

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, August 23, 2011**

Be it known that the City of La Feria City Commission met in regular session on Tuesday, August 23, 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. Victor Gonzalez, Jr.   | City Commissioner               |
| Ms. Angelica P. Baldivia   | City Commissioner               |

Absent: 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 asked Commissioner John Betancourt to give the invocation. After the invocation, Mayor Brewer asked the Boys Scouts to lead 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 Commissioner John Hernandez' absence from this meeting, since he was out of town. 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, JULY 26, 2011**

These minutes were not available for review at this date, so Commissioner Lori Weaver moved to table this item until the next 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, AUGUST 9, 2011**

These minutes were not available for review at this date, so Commissioner Lori Weaver moved to table this item until the next meeting. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**PRESENTATION OF RECOGNITION PLAQUE TO HOME DEPOT FOR THE  
AMERICAN LEGION GAZEBO PROJECT**

Mayor Steve Brewer thanked Home Depot Store #6528 for going the extra mile in providing all the materials, labor, and assistance to the Gazebo Project which was constructed at the American Legion Post 439 site in La Feria, Texas. Mayor Brewer presented Home Depot representatives a plaque with the gazebo picture on it.

**PRESENTATION OF RECOGNITION PLAQUE TO EAGLE SCOUT FOR  
AMERICAN LEGION GAZEBO PROJECT**

Mayor Steve Brewer thanked the Boys Scouts for choosing La Feria for the gazebo project. Mayor Brewer said this Eagle Scout project was a major project and Eagle Scout Francisco J. Perez put this project together with volunteers. Mayor Brewer presented Francisco J. Perez with a plaque with the gazebo picture on it.

Mayor Brewer also recognized the scout leaders for the Cub Scouts Troop 47 and the scoutmaster for Troop 12.

Mayor Brewer also recognized Judge Adam Gonzalez and representatives from the American Legion who were also present at the meeting.

A group picture of the scouts in attendance was taken.

Mayor Steve Brewer introduced Mr. Frank Perez who made some presentations to various businesses who provided lunch and other assistance to the group of volunteers during the course of construction of the gazebo. Mr. Perez said that among the restaurants that provided meals for the volunteers were Don Beto's, Los Amigos, Fiesta Tex Mex, and Domino's Pizza. He also thanked the American Legion, J & N Concrete, and the teachers who were very supportive of this project, Ms. Hinojosa and Ms. Tamayo. Mr. Perez presented Mayor Steve Brewer with a certificate of appreciation.

One of the scout leaders said there would be other projects for two other boys that they would like to do at the American Legion site, and they would be contacting the Commander concerning those projects.

City Manager Sunny K. Philip announced that on August 30, 2011 at 9:00 a.m., the City would be holding a ground breaking ceremony at the site of the new La Feria Indoor Recreation Center, 901 Pancho Maples Drive and invited all who were present to attend.

**BUDGET WORKSHOP FOR CITY OF LA FERIA BUDGET FY 2011-2012**

Finance Director Ms. Maria Chavero reviewed the first two pages, which was a summary of the budget presented. Ms. Chavero said that for revenues she used the \$0.70/\$100 tax rate for real property. She also took into consideration that the sales tax is trending

upward at about 3%. Ms. Chavero said the proposed budget included an increase in garbage and brush of \$0.50 for garbage and \$1.00 for brush or vice versa, but there would be no increase in water or sewer fees. The proposed budget for FY 2011-2012 would end the fiscal year at a positive figure of \$60,181.00. Ms. Chavero said she is proposing the addition of one more accountant to help with all the grants that the City of La Feria will be working on in the near future.

City Manager Sunny K. Philip said that the budget is a balanced budget. He reviewed the list of Capital Improvements and Funding Sources.

Commissioner Victor Gonzalez, Jr. inquired about salary increases, and Mr. Philip said that the figures had not been finalized, but the City would have to make sure that if the Police Department starting salaries were adjusted that the other employees would also be compensated accordingly. Commissioner Victor Gonzalez, Jr. recommended that staff look at compensating City employees by a bit more. Mr. Philip said the City would look at it, but it needs to also increase its reserve to accommodate at least three months reserve.

Mayor Brewer asked that the City budget \$5,000 or \$6,000 per year for holiday decorations. He also inquired about the skateboard park repairs, and Mr. Philip said he would look into this.

**PUBLIC HEARING – CITY OF LA FERIA BUDGET FY 2011-2012**

Mayor Steve Brewer declared the public hearing open at 7:25 P.M. Ms. Liana Brewer said that since the City will be increasing garbage and brush fees, could the City set up a dumpster at least once every three months for people to dispose of items that are normally not picked up. Mr. Philip said that if these items are placed on the side of the curb, these items are picked up. There being no further comments, Mayor Brewer declared the public hearing closed at 7:27 P.M.

