

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, February 22, 2011**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, February 22, 2011, 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
Mr. Richard S. Talbert	City Attorney
Ms. Maria Chavero	Finance Director
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 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.

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS
OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON
TUESDAY, FEBRUARY 8, 2011**

After review of the minutes, Commissioner John Betancourt moved to approve the minutes of proceedings of the previous regular meeting of the City Commission held on Tuesday, February 8, 2011. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

**PUBLIC HEARING TO RECEIVE INPUT REGARDING THE CITY OF LA
FERIA'S PLANS TO SUBMIT A GRANT APPLICATION TO THE TEXAS
PARKS AND WILDLIFE DEPARTMENT FOR THE DEVELOPMENT OF A
SMALL COMMUNITY PARK AT 412 N. WEST STREET, LA FERIA, TEXAS**

City Manager Sunny K. Philip prefaced the public hearing with the following comments. The City is working on a total of three projects with the Parks and Wildlife Department. One is the Small Community Park on 412 N. West Street. The second one is

improvements to the Veterans Memorial Park/Sports Complex for which the City submitted an application which was not funded due to lack of funding. The third is an application for improvements to the A.J. Wilson Field and swimming pool area. Mr. Philip said the A.J. Wilson Field was built in the late 80's and the light posts need to be replaced. The swimming pool needs to be rehabbed as do the restrooms.

Mr. Philip then explained the items that are represented in the sketch for the Small Community Park which included a multipurpose court, a shuffle board, an iron fence surrounding the park, a walkway around the area, a playground area, a horse shoe court, security lights, and parallel parking on 3rd Street. Mr. Philip said the City is working with Cameron County to assist in this project. Mayor Steve Brewer declared the public hearing open at 6:34 P.M. Mrs. Eva Menchaca spoke in favor of the Small Community Park and recommended that activities be added to this park that would be enjoyed by older residents and the elderly such as a walking trail, shuffleboard, horse shoe courts, benches around the park so that the elderly could sit and rest. Other suggestions were for covered tables for games or a covered area for craft activities. Mayor Steve Brewer thanked Mrs. Menchaca and acknowledged Mr. James Oates who inquired as to what exists on the proposed site now. Mayor Brewer responded that there is an unoccupied home on the lot. Mr. Oates also inquired about the cost to the City. Mayor Brewer said that the City is looking for a grant for the park and that the total cost would be \$150,000.00. Mr. Oates also wanted to know if this area was prone to flooding, and Mayor Brewer responded that it was not.

Commissioner Victor Gonzalez, Jr. asked if the park would be gated and locked. City Manager Sunny K. Philip responded that it would be fenced for safety, but it would not be locked. He said it would not be easy for children to run out into the street. Mr. James Oates commented that aside from the Skate Park on Canal Street, there is no other park on the north side of town and this would be good. He also inquired if there would be electricity and restrooms. Mr. Philip said there would be electricity, but no restrooms were being planned. There being no further comments, Mayor Steve Brewer thanked the participants, and declared the public hearing closed at 6:39 P.M.

PUBLIC HEARING TO RECEIVE INPUT REGARDING THE CITY OF LA FERIA'S PLANS TO SUBMIT A GRANT APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR PARK AND RECREATION NEEDS FOR AN OUTDOOR RECREATION PARK (VETERANS MEMORIAL PARK/SPORTS COMPLEX)

City Manager Sunny K. Philip explained that the application submitted for the improvements to the Veterans Memorial Park/Sports Complex was not funded due to lack of funds. The items proposed for this project were: tennis courts, a splash pad, a pavilion, rerouting the jogging area, and adding a score board. Mayor Steve Brewer declared the public hearing open at 6:43 P.M. Ms. Liana Brewer inquired about the splash pad. Mr. Philip explained that a splash pad is an alternative to a swimming pool, which will include a section for children, teens, and adults as well. The water will splash around and get people wet. Mr. Philip added that the pavilion which had been proposed for this park would provide a place for the city and school to hold different programs and activities at the park. Mayor Brewer added that the school district has already committed to fund \$149,000.00 towards the improvements at the Veterans Memorial Park/Sports Complex, and this would be very helpful in meeting the local match for the grant. There

being no further comments, Mayor Steve Brewer declared the public hearing closed at 6:48 P.M.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION AUTHORIZING APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR PARTICIPATION IN THE LOCAL PARK GRANT PROGRAM FOR THE DEVELOPMENT OF A SMALL COMMUNITY PARK AT 412 N. WEST STREET, LA FERIA, TEXAS.

Commissioner Victor Gonzalez, Jr. 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 Commission. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2011-06. After reading of the caption, Commissioner John Betancourt moved to approved Resolution 2011-06 authorizing the application to the Texas Parks and Wildlife Department for participation in the Local Parks Grant Program for the development of a Small Community Park at 412 N. West Street, La Feria, Texas. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION AUTHORIZING APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR PARTICIPATION IN THE LOCAL PARK GRANT PROGRAM FOR PARK AND RECREATION NEEDS FOR AN OUTDOOR RECREATION PARK (VETERANS MEMORIAL PARK/SPORTS COMPLEX).

