

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, October 13, 2015**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, October 13, 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 Betancourt	City Commissioner
Mr. John Hernandez	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
Ms. Olga H. Maldonado	City Commissioner

The following staff members were present:

Mr. Sunny K. Philip	City Manager
Mr. Richard S. Talbert	City Attorney
Ms. Maria S. Chavero	Finance Director
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.

At 6:31 P.M., Mayor Victor Gonzalez, Jr. asked Commissioner John Betancourt to give the invocation. 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. Mr. Louie Frost signed up to address the Commission regarding the Bailey H. Dunlap Memorial Library. Mr. Frost resides at 27639 Mile 3 Road East. Mr. Frost's concerns included getting unrestricted access to the second floor of the Library, noise in the entryway, preference to remove the items in the children's area at the entrance, and hot temperature in the old part of the Library. Mr. Frost stated he is a Citizen of La Feria and should be able to use the upper level of the Library whenever he wants to use it contrary to the message received after

meeting with Mr. Philip on 10/13/2015. Mayor Gonzalez informed Mr. Frost that his concerns would be looked into.

REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE SPECIAL MEETING OF THE CITY COMMISSION HELD ON TUESDAY, SEPTEMBER 29, 2015

Commissioner Guevara made a motion to table action on the minutes of proceedings of the special meeting held on Tuesday, September 29, 2015. The motion was seconded by Commissioner Betancourt and passed by unanimous vote of the City Commission present.

PUBLIC HEARING REGARDING PLATTING OF JAMAICA ESTATES SUBDIVISION, A THREE LOT SUBDIVISION OUT OF A 5 ACRE TRACT OF LAND OUT OF THE NORTH 10 ACRES OF BLOCK 60, HOOKS AND HODGES SUBDIVISION NO. 1, LA FERIA, CAMERON COUNTY, TEXAS.

Mayor Gonzalez opened the public hearing at 6:37 PM. City Manager, Sunny K. Philip informed the Commission of the location and informed that the three lots are accessible from Kansas City Road. The Planning & Zoning Commission met and recommends approval of the single family subdivision. The area is zoned R-1 and no change in zoning is required. Commissioner Betancourt inquired about lighting. Lights will be the City's responsibility in this case. There being no further discussion Mayor Gonzalez closed the public hearing at 6:40 PM

CONSIDER AND APPROVE OR DENY THE FINAL PLAT OF JAMAICA ESTATES SUBDIVISION, A THREE LOT SUBDIVISION OUT OF A 5 ACRE TRACT OF LAND OUT OF THE NORTH 10 ACRES OF BLOCK 60, HOOKS AND HODGES SUBDIVISION NO. 1, LA FERIA, CAMERON COUNTY, TEXAS.

This property is currently being subdivided, no permits have been issued to build at this time. If the owners choose to build, they must meet R-1 zoning requirements. The Planning & Zoning Commission recommend approval of the final plat.

A motion was made by Commissioner Betancourt to approve the final plat of Jamaica Estates Subdivision, a three lot subdivision out of a five acre tract of land of the north 10 acres of Block 60, Hooks and Hodges Subdivision No. 1, La Feria, Cameron County, Texas. The motion was seconded by Commissioner Hernandez and passed by unanimous vote of the City Commission present.

DISCUSSION REGARDING BIDS RECEIVED ON LOT 3, BLOCK 2 LOBITAS ESTATES AND LOT 21, BLOCK 10 ORIGINAL TOWNSITE OF LA FERIA STRUCK OFF TO CAMERON COUNTY, FOR ITSELF AND OTHER TAXING JURISDICTIONS FROM A TAX RESALE CONDUCTED ON JULY 7, 2015.

