

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, January 12, 2010**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, January 12, 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 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.

Mr. Sunny K. Philip	City Manager
Mr. Miguel D. Wise	City Attorney
Ms. Darla Jones	Assistant City Manager
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 6:32 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 approve Commissioner John Betancourt's absence from tonight's meeting. 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, DECEMBER 15, 2009**

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, December 15, 2009. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW AND TAKE ACTION TO CONFIRM THE MINUTES OF
PROCEEDINGS AND ACTIONS CONTAINED THEREIN OF THE LA FERIA**

INDUSTRIAL DEVELOPMENT CORPORATION (LFIDC) REGULAR MEETING HELD ON THURSDAY, DECEMBER 3, 2009

After review of the minutes, Commissioner Lori Weaver moved to approve the minutes of proceedings and actions contained therein of the La Feria Industrial Development Corporation (LFIDC) regular meeting held on Thursday, December 3, 2009.

Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

PRESENTATION BY DR. NABOR CORTEZ, LA FERIA INDEPENDENT SCHOOL DISTRICT (LFISD) SUPERINTENDENT, PERTAINING TO THE CAMBRIDGE STRATEGIC PLANNING PROCESS USED BY THE LFISD

Dr. Nabor Cortez, Superintendent for the La Feria Independent School District, appeared before the Commission to present a new special planning process used by the School.

Dr. Cortez said this process is undertaken to create awareness among all of the stakeholders in the city. He asked for volunteers to sign up to be members of the Action Team which has 120 slots to fill during the La Feria ISD's Cambridge Strategic Planning Process. He also asked for members to the "Dream Team" which will be a committee that is made up of 25 to 30 members who will set the beliefs, mission, objectives, and strategies as the parameters that the Action Team will work with to develop the new plans for the future of students of the district. Dr. Cortez invited Mayor Brewer and Mr. Philip to sign up for the "Dream Team." Mayor Steve Brewer thanked Dr. Cortez for his presentation, and agreed to be on the committee. Mayor Brewer also said Mr. Philip would join or designate someone to be on the team. Mayor Brewer thanked Dr. Cortez for his presentation.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LA FERIA AND CAMERON COUNTY PERTAINING TO THE USE OF DISASTER RECOVERY FUNDS AWARDED THROUGH CAMERON COUNTY FOR FUNDS APPROPRIATED THROUGH TEXAS DEPARTMENT OF RURAL AFFAIRS

City Manager Sunny K. Philip explained that the County is in the process of signing their contract with the State and this is their agreement with the City. Mayor Brewer said this is disaster relief money that will be used for paving streets, such as 9th Street, Parker Road, and Windsong Village. Commissioner John Hernandez moved to approve the Interlocal Agreement between the City of La Feria and Cameron County pertaining to the use of Disaster Recovery Funds awarded through Cameron County for funds appropriated through the Texas Department of Rural Affairs. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW PROPOSALS RECEIVED AND AWARD CONTRACT FOR ENGINEERING SERVICES FOR INFRASTRUCTURE DEVELOPMENT ASSOCIATED WITH THE LOCATION OF ALLIED WASTE FACILITY IN LA FERIA

City Manager Sunny K. Philip said the City advertised for proposals for engineering services for infrastructure development associated with the location of Allied Waste in La Feria, and received three proposals in response to the advertisement. The three proposals received were from Naismith Engineering, Inc.; Sigler, Winston, Greenwood, & Associates; and Latitude Architects. Mr. Philip recommended the firm of Sigler, Winston, Greenwood & Associates. Commissioner Victor Gonzalez, Jr. moved to award

contract for engineering services for infrastructure development associated with the location of Allied Waste facility in La Feria. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW PROPOSALS RECEIVED AND AWARD CONTRACT FOR MANAGEMENT SERVICES FOR ADMINISTRATION OF INFRASTRUCTURE DEVELOPMENT AND GRANT FUNDING ASSOCIATED WITH THE LOCATION OF ALLIED WASTE FACILITY IN LA FERIA

City Manager Sunny K. Philip explained that the City advertised for proposals and also sent out packets to various firms, but only one proposal was received. The proposal was from Langford Community Management Services of Austin, Texas. Mr. Philip recommended the firm of Langford Community Management Services. Commissioner Angelica P. Baldivia moved to award contract for management services for administration of infrastructure development and grant funding associated with the location of Allied Waste facility in La Feria. 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 PRELIMINARY AND FINAL PLAT OF ST. FRANCIS XAVIER CATHOLIC CHURCH SUBDIVISION

City Manager Sunny K. Philip asked Assistant City Manager Ms. Darla Jones to explain this item. Ms. Jones said the building is an office complex that was recently completed. She explained the improvements that the City has requested that they make in regards to water and sewer lines and fire hydrants. She said the plat meets all the minimum requirements of the Subdivision Ordinance. Ms. Jones said the Planning and Zoning Commission met and considered this item, and they are recommending approval. Commissioner Victor Gonzalez, Jr. moved to approve the preliminary and final plat of St. Francis Xavier Catholic Church Subdivision. 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 THE PURCHASE OF A FORD POLICE INTERCEPTOR THROUGH THE BUYBOARD FOR THE POLICE DEPARTMENT USING FUNDS FROM JAG GRANT

