

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, April 13, 2010**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, April 13, 2010, 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.

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| Mr. Steve Brewer | Mayor |
| Ms. Lori Weaver | City Commissioner/Mayor Pro Tem |
| Mr. John Hernandez | City Commissioner |
| Mr. Victor Gonzalez, Jr. | City Commissioner |
| Ms. Angelica P. Baldivia | City Commissioner |

Absent: Mr. John Edward Betancourt City Commissioner

The following staff members were present.

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| Mr. Sunny K. Philip | City Manager |
| Mr. Miguel D. Wise | City Attorney |
| Ms. Irene Szedlmayer | Planning and Community Dev. Dir. |
| Ms. Maria Chavero | Finance Director |
| Ms. Olga Oberwetter | City Secretary |

A copy of the signature roster of all others present is attached as a part of the minutes hereof.

At 6:30 P.M., Mayor Steve Brewer asked Commissioner Lori Weaver to give the invocation. After the invocation, Mayor Brewer 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.

Commissioner Lori Weaver moved to excuse the absence of Commissioner John Betancourt at tonight's meeting due to illness. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS
OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON
TUESDAY, MARCH 23, 2010**

After review of the minutes, Commissioner Lori Weaver moved to approve the minutes of proceedings of the regular meeting of the City Commission held on Tuesday, March 23, 2010. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE RESOLUTION SEEKING AMENDMENT TO THE PERFORMANCE STATEMENT OF DISASTER RECOVERY FUNDS PROJECT FOR THE PURCHASE OF GENERATORS FUNDED THROUGH THE TEXAS DEPARTMENT OF RURAL AFFAIRS, TRANSFERRING ADMINISTRATIVE FUNDS LINE ITEM TO GENERATOR PURCHASE, AND COMMITTING LOCAL FUNDS FOR THE COMPLETION OF FUNDS FOR THE PROJECT

City Manager Sunny K. Philip explained that the City received a grant from the Texas Department of Rural Affairs (TDRA) in the amount of \$243,611.00 for four (4) lift station generators. The City went out for bids and the bids came in higher than the grant amount, making it necessary to forego the amount of money earmarked for administration (\$26,797.00) and transfer that amount to the generator purchase. Also, the City commits \$32,060.00 from its Water and Wastewater Fund to complete the funding for the project. Mr. Philip said that when this project is complete, all the lift stations in La Feria would have a back up generator. Commissioner John Hernandez moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present. City Attorney Miguel D. Wise read the caption of Resolution 2010-13. After reading of the caption, Commissioner John Hernandez moved to approve Resolution 2010-13 seeking amendment to the Performance Statement of Disaster Recovery Funds project for the purchase of generators funded through the Texas Department of Rural Affairs, transferring administrative funds line item to generator purchase, and committing local funds for the completion of funds for the project. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO CONFIRM THE APPOINTMENT OF BETTY JO DUNLAP TO THE BAILEY H. DUNLAP MEMORIAL PUBLIC LIBRARY AS THE LIFETIME APPOINTMENT

City Manager Sunny K. Philip explained that in 1987 when the City approved an ordinance establishing the library, they offered the Dunlap family a lifetime membership on the board due to their contributions to the City; the Dunlap family built and donated the library facility to the City. Ms. Nina Dunlap had held the lifetime membership position until her recent passing. The Dunlap family agreed that Ms. Betty Jo Dunlap should be the family representative on the Library Board, and the Library Board met last week and approved that appointment. It is now up to the City Commission to confirm this appointment. Commissioner Angelica P. Baldivia moved to confirm the appointment of Betty Jo Dunlap to the Bailey H. Dunlap Memorial Public Library as the lifetime appointment. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present. Mayor Brewer asked that the City look into increasing the number of members on the Library Board, as he has had some inquiries of residents wanting to serve on the Library Board.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY RESOLUTION AUTHORIZING INDIVIDUALS WHO WILL BE AUTHORIZED TO SIGN STATE OF TEXAS PURCHASE VOUCHERS AND REQUEST FOR ADVANCE OR REIMBURSEMENT PERTAINING TO THE TEXAS DEPARTMENT OF RURAL AFFAIRS DISASTER RECOVERY NON-ENTITLEMENT GRANT CONTRACT NO. DRS 010089

City Manager Sunny K. Philip explained that this resolution has to do with the lift station generator project, and the state requires two signatures on purchase vouchers or any requests for advance or reimbursement. The designated individuals to sign are the City Manager, City Secretary, and Planning and Community Development Director.

