

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

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

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

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS
OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON
TUESDAY, JUNE 22, 2010**

After review of the minutes, Commissioner John Betancourt moved to approve the minutes of proceedings of the regular meeting of the City Commission held on Tuesday, June 22, 2010. Commissioner Angelica P. Baldivia 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 EMERGENCY MEETING OF THE CITY COMMISSION HELD ON
TUESDAY, JUNE 29, 2010**

After review of the minutes, Commissioner Angelica P. Baldivia moved to approve the minutes of proceedings of the emergency meeting of the City Commission held on Tuesday, June 29, 2010. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO RESCIND THE AWARD OF CONTRACT TO J & B REMODELERS OF WESLACO AND AWARD CONTRACT TO THE NEXT LOWEST AND MOST QUALIFIED RESPONSIBLE BIDDER FOR THE CONSTRUCTION OF FIVE SINGLE FAMILY HOMES THROUGH FUNDING FROM THE OWNER OCCUPIED HOUSING REHABILITATION/ RECONSTRUCTION PROGRAM OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA)

City Manager Sunny K. Philip explained that J & B Remodelers of Weslaco whom the City Commission had awarded contract to for the construction of five single-family homes was unable to obtain the performance bond required by the contract. Therefore, his recommendation to the Commission was that the award be rescinded and the contract awarded to the next highest bidder who was Architecture for Charity of Texas out of Brownsville. Mr. Philip recommended that since the price of Alternate #4 (sod grass - \$450 each) was reasonable, that the bid award should be for the base bids for Plan A and Plan C and Alternates 1, 2, 3, and 4. The Bid Opening was on June 3, 2010 at 2:00 P.M. and the City Commission awarded the contract to J & B Remodelers on June 8, 2010 for the base bids for Plan A and Plan C and Alternates 1, 2, and 3. Commissioner John Betancourt moved to rescind the award made to J & B Remodelers and to award the contract to the next highest and qualified responsible bidder Architecture for Charity of Texas out of Brownsville for the base bids for Plan A and Plan C and Alternates 1, 2, 3, and 4 for a total contract amount of \$296,480.65. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA TEMPORARILY CLOSING CERTAIN AND SPECIFIED STREETS WITHIN THE LIMITS OF THE CITY OF LA FERIA AND MODIFYING TRAFFIC PATTERNS ON CERTAIN STREETS FOR THE PURPOSE OF ENSURING THE SAFETY AND GENERAL WELFARE OF THE PUBLIC DURING THE CITY OF LA FERIA'S FOURTH OF JULY PARADE AND CELEBRATION WHICH WILL BE HELD ON SATURDAY, JULY 24, 2010 AT THE VETERAN'S MEMORIAL SPORTS COMPLEX FROM 5:00 TO 10:00 P.M.

City Manager Sunny K. Philip explained that because of the threat of Hurricane Alex, the celebration for the 4th of July was cancelled, and due to other conflicts in schedules, the date selected for the celebration was July 24, 2010. A similar ordinance was approved in June. Commissioner Lori Weaver moved to read the ordinance 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 Ordinance 2010-09. After reading of the caption, Commissioner Lori Weaver moved to approve Ordinance 2010-09 temporarily closing certain and specified streets within the limits of the city of La Feria and modifying traffic patterns on certain streets for the purpose of ensuring the safety and general welfare of the public during the City of La Feria's Fourth of July Parade and Celebration which will be held on Saturday, July 24, 2010 at the Veteran's Memorial Sports Complex from 5:00 to 10:00 P.M. 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 OR DENY AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS AUTHORIZING THE CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE VETERAN'S MEMORIAL SPORTS COMPLEX ON JULY 24, 2010 OR ON AN ALTERNATE DATE SELECTED BY THE EVENT PLANNING COMMITTEE FOR THE FOURTH OF JULY PARADE AND CELEBRATION

City Manager Sunny K. Philip explained that this ordinance is also similar to the one approved in June to allow consumption of alcoholic beverages on July 24, 2010 during the 4th of July celebration. Commissioner Lori Weaver moved to read the ordinance by caption only, in lieu of reading it in its entirety. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present. City Attorney Miguel D. Wise read the caption of Ordinance 2010-10. After reading of the caption, Commissioner Angelica P. Baldivia moved to approve Ordinance 2010-10 authorizing the consumption of alcoholic beverages at the Veteran's Memorial Sports Complex on July 24, 2010 or on an alternate date selected by the Event Planning Committee for the Fourth of July Parade and Celebration. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE A FIREWORKS DISPLAY AS PART OF THE FOURTH OF JULY CELEBRATION TO BE HELD ON JULY 24, 2010 AT THE VETERANS MEMORIAL SPORTS COMPLEX