City Manager Sunny K. Philip explained that a copy of the proposal was in the package. The vehicle price is \$22,465.00. Commissioner Lori Weaver moved to approve the purchase of a Ford police interceptor through the BuyBoard for the Police Department using funds from JAG grant. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW UNSOLICITED PROPOSAL RECEIVED FROM J & E CONSULTANTS AND CONSIDER TAKING ACTION TO APPROVE OR DENY THE CONTRACT FOR LOBBYING SERVICES

City Manager Sunny K. Philip explained that the City did not seek out this proposal; however, he wanted the City Commission to be aware of it. Mr. Philip recommended to the City Commission to deny the contract. Commissioner Lori Weaver moved to deny the contract for lobbying services from J & E Consultants. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

At this point, City Manager Sunny K. Philip asked to skip items 13 through 16 until after Executive Session. Commissioner Angelica P. Baldivia moved to skip these agenda items until after Executive Session. 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 ANNUAL "FIESTA DE LA FERIA" CELEBRATION TO BE HELD ON FEBRUARY 27, 2010

City Manager Sunny K. Philip explained that this ordinance is similar to the ones approved in prior years. This is to close the streets during the Fiesta de La Feria to be held on February 27, 2010. Commissioner John Hernandez moved to read the ordinance 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. Commissioner John Hernandez moved to approve Ordinance 2010-01 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 annual "Fiesta de La Feria" celebration to be held on February 27, 2010. Commissioner Victor Gonzalez, Jr. 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 7:13 P.M. After Executive Session deliberations, Mayor Brewer declared the meeting back in open session at 8:13 P.M.

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

There was no action necessary as a result of Executive Session deliberations.

CONSIDER AND TAKE ACTION TO CONFIRM THE LOAN APPROVED BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION IN THE AMOUNT OF \$10,000 TO SOUTH TEXAS EMERGING MARKETS DEVELOPMENT FUND, INC., A NON-PROFIT ORGANIZATION ESTABLISHED IN LA FERIA

City Manager Sunny K. Philip explained that there is a new non-profit organization in the community and they need seed money so they approached the La Feria Industrial Development Corporation (LFIDC) for a loan. The LFIDC approved the loan for

\$10,000 and the practice has been to bring these items before the City Commission for confirmation. Commissioner Victor Gonzalez, Jr. moved to confirm the loan approved by the La Feria Industrial Development Corporation in the amount of \$10,000 to South Texas Emerging Markets Development Fund, Inc., a non-profit organization in La Feria. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO CONFIRM THE LOAN APPROVED BY THE LA FERIA ECONOMIC DEVELOPMENT CORPORATION IN THE AMOUNT OF \$10,000 TO SOUTH TEXAS COLLABORATIVE FOR HOUSING DEVELOPMENT, INC., A NON-PROFIT ORGANIZATION IN LA FERIA

City Manager Sunny K. Philip explained that there is a new non-profit organization in the community and they need seed money so they approached the La Feria Economic Development Corporation (LFEDC) for a loan. The LFEDC approved the loan for \$10,000 and the item is before the City Commission for confirmation. Commissioner Victor Gonzalez, Jr. moved to confirm the loan approved by the La Feria Economic Development Corporation in the amount of \$10,000 to South Texas Collaborative for Housing Development, Inc., a non-profit organization in La Feria. 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 PROPERTY SALE OPTION EXECUTED BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION TO SOUTH TEXAS COLLABORATIVE FOR HOUSING, INC.

City Manager Sunny K. Philip explained that a non-profit organization is proposing to develop multifamily housing on 10 lots. Commissioner John Hernandez moved to confirm the property sale option executed by the La Feria Industrial Development Corporation to South Texas Collaborative for Housing, Inc. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE RESOLUTION 2010-01 AUTHORIZING THE SUBMISSION OF AN APPLICATION ON BEHALF OF THE CITY OF LA FERIA TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY DUKES HIGHWAY, LP FOR 2010 HOME FUNDS AND APPOINTING THE EXECUTIVE DIRECTOR OF DUKES HIGHWAY, LP TO ACT ON THE CITY'S BEHALF IN APPLYING FOR TDHCA HOME FUNDS FOR THE PROPOSED SUNFLOWER ESTATES APARTMENTS DEVELOPMENT

City Manager Sunny K. Philip explained that the South Texas Collaborative for Housing, Inc. has formed a subsidiary, Dukes Highway LP, so that they can develop the housing facility. 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. Commissioner Angelica P. Baldivia moved to approve Resolution 2010-01 authorizing the submission of an application on behalf of the City of La Feria to the Texas Department of Housing and Community Affairs (TDHCA) by Dukes Highway, LP for 2010 HOME funds and appointing the Executive Director of Dukes Highway, LP to Act on the City's behalf in applying for TDHCA HOME funds for the proposed Sunflower

Estates Apartments development. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REPORTS BY STAFF

- **New Market Tax Credit Application**

City Manager Sunny K. Philip reported on the following:

- The City has submitted an application for New Market Tax Credit.

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 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 8:19 P.M.

APPROVED:




Steve Brewer, Mayor

ATTEST:


Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 5:30 P.M. on January 25, 2010, as official record.


Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, JANUARY 12, 2010, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	<i>Nathan F. Corley Jr</i>	<i>203 East Oleander</i>	<i>444-2323 / 797-8303</i>
2	<i>Diana Brewer</i>		
3	<i>Mr Wright</i>		
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