

RESOLUTION 2010-19

A RESOLUTION REQUESTING FINANCIAL ASSISTANCE FROM THE FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION THROUGH TEXAS WATER DEVELOPMENT BOARD FOR FLOOD MITIGATION ASSISTANCE PROGRAM; AUTHORIZING THE CITY MANAGER, CITY'S CONSULTANTS, FINANCIAL ADVISORS, BOND COUNSEL, AND ENGINEERS TO COORDINATE THE SUBMISSION OF THE APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of La Feria, Texas (the *City*), has heretofore applied for financial assistance from Federal Emergency Management Administration (FEMA) through the Texas Water Development Board (the *Board*) under its Flood Mitigation Assistance Program (FMA) in connection with the proposed flood mitigation activities (the *Project*);

WHEREAS, the Board has invited the City to submit application for funding for the Flood Mitigation Activities; and

WHEREAS, in accordance with the rules and regulations of the Board, which govern the procedures in making such an application, the governing body of the City is required to pass a resolution to accompany such application; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS THAT:

1. It is hereby found and determined that the City cannot reasonably finance the Project without the financial assistance of the Board in the amount requested.

2. The City hereby requests that the Board grant financial assistance to the City in the amount not to exceed \$22,000,000 (as grant funds lawfully available through the Board) for implementing the project, as designed by the City's consulting engineer, and the purchase of the necessary land and rights-of-way relating thereto and for the relocation of residents from affected areas.

3. The City Manager of the City is hereby authorized to execute and submit to the Board the application for such financial assistance, and the City Manager of the City, together with the bond counsel, financial advisors and consulting engineers named in such application, are authorized to appear before the Board in support of such application.

4. The City Manager of the City is further specifically authorized to make the required assurances to the Board in accordance with the rules, regulations, and policies of the Board.

5. A certified copy of this resolution shall be attached to the application for financial assistance herein authorized to be prepared and submitted to the Board, and the City Secretary of

the City is authorized and directed to prepare and certify such number of copies of this resolution as may be required for purposes of supporting the submission of such application to the Board.

6. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this resolution for all purposes and are adopted as a part of the judgment and findings of the City.

7. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

8. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

9. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Resolution would have been enacted without such invalid provision.

10. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

11. This Resolution shall be in force and effect from and after its passage on the date shown below.

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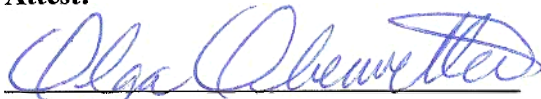
PASSED, ADOPTED AND APPROVED on the 9th day of June 2010.

CITY OF LA FERIA, TEXAS



Steve Brewer, Mayor

Attest:



Olga Oberwetter, City Secretary

(SEAL)

CERTIFICATE OF SECRETARY

THE STATE OF TEXAS

COUNTY OF CAMERON

CITY OF LA FERIA

THE UNDERSIGNED HEREBY CERTIFIES that:

On the 8th day of June 2010, the City Commission (the *Commission*) of the City of La Feria, Texas (the *City*) convened in regular session at its regular meeting place, being the La Feria City Hall (the *Meeting*), the duly constituted members of the Commission being as follows:

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

and all of such persons were present at the Meeting, except the following: none absent, thus constituting a quorum. Among other business considered at the Meeting, the attached resolution (the *Resolution*) entitled:

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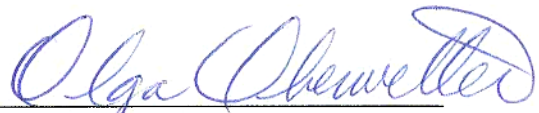
was introduced and submitted to the Commission for passage and adoption. After presentation and discussion of the Resolution, a motion was made by Commissioner John Betancourt that the Resolution be finally passed and adopted. The motion was seconded by Commissioner Victor Gonzalez, Jr. and carried by the following vote:

5 voted "For" 0 voted "Against" 0 abstained

all as shown in the official Minutes of the Commission for the Meeting.

2. The attached Resolution is a true and correct copy of the original on file in the official records of the City; the duly qualified and acting members of the Commission on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the Commission was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Resolution would be considered; and the Meeting and deliberation of the aforesaid public business, including the subject of the Resolution, was posted and given in advance thereof in compliance with the provisions of Chapter 551, as amended, Texas Government Code.

IN WITNESS WHEREOF, I have signed my name officially and affixed the seal of the City, this 8th day of June 2010.



Olga Oberwetter
City Secretary
City of La Feria

(CITY SEAL)