City Manager Sunny K. Philip explained that this resolution would not be required at this time, since the application would not be submitted until August and a new resolution would be brought before the City Commission at that time. Commissioner Victor Gonzalez, Jr. moved to table this item. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA AUTHORIZING INDIVIDUALS WHO WILL BE AUTHORIZED TO SIGN STATE OF TEXAS PURCHASE VOUCHERS AND REQUEST FOR ADVANCE OR REIMBURSEMENT PERTAINING TO TEXAS CAPITAL FUND PROGRAM GRANT CONTRACT NO. 729082, ALLIED WASTE OF THE RIO GRANDE VALLEY

City Manager Sunny K. Philip explained that the City received a grant award from the Department of Agriculture Texas Capital Fund to make utility and street improvements to accommodate Allied Waste, and the grant program requires that when the City submits invoices to the state at least two persons sign the request for advance or reimbursement. This resolution would authorize the City Manager, the City Secretary and the Planning and Community Development Director to sign the requests. Commissioner Angelica P. Baldivia 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 Commission. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2011-08. After reading of the caption, Commissioner John Betancourt moved to approved Resolution 2011-08 authorizing the City Manager, City Secretary, and Planning and Community Development Director to sign State of Texas Purchase Vouchers and Request for Advance or Reimbursement pertaining to Texas Capital Fund Program Grant Contract No. 729082, Allied Waste of the Rio Grande

Valley. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO CONFIRM AND RATIFY THE TAKEOVER CONTRACT BETWEEN THE CITY OF LA FERIA AND SAFECO INSURANCE COMPANY FOR THE COMPLETION OF WATER AND WASTEWATER SYSTEM IMPROVEMENTS PROJECT

City Manager Sunny K. Philip explained that this project was awarded to SLC Construction, and it was funded through the North American Development Bank (NADB) and Economic Development Administration (EDA). The work involved sewer line improvements on the west side along 2556 and also on the east side of town, and on the north and south side of the frontage road on Expressway 83. This project also included installing a lift station on Beddoes Road by the new school. Mr. Philip said that the original contract award to SLC was for \$4,224,656.27, but through value engineering the cost was reduced to \$3,830,156.02. He added that SLC Construction had finished most of the work except for minor work at the lift station on Kelly Drive and Beddoes Road. Mr. Philip said the City is holding \$278,430.99 as a retainage, but through negotiations with the contractor, the City will be reducing that amount by \$10,272.19 which will result in a net amount to the contractor of about \$268,158.80. Since SLC did not complete the work, Safeco Insurance Company has taken over the project. They will bring in another contractor to finish the work, and the contractor will complete the project by April 15, 2011. Commissioner Lori Weaver moved to confirm and ratify the takeover contract between the City of La Feria and Safeco Insurance Company for the completion of Water and Wastewater System Improvements Project initially contracted to SLC Construction. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

MONTHLY FINANCIAL REPORTS FOR THE MONTH OF JANUARY 2011

- **REVENUE AND EXPENDITURE REPORT**
- **PERFORMANCE INDICATORS**
- **INVESTMENT REPORT**
- **TAX COLLECTION REPORT**

Mayor Steve Brewer announced that these 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 551.072 TO DISCUSS PROPOSED PURCHASE/SALE/DONATION 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 an executive session, so Commissioner Victor Gonzalez, Jr. moved to table this item. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

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

Commissioner Victor Gonzalez, Jr. moved to table this item. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

REPORTS BY STAFF

- Water and Wastewater Improvements Projects
- Disaster Recovery Street Improvement Project Construction Progress

City Manager Sunny K. Philip reported on the following:

- The wastewater improvements project was already discussed in a previous item on the agenda (SLC Construction project).
- All the work has been completed for the water system improvements which were funded by the Texas Water Development Board, and the City is waiting for a final inspection.
- The Street Improvements Project is not completed yet, because the City has requested that the contractor make some minor corrections.

Mr. Philip reminded the Commission about the Fiesta de La Feria to be held on Saturday, February 26, 2011.

PUBLIC COMMENTS

Mayor Steve Brewer declared the public comment session open. No one signed up to speak before the City Commission, so Mayor Brewer declared the public comment session closed.

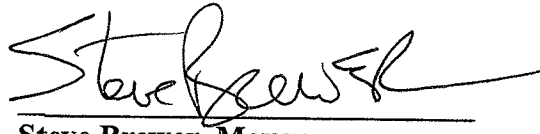
ACTION FOR ADJOURNMENT

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

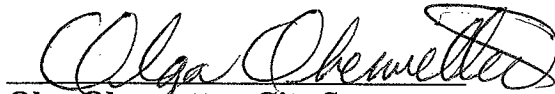
Mayor Steve Brewer adjourned the meeting at 7:03 P.M.

APPROVED:



Steve Brewer, Mayor

ATTEST:



Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 5:50 P.M. on March 5, 2011, as official record.



Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, FEBRUARY 22, 2011, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	<i>E. Menchaca</i>		
2	<i>John Oate</i>		
3	<i>John Hernandez</i>		
4	<i>John Hernandez Jr</i>		
5	<i>Julie Cavazos</i>		
6	<i>M. B. Wright</i>		
7	<i>Rosal Turner</i>		
8	<i>Liana Brewer</i>		
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