Commissioner Lori Weaver moved to approve a fireworks display as part of the Fourth of July Celebration to be held on July 24, 2010 at the Veterans Memorial Sports Complex. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY RESOLUTION OF THE CITY OF LA FERIA, TEXAS DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT MATCHING SHARE IS READILY AVAILABLE; CERTIFYING THAT THE PARK SITE WAS DEDICATED FOR PERMANENT PUBLIC PARK AND RECREATIONAL USES FROM A PAST GRANT PROGRAM WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT; AND CERTIFYING THAT THE APPLICATION HAS BEEN SUBMITTED TO THE APPROPRIATE REGIONAL COUNCIL OF GOVERNMENTS FOR THE TEXAS REVIEW AND COMMENT SYSTEM (TRACS) REVIEW

City Manager Sunny K. Philip said that the City Commission passed a similar resolution at a previous meeting, but the City did not receive funding for this project, because the City was missing a resolution from the School District for their participation in the improvements to the Veteran's Memorial Sports Complex. The City has since acquired the resolution from the School District and will be submitting all the required documents by July 31, 2010. Commissioner Lori Weaver moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner John Betancourt 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 2010-22. After reading of

the caption, Commissioner John Betancourt moved to approve Resolution 2010-22 designating certain officials as being responsible for, acting for, and on behalf of the applicant in dealing with the Texas Parks & Wildlife Department for the purpose of participating in the Local Park Grant Program; certifying that the applicant is eligible to receive program assistance; certifying that the applicant matching share is readily available; certifying that the park site was dedicated for permanent public park and recreational uses from a past grant program with the Texas Parks and Wildlife Department; and certifying that the application has been submitted to the appropriate Regional Council of Governments for the Texas Review and Comment System (TRACS) Review. 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 551.072 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 that no Executive (Closed) Session would be needed. Commissioner Angelica P. Baldivia moved to table this item. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

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

Since no Executive Session was held, Commissioner Angelica P. Baldivia moved to table this item. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REPORTS BY STAFF

- **Ground Breaking Ceremony for Little Lighthouse Children's Rehab Project – July 14, 2010 at 3:00 p.m.**
- **Ground Breaking Ceremony for Generator Project and Streets Project on July 26, 2010 at 11:00 a.m.**
- **Water and Wastewater Improvement Projects.**
- **Status of funding requests for water and wastewater system improvement projects.**
- **Safe Routes to School Grant Status and possibility of applying for new funding.**
- **Beddoes Road Improvement Project Status**

City Manager Sunny K. Philip reported on the following:

- The Ground Breaking Ceremony for the Little Lighthouse Children's Rehab Project is scheduled for July 14, 2010 at 3:00 p.m.
- The Ground Breaking Ceremony for the Generators and Streets Project are scheduled for July 26 at 11:00 a.m. and 11:15 a.m.
- The Water and Wastewater Improvements Projects – The Contract is 92% complete and will be complete hopefully by the end of July.
- The City has submitted four applications to the Texas Water Development Board and the United States Department of Agriculture. The applications for the Water System

are within the funding line; the applications for the Wastewater System are not within the funding line. The 2 colonias with nuisance findings should elevate the scoring.

- The City received the announcement that the Safe Routes to School Grant was approved. The contract has not been received yet. There is a new round of funding available, and staff will see what other routes can be identified.
- Beddoes Road Improvement Project Status – Mr. Philip said that the total street construction on Beddoes Road would not be completed by the time the new school opens, but there will be access to the school.

Mayor Steve Brewer said that the County would be approving the contract for the streets project on the 22nd of July, and then the ground breaking would be held here on July 26. He said the La Feria street project is the first of the projects funded through the Disaster Recovery Program to go to construction and that it would probably be a four month project.

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 6:49 P.M.

APPROVED:




Steve Brewer, Mayor

ATTEST:



Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 12:00 P.M. on July 24, 2010, as official record.



Olga Oberwetter, City Secretary



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CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, JULY 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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