

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, March 9, 2010**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, March 9, 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
Ms. Angelica P. Baldivia	City Commissioner

Absent: 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 & 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 Angelica P. Baldivia 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 Victor Gonzalez, Jr. from this meeting. Commissioner John Betancourt 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, FEBRUARY 23, 2010**

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

**PUBLIC HEARING TO RECEIVE INPUT REGARDING A REQUEST BY
YAHAYRA DE ANDA FOR A SPECIFIC USE PERMIT FOR LATE HOURS ON-**

PREMISE ALCOHOL CONSUMPTION AT A BAR AND GRILL LOCATED AT 312 WEST FIRST STREET

City Manager Sunny K. Philip introduced Ms. Irene Szedlmayer, Planning and Community Development Director, who provided a brief explanation of the requirements for a Specific Use Permit for Late Hours. Ms. Szedlmayer also reported that 30 property owners were mailed notices and the public hearing notice was published in the newspaper. There were two responses from property owners and they were both against the granting of the Specific Use Permit for Late Hours. Mayor Steve Brewer declared the public hearing open at 6:34 P.M. and asked the applicant Ms. Yahayra DeAnda if she cared to speak on her behalf. Ms. DeAnda decided not to comment. Mayor Brewer said he had talked with Commissioner Victor Gonzalez, Jr. earlier and Commissioner Gonzalez' was of the opinion that late hours could be granted on weekends only. There was discussion among the Commission concerning the effect this bar and late hours would have on the children in the neighborhood. Commissioner John Hernandez said he was opposed to this request because the City has been looking at improving the area and this is not the way to improve the neighborhood. Ms. Szedlmayer added that she had conferred with Chief Donato Garcia and he would prefer that late hours not be granted; however, he had not had any complaints on this business recently. There being no other comments, Mayor Brewer declared the public hearing closed at 6:43 P.M.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY THE REQUEST BY YAHAYRA DE ANDA FOR A SPECIFIC USE PERMIT FOR LATE HOURS ON-PREMISE ALCOHOL CONSUMPTION AT A BAR AND GRILL LOCATED AT 312 WEST FIRST STREET

Commissioner John Hernandez moved to deny the request by Yahayra DeAnda for a specific use permit for late hours on-premise alcohol consumption at a bar and grill located at 312 West First Street. Commissioner Lori Weaver seconded the motion, and the motion carried by majority vote of the City Commissioners present. Commissioner John Betancourt voted nay.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF LA FERIA AND THE RIO GRANDE VALLEY EMPOWERMENT ZONE CORPORATION (RGVEZC) FOR BROADBAND TECHNOLOGIES OPPORTUNITIES PROGRAM (BTOP) FUNDED FROM THE UNITED STATES DEPARTMENT OF COMMERCE THROUGH THE RIO GRANDE VALLEY EMPOWERMENT ZONE FOR THE BENEFIT OF LA FERIA AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF THE RIO GRANDE VALLEY EMPOWERMENT ZONE CORPORATION TO EXECUTE THE AGREEMENT AND ANY AMENDMENTS TO THE AGREEMENT BETWEEN THE DEPARTMENT OF COMMERCE AND RGVEZC THERETO AS NECESSARY

City Manager Sunny K. Philip explained that this had been discussed previously. About a year ago the City was working with Petra Reyna and that application did not succeed due to stricter guidelines. This project would provide free service for one year. All small cities are coming together to apply for this. The Empowerment Zone will be the applicant. Staff went before the Lower Rio Grande Valley Development Council, but there were not in favor of the whole thing, so the Empowerment Zone will be submitting the application. Commissioner John Betancourt 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 2010-08. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2010-08 authorizing execution of an agreement between the City of La Feria and the Rio Grande Valley Empowerment Zone Corporation (RGVEZC) for Broadband Technologies Opportunities Program (BTOP) funded from the United States Department of Commerce through the Rio Grande Valley Empowerment Zone for the benefit of La Feria and authorizing the Chief Executive Officer of the Rio Grande Valley Empowerment Zone Corporation to execute the agreement and any amendments to the agreement between the Department of Commerce and RGVEZC thereto as necessary. 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 A RESOLUTION OF THE CITY OF LA FERIA DESIGNATING DEPOSITORY SIGNATORIES

City Manager Sunny K. Philip explained that this resolution is passed whenever there is a change in the City. Darla Jones has been replaced by Irene Szedlmayer on the list of signatories. Commissioner Lori Weaver moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner John Hernandez 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 2010-09. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2010-09 designating depository signatories. 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 RESOLUTION OF THE CITY OF LA FERIA ACCEPTING THE LA FERIA WATER TREATMENT PLANT EXPANSION (FILTER) PROJECT

Commissioner John Hernandez 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 2010-10. After reading of the caption, Commissioner John Hernandez moved to approve Resolution 2010-10 accepting the La Feria Water Treatment Plant Expansion (Filter) Project. 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 ACCEPTING THE LA FERIA WASTEWATER TREATMENT PLANT PROJECT

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 2010-11. After reading of the caption, Commissioner John Hernandez moved to approve Resolution 2010-11 accepting the La Feria Wastewater Treatment Plant Project. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REPORTS BY STAFF

- **Fiesta de La Feria**
- **Home Fair Planned for April 10, 2010**

City Manager Sunny K. Philip reported on the following:

- The City had good weather and a good turn out for the Fiesta de La Feria.
- The Home Fair is planned for April 10, 2010. The USDA will provide 1% loans to residents. This program has been on hold for one or two years because of the State Director, but now a new State Director is coming on board and they want to start this up again. The City will be extending invitations to all the people that have applied for the City's HOME programs. The City will be advertising in the newspaper. This program is income based. There are also other programs for the elderly and handicapped.

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 John Hernandez moved to adjourn the meeting. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

ADJOURNMENT


Mayor Steve Brewer adjourned the meeting at 7:15 P.M.

APPROVED:



Steve Brewer, Mayor

ATTEST:



Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 1:30 P.M. on March 19, 2010, as official record.



Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING

AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, MARCH 9, 2010, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	MB Wright		
2	V. Starcon		
3	Liana Brewer		
4	Shirley Ireland		797-2964
5	Don Martner		
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