonzalez Jr.	Commissioner	Absent	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**

Mayor Maldonado declared the public comment session open. No one signed up for public comments. Mayor Maldonado then declared the public comment session closed.

**RECOGNITION OF ATHLETIC ACHIEVEMENT BY LA FERIA ISD STUDENT ATHLETES AT THE 2016 UIL STATE TRACK & FIELD MEET.**

The student athletes to be recognized were not present at this point of the meeting due to a conflicting school event. The students will attend the City Commission meeting following the school event. A motion to consider this item upon arrival of the students later in the meeting was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
<b>SECONDER:</b>	Julian Guevara Jr., Commissioner Position 4
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga
<b>ABSENT:</b>	Gonzalez Jr.

**RECOGNITION OF EMPLOYEE JANIE CAMPOS FOR 15 YEARS OF SERVICE AS A CUSTODIAL TECHNICIAN TO THE CITY OF LA FERIA.**

Ms. Campos was not in attendance at the meeting. The Commission did not take action on the Recognition of Janie Campos for 15 years of service to the City of La FERIA.

<b>RESULT:</b>	<b>NO ACTION REQUIRED</b>
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**MOTION TO MOVE RECOGNITION OF STUDENT ATHLETES UIL TRACK MEET TO LATER IN THE MEETING**

A motion to move Agenda Item 5 recognition of student athletes to later in the meeting was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
<b>SECONDER:</b>	Julian Guevara Jr., Commissioner Position 4
<b>AYES:</b>	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, MARCH 22, 2016.**

A copy of the minutes of proceedings of the regular meeting of the City Commission held on Tuesday, March 22, 2016 was provided to the Commission. Following review, a motion to approve the minutes was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Julian Guevara Jr., Commissioner Position 4
<b>SECONDER:</b>	Eric Hoff, Commissioner
<b>AYES:</b>	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, APRIL 12 2016.**

The minutes of the proceedings of the regular meeting held on April 12, 2016 were considered concurrently with the minutes of the proceedings of the regular meeting held on May 10, 2016 and the special meeting held on May 16, 2016. A motion to table was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>	<b>Next: 6/16/2016 6:30 PM</b>
<b>MOVER:</b>	Julian Guevara Jr., Commissioner Position 4	
<b>SECONDER:</b>	Eric Hoff, Commissioner	
<b>AYES:</b>	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, MAY 10, 2016.**

The minutes of the proceedings of the regular meeting held on May 10, 2016 were considered concurrently with the minutes of the proceedings of the regular meeting held on April 12, 2016 and the special meeting held on May 16, 2016. A motion to table was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>	<b>Next: 6/16/2016 6:30 PM</b>
<b>MOVER:</b>	Julian Guevara Jr., Commissioner Position 4	
<b>SECONDER:</b>	Eric Hoff, Commissioner	
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.	

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

The minutes of the proceedings of the special meeting held on May 16, 2016 were considered concurrently with the minutes of the proceedings of the regular meeting held on April 12, 2016 and the regular meeting held on May 10, 2016. A motion to table was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>	<b>Next: 6/16/2016 6:30 PM</b>
<b>MOVER:</b>	Julian Guevara Jr., Commissioner Position 4	
<b>SECONDER:</b>	Eric Hoff, Commissioner	
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.	

**CONSIDER AND TAKE ACTION TO APPROVE A RESOLUTION ELECTING A MAYOR PRO-TEMPORE OF THE CITY OF LA FERIA FOR 2016/2017.**

The Commission needs to elect a Mayor Pro-Tem for 2016/2017 in accordance with the City of La Feria Charter Section 2.09. Commissioner Guevara nominated Commissioner Esmeralda Lozano to serve as Mayor Pro-Tem. No further nominations were made. The Commission then took action on Resolution 2016-12.

**MOTION TO READ THE CAPTION OF RESOLUTION 2016-12**

A motion to read the caption of Resolution 2016-12 Electing a Mayor Pro-Tempore of the City of La Feria was made, seconded, and approved as noted.