Mr. Philip called attention to the information provided in the meeting packet for both tax resale properties. . The Lobitas Estates property received a bid sufficient to recover all of the property taxes to the city and other entities. The Original Townsite property bid is not sufficient to recover all of the property taxes and City of La Feria mowing liens. Staff recommends approval of the bid for the Lobitas Estates property and to decline the bid for the Original Townsite property. The South Texas Collaborative for Housing Development

located in La Feria is interested in purchasing the Original Townsite property and has a record of past purchased to offer a price which covers the amount of taxes owed and the additional cost of items such as mowing liens owed to the City. No official action is required as a result of this discussion. Mayor Gonzalez announce action will be taken in subsequent agenda items.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION ACCEPTING THE BIDS RECEIVED ON THE TAX RESALE CONDUCTED ON JULY 7, 2015 FOR LOT 3, BLOCK 2 LOBITAS ESTATES.

Following discussion as part of the previous agenda item, Staff recommends acceptance of the tax resale bid received for Lot 3, Block 2, Lobitas Estates Subdivision. A motion was made by Commissioner Hernandez to read the caption of Resolution 2015-25 to accept the bid received on the tax resale conducted on July 7, 2015 for Lot 3, Block 2, Lobitas Estates. The motion was seconded by Commissioner Betancourt and passed by unanimous vote of the City Commission present. Mr. Talbert read the caption of Resolution 2015-25.

A motion was then made by Commissioner Hernandez to approve Resolution 2015-25 as read. The motion was seconded by Commissioner Guevara and passed by unanimous vote of the City Commission present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION ACCEPTING THE BIDS RECEIVED ON THE TAX RESALE CONDUCTED ON JULY 7, 2015 FOR LOT 21, BLOCK 10 ORIGINAL TOWNSITE OF LA FERIA.

No action was taken to approve Resolution 2015-26 accepting bid received on the tax resale for Lot 21, Block 10, Original Townsite of La Feria.

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 meeting in Executive Session at 6:47 PM. The meeting was declared back in Regular Session at 7:56 PM

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

No action was necessary as a result of Executive Session.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA DESIGNATING DEPOSITORY SIGNATORIES FOR BBVA COMPASS BANK. (AGENDA ITEM 13)

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION DOCUMENTING THE ANNUAL REVIEW AND APPROVING ANY MODIFICATION NECESSARY OF THE CITY OF LA FERIA INVESTMENT POLICY. (AGENDA ITEM 14)

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION ADOPTING THE EXCESSIVE FORCE POLICY FOR THE 2014 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, TEXAS CAPITAL FUND CONTRACT NO. 7215032. (AGENDA ITEM 17)

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION ADOPTING A SECTION 3 PROGRAM FOR THE 2014 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, TEXAS CAPITAL FUND CONTRACT NO. 7215032. (AGENDA ITEM 18)

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION ADOPTING CIVIL RIGHTS POLICIES AND PROCEDURES FOR THE 2014 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, TEXAS CAPITAL FUND CONTRACT NO. 7215032. (AGENDA ITEM 19)

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION ADOPTING THE EXCESSIVE FORCE POLICY FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, PLANNING AND CAPACITY BUILDING FUND CONTRACT NO. 7214114. (AGENDA ITEM 20)

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION ADOPTING A SECTION 3 PROGRAM FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, PLANNING AND CAPACITY BUILDING FUND CONTRACT NO. 7214114. (AGENDA ITEM 21)

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION ADOPTING CIVIL RIGHTS POLICIES AND PROCEDURES FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, PLANNING AND CAPACITY BUILDING FUND CONTRACT NO. 7214114. (AGENDA ITEM 22)

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION ADOPTING THE EXCESSIVE FORCE POLICY FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, COMMUNITY DEVELOPMENT FUND CONTRACT NO. 7215279. (AGENDA ITEM 23)

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION ADOPTING A SECTION 3 PROGRAM FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, COMMUNITY DEVELOPMENT FUND CONTRACT NO. 7215279. (AGENDA ITEM 24)

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION ADOPTING CIVIL RIGHTS POLICIES AND PROCEDURES FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, COMMUNITY DEVELOPMENT FUND CONTRACT NO. 7215279. (AGENDA ITEM 25)

