

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, January 24, 2012**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, January 24, 2012, 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. Irene Szedlmayer	Planning and Community Dev. Dir.
Ms. Maria Chavero	Finance Director
Ms. Olga Oberwetter	City Secretary
Ms. Paula Rodriguez	Capital Projects Coordinator

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 Lori Weaver 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, JANUARY 10, 2012**

After review of the minutes, Commissioner John Betancourt moved to approve the minutes of proceedings of the regular meeting of the City Commission held on Tuesday, January 10, 2012. 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 RESOLUTION  
APPOINTING TWO NEW MEMBERS TO THE ZONING BOARD OF  
ADJUSTMENTS**

City Manager Sunny K. Philip explained that there were two applicants to fill the two existing vacancies in the Zoning Board of Adjustments. The two proposed appointments are Ms. Gloria Loya and Ms. Maria Elena Gonzalez. 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 Commission. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2012-07. After reading of the caption, Commissioner Angelica P. Baldivia moved to approve resolution 2012-07. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

**DISCUSSION REGARDING BIDS AND PRIVATE OFFERS RECEIVED ON THE FOLLOWING PROPERTIES STRUCK OFF TO CAMERON COUNTY, FOR ITSELF AND OTHER TAXING JURISDICTIONS FROM A TAX RESALE CONDUCTED ON NOVEMBER 1, 2011**

**LEGAL DESCRIPTION:** LOTS 87 AND 88, BLOCK 3, DUNN ACRES SUBDIVISION

**LEGAL DESCRIPTION:** LOTS 5, 6, 7, 8 AND 9, BLOCK 3, DUNN ACRES SUBDIVISION

**LEGAL DESCRIPTION:** LOT 36, BLOCK "G", POTTER & WATSON ADDITION

**LEGAL DESCRIPTION:** **TRACT ONE:** LOTS 56 AND 57-B, BLOCK 1, POTTER-WATSON SUBDIVISION

**LEGAL DESCRIPTION:** THE SOUTH ONE-HALF OF LOT 10, BLOCK 'E', NORTH EAST ADDITION

**LEGAL DESCRIPTION:** LOTS 49 AND 50, BLOCK 2, DUNN ACRES SUBDIVISION

**LEGAL DESCRIPTION:** **TRACT ONE:** LOTS 46 AND 47, BLOCK "T", POTTER AND WATSON ADDITION

**LEGAL DESCRIPTION:** LOTS 27 AND 28, BLOCK 2, DUNN ACRES SUBDIVISION

**LEGAL DESCRIPTION:** LOT 36A, HIDDEN ACRES, CAMERON COUNTY, TEXAS

**LEGAL DESCRIPTION:** LOT 7, BLOCK 'E', NORTH EAST ADDITION, CITY OF LA FERIA

Ms. Monica Solis and Mr. Rogelio Ortiz, Jr. from the law firm of Linebarger Goggan Blair & Sampson, LLP were present to discuss the aforementioned tax sales. These properties were presented before the City Commission at a previous time, but the bids were deemed to be too low. After discussion, Ms. Solis deferred to City Manager Sunny K. Philip for his recommendation on the 10 properties. Mr. Philip recommended that the first item, Lots 87 and 88, Block 3, Dunn Acres Subdivision be denied, due to the bid still being low. He said the second item, Lots 5, 6, 7, 8 and 9, Block 3, Dunn Acres Subdivision is a good offer and there is no reason to deny that bid. Mr. Philip said the remaining eight lots are being purchased by the South Texas Collaborative for Housing Development, Inc., a housing non-profit organization and these bids are higher than what had been presented before to the Commission, so his recommendation was approval of those items. There was no action needed as part of this discussion.

**DISCUSSION AND POSSIBLE ACTION ON THE RESOLUTION APPROVING THE VARIOUS BIDS RECEIVED ON THE TAX RESALE CONDUCTED ON NOVEMBER 1, 2011 FOR THE ABOVE MENTIONED PROPERTIES**

Resolution 2012 - Rejected **LEGAL DESCRIPTION:** LOTS 87 AND 88, BLOCK 3, DUNN ACRES SUBDIVISION

- Resolution 2012 - 08      LEGAL DESCRIPTION: LOTS 5, 6, 7, 8 AND 9, BLOCK 3, DUNN ACRES SUBDIVISION
- Resolution 2012 - 09      LEGAL DESCRIPTION: LOT 36, BLOCK "G", POTTER & WATSON ADDITION
- Resolution 2012 - 10      LEGAL DESCRIPTION: TRACT ONE: LOTS 56 AND 57-B, BLOCK 1, POTTER-WATSON SUBDIVISION
- Resolution 2012 - 11      LEGAL DESCRIPTION: THE SOUTH ONE-HALF OF LOT 10, BLOCK 'E', NORTH EAST ADDITION
- Resolution 2012 - 12      LEGAL DESCRIPTION: LOTS 49 AND 50, BLOCK 2, DUNN ACRES SUBDIVISION
- Resolution 2012 - 13      LEGAL DESCRIPTION: TRACT ONE: LOTS 46 AND 47, BLOCK "T", POTTER AND WATSON ADDITION
- Resolution 2012 - 14      LEGAL DESCRIPTION: LOTS 27 AND 28, BLOCK 2, DUNN ACRES SUBDIVISION
- Resolution 2012 - 15      LEGAL DESCRIPTION: LOT 36A, HIDDEN ACRES, CAMERON COUNTY, TEXAS
- Resolution 2012 - 16      LEGAL DESCRIPTION: LOT 7, BLOCK 'E', NORTH EAST ADDITION, CITY OF LA FERIA

