

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

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

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

Absent: Mr. Steve Brewer Mayor

The following staff members were present.

Mr. Richard S. Talbert	City Attorney
Ms. Kin Mendoza	Accountant
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 Pro Tem Lori Weaver asked Commissioner Victor Gonzalez, Jr. to give the invocation. After the invocation, Mayor Pro Tem Lori Weaver led everyone present in reciting the Pledge of Allegiance to the Flag of the United States of America. She 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, MARCH 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, March 8, 2011. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO CANCEL THE MAY 14, 2011 GENERAL  
ELECTION OF THE CITY OF LA FERIA IN ACCORDANCE WITH SECTION  
2.052 OF THE TEXAS ELECTION CODE**

Commissioner John Hernandez moved to cancel the May 14, 2011 General Election of the City of La Feria in accordance with Section 2.052 of the Texas Election Code.

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 APRIL AS "FAIR HOUSING MONTH"**

Commissioner Angelica P. Baldivia moved to adopt proclamation proclaiming April as "Fair Housing Month." Commissioner Victor G. Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO ACCEPT THE ANNUAL RACIAL  
PROFILING REPORT PRESENTED BY POLICE CHIEF DONATO GARCIA**

Police Chief Donato Garcia presented the Racial Profiling Report and reviewed the data in detail with the Commission. Chief Garcia announced that there had been no racial profiling complaints received during the year. After review of the report and all questions answered, Commissioner Victor Gonzalez, Jr. moved to accept the Annual Racial Profiling Report as presented by Police Chief Donato Garcia. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDERATION AND POSSIBLE ACTION ON THE PROPOSED  
PRELIMINARY AND FINAL PLAT FOR THE RE-SUBDIVISION OF LOT C OF  
L.F.I.D.C. NORTH NO. 3 SUBDIVISION**

Planning and Community Development Director Ms. Irene Szedlmayer discussed this item with the Commission. A copy of the plat was delivered with the packets to the City Commission. Ms. Szedlmayer said the plat was approved by the City Commission approximately two years ago, but it was just recorded recently after all the property taxes due by all the property owners were paid. The only change made by the re-subdivision is to create the 1.07-acre lot shown on the plat. Ms. Szedlmayer stated that the Planning and Zoning Commission met last evening, and they are recommending approval to the City Commission. Ms. Szedlmayer said that City Attorney Mr. Richard S. Talbert brought to her attention that there is a land use restriction on the plat as Plat Note Number 2 which reads, "uses of all property to be either commercial or industrial only." Ms. Szedlmayer recommended that the Commission approve this plat with the removal of Plat Note Number 2 which would allow the City Commission more flexibility for land use planning. Questions concerning the building of residences in the middle of commercial or industrial areas were voiced by the Commission, but Ms. Szedlmayer and Mr. Talbert said that the Commission would still have Zoning control over those areas. Commissioner Victor Gonzalez, Jr. moved to approve the proposed preliminary and Final Plat for the Re-subdivision of Lot C of L.F.I.D.C. North No. 3 Subdivision with the removal of Plat Note Number 2. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDERATION AND POSSIBLE ACTION ON THE PROPOSED FINAL  
PLAT OF THE ANOTHER CLOSET #9 SUBDIVISION, A 7.5-ACRE TRACT  
OUT OF BLOCK 2 BIXBY SUBDIVISION (AT THE SOUTHWEST CORNER OF  
EXPRESSWAY 83 AND BIXBY ROAD)**

Planning and Community Development Director Ms. Irene Szedlmayer said the Planning and Zoning Commission met last night and voted unanimously to recommend to the City Commission approval of this plat. Ms. Szedlmayer said Kelley Heller-Vela, the engineer for this project is in the audience in case the Commission has any questions. They will be

bringing a water line from Solis Road to this property. They need an 8" inch water line, but will be upsizing the water line to 10" inches to meet our Comprehensive Plan requirements, and the City utilities system will be participating in the cost of the upsizing of the line. Ms. Szedlmayer said this plat has the same issue about the note restriction on land use, Note Number 3, and recommended approval with the removal of that note. Commissioner Victor Gonzalez, Jr. inquired about the cost for the fire hydrants. Ms. Heller-Vela responded that the fire hydrants to service the property would be the responsibility of the developer; however, the additional hydrants requested along the line extension would be expenses that would be paid by the City's Utility System. Commissioner Angelica P. Baldivia moved to approve the Final Plat of the Another Closet #9 Subdivision, a 7.5-acre tract out of Block 2 Bixby Subdivision (at the southwest corner of Expressway 83 and Bixby Road) with the removal of Note Number 3. Commissioner John Hernandez 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**

Accountant Ms. Kin Mendoza was present to review the financial reports in the absence of Finance Director Ms. Maria Chavero. The reports were delivered in the packets prior to the meeting for Commission Review and there were no questions, so Mayor Pro Tem Lori Weaver announced that these reports would be filed for audit.