Mayor Gonzalez entertained a motion to approve resolutions identified in agenda items 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, and 25 in one action. A motion was made by Commissioner Guevara to read the captions of Resolutions 2015-27, designating depository signatories for BBVA Compass Bank; Resolution 2015-28, approving the Investment Policy of the City of La Feria; Resolution 2015-29, establishing rules and regulations regarding excessive force during non-violent civil rights demonstrations for TxCDBG Contract #7215032; Resolution 2015-30, authorizing the Mayor or designee to implement a Section 3 Program for TxCDBG Contract #7215032; Resolution 2015-31, adopting policies and procedures regarding civil rights in compliance with Texas Community Development Block Grant Program requirements for TxCDBG Contract #7215032; Resolution 2015-32, establishing rules and regulations regarding excessive force during non-violent civil rights demonstrations for TxCDBG Contract #7214114; Resolution 2015-33, authorizing the Mayor or designee to implement a Section 3 Program for TxCDBG Contract #7214114; Resolution 2015-34, adopting policies and procedures regarding civil rights in compliance with Texas Community Development block Grant Program requirements for TxCDBG Contract #7214114; Resolution 2015-35, establishing rules and regulations regarding excessive force during non-violent civil rights demonstrations for TxCDBG Contract #7215279; Resolution 2015-36, authorizing the Mayor or designee to implement a Section 3 Program for TxCDBG Contract #7215279; and Resolution 2015-37, adopting policies and procedures regarding civil rights in compliance with Texas Community Development block Grant Program requirements for TxCDBG Contract #7215279. The motion was seconded by Commissioner Betancourt and passed by unanimous vote of the City Commission present. Mr. Talbert read the captions of said resolutions.

A motion was then made by Commissioner Hernandez to approve Resolutions 2015-27, 2015-28, 2015-29, 2015-30, 2015-31, 2015-32, 2015-33, 2015-34, 2015-35, 2015-36, and 2015-37 as read, The motion was seconded by Commissioner Guevara and passed by unanimous vote of the City Commission present.

CONSIDER AND TAKE ACTION TO CANCEL THE CONTRACT AWARDED TO MUNICIPAL PUMP & CONTROL INC. FOR SCADA ADDITIONS TO SOUTH PARKER & SOUTH CANAL LIFT STATIONS AND REPAIR OF SCADA EQUIPMENT AT LILAC LIFT STATION IN THE AMOUNT OF \$116,714 ON FEBRUARY 24, 2015.

A contract was awarded to Municipal Pump & Control Inc. for SCADA additions to three lift stations and repairs at a fourth lift station. This contract has not been executed due to pending documentation required by the Texas Water Development Board. Following discussion and an explanation of the most cost efficient manner in which to proceed with SCADA improvements for the City, Staff recommends cancellation of the contract awarded for \$116,714 to Municipal Pump & Control, Inc. Funding is available through the existing Texas Water Development Board funds for SCADA improvements to the water

and wastewater system. The Utilities Board met earlier and recommends cancellation of the contract to the City Commission.

A motion was made by Commissioner Betancourt to approve cancellation of said contract. The motion was seconded by Commissioner Guevara and passed by unanimous vote of the City Commission present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A CONTRACT BETWEEN THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1 AND THE CITY OF LA FERIA TO FURNISH FIREFIGHTING SERVICES TO THE UNINCORPORATED AREA OF CAMERON COUNTY DESIGNATED AS ZONE NUMBER 8 ON THE OFFICIAL FIRE PROTECTION SERVICE ZONE MAP AND AUTHORIZE THE MAYOR TO EXECUTE SAID CONTRACT.

Cameron County Emergency Services District No. 1 presented the annual contract to City of La Feria for reimbursement of fire service provided to the area designated as Zone 8 in the amount of \$154,287.07. The contract and supporting documentation were presented in the meeting packet for review. The contract is similar to the contract of previous years.

