

**MINUTES OF PROCEEDINGS
CITY COMMISSION REGULAR MEETING
Tuesday, April 11, 2017**

Be it known that the City of La Feria City Commission met in Regular Session on **Tuesday, April 11, 2017, 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.

DETERMINE QUORUM PRESENT AND CALL MEETING TO ORDER – MAYOR

Mayor Olga H. Maldonado declared a quorum present and called the meeting to order.

Attendee Name	Title	Status
Olga H. Maldonado	Mayor	Present
Jesse Zuniga	Commissioner	Present
Eric Hoff	Commissioner	Present
Julian Guevara, Jr.	Commissioner	Present
Esmeralda Lozano	Mayor Pro-Tem/Commissioner	Present
Donato Garcia	Commissioner	Present

The following staff members were present at said meeting:

Mr. Jaime S. Sandoval, City Manager
 Ms. Rebecca Hayward, City Attorney
 Mr. Ricardo Navarro, City Attorney
 Ms. Amanda Morales, City Secretary
 Ms. Paula Rodriguez, Planning Director
 Mr. Frank Rios, Finance Director

4. PUBLIC COMMENTS

Gloria Casas spoke about campaign signs being placed all over the city and asked that the candidates hold a meet and greet event for citizens to ask them questions.

5. CONSENT AGENDA:

A. APPROVAL OF MINUTES FOR CITY COMMISSION MEETING HELD MARCH 28, 2017.

Mayor Pro-Tem Lozano made a motion to approve the minutes for the meeting held March 28, 2017. Commissioner Garcia seconded the motion and it passed unanimously.

6. CONSIDERATION AND APPROPRIATE ACTION, IF ANY, TO APPROVE AGREEMENT WITH PERDUE, BRANDON, FIELDER, COLLINS & MOTT, LLP FOR COLLECTION OF DELINQUENT COURT FINES AND FEES.

Mayor Pro-Tem Lozano made a motion to approve the agreement with Perdue, Brandon, Fielder, Collins & Mott, LLP for collection of delinquent court fines and fees. The motion was seconded by Commissioner Garcia and passed unanimously.

7. CONSIDERATION AND APPROPRIATE ACTION, IF ANY, TO APPROVE AGREEMENT WITH CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1 FOR FIRE SERVICES.

Mayor Pro-Tem Lozano made a motion to table this item. The motion was seconded by Commissioner Guevara and passed unanimously.

8. CONSIDERATION AND APPROPRIATE ACTION, IF ANY, ON ORDINANCE 2017-06 APPROVING A MUNICIPAL SETTING DESIGNATION FOR THE CITY OF LA FERIA.

Kenneth Tramm of Modern Geosciences spoke to the Commission regarding the history of the property where CVS is currently located. Mr. Tramm explained that because the property had previously been used to store and process various types of crops, there were contaminants in the ground and ground water at that location. A Municipal Setting Designation would prevent the use of wells in and around the contaminated area. Commissioner Hoff made a motion to approve Ordinance 217-06 approving a municipal setting Designation for the City of La Feria. The motion was seconded by Mayor Pro-Tem Lozano and passed unanimously.

9. PUBLIC HEARING TO RECEIVE INPUT ON THE REQUEST, PURSUANT TO LA FERIA CODE OF ORDINANCES, SECTION 4.04.005 (C) BY LETICIA F. CASTRO DBA EL TORITO SPORTS BAR FOR A SPECIFIC USE PERMIT TO ALLOW THE LATE HOURS SALE OF ALCOHOLIC BEVERAGES (UNTIL 2:00 A.M.) SEVEN DAYS A WEEK AT 312 W. FIRST STREET, LA FERIA, TX.

Mayor Maldonado opened the public hearing at 6:53 p.m. Planning Director Paula Rodriguez explained that the property is located near the post office and residents within 400 feet were notified by mail. There were no comments from the public and Mayor Maldonado closed the public hearing at 6:55 p.m.

10. CONSIDER AND TAKE ACTION TO APPROVE OR DENY THE REQUEST FOR A SPECIFIC USE PERMIT FOR LETICIA F. CASTRO, DBA EL TORITO SPORTS BAR LOCATED AT 312 W. FIRST STREET, LA FERIA, TX TO ALLOW THE LATE HOURS SALE OF ALCOHOLIC BEVERAGES UNTIL 2:00 A.M. SEVEN DAYS A WEEK AND AUTHORIZE THE MAYOR TO EXECUTE THE SPECIFIC USE PERMIT ORDER.

Commissioner Guevara made a motion to approve the request for a specific use permit for Leticia F. Castro, dba El Torito Sports Bar located at 312 W. First Street, La Feria, TX to allow the late hours sale of alcoholic beverages until 2:00 a.m. seven days a week and authorize the Mayor to execute the specific use permit. The motion was seconded by Commissioner Garcia and passed unanimously.

