

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, May 10, 2011**

Be it known that the City of La Feria City Commission met in regular session on Tuesday, May 10, 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. Victor Gonzalez, Jr.	City Commissioner
	Ms. Angelica P. Baldivia	City Commissioner
Absent:	Mr. John Edward Betancourt	City Commissioner
	Mr. John Hernandez	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 gave 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, APRIL 26, 2011**

After review of the minutes, Commissioner Lori Weaver moved to approve the minutes of proceedings of the previous regular meeting of the City Commission held on Tuesday, April 26, 2011. 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 OF THE PREVIOUS REGULAR MEETING OF THE LA
FERIA INDUSTRIAL DEVELOPMENT CORPORATION (LFIDC) HELD ON
THURSDAY, APRIL 7, 2011**

After review of the minutes, Commissioner Lori Weaver moved to approve the minutes of proceedings of the previous regular meeting of the La Feria Industrial Development

Corporation (LFIDC) held on Thursday, April 7, 2011. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

PUBLIC HEARING TO RECEIVE INPUT REGARDING ESTABLISHING FOUR WAY STOPS AT THE INTERSECTION OF WEST MAGNOLIA AND WEST STREET; EAST VERBENA AND EAST STREET; AND ESTABLISHING THREE WAY STOPS AT SOUTH WILLOW AND PANCHO MAPLES DRIVE TO IMPROVE SAFETY AND IMPROVED TRAFFIC FLOW IN THE COMMUNITY

City Manager Sunny K. Philip said that the main issue for establishing these traffic stops is safety. Mayor Steve Brewer declared the public hearing open at 6:33 P.M. Mrs. Eva Menchaca commented that this a very good idea. The City Commission discussed the future development that will take place around these areas and agreed that establishing the four way and three way stops was a good idea. There being no further comments, Mayor Steve Brewer declared the public hearing closed at 6:34 P.M.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY ORDINANCE OF THE CITY OF LA FERIA ESTABLISHING FOUR WAY STOPS AT THE INTERSECTION OF WEST MAGNOLIA AND WEST STREET; EAST VERBENA AND EAST STREET; AND ESTABLISHING THREE WAY STOPS AT SOUTH WILLOW AND PANCHO MAPLES DRIVE TO IMPROVE SAFETY AND IMPROVE TRAFFIC FLOW IN THE COMMUNITY

Commissioner Victor Gonzalez, Jr. moved to read the ordinance 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 Mr. Richard S. Talbert read the caption of Ordinance 2011-05. After reading of the caption, Commissioner Angelica P. Baldivia moved to approve Ordinance 2011-05 establishing four way stops at the intersection of West Magnolia and West Street; East Verbena and East Street; and establishing three way stops at South Willow and Pancho Maples Drive to improve safety and improve traffic flow in the community. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

PUBLIC HEARING TO RECEIVE INPUT REGARDING THE RECREATION AND PARK NEEDS FOR THE CITY OF LA FERIA DURING THE NEXT TEN YEARS AND UPDATING THE CITY'S MASTER PARK PLAN FOR SUBMITTAL TO TEXAS PARKS AND WILDLIFE

City Manager Sunny K. Philip referenced the Park Plan that was approved by the City Commission several years ago as the part of the City of La Feria's Comprehensive Plan. Mr. Philip explained that since the City is submitting an application to the Texas Parks and Wildlife Department (TPWD) for park improvements, the TPWD wants to make sure that the items in the application are consistent with the City's Comprehensive Plan. Mayor Steve Brewer declared the public hearing open at 6:38 P.M. Mrs. Eva Menchaca said she was born and raised in La Feria and has seen a lot of progress throughout the years, and that its getting better. Mrs. Menchaca said that elders like her would like to request that the City consider the following items for the parks: picnic tables, benches, amphitheater facilities, horse shoe court and shuffleboard court. Mrs. Menchaca urged the Commission to consider these items and include them in the application. City Manager Sunny K. Philip read the list of priorities as follows:

1. Aquatic playground facilities
2. Playground equipment
3. Picnic tables
4. Tennis courts
5. Benches
6. Horseshoe court
7. Shuffleboard court
8. Covered area for gatherings
9. Walking & jogging trail (pleasure and exercise).
10. Practice baseball field
11. Lights for recreation facilities
12. Bleachers for recreation facilities
13. Modular playground equipment
14. Lighted baseball field
15. Lighted softball field
16. Basketball court
17. Volleyball court
18. Soccer field
19. Amphitheater
20. Barbecue pit
21. Golf course