Commissioner Betancourt made a motion to approve the contract for fire fighting services between the City of La Feria and Cameron County Emergency Services District No. 1 and authorize the Mayor to execute said contract. The motion was seconded by Commissioner Hernandez and passed by unanimous vote of the City Commission present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA TEMPORARILY CLOSING CERTAIN AND SPECIFIED STREETS 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 ANNUAL "LIGHTING OF THE TREE" CELEBRATION TO BE HELD ON THURSDAY, NOVEMBER 12, 2015.

The Commission reviewed the Ordinance for the closing of streets in preparation for the Annual Lighting of the Tree Celebration, similar to the event held in previous years. Following discussion and explanation, Commissioner Hernandez made a motion to read the Caption of Ordinance 2015-15 temporarily closing certain and specified streets and modifying traffic patterns to ensure the safety and general welfare of the public during the annual "Lighting of the Tree" celebration to be held on Thursday, November 12, 2015. The motion was seconded by Commissioner Betancourt. Mr. Talbert read the caption of Resolution 2015-15.

A motion was then made by Commissioner Hernandez to approve Resolution 2015-15 as read. The motion was seconded by Commissioner Betancourt and passed by unanimous vote of the City Commission present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA DESIGNATING DECEMBER 12, 2015 AS THE DATE FOR THE 17TH ANNUAL CHRISTMAS PARADE IN LA FERIA AND

AUTHORIZING THE TEMPORARY CLOSING OF CERTAIN AND SPECIFIED STREETS 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 17TH ANNUAL CHRISTMAS PARADE ON SAID DATE OR IN THE EVENT OF INCLEMENT WEATHER ANY OTHER ALTERNATE DATE APPROVED BY THE CITY MANAGER.

The City Commission reviewed the Ordinance for the closure of certain streets in preparation of the annual Christmas Parade. The annual Christmas Parade starts in front of the Bailey H. Dunlap Memorial Library and ends at the La FERIA High School parking lot. In the event that the La FERIA Independent School District does not allow the use of the parking lot, an alternate location has been identified at Industrial Way, which will not require a change to the Ordinance. Following discussion, Commissioner Betancourt made a motion to read the Caption of Ordinance 2015-16 designating the date for the 17th Annual Christmas Parade in La FERIA as December 12, 2015 and authorizing the temporary closing of certain and specified streets and modifying traffic patterns. The motion was seconded by Commissioner Guevara. Mr. Talbert read the caption of Resolution 2015-16.

A motion was then made by Commissioner Guevara to approve Resolution 2015-16 as read. The motion was seconded by Commissioner Betancourt 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**
- **UPDATE ON HALLOWEEN IN THE PARK EVENT**

Mr. Philip reported that the drainage projects are under construction and contracts are moving towards completion.. The water and wastewater projects are also progressing well under construction. The SCADA project status was discussed earlier in the meeting. Construction of the safe rooms has been taken over by the surety company and the new contractor has been making significant progress. The Unger Park project is moving along, and several of the ready made items ordered have recently been delivered and installation of those items has started. Halloween in the Park is scheduled for Saturday, October 24, 2015 and preparations are underway.

No official action of the Commission is required.

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

Commissioner Esmeralda Lozano and Commissioner Olga Maldonado were absent from this meeting due to illness. A motion was made by Commissioner Guevara to excuse the absence of Commissioners Lozano and Maldonado. The motion was seconded by

Commissioner Hernandez and approved by unanimous vote of the City Commission present.

ACTION FOR ADJOURNMENT

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

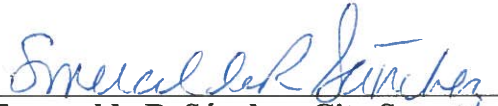
ADJOURNMENT

Mayor Gonzalez adjourned the meeting at 8:13 P.M.

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 A.M. on October 26, 2015, as official record.


Esmeralda R. Sánchez, City Secretary