Commissioner Lori Weaver moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present. City Attorney Miguel D. Wise read the caption of Resolution 2010-14. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2010-14 authorizing individuals who will be authorized to sign state of Texas purchase vouchers and request for advance or reimbursement pertaining to the Texas Department of Rural Affairs Disaster Recovery Non-entitlement Grant Contract No. DRS 010089. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY RESOLUTION AUTHORIZING INDIVIDUALS WHO WILL BE AUTHORIZED TO SIGN STATE OF TEXAS PURCHASE VOUCHERS AND REQUEST FOR ADVANCE OR REIMBURSEMENT PERTAINING TO THE SEWER PRESSURE MAIN PROJECT FUNDED THROUGH THE TEXAS DEPARTMENT OF RURAL AFFAIRS

City Manager Sunny K. Philip said this is for the Community Development Block Grant Program, and it is to install a pressure main from the Lilac lift station all the way to the old wastewater treatment plant. The designated individuals to sign are the City Manager, City Secretary, and Planning and Community Development Director. Commissioner Angelica P. Baldivia moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present. City Attorney Miguel D. Wise read the caption of Resolution 2010-15. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2010-15 authorizing individuals who will be authorized to sign state of Texas purchase vouchers and request for advance or reimbursement pertaining to the Sewer Pressure Main Project funded through the Texas Department of Rural Affairs. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

EXECUTIVE (CLOSED) SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION 551.071 TO CONSULT WITH CITY ATTORNEY REGARDING ISSUANCE OF SPECIFIC USE PERMIT TO ALLIED WASTE; SECTION 551.072 TO DISCUSS PROPOSED PURCHASE/ SALE OF REAL ESTATE BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION/ CITY OF LA FERIA; AND SECTION 551.087 TO DISCUSS ECONOMIC DEVELOPMENT NEGOTIATIONS

Mayor Steve Brewer declared the meeting in Executive (Closed) Session at 6:39 P.M. After Executive Session deliberations, Mayor Brewer declared the meeting back in open session at 7:33 P.M.

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

The following actions were taken as a result of Executive Session deliberations.

- Commissioner Victor Gonzalez, Jr. moved to authorize the purchase of 13 lots of the Lions Villa Subdivision for housing development that may be passed on to the non profit organization designated for housing development. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.
- Commissioner Victor Gonzalez, Jr. moved to authorize the purchase of 10 Lions Villa lots from the La Feria Industrial Development Corporation (LFIDC). Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.
- Commissioner Victor Gonzalez, Jr. moved to authorize the City Manager to negotiate the purchase of nine (9) lots of the Lions Villa Subdivision from the LFIDC. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.
- Commissioner Lori Weaver moved to authorize the City Manager to negotiate the contract for the purchase of 35 acres for development. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.
- Commissioner Angelica P. Baldivia moved to authorize the City Manager to negotiate the purchase of certain abandoned properties and vacant lots to be funded by the Neighborhood Stabilization Program Funds. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REPORTS BY STAFF

- **Home Fair held on April 10, 2010**
- **Trash Bash**
- **Market Days**

City Manager Sunny K. Philip reported on the following:

- The Home Fair sponsored by the USDA held on April 10, 2010 was very successful. There were approximately 75 people who registered to speak to one of the three representatives from USDA. USDA was very pleased with the turnout and they want to come back at another time. Staff asked the USDA to pass on the information about the City's Neighborhood Stabilization Program. Also, the City has assisted six (6) families with \$20,000.00 down payment assistance and has another nine (9) to go. Meanwhile, the City is working with the Brownsville Community Development Corporation that has some down payment assistance money available, which they are willing to offer to La Feria residents, if needed.
- Trash Bash was held on April 10, 2010 and was very successful. Mr. Philip said part of the success was the donations received. There were donations of \$1,625.00 to provide for the T-shirts, food, etc. The expenses were \$1,654.07. There were 199 people that participated and 20 teenagers and 6 college students received volunteer service hours credit.
- Market Days has been holding its own. The first Market Days had about 33 vendors. Since then the number varies from 15 to 22 vendors, with an average of about 18.

Mayor Steve Brewer reported that the USDA was very excited about the Home Fair and they want to come back before the end of May and have another Home Fair. He said the

Trash Bash was very successful and he commended Tabitha Outlaw and staff for a good job in organizing the event. He said the donations covered the costs and many students want to do this more often, whether on a quarterly or semi-annual basis. Mayor Brewer said this is something to look at in the future.

PUBLIC COMMENTS

Mayor Steve Brewer declared the public comments session open. No one signed up to speak before the Commission, so Mayor Brewer declared the public comment session closed.

ACTION FOR ADJOURNMENT

There being no further business to conduct, Commissioner Angelica P. Baldivia moved to adjourn the meeting. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

ADJOURNMENT

Mayor Steve Brewer adjourned the meeting at 7:35 P.M.

APPROVED:



Steve Brewer, Mayor

ATTEST:



Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 2:00 P.M. on April 23, 2010, as official record.



Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, APRIL 13, 2010, AT 6:30 PM

WELCOME
PLEASE SIGN IN

| | <u>NAME</u> | <u>MAILING ADDRESS</u> | <u>HOME/WORK PHONE NO.</u> |
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