Mr. Philip said this is the dream list. There being no further comments, Mayor Steve Brewer declared the public hearing closed at 6:40 P.M.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY THE CITY OF LA FERIA'S MASTER PARK PLAN FOR THE RECREATION AND PARK NEEDS FOR LA FERIA FOR THE NEXT TEN YEARS

Commissioner Lori Weaver 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 Mr. Richard S. Talbert read the caption of Resolution 2011-17. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2011-17 approving the City of La FERIA's Master Park Plan for the recreation and park needs for La FERIA for the next ten years. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

PUBLIC HEARING TO RECEIVE INPUT REGARDING THE GENERATOR INSTALLATION PROJECT, CONTRACT #DRS 010089 FUNDED THROUGH A DISASTER RECOVERY GRANT

City Manager Sunny K. Philip explained that the City of La FERIA received a grant from the Texas Department of Rural Affairs Disaster Recovery Program in the amount of \$270,671.00 and of that amount \$18,000.00 was paid for engineering services. The contract for the purchase and installation of the four generators was awarded to Metro Electric in the amount of \$252,375.00 and these generators were installed at the Lilac Lift Station, Parker Road Lift Station, Canal Street Lift Station and at the Arroyo Heights Lift Station. With the completion of this project, all lift stations in La FERIA have a backup power source. Mayor Steve Brewer declared the public hearing open at 6:44 P.M. There were no comments received, so Mayor Steve Brewer declared the public hearing closed at 6:44 P.M.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY RESOLUTION ACCEPTING THE GENERATOR INSTALLATION PROJECT, CONTRACT #DRS 010089 FUNDED THROUGH A DISASTER RECOVERY GRANT

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. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2011-18. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2011-18 accepting the Generator Installation Project, Contract #DRS 010089 funded through a Disaster Recovery grant. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

PUBLIC HEARING TO RECEIVE INPUT REGARDING A REQUEST BY NOELIA Z. FLORES, DBA ZAMORA DISTRIBUTING COMPANY, FOR A SPECIFIC USE PERMIT (SUP) TO OPERATE A WAREHOUSE AT 316 SHORT STREET

Planning and Community Development Director Ms. Irene Szedlmayer discussed this item with the Commission. She said Mrs. Noelia Z. Flores applied for a Specific Use Permit (SUP) to operate a warehouse at 316 Short Street, also known as Lots 14, 15, and 16 of Block 1, La Feria Original Town Site. Ms. Szedlmayer said the use of the property conforms to most but not all the zoning regulations for the issuance of this SUP. The property does not conform to the Zoning Ordinance in three ways: the minimum rear setback, parking is not paved, and there is no screening between the warehouse and the residentially-zoned property to the east. Mayor Steve Brewer declared the public hearing open at 6:49 P.M. Mrs. Noelia Flores said they have outgrown their existing warehouse, and they want to be close to their other business. She said there would be two deliveries that would be made during the week, and the deliveries are made between the hours of noon to 5:00 P.M. Ms. Irene Szedlmayer said that she drafted the SUP with five conditions being satisfied prior to the commencement of operations, and that except for the painting of the building, the other four conditions are mandated by the Zoning Ordinance. City Attorney Mr. Richard S. Talbert clarified that the method for any variance from the requirements of the Zoning Ordinance for this SUP would be through the Zoning Board of Adjustment and Appeals. The SUP would not need to come back to the City Commission once the Zoning Board of Adjustment and Appeals approves the variance, if the City Commission approves the SUP as it is drafted. There being no further comments, Mayor Steve Brewer declared the public hearing closed at 7:00 P.M.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A SPECIFIC USE PERMIT (SUP) FOR NOELIA Z. FLORES, DBA ZAMORA DISTRIBUTING COMPANY, TO OPERATE A WAREHOUSE AT 316 SHORT STREET, AND AUTHORIZING THE MAYOR TO ISSUE AN ORDER GRANTING OR NOT GRANTING THE SUP

Commissioner Victor Gonzalez, Jr. moved to approve the Specific Use Permit (SUP) for Noelia Z. Flores, dba Zamora Distributing Company, to operate a warehouse at 316 Short Street with the conditions that she ask for a variance from the Zoning Board of Adjustment and Appeals for the rear set-back, the paving of the parking area, and the screening on the east side property line, and authorizing the Mayor to issue an order granting the SUP. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

