

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, April 27, 2010**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, April 27, 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
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 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 13, 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 13, 2010. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

**REVIEW AND TAKE ACTION TO CONFIRM THE MINUTES OF  
PROCEEDINGS OF THE PREVIOUS SPECIAL MEETING OF THE LA FERIA  
INDUSTRIAL DEVELOPMENT CORPORATION (LFIDC) HELD ON  
THURSDAY, MARCH 11, 2010**

After review of the minutes, Commissioner Angelica P. Baldivia moved to approve the minutes of proceedings of the previous special meeting of the La Feria Industrial Development Corporation (LFIDC) held on Thursday, March 11, 2010. Commissioner

John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

At this point in the meeting, Mayor Steve Brewer asked for a motion to consider item #9 on the agenda before items 6, 7, & 8. Commissioner Lori Weaver moved to consider item #9 out of sequence. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE AGREEMENT BETWEEN THE CITY OF LA FERIA AND LINEBARGER GOGGAN BLAIR & SAMPSON, LLP FOR COLLECTION OF DELINQUENT TAXES.**

City Manager Sunny K. Philip explained that the Commission had a copy of the contract in their packet and he said that the firm of Linebarger Goggan Blair & Sampson has collected taxes for the City of La FERIA since 1988 and they have done a good job. Mr. Philip added that since this contract is for a professional service, the City does not need to advertise for bids. Commissioner Victor Gonzalez, Jr. inquired about whether the contract could be improved to eliminate the need to take action on item #10 on the agenda. Mr. Philip introduced Mr. John Guevara, Partner in the firm of Linebarger Goggan Blair & Sampson who explained that item #9 is the contract and item #10 is to authorize the firm to begin tax collection on delinquent personal property taxes three months earlier than the current date of July 1. Mr. Guevarra said that the statute of limitations on personal property is four years, as opposed to the statute of limitations on real estate which is 20 years. If item #10 is approved by the Commission, then the firm would be able to begin collection of delinquent personal property taxes on April 1, 2011 which would give them a much better chance to recover the taxes due to the City. If item #10 is not approved, then the contract would be modified to delete any reference to the early collection period. Commissioner John Betancourt moved to approve the agreement between the City of La FERIA and Linebarger Goggan Blair & Sampson, LLP for collection of delinquent taxes. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

Commissioner Lori Weaver moved to consider item #10 following item #9 and before items #6, 7, & 8. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA AUTHORIZING THE IMPOSITION OF AN ADDITIONAL PENALTY FOR THE COSTS OF COLLECTION ON DELINQUENT PERSONAL PROPERTY TAXES AND ESTABLISHING AN EFFECTIVE DATE**

Commissioner John Hernandez moved to read the ordinance by caption only, in lieu of reading it in its entirety. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission. City Secretary Ms. Olga Oberwetter read the caption of Ordinance 2010-03. After reading of the caption, Commissioner John Betancourt moved to approve Ordinance 2010-03 authorizing the imposition of an additional penalty for the costs of collection on delinquent personal property taxes and establishing an effective date. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE THE CITY OF LA FERIA COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2009**

City Manager Sunny K. Philip introduced Mr. Quentin Anderson with the accounting firm of Long Chilton LLP who presented the La FERIA Comprehensive Annual Financial Report. Mr. Anderson said the City's Finance Department put the report together with much detail information concerning the financial transactions of the City. Mr. Anderson said that this report would be submitted to the Governors Finance Officers Association for their review and consideration for the GFOA award. The City has received such award every year since 2003. Mr. Anderson referred the Commission to page #21 of the report which states that the reports fairly present the financial condition of the City and its component units. Mr. Anderson did say that the City needs to build up its reserve to at least a three month period. Commissioner John Betancourt moved to approve the City of La FERIA Comprehensive Annual Financial Report for the fiscal year ending September 30, 2009. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission. Mr. Anderson introduced Mr. Robert Rodriguez also with Long Chilton, LLP.

**PUBLIC HEARING TO RECEIVE INPUT REGARDING THE CONSTRUCTION OF A REGIONAL TECHNOLOGY AND TRAINING FACILITY AND COMMUNITY WELLNESS CENTER AND FARMER'S MARKET UNDER THE RULES AND REGULATIONS OF THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)**

City Manager Sunny K. Philip explained that the City is working with the United States Department of Agriculture (USDA) on several applications and it is a requirement that the City hold a public hearing concerning the proposed projects. This public hearing is for the Technology and Training Center application and for the Wellness and Farmer's Market Building Facility. Mayor Steve Brewer declared the public hearing open at 7:09 P.M. Mrs. Betty Jean Carter spoke in favor of the Wellness and Fitness Center and inquired if it would also have a pool as part of the project. Mr. Philip responded that as planned, the project does not have a pool. Mrs. Barbara Perrin was also in favor of the projects, and said that as a diabetic she needed all the help she could get. Mrs. Mary Beth Wright inquired as to the real timeline of the project. Mr. Philip responded that the application would be submitted in the early part of May, then there would be one or two months review period, and that it would be towards the end of the year before the City knows whether or not it will receive an award. Mr. Philip drew a model of the two projects together which would be located on the property to the south of the Veterans Memorial Sports Complex, and said that when the City tries to get the young people healthy, it needs to do the same for the older population. There were no other comments, so Mayor Steve Brewer declared the public hearing closed at 7:15 P.M.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA, TEXAS AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) FOR THE CONSTRUCTION OF A WELLNESS CENTER AND FARMER'S MARKET UNDER THE RULES AND REGULATIONS OF THE USDA COMMUNITY FACILITIES PROGRAM, AND AUTHORIZING OFFICIALS TO APPLY AND EXECUTE DOCUMENTS RELATED TO SAID APPLICATION ASSISTANCE.**