11. CONSIDERATION AND APPROPRIATE ACTION TO AUTHORIZE THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT TO EXPAND THE REQUIRED 200' NOTICE UP TOP HALF A MILE PRIOR TO REZONING THREE PROPERTIES THAT WERE ANNEXED INTO THE CITY OF LA FERIA DECEMBER 1, 2013 FROM R-1 SINGLE FAMILY RESIDENTIAL TO C-2 GENERAL COMMERCIAL DISTRICT.

There was no action taken on this item.

12. CONSIDERATION AND APPROPRIATE ACTION, IF ANY, ON ORDINANCE 2017-07 TO RE-ZONE THREE PROPERTIES FROM R-1 SINGLE RESIDENTIAL TO C-2 GENERAL COMMERCIAL DISTRICT.

Mayor Pro-Tem Lozano made a motion to approve Ordinance 2017-07 to re-zone three properties from R-1 Single Residential to C-2 General Commercial District. The motion was seconded by Commissioner Hoff and passed unanimously.

13. CONSIDERATION AND APPROPRIATE ACTION, IF ANY, TO ADOPT THE TEXAS SINGLE JURISDICTION HAZARD MITIGATION PLAN FOR THE CITY OF LA FERIA.

Mayor Pro-Tem Lozano made a motion to adopt the Texas Single Jurisdiction Hazard Mitigation Plan for the City of La Feria. The motion was seconded by Commissioner Guevara and passed unanimously.

14. CONSIDERATION AND APPROPRIATE ACTION, IF ANY, TO APPOINT A LABOR STANDARDS OFFICER FOR THE PARKER ROAD ELEVATED WATER STORAGE TANK REHABILITATION PROJECT, FUNDED BY THE TDA TXCDBG FUNDS.

Commissioner Guevara made a motion to appoint Planning Director Paula Rodriguez as the Labor Standards officer for the Parker Road elevated water storage tank rehabilitation project, funded by the TDA TxCDBG funds. The motion was seconded by Commissioner Garcia and passed unanimously.

15. CONSIDERATION AND APPROPRIATE ACTION, IF ANY, TO APPROVE A LEASE AGREEMENT WITH AMERICAN TOWER.

Mayor Pro-Tem Lozano made a motion to approve a lease agreement with American Tower. Commissioner Guevara seconded the motion and it passed unanimously.

16. EXECUTIVE SESSION – THE COMMISSION WILL ENTER INTO CLOSED, EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:

- **ATTORNEY CLIENT CONSULTATION PURSUANT TO TEX. GOV. CODE §551.071(1) TO DISCUSS PENDING LITIGATION STYLED SUNNY PHILLIP (PLAINTIFF/COUNTER-DEFENDANT) V. THE CITY OF LA FERIA (DEFENDANT/COUNTER-PLAINTIFF), 2016-CCL-01195, AND LEGAL ISSUES RELATED TO THE COUNTER SUIT FILED AGAINST SUNNY K. PHILLIP BY THE CITY OF LA FERIA.**
- **ATTORNEY-CLIENT CONSULTATION PURSUANT TO TEX. GOV. CODE §551.071(2) REGARDING THE CITY'S RIGHTS, DUTIES, AND OBLIGATIONS CONCERNING LA FERIA IRRIGATION DISTRICT #3 GRIEVANCE.**
- **ATTORNEY CLIENT CONSULTATION PURSUANT TO TEX. GOV. CODE SECTION 551.071(2) REGARDING THE CITY'S RIGHTS, DUTIES, AND LEGAL OBLIGATIONS CONCERNING VARIOUS TRANSACTIONS AND THE EXPENDITURE OF SALES TAX FUNDS BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION.**

Mayor Maldonado called the meeting into Executive Session at 7:05 p.m. Mayor Maldonado called the meeting back to order at 8:16 p.m.

17. CONSIDER AND TAKE ACTION DEEMED NECESSARY AS THE RESULT OF EXECUTIVE SESSION DELIBERATIONS.

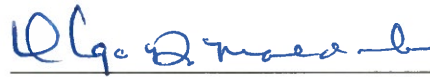
City Attorney Ricardo Navarro explained that during his firm's work on the counter-suit filed against former City Manager Sunny Philip, it was discovered that some transactions done by the La Feria Industrial Development Corporation may not have been correctly and may need to be investigated further. Mr. Navarro also noted that Mr. Philip and former City Attorney

Richard Talbert might have founded as many as 14 different non-profit organizations using the City Hall address. These non-profit organizations will also need to be investigated. Additionally, it appears that several real estate transactions between the LFIDC and non-profit organizations founded by Mr. Philip were done without approval of the City Commission. Mayor Pro-Tem Lozano made a motion to authorize Mr. Navarro and his law firm to expand legal action against former City Manager Sunny Philip's non-profits. The motion was seconded by Commissioner Guevara and passed unanimously.

18. **ADJOURN.**

There being no further business to discuss, Commissioner Guevara made a motion to adjourn the meeting. The motion was seconded by Commissioner Hoff and passed unanimously.

APPROVED:



Olga H. Maldonado, Mayor

ATTEST:


Amanda Morales, City Secretary