

**MINUTES OF PROCEEDINGS
CITY COMMISSION REGULAR MEETING
Tuesday, May 9, 2017**

Be it known that the City of La Feria City Commission met in Regular Session on **Tuesday, May 9, 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
Ms. Amanda Morales, City Secretary
Ms. Paula Rodriguez, Planning Director
Mr. Frank Rios, Finance Director

4. PUBLIC COMMENTS.

Anin Keith addressed the Commission regarding the results of the election.

Commissioner Hoff thanked the Commission and the Citizens for their condolences after the passing of his son.

5. CONSENT AGENDA:

- APPROVAL OF MINUTES FOR CITY COMMISSION MEETING HELD APRIL 25, 2017.

Commissioner made a motion to approve the minutes for the meeting held April 25, 2017. The motion was seconded by Mayor Pro-Tem Lozano and passed unanimously.

6. CONSIDERATION AND APPROPRIATE ACTION, IF ANY, TO APPROVE RESOLUTION 2017-15 FINDING THAT AEP'S APPLICATION TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED.

Commissioner Guevara made a motion to approve Resolution 2017-15 denying AEP's application to increase distribution rates within the city. The motion was seconded by Commissioner Hoff and passed unanimously.

7. CONSIDERATION AND POSSIBLE ACTION, IF ANY, TO APPROVE RESOLUTION 2017-16 TO UPDATE THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION'S ARTICLES OF INCORPORATION.

Ms. Hayward explained that the IDC articles of incorporation needed to be updated to reflect changes in state laws. The statutes referenced in the original articles of incorporation have since been repealed or replaced with different legislation. Mayor Pro-Tem Lozano made a motion to approve Resolution 2017-16 to update the La Feria Industrial Corporation's articles of incorporation. The motion was seconded by Commissioner Hoff and passed unanimously.

8. CONSIDERATION AND POSSIBLE ACTION, IF ANY, TO APPROVE RESOLUTION 2017-17 TO UPDATE THE LA FERIA INDUSTRIAL DEVELOPMENT COUNCIL'S BYLAWS.

Commissioner Guevara made a motion to table this item. The motion was seconded by Commissioner Zuniga and passed unanimously.

9. PRESENTATION OF FINANCIAL REPORT.

Mr. Rios presented the finance report for the month of March 2017. He noted that the City's annual audit would be presented in June and would be completed later than usual due to the financial state of the City and the auditors request for more information than typically required during an audit. There was no action taken on this item.

10. PRESENTATION OF EVALUATION BY SEVERN TRENT FOR THE OPERATION, MAINTENANCE AND MANAGEMENT OF THE WATER AND WASTEWATER FACILITIES AND LIFT STATIONS.

Mr. Ed Schwab of Severn Trent presented the findings of an evaluation of the City's water, waste water facilities and lift stations. Mr. Schwab noted that several large pieces of equipment at the treatment plants were not working as they should be and there were no maintenance records available. He also noted that the plants were not staffed at the level that they should be and the staff employed now do not hold licenses that allow them to operate the plants in compliance with TCEQ regulations. Severn Trent has been working on a temporary basis to provide required personnel with appropriate licenses to operate the plants and making recommendations to prevent further TCEQ violations. Severn Trent is proposing to staff and operate the City's facilities for a fee of \$895 thousand. There was no action taken on this item.

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.

- **ATTORNEY CLIENT CONSULTATION PURSUANT TO TEX. GOV. CODE §551.071(1) TO DISCUSS PENDING LITIGATION STYLED CITY OF LA FERIA V. SUNNY PHILLIP, ET. AL., 2017-DCL-02925, AND LEGAL ISSUES RELATED TO LAWSUIT.**

Mayor Maldonado called the meeting into Executive Session at 7:59 p.m.

The meeting was called back to order at 8:13 p.m. There was no action taken during Executive Session.

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

There was no action taken on this item.

13. ADJOURN.

There being no further business to discuss, Mayor Pro-Tem Lozano 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