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 Commission. City Secretary Olga Oberwetter read the caption of Resolution 2010-16. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2010-16 authorizing the submission of an application to the United States Department of Agriculture (USDA) for the construction of a Wellness Center and Farmer's Market under the rules and regulations of the USDA Community Facilities Program, and authorizing officials to apply and execute documents related to said application assistance. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO ADOPT PROCLAMATION  
PROCLAIMING MAY 8, 2010 AS ARBOR DAY IN LA FERIA**

Commissioner Lori Weaver moved to adopt Proclamation proclaiming May 8, 2010 as Arbor Day in La Feria. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

**MONTHLY FINANCIAL REPORTS FOR THE MONTH OF MARCH 2010**

- **Revenue and Expenditure Report**
- **Performance Indicators**
- **Investment Report**
- **Tax Collection Report**

Mayor Steve Brewer announced that the reports would be filed for audit.

**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**

There was no need for discussion under Executive Session, so no Executive Session was held.

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

There was no action needed, since there was no Executive Session held.

**REPORTS BY STAFF**

- **Ground Breaking Ceremony for the Filter Replacement Project – May 3, 2010**
- **National Prayer Day – May 6, 2010**
- **Arbor Day Celebration and tree planting drive**
- **Ground Breaking for Generator Project**
- **Hurricane Dolly Damage Street Repair**
- **New Market Tax Credit Program**
- **Water and Wastewater Improvement Project**

City Manager Sunny K. Philip reported on the following:

- The Ground Breaking Ceremony for the Filter Replacement Project will be held on May 3, 2010 at 9:00 a.m. This will be done outside the City Hall Area. The City sent out invitations and Congressman Ruben Hinojosa will be attending along with Kevin Ward, the Director of the Texas Water Development Board and Troy Hill from the Environmental Protection Agency (EPA). County Judge Carlos Cascos and other elected officials will also be present.
- Mayor Steve Brewer reported that he would host a Mayor's Breakfast at the La Feria Coffee Shop on Thursday, May 6, 2010 at 8:00 a.m. and then a Prayer meeting at the City Hall flagpole at 9:00 a.m.
- Arbor Day will be held on Saturday, May 8, 2010 at the Veterans Memorial Sports Complex and at the Wildlife and Nature Center. The City is giving residents of La Feria and surrounding areas the opportunity to purchase a tree or plant in memory or in honor of a loved one to be planted at their choice of park for only \$35.00 each.
- The Ground Breaking for the Generator Project will be announced at a later time.
- Hurricane Dolly Damage Street Repair Project – Cameron County will be taking up this issue next week. Sometime in July or August, the City should be able to start construction on the various streets, i.e., 9<sup>th</sup> Street, Valle Verde, North Parker Road, Pancho Maples Road, and Windsong Village. The project funds are \$980,000.00 and the City hopes to start with 9<sup>th</sup> Street first.
- There is no news to report on the New Market Tax Credit Program.
- The Water and Wastewater Improvements Project is complete, except for the Filter Replacement Project.
- The ongoing \$4 million sewer collection system project awarded to SLC should be complete pretty much by May 2010.

#### **PUBLIC COMMENTS**

Mayor Steve Brewer declared the public comments session open and called on Mrs. Betty Jean Carter. Mrs. Carter said she had already made her comments during the public hearing item. No one else 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 Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

#### **ADJOURNMENT**

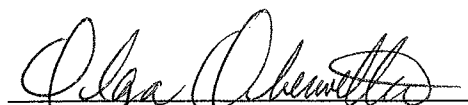
Mayor Steve Brewer adjourned the meeting at 7:25 P.M.

**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 10, 2010, as official record.



Olga Oberwetter  
Olga Oberwetter, City Secretary

**CITY COMMISSION REGULAR MEETING**

AT THE  
CITY COMMISSION MEETING ROOM  
**TUESDAY, APRIL 27, 2010, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Betty J. Carter	9055 PALMER DR. LA FERIA	797-2397
2	Douglas M. Carter	9055 PALMER DR LA FERIA	797-2397
3	Barbara Berin	700 Anagua La FERIA	797-0506
4	Price Berin	700 ANAGUA	797-0506
5	Dr		
6	Rosa Turner		
7	Liana Brewer		
8	Eve Menchase		
9	MB Whit		
10	Chia Island		
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