Mr. Talbert then read the caption of Resolution 2016-12.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Julian Guevara Jr., Commissioner Position 4
<b>SECONDER:</b>	Eric Hoff, Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.

### **MOTION TO APPROVE RESOLUTION 2016-12**

A motion to approve Resolution 2016-12 was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Julian Guevara Jr., Commissioner Position 4
<b>SECONDER:</b>	Eric Hoff, Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.

### **WORKSHOP - CITY OF LA FERIA HOME RULE CHARTER AND CODE OF ORDINANCES**

Mr. Philip presented a workshop regarding the City of La Feria Home Rule Charter and Code of Ordinances. A copy of the bound document was demonstrated. The City passes ordinances that become the rules of the City, including rates for various services. Any ordinance of a permanent nature is included in the Code of Ordinances. This is republished every few years and is hosted online by Franklin Legal Publications. The information is searchable and accessible directly on the Franklin Legal site or on the City of La Feria website. The links were provided in the meeting packet. Within the Code is the Home Rule Charter (C-1) approved by the voters. The Charter states the guidelines adopted by the people in a city with a population greater than 5,000. Home Rule cities have the option to adopt rules stricter than the state rules. With some state regulations changing frequently, the City does not write new ordinances, but rather references state regulations to assure the most current regulations are observed.

The Code of Ordinances was last updated in 2014. Commissioner Hoff stated that a former employee created heavy handed ordinances such as the signage requirements. He shared his experience installing a sign at his place of business stating that the sign installer stated the City of La Feria was most strict on the sign requirements in three counties. Mr. Philip then referenced the building codes which defines the requirement. The City uses the 2006 Southern Building Code except for the safe rooms which required the 2008 Southern Building Code. The code in use is approved by the City Commission. The Commission approves the ordinances at scheduled City Commission meetings. If there is an ordinance which needs to be revised, staff can do the research and provide information to the Commission for consideration upon request.

There being no further questions, Mayor Maldonado declared no action was required as a result of the workshop.

<b>RESULT:</b>	<b>NO ACTION REQUIRED</b>
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### **WORKSHOP - ROLE OF PLANNING AND ZONING COMMISSION AND SUBDIVISION PLAT PROCESS**



Mr. Philip presented a workshop regarding the role of the Planning & Zoning Commission (P&Z) since there is a later item dealing with approval of plats. The goal is to introduce the elements that the City considers in addressing subdivision plats. Within the Code of Ordinances there is a section for planning which includes a combination of ordinances including the role of a P&Z Commission. The City of La Feria has had a separate P&Z Commission for a long time. The responsibility of the P&Z Commission is based on the ordinance. When a subdivision plat is presented for review by the City, staff presents it to the P&Z Commission using a two-step process. Some plats are ready for approval if all the items are included, allowing the option to move to final approval. Others require the two-step review including preliminary and final review. The P&Z reviews the plats and makes a recommendation to the City Commission to be considered at a future meeting. If the P&Z denies the plat there are provisions regarding the number of votes to allow action by the City Commission. The P&Z Commission is a diverse group. They are also involved with a thorough review of the Comprehensive Plan together with the City Commission. The P&Z Commission primarily works with the zoning ordinances within the Code of Ordinances and when reviewing the subdivision itself they also look at the subdivision ordinances. The difference between the two is that zoning ordinances deal with the type of designation per zone including R-1 single family, R-2 single family, R-3 single family, multi family, commercial categories, industrial, etc. If the P&Z is considering an item that is not compatible with the zoning, they cannot act unless the City Commission changes the zoning ordinance amending the zoning for the area. In some instances a request will come in to the P&Z Commission, then it will go to the City Commission to change zoning prior to consideration of the subdivision plat. The City also follows the same guidelines that the citizens are asked to follow.

There being no further questions, Mayor Maldonado declared no action was required as a result of the workshop.

