

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, May 11, 2010**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, May 11, 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.

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

The following staff members were present.

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 at the meeting is attached as a part of the minutes hereof.

At 6:30 P.M., Mayor Steve Brewer asked Commissioner John Betancourt 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.

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS
OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON
TUESDAY, APRIL 27, 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, April 27, 2010. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

**PRESENTATION OF CERTIFICATE OF ELECTION TO DECLARED
ELECTED OFFICIALS**

Mayor Steve Brewer presented the Certificate of Election to John Betancourt and John Hernandez. Mayor Pro-Tem Lori Weaver presented the Certificate of Election to Mayor Steve Brewer.

OATH OF OFFICE ADMINISTERED TO MAYOR ELECT AND COMMISSIONERS ELECT

Cameron County Judge Carlos Cascos made a few comments before administering the oath to the elected officials. He thanked the families for their support of the elected officials who give of their time for the betterment of the community. Judge Cascos then administered the oath of office to Mayor Steve Brewer and Commissioners John Betancourt and John Hernandez. After the officials were duly sworn in, they assumed their respective positions on the board.

REVIEW BID TABULATION AND AWARD CONTRACT TO THE LOWEST AND RESPONSIBLE BIDDER FOR THE CONSTRUCTION OF LITTLE LIGHTHOUSE CHILDREN'S REHABILITATION

City Manager Sunny K. Philip reviewed the bid tabulation for the Little Lighthouse Children's Rehab project. He said that 13 bids were received and the Architect's and staff recommendation is to award the contract to the lowest bidder who was Topcon for a base bid of \$385,000.00 and an Alternate #1 bid of \$80,000.00 for a total of \$465,000.00. Commissioner Angelica P. Baldivia moved to award contract to the lowest and responsible bidder for the construction of the Little Lighthouse Children's Rehabilitation project in the amount of \$465,000.00. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

PUBLIC HEARING REGARDING THE RENEWAL OF SPECIFIC USE PERMIT ISSUED TO R&R TAVERN FOR THE LATE HOUR OPERATION OF ALCOHOLIC BEVERAGES

Planning and Community Development Director Irene Szedlmayer addressed the Commission and said that R&R Tavern has received a Specific Use Permit (SUP) at two previous times, i.e., 2003 and 2006. She said that generally these permits can be renewed without a public hearing; however, there are two exceptions which are, if it is a game hall or if there have been any complaints regarding a business. This public hearing was necessary due to the fact that some residents complained about the noise at the tavern. Mayor Steve Brewer said that since the complaint from the residents was received by the City Commission at a previous meeting, R&R has made some improvements to the building to abate the noise. Mayor Brewer declared the public hearing open at 6:50 P.M. Mr. Frank Martin who lives at 304 N. Parker Road, La Feria, Texas presented a petition to the Commission in favor of R&R and declared that the music from R&R was not too loud or offensive. The petition was signed by 117 people. Mr. Martin said that he lives next door to R&R and they have had more complaints about Innovative Block and the noise from cars driving down the street than they have about R&R Tavern. Mr. Martin said that if this establishment closed down, it would have a serious effect on the owners and it would trickle down. Mayor Brewer thanked Mr. Martin for coming to speak on this issue. Mayor Brewer said he went and met with the people at the park and explained to them that R&R Tavern was making a good faith effort to correct the problem. City Manager Sunny K. Philip said that for the record, the board members of South Texas Haven made the complaint against R&R Tavern concerning the noise levels from the hall. He said what we have to keep in mind is that the City Commission has the right to make specific requirements when granting an SUP. Consideration of the SUP will be placed on the agenda for the next City Commission meeting to be held on May 25, 2010. Mayor Steve Brewer declared the public hearing closed at 6:55 P.M., but declared it reopened at 6:55 P.M. when it was acknowledged that Mr. Pedro Ruelas wanted to make some comments. Mr. Ruelas said that last year, they started to get complaints during live

music performances, so they went with a DJ instead. He said they are now asking the DJ to quit playing at 1:00 A.M. instead of 2:00 A.M. Mr. Ruelas said the late hours permit he is requesting is for the sale of alcoholic beverages. There were no other comments, so Mayor Brewer declared the public hearing closed at 6:57 P.M.

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 551.072 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

There was no need for an Executive Session at this meeting, so this item was tabled on a motion by Commissioner John Betancourt and a second by Commissioner John Hernandez. All votes were in favor to table, so the motion carried.

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

There was no Executive Session held, so this item was tabled. Commissioner John Betancourt moved to table this item. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY INTERLOCAL AGREEMENT BETWEEN THE CITY OF LA FERIA AND THE LA FERIA INDEPENDENT SCHOOL DISTRICT FOR THE ADVANCE FUNDING OF SOUTH BEDDOES CONSTRUCTION IN PREPARATION FOR THE OPENING OF THE SAM HOUSTON ELEMENTARY SCHOOL

City Manager Sunny K. Philip explained that the City wants the school to open in August, but it needs for them to fund this project up front and then the City will reimburse them. This document was not ready for consideration, so Commissioner John Betancourt moved to table this item. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

REPORTS BY STAFF

- **Arbor Day**
- **Texas Gas Service Cost of Service Adjustment Tariff (COSA) Rate**

City Manager Sunny K. Philip reported on the following:

- Arbor Day was a very successful event.
- The Texas Gas Service Cost of Service Adjustment Tariff (COSA) will be placed on the next City Commission Meeting Agenda in the form of a resolution to suspend the rate for COSA.

Mayor Steve Brewer acknowledged Mr. Ramon Garcia who spoke about an event that they will host at the La Feria High School to benefit Mothers against Drunk Drivers (MADD) on Saturday, May 15, 2010 beginning at 8:30 a.m. and ending at 11:00 a.m.

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 Lori Weaver moved to adjourn the meeting. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

ADJOURNMENT


Mayor Steve Brewer adjourned the meeting at 7:00 P.M.

APPROVED:




Steve Brewer, Mayor

ATTEST:


Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 5:00 P.M. on May 21, 2010, as official record.


Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING

AT THE

CITY COMMISSION MEETING ROOM

TUESDAY, MAY 11, 2010, AT 6:30 PM

WELCOME

PLEASE SIGN IN

NAME

MAILING ADDRESS

HOME/WORK PHONE NO.

- 1 Ena M. Pachaca
- 2 Maria C. Hernandez
- 3 Chantel Abrasado
- 4 Celina Villarosa
- 5 Velma G. Starcott
- 6 Robert Otero
- 7 Patsy Otero
- 8 Janita Mares
- 9 Mrs. Elliott
- 10 Cynthia Cobarrubien
- 11 Betty Jo Dunlap
- 12 Elise Ireland
- 13 Honora J. O'Neil
- 14 Juan Carlos Martinez
- 15 Cecilia Mary
- 16 ~~Cecilia~~ Cecilia Martinez
- 17 Kendra Hyman
- 18 Jane Renee Hansen
- 19 J. B. Baldwin, Jr.

19 Celina Martinez

20 Brittini Garcia

21 Desma Garcia

22 Angie Duran

23 Tabitha M. Outman

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