### **PUBLIC HEARING TO RECEIVE INPUT REGARDING THE SUBMISSION OF A PROPOSED AMENDMENT OF THE CURRENT TXCDBG CONTRACT WITH THE TEXAS DEPARTMENT OF RURAL AFFAIRS RELATED TO THE REPLACEMENT OF THE WASTEWATER PRESSURE MAIN, FROM THE LILAC LIFT STATION TO THE WASTEWATER TREATMENT PLANT AND UPDATES TO THE LILAC AVENUE LIFT STATION FOR THE PROPOSED USE OF ADDITIONAL FUNDS TO ADD AN ADDITIONAL PUMP AT THE LILAC LIFT STATION, PAY FOR ADMINISTRATIVE COSTS, OR TO ADD A NEW ODOR CONTROL UNIT AT DODD LANE LIFT STATION**

Planning and Community Development Director Ms. Irene Szedlmayer said this is a project that is nearly completed; the City is just waiting for the delivery of some of the electronic parts for the lift station. There is additional money available in the project and the City is looking at additional options for the use of those funds. The public hearing was advertised as required by TDRA. Mayor Pro Tem Ms. Lori Weaver declared the public hearing open at 6:45 P.M. There were no comments from the audience, so Mayor Pro Tem Ms. Lori Weaver declared the public hearing closed at 6:46 P.M.

### **CONSIDER AND TAKE ACTION TO APPROVE OR DENY RESOLUTION AUTHORIZING THE SUBMISSION OF AN AMENDMENT TO THE CURRENT TXCDBG CONTRACT WITH THE TEXAS DEPARTMENT OF RURAL AFFAIRS RELATED TO THE REPLACEMENT OF THE WASTEWATER PRESSURE MAIN, FROM THE LILAC LIFT STATION TO THE WASTEWATER TREATMENT PLANT AND UPDATES TO THE LILAC AVENUE LIFT STATION FOR THE PROPOSED USE OF ADDITIONAL**

**FUNDS TO ADD AN ADDITIONAL PUMP AT THE LILAC LIFT STATION,  
PAY FOR ADMINISTRATIVE COSTS, OR TO ADD A NEW ODOR CONTROL  
UNIT AT DODD LANE LIFT STATION**

Commissioner John Betancourt 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 2011-11. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2011-11 authorizing the submission of an amendment to the current TxCDBG contract with the Texas Department of Rural Affairs related to the replacement of the wastewater pressure main, from the Lilac Lift Station for the proposed use of additional funds to add an additional pump at the Lilac Lift Station, pay for administrative costs, or to add a new odor control unit at Dodd Lane Lift Station. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

**PUBLIC COMMENTS**

Mayor Pro Tem Lori Weaver declared the public comment session open and acknowledged Ms. Ixtla Ccihuatl who spoke regarding Police Department traffic violation procedures. No one else signed up to speak before the City Commission, so Mayor Pro Tem Lori Weaver declared the public comment session closed.

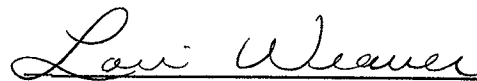
**ACTION FOR ADJOURNMENT**

There being no further business to conduct, Commissioner John Betancourt moved to adjourn the meeting. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.


**ADJOURNMENT**

Mayor Pro Tem Lori Weaver adjourned the meeting at 6:52 P.M.


**APPROVED:**

  
Lori Weaver, Mayor Pro Tem

**ATTEST:**

  
Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 10:50 P.M. on April 9, 2011, as official record.

  
Olga Oberwetter, City Secretary

**CITY COMMISSION REGULAR MEETING**

AT THE

CITY COMMISSION MEETING ROOM

**TUESDAY, MARCH 22, 2011, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Kelley Heller-Vela	Melden & Hunt	
2	Artla Cihuatl		565-3838
3	Johanna Moreno		
4	Kin mendozo		
5	Julie [Signature]		
6	Betty Jo Dunlap	P O Box 993 La Feria TX	797-2272 797-2561
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