WORKSHOP ON CITY'S STORMWATER MANAGEMENT PERMIT

City Manager Sunny K. Philip introduced the subject. He said the City Commission approved an agreement between the City and Texas A & M University, along with other cities, to come up with guidelines on stormwater management, and in the future the Commission will need to approve some ordinances to make sure that the City is in compliance with the regulations. Planning and Community Development Director Ms. Irene Szedlmayer presented a PowerPoint presentation in regards to the City's Stormwater Management Plan. Ms. Szedlmayer said the goal of the Clean Water Act of 1972 is to have water that is fishable, swimmable, and drinkable and that the City of La Feria is required by law to develop, implement and enforce a Stormwater Management Plan. Under this plan there are six minimum control measures to be in compliance which are: public education and outreach, public involvement, detection and elimination of illicit discharges, control of stormwater at construction sites, post-construction best management practices, and municipal good housekeeping. Mayor Steve Brewer thanked Ms. Szedlmayer for a thorough report. There was no action needed on this item.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR FUNDING TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS UNDER THE HOME PROGRAM RESERVATION SYSTEM

City Manager Sunny K. Philip said that the City has applied for and received funding to build five homes for low-income residents, but because of timing and other issues, only two homes were entered into the system, and the other three homes are on a waiting list. The State has modified their housing program and these homes can be placed on a reservation system so that they will be funded as funds become available. Commissioner Lori Weaver 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 Mr. Richard S. Talbert read the caption of Resolution 2011-16. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2011-16 authorizing the submission of an application for funding to the Texas Department of Housing and Community Affairs under the HOME Program Reservation System. 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 ORDINANCE OF THE CITY OF LA FERIA AMENDING THE CITY'S SUBDIVISION ORDINANCE AUTHORIZING SUBDIVISION REVIEW BY THE CITY OF LA FERIA FOR THE CITY'S 5-MILE ETJ, RATHER THAN THE ONE-MILE ETJ AS IT CURRENTLY PROVIDES

Commissioner Lori Weaver moved to table this item until a later date. Commissioner Angelica P. Baldivia 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, 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 Lori Weaver moved to table this item. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

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

Commissioner Lori Weaver moved to table this item. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REPORTS BY STAFF

- **JULY 4TH CELEBRATION**
- **TWDB Funding for Water and Wastewater System Improvements**
- **TDRA Funding for Drainage Improvements**

City Manager Sunny K. Philip reported on the following:

- The Independence Day Celebration will be held on Saturday, July 2, 2011 and as in the past July Fourth events, the veterans attending will be recognized. There will be no parade and no beer sales. The Event Planning Committee will bring an ordinance before the Commission for approval of beer consumption at the park during the celebration. There will be fireworks at the end of the festivities as we have had in the past two years.
- The Texas Water Development Board issued a Press Release regarding the City of La Feria's awards for \$7,167,700 for the Drinking Water State Revolving Fund – Disadvantaged Community Program, and for \$8,381,340 for the Clean Water State Revolving Fund – Disadvantaged Community Program. Mayor Steve Brewer said this is a forgivable loan so that the City does not have to pay any of it back.
- TDRA Funding for Drainage Improvements-The City of La Feria is the only one that provided all the supporting documents and they are in the process of reviewing the application. There have been many questions and it is a very complicated process, but it is also a very complicated project.

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.

At this point, Commissioner Lori Weaver moved to excuse the absence of Commissioner John Hernandez and Commissioner John Betancourt from tonight's meeting and excuse the absence of Mayor Steve Brewer and Commissioner Victor Gonzalez, Jr. from the April 26, 2011 meeting. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

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 Commissioners present.

ADJOURNMENT

Mayor Steve Brewer adjourned the meeting at 7:28 P.M.

APPROVED:



Steve Brewer, Mayor

ATTEST:


Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 1:45 P.M. on May 23, 2011, as official record.


Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, MAY 10, 2011, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Dolores Z. Flores	P.O. Box 335	747-2284 / 742-9040
2	E. Sanchez		
3	Dolores Blaylock	221 W 7th St	832-687-5468
4	Alfredo Dominguez	221 W 7th St	832-687-1463
5	Rosa Turner		
6	Laura Brewer		
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			