<b>RESULT:</b> <b>NO ACTION REQUIRED</b>
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**REVIEW AND CONSIDER APPROVAL OF FINAL PLAT OF THE LUNA SUBDIVISION.**

Mr. Philip reviewed the one lot subdivision with the Commission. The Planning & Zoning Commission met on May 16, 2016 to review final plat of the Luna Subdivision and recommend approval of the final plat of the Luna Subdivision. A copy of the final plat and supporting documentation was provided to the Commission. Mr. Philip stated that the subdivision plat meets the minimum requirements of the City of La Feria Subdivision Ordinance.

Following discussion, a motion to approve the final plat of the Luna Subdivision was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
<b>SECONDER:</b>	Julian Guevara Jr., Commissioner Position 4
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.

**WORKSHOP - PURCHASING AND PROCUREMENT RULES USED BY THE CITY OF LA FERIA**

Mr. Philip approved the Purchasing and Procurement rules used by the City. The information was presented in advance of the next agenda item dealing with review of the bid tabulation and award of contract for parking/drainage improvements. A copy of the Purchasing and Procurement rules were provided to the Commission. The City uses the competitive sealed bid process for construction projects. We collect the bids in the front prior to the deadline, bring them to the Commission Room for a public bid opening, and open one at a time announcing the amount of each bid together with the project engineer. During the bid opening we assure that any addenda issued are acknowledged and that the bid bond is included in the packet. The engineer then prepares a bid tabulation and letter of recommendation which is presented at a scheduled meeting of the Commission for review and consideration.

RFQ's are a different process. The request for qualifications are issued, responses are received and scored based on criteria specific to the type of qualifications solicited.

A copy of TML Procurement Laws Made Easy was provided to the Commission as well as a Legal Q&A by Scott Houston, TML General Counsel.

Following discussion, Mayor Maldonado declared no action was required as a result of this workshop.

<b>RESULT:</b>	<b>NO ACTION REQUIRED</b>
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**REVIEW BID TABULATION AND AWARD CONTRACT FOR PAVING AND DRAINAGE IMPROVEMENTS FOR THE TECHNOLOGY & SUCCESS CENTER AND COMMUNITY SAFE ROOM.**

Mr. Philip reviewed plans and specifications and bid tabulation for the paving/drainage improvements to accommodate parking in front of the Technology & Success Center and Safe Room on South Main Street. Diamond 8 Industries is the lowest, responsive, responsible qualified bidder in the amount of \$250,282.54.

A motion to award the contract for paving/drainage improvements for Main Street Safe Room and Technology & Success Center to Diamond 8 Industries in the amount of \$250,282.54 was made, seconded, and approved as noted.

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
<b>SECONDER:</b>	Eric Hoff, Commissioner
<b>AYES:</b>	Lozano, Hoff, Zuniga, Gonzalez Jr.
<b>ABSTAIN:</b>	Guevara Jr.

**CONSIDER AND TAKE ACTION TO APPROVE A RESOLUTION DESIGNATING CITY PERSONNEL TO ESTABLISH WATER AND WASTEWATER SERVICE WITH THE MILITARY HIGHWAY WATER SUPPLY CORPORATION FOR THE BLUETOWN FIRE SUBSTATION.**

A resolution authorizing city personnel to establish service with MHWSC for the fire substation is required. Following discussion action was taken as follows.

**MOTION TO READ CAPTION OF RESOLUTION 2016-13.**

A motion to read the caption of Resolution 2016-13 designating city personnel to establish water and wastewater service with Military Highway Water Supply Corporation for the Bluetown Fire Station was made, seconded, and approved as noted.

Mr. Talbert read the caption of the resolution.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
<b>SECONDER:</b>	Julian Guevara Jr., Commissioner Position 4
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.

**MOTION TO APPROVE RESOLUTION 2016-13.**

A motion was then made to approve Resolution 2016-13.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
<b>SECONDER:</b>	Eric Hoff, Commissioner
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga, Gonzalez Jr.