Commissioner John Hernandez moved to reject the bid for Lots 87 and 88, Block 3, Dunn Acres Subdivision. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

City Manager Sunny K. Philip read the resolution number as listed above and the legal description of each of the rest of the properties since there were no captions to the resolutions to be read. Commissioner John Betancourt moved to approve resolutions 2012-08 through 2012-16 accepting the bids for the sale of these properties. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA TEMPORARILY CLOSING CERTAIN AND SPECIFIED STREETS WITHIN THE LIMITS OF THE CITY OF LA FERIA AND MODIFYING TRAFFIC PATTERNS ON CERTAIN STREETS FOR THE PURPOSE OF ENSURING THE SAFETY AND GENERAL WELFARE OF THE PUBLIC DURING THE ANNUAL "FIESTA DE LA FERIA" CELEBRATION TO BE HELD ON SATURDAY, FEBRUARY 25, 2012**

City Manager Sunny K. Philip explained the ordinance is similar to the ones approved in prior years, except for a minor modification authorizing the City Manager to approve an alternate date in case of inclement weather. Commissioner John Hernandez moved to read the ordinance 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 Manager Sunny K. Philip read the caption of Ordinance 2012-01. After reading of the caption, Commissioner John Hernandez moved to approve Ordinance 2012-01. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE THE FIRST RESPONDER AFFILIATION AGREEMENT BETWEEN THE CITY OF LA FERIA FIRE DEPARTMENT AND SOUTH TEXAS EMERGENCY CARE FOUNDATION, INC. (STECF) TO PROVIDE FIRST RESPONDER SERVICE TO THE CITIZENS OF LA FERIA**

City Manager Sunny K. Philip explained that some years ago the City of La FERIA applied for and received a license to operate a First Responder Program approved by the Department of Health. It is time to renew the license, and it is necessary that this agreement be in place so that a copy can be attached as part of the application. Commissioner Victor Gonzalez, Jr. moved to approve the First Responder Affiliation Agreement between the City of La FERIA Fire Department and South Texas Emergency Care Foundation, Inc. (STECF) to provide First Responder Service to the citizens of La FERIA. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

**REVIEW AND POSSIBLE ACTION TO APPROVE OR DISAPPROVE THE FINAL PLAT OF THE JENNCOURT SUBDIVISION, A TWO-LOT, 9.52 ACRE, COMMERCIAL SUBDIVISION LOCATED ON BEDDOES ROAD, ALONG WITH A REQUESTED VARIANCE ON THE STREET IMPROVEMENT STANDARDS OF THE SUBDIVISION ORDINANCE**

Planning and Community Development Director Ms. Irene Szedlmayer explained that some of the information in the Commission's packet had changed since staff prepared the report. The property owner has now agreed to the 20' of right-of-way instead of the 10' on the western property line, so that there will be 80' of right-of-way total, and it now will conform to the Thoroughfare Plan. The property owner will be paving 350' of Beddoes Road, 20' wide with an inch and a half of hot mix asphalt on top of the existing caliche. The City Engineers determined that 6 inches of caliche is all that is needed. There will be no curb and gutter on this portion of the street. Lot 1 has water and sewer utilities, and the owner will be installing water and sewer utilities to Lot 2. The Planning and Zoning Commission considered this item and is recommending approval subject to the City Engineer approving the proposed street improvements and confirming that the current right-of-way dedication and future expansion of Beddoes Road will not have a negative impact on the new sanitary sewer lift station. Mr. Alfonso A. Gonzalez, P.E., with the City's engineering firm Sigler, Winston, Greenwood & Associates, who is most familiar with the Beddoes Road area, has submitted a letter in regards to the paving requirements. Staff is recommending approval of the plat. Commissioner Victor Gonzalez, Jr. moved to approve the final plat of the Jenncourt Subdivision, a two-lot, 9.52 acre, commercial subdivision located on Beddoes Road, along with a requested variance on the street improvement standards of the subdivision ordinance. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

**PRESENTATION – ESTABLISHMENT OF YOUTH FOOTBALL LEAGUE TO OFFER YOUTH TACKLE FOOTBALL IN THE COMMUNITY AND POSSIBLE ACTION TO AUTHORIZE EXECUTION OF A MEMORANDUM OF UNDERSTANDING FOR THE USE OF CITY OWNED FACILITIES FOR PRACTICE DURING THE SEASON**

Mayor Steve Brewer welcomed back the group representing the Texas Youth Football League that wants to start a team in La FERIA. Mayor Brewer said he had called various

cities and they had all given the group a lot of compliments. Mr. Ruben Rodriguez introduced the Rio Grande Valley Chapter Director for TYFA by title only (no name given) and Mr. Mark Lozano from the Alamo Youth Football League. They discussed the program and how they do not expect that the tackle football league would replace the City's Flag Football Program. After much discussion, the group said their request is for the use of a park facility for practice and for holding the games if needed. City Manager Sunny K. Philip explained that the City is asking that the non-profit league keep its recruiting to a minimum, so that it will not have an adverse effect on the City's Flag Football Program. Mr. Philip said he would work with staff to identify which field would be best for the non-profit league teams to use for practice. City Attorney Mr. Richard S. Talbert said the City Commission could impose limits on how many teams could be approved to practice on the city's facilities, what insurance to provide, and require scheduling in accordance to City staff's schedule. Commissioner Victor Gonzalez, Jr. moved to agree to allow the non-profit group to use a City park facility for practice, and to authorize the City Manager to work on a schedule and on an agreement that would be brought back before the City Commission for approval at a later meeting. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

**WORKSHOP – ON AMENDING CHAPTER 14, EXHIBIT A, CITY OF LA FERIA CODE OF ORDINANCES (THE ZONING ORDINANCE), SECTION 4 C (7) (SPECIAL SCENIC CORRIDOR REGULATIONS) REGULATING LANDSCAPING, SIGNAGE AND BUILDING MATERIALS ON U.S. EXPRESSWAY 83, U.S. BUSINESS 83, AND FM506**

Planning and Community Development Director Ms. Irene Szedlmayer discussed the presentation on the scenic corridor regulations included in the City Commission package. Ms. Szedlmayer said this was a continuation of the previous workshop, since there was no time to discuss signs at the previous session. She said that signage has a very important impact on the appearance of the City to the public. Ms. Szedlmayer said that the Scenic Corridor Ordinance imposes regulations on signage within 1000' on Expressway 83, 300' on Business 83 and 100' on Main Street. Ms. Szedlmayer suggested that regulations be applicable throughout the City. There was no action needed on this item.

**MONTHLY FINANCIAL REPORTS FOR THE MONTH OF DECEMBER 2011**

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

Mayor Steve Brewer inquired of the Commission if they had any questions concerning the financial reports. No one had any questions, so he 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**

Mayor Steve Brewer declared the meeting in executive session at 7:55 P.M. After executive session deliberation, Mayor Steve Brewer declared the meeting back in open session at 8:32 P.M.

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

There was one action taken on this item. Commissioner Victor Gonzalez, Jr. moved to authorize the purchase of the property legally described as Lots 8 and 9, Block 3, La Feria Original Town Site located on the south side of East Commercial Avenue, La Feria, Texas. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

**REPORTS BY STAFF**

- **Indoor Recreation Facility Construction Progress**
- **Air Conditioning Replacement Project funded through SECO**
- **Update on Fiesta de La Feria 2012**

City Manager Sunny K. Philip reported on the following.

- Indoor Recreation Facility Construction Progress – The contractor is doing a good job. They are on schedule; they still have three or four months to complete the project.
- Air Conditioning Replacement Project – The purchase order has been issued for the purchase of these units.
- Update on Fiesta de La Feria 2012 – Raffle tickets are available for purchase. Staff will have an item for a public hearing for the sale of alcohol drinks at the Fiesta at the next City Commission meeting.
- Staff will be working on recreation guidelines for use when the Indoor Recreation Facility is open.

**CONSIDER AND TAKE POSSIBLE ACTION ON ATTENDANCE STATUS OF MAYOR AND/OR COMMISSIONERS**

There was no action needed on this item.

**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 Angelica P. Baldivia moved to adjourn the meeting. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

**ADJOURNMENT**


Mayor Steve Brewer adjourned the meeting at 8:37 P.M.

**APPROVED:**



**Steve Brewer, Mayor**

**ATTEST:**

  
**Olga Oberwetter, City Secretary**

These minutes were prepared and filed with the City of La Feria at 1:30 P.M. on February 13, 2012, as official record.

  
**Olga Oberwetter, City Secretary**





**CITY COMMISSION REGULAR MEETING**  
AT THE  
CITY COMMISSION MEETING ROOM  
**TUESDAY, JANUARY 24, 2012, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

	<b><u>NAME</u></b>	<b><u>MAILING ADDRESS</u></b>	<b><u>HOME/WORK PHONE NO.</u></b>
1	Monica Solis	1805 Ruben Torres Bro, TX	982-6206
2	MARK LOZANO	400 N 6th McAllen, Tx	309-3394
3	Manuel Abram Sanchez	9737 Kingsbird Dr. Harlingen Tx	793-7696
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