

**MINUTES OF PROCEEDINGS
CITY COMMISSION REGULAR MEETING
Tuesday, March 14, 2017**

Be it known that the City of La Feria City Commission met in Regular Session on **Tuesday, March 14, 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	Absent
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
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 FEBRUARY 14, 2017

B. APPROVAL OF MINUTES FOR CITY COMMISSION MEETING HELD FEBRUARY 28, 2017

C. REVIEW OF QUARTERLY INVESTMENT REPORT.

Commissioner Guevara made a motion to approve all items listed under Consent agenda. Commissioner Hoff seconded the motion and it passed unanimously.

Commissioner Guevara made a motion to move to item #13 of the agenda at this time. The motion was seconded by Commissioner Zuniga and passed unanimously.

13. CONSIDERATION AND APPROPRIATE ACTION ON DONATIONS FOR ST. FRANCIS XAVIER FOOD BANK.

The car show held during the Fiesta de La Feria requested that entrants either donate non-perishable food or give a monetary donation to the St. Francis Xavier Food Bank. The car show raised \$607 and received several boxes full of food. Members of the Car Show committee and the food bank were present at the meeting. Commissioner Hoff made a motion to approve the donation to St. Francis Xavier Food Bank. Commissioner Guevara seconded the motion and it passed unanimously.

6. CONSIDERATION AND APPROPRIATE ACTION TO APPROVE AN AGREEMENT WITH THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY FOR USE OF CITY FACILITIES.

Dean John Ronnau and Dr. Jude Benavides of UTRGV spoke to the Commission regarding the program they hope to run at the City's Dome shelter and recreation center. The program would bring together students from different disciplines to learn more about how to work together in providing health services to the community. Commissioner Guevara made a motion to approve the agreement with the University of Texas Rio Grande Valley for use of City facilities. The motion was seconded by Commissioner Garcia and passed unanimously.

7. CONSIDER AND TAKE APPROPRIATE ACTION, IF ANY, TO TERMINATE THE CITY'S CONTRACT WITH BALCH MACHINE COMPANY RELATING TO UNIT 4B, AN-47 DRAIN DITCH IMPROVEMENTS IN ACCORDANCE WITH THE TERMS OF THE CONTRACT.

Balch Machine Company has filed for bankruptcy and terminating the contract will allow for that the project be completed. Commissioner Zuniga made a motion to terminate the City's contract with Balch Machine Company relating to Unit 4B, AN 47 Drain Ditch improvements in accordance with the terms of the contract. Commissioner Hoff seconded the motion and it passed unanimously.

8. CONSIDERATION AND APPROPRIATE ACTION, IF ANY, ON ORDINANCE 2017-05 TO APPROVE A MUNICIPAL SETTING DESIGNATION FOR THE CITY OF LA FERIA.

The property where CVS is located at one time had a vegetable packing shed and grain elevator. Due to concerns of possible groundwater contamination from previous activities on the property TCEQ has requested that the property owner apply for a Municipal Setting Designation. The designation will prevent the drilling of a water well to the depth of 100 feet anywhere on the property. After some discussion, Commissioner Guevara made a motion to table this item. The motion was seconded by Commissioner Hoff and passed unanimously.

9. PRESENTATION OF FINDINGS OF INFORMATION RELATED TO THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION AND CURRENT FILINGS WITH THE SECRETARY OF STATE'S OFFICE.

Ms. Hayward explained that the La Feria Industrial Development Corporation has not complied with periodic reporting required by the Secretary of State. The IDC was involuntarily dissolved in the past due to non-compliance. Ms. Hayward also stated that her firm found that several other corporations have been established by the IDC or City of La Feria. More investigation is needed to determine why these other corporations were established. There was no action taken on this item.

10. PRESENTATION OF FINANCIAL REPORT.

Mr. Rios presented the Commission with property tax and sales tax revenue collected to date. He also explained that a spending freeze has been put in place to decrease unnecessary expenditures.

11. 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.**
- **PROVIDE LEGAL ADVICE AND COUNSEL REGARDING THE CITY'S LEGAL DUTIES AND OBLIGATIONS IN CONNECTION WITH THE CITY OF LA FERIA AND THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION AND NECESSARY FILING REQUIREMENTS PURSUANT TO STATE AND FEDERAL LAW, AND RELATED LEGAL MATTERS.**

The City Commission entered into Executive Session at 7:40 p.m. There wa no action taken during Executive Session. Mayor Pro-Tem Lozano called the meeting back to order at 8:09 p.m.

12. CONSIDERATION AND APPROPRIATE ACTION, IF ANY, TO AUTHORIZE CITY MANAGER TO UPDATE AND ENSURE COMPLIANCE OF ALL LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION INFORMATION WITH THE SECRETARY OF STATE'S OFFICE INCLUDING ALL RELATED NON-PROFITS ORGANIZATIONS ORGANIZED OR CONTROLLED BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION.

Commissioner Hoff made a motion to authorize the City Manager to update and ensure compliance of all La FERIA Industrial Development Corporation information with the Secretary of State's office including all related non-profit organizations organized or controlled by the La FERIA Industrial Development Corporation.

13. ADJOURN.

There being no further business to discuss, Commissioner Hoff made a motion to adjourn the meeting. Commissioner Garcia seconded the motion and it passed unanimously.

APPROVED:


Olga H. Maldonado, Mayor

ATTEST:


Amanda Morales, City Secretary