**CONSIDER AND TAKE ACTION TO APPROVE AMENDED EMERGENCY MANAGEMENT PLAN FOR THE CITY OF LA FERIA, TEXAS**

City Manager Sunny K. Philip said that the Emergency Management Plan for the City of La Feria has been amended with only a few minor changes and recommended approval of the amended plan. Some of the changes made were to change the name of the business of W.T. Liston to Hanson Pipe; Darla Jones was deleted and Irene Szedlmayer was added as contacts on the plan; and the siren at City Hall has been installed since the last approval of the plan so that change in the plan was also made. Commissioner Lori Weaver moved to approve the amended Emergency Management Plan for the City of La Feria, Texas. 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 ELECTING NOT TO REQUIRE THE REMITTANCE OF A PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) FEE BY HOLDERS OF A STATE ISSUED CERTIFICATE OF FRANCHISE AUTHORITY (SICFA)**

City Manager Sunny K. Philip explained that the sample resolution was included in the packet and City Secretary Olga Oberwetter did not have time to prepare Resolution 2011-31 in its final form, but that would be done and he asked the Commission to favorably consider this resolution. 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 Mr. Richard S. Talbert read the caption of Resolution 2011-31. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2011-31 electing not to require the remittance of a Public, Educational, and Government (PEG) fee by holders of a State Issued Certificate of Franchise Authority (SICFA). Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

#### **MONTHLY FINANCIAL REPORTS FOR THE MONTH OF JULY 2011**

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

Mayor Steve Brewer thanked Finance Director Ms. Maria Chavero for the reports and 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 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 Angelica P. Baldivia moved to table this item. Commissioner Lori Weaver 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**

Since there was no Executive Session held, there was no need for this item so Commissioner Angelica P. Baldivia moved to table this item. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

#### **REPORTS BY STAFF**

- **Indoor Recreation Facility Ground Breaking Ceremony – August 30, 2011**
- **Air Conditioning Replacement Project funded through SECO**
- **Housing Rehabilitation Project**
- **Library Expansion Project**

City Manager Sunny K. Philip reported on the following.

- A ground breaking ceremony will be held for the Indoor Recreation Facility on August 30, 2011 at 9:00 A.M. as a joint effort with the La Feria Independent School District.
- The air conditioning project has been delayed because there was an error in the solicitation package, but it should be started soon.
- The City is trying to salvage the Housing Rehabilitation Project.
- The Library Expansion Project had been on hold due to the interest rates not being stable enough for the City to fund this project. Mr. Philip said that staff would be

talking to Bond Counsel and the United States Department of Agriculture (USDA) to start the process for this project. Mr. Philip said some other items discussed earlier such as a shelter project might not be done right away because financial conditions need to be just right for these projects to take place.

#### PUBLIC COMMENTS

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

#### ACTION FOR ADJOURNMENT

There being no further business to conduct, Commissioner Angelica P. Baldivia moved to adjourn the meeting. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

#### ADJOURNMENT

Mayor Steve Brewer adjourned the meeting at 7:36 P.M.

APPROVED:



Steve Brewer, Mayor

ATTEST:

  
Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 11:30 A.M. on September 24, 2011, as official record.

  
Olga Oberwetter, City Secretary

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CITY COMMISSION REGULAR MEETING  
 AT THE  
 CITY COMMISSION MEETING ROOM  
TUESDAY, AUGUST 23, 2011, AT 6:30 PM

WELCOME  
 PLEASE SIGN IN

|    | <u>NAME</u>                   | <u>MAILING ADDRESS</u>           | <u>HOME/WORK PHONE NO.</u> |
|----|-------------------------------|----------------------------------|----------------------------|
| 1  | Fernando Castro               | 1803 W. Portales, Edinburg, TX   | (956) 207-5092             |
| 2  | Diana L. Baños                | 29581 Sparker Rd                 | 454-8275                   |
| 3  | Gloria De la Garza            | 801 W. Magnolia, La Feria<br>LT. | 277-0275                   |
| 4  | Vanesa Rodriguez              | PO Box 1132<br>3110 Lamber       | 264-0245                   |
| 5  | Kay Dene Gamaya               | Harlingen                        | 536-0850                   |
| 6  | Ed Councilin                  | American Legion                  |                            |
| 7  | Adam Gonzalez                 | "                                | "                          |
| 8  | Nacho Garcia                  | "                                | "                          |
| 9  | Zekce                         | "                                | "                          |
| 10 | DAN & DON FLORES              | 121 W SPANNA CT. HAN, TX         | TROOP 12                   |
| 11 | Kim Mcghe                     | P.O. Box 143 La Feria            | 343-7839                   |
| 12 | Anna Guerrero                 | 621 Palm Ave. La Feria           | 534-6329                   |
| 13 | Debra Moreno                  | 701 N Kansas City Rd             | 577-4720                   |
| 14 | Jorge Guerrero                | 1408 W. TICHENOR<br>LAFERIA TX   | 954-26-5401 work           |
| 15 | Anna & Tony Antonacci         | 309 AUSTIN ST.<br>WESLACO, 78596 | 956-272-7072               |
| 16 | Mr. & Mrs. Francisco J. Perez |                                  | 536 4972                   |
| 17 | BENITO & CYNTHIA AINOJOSA     | 601 HOWARD LEE DR. LF            |                            |
| 18 | Albert SERNA                  | 3402 S. Arroyo Ln Harlingen tx   | 797-2121                   |

19 Peanna Herrera 11607WschuniorEdinburg, Tx 532-9889

20 Roberto i Elisa Komegay 14046 El Caribe Circle La Feria TX

21 Lupe Rodriguez 200 Beaufield Lane La Feria, TX

22 Bent Hagan 601 Howard Lee Dr La Feria TX

23 Wiana Brewer

24 Velme Betancourt

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