**RETURN TO RECOGNITION OF STUDENT ATHLETES UIL STATE TRACK MEET**

Upon arrival of the La Feria High School student athletes, the Commission returned to the earlier agenda item to recognize the student athletes who placed at the UIL Track & Field State meet. The Coaches were invited to speak about the achievements of their athletes followed by recognition of each athlete by the Commission and presentation of individual certificates.

The following students were present to receive certificates from the Commission recognized for their respective achievement:

Joseph Lunn, 300 Meter Hurdles State Champion and 6th Place Mile Relay  
Tina Sierra, 4th Place 3200 Meter Run

Reyes Rodriguez, 800 Meter Run, 5th Place  
 Brandon Perez, 6th Place Mile Relay  
 Isaiah Martinez, 8th Place Triple Jump

Carlos Rodriguez, 800 Meter Run and 6th Place Mile Relay  
 Darius Hernandez, 6th Place Mile Relay

**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 CONSULT WITH ATTORNEY REGARDING PENDING OR THREATENED LITIGATION.**

There being no business to discuss in Executive (closed) Session, a motion to table this item was made, seconded, and approved as noted. This item was considered concurrently with the next item, Result of Executive Session.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>MOVER:</b>	Julian Guevara Jr., Commissioner Position 4
<b>SECONDER:</b>	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga
<b>ABSENT:</b>	Gonzalez Jr.

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

There being no Executive Session, no action was required as a result. A motion to table this item was made, seconded, and approved as noted. This item was considered concurrently with the previous item, Executive Session.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>MOVER:</b>	Julian Guevara Jr., Commissioner Position 4
<b>SECONDER:</b>	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
<b>AYES:</b>	Guevara Jr., Lozano, Hoff, Zuniga
<b>ABSENT:</b>	Gonzalez Jr.

**FINANCIAL REPORT FOR THE MONTH OF APRIL**

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



Finance Director Kin Mendoza reviewed the financial reports for the month of April with the Commission. Ms. Mendoza reviewed total revenue, total expenditures for the month and year to date. Following discussion, Mayor Maldonado declared the report to be filed for audit.

**RESULT: NO ACTION REQUIRED**

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

- Drainage Improvement Projects
- Water/Wastewater Improvement Projects
- Tour of the City to highlight Capital Improvement Projects
- Summer Recreation & Youth Programs
- Aquatic Center Programs
- Police Patrol Units
- Veteran's Memorial Monument and Ground Breaking Ceremony May 30
- Training Opportunities
- Recent developments of public interest
- July 4<sup>th</sup> Celebration and BBQ Cook-Off Competition

Mr. Philip provided an update on the items listed on the agenda and answered questions from the Commission. No official action by the Commission was necessary as the result of the discussion.

**RESULT: NO ACTION REQUIRED**

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

Commissioner Victor Gonzalez, Jr. was absent from the meeting. A motion to excuse the absence of Commissioner Gonzalez was made, seconded, and approved as noted.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5  
**SECONDER:** Jesse Zuniga, Commissioner  
**AYES:** Guevara Jr., Lozano, Hoff, Zuniga  
**ABSENT:** Gonzalez Jr.

**ACTION FOR ADJOURNMENT**

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

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Julian Guevara Jr., Commissioner Position 4  
**SECONDER:** Jesse Zuniga, Commissioner  
**AYES:** Guevara Jr., Lozano, Hoff, Zuniga  
**ABSENT:** Gonzalez Jr.

**ADJOURNMENT**

Mayor Maldonado adjourned the meeting at 8:24 PM.

**CITY COMMISSION ADJOURNMENT**

**APPROVED:**

Victor Gonzalez, Jr., Mayor

**ATTEST:**

Esmeralda R. Sánchez  
Esmeralda R. Sánchez, City Secretary

These minutes were prepared and filed with the City of La Feria at 5:30 PM on June 16, 2016, as official record.

Esmeralda R. Sánchez  
Esmeralda R. Sánchez, City Secretary