

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, October 23, 2012**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, October 23, 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. 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, OCTOBER 9, 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, October 9, 2012. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

**PUBLIC HEARING TO RECEIVE INPUT ON THE CITY OF LA FERIA  
APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S  
TRANSPORTATION ENHANCEMENT PROGRAM FOR INSTALLATION OF  
SIDEWALKS ALONG EXPRESSWAY 83, PARKER ROAD, MAIN STREET  
AND RABB ROAD**

Mayor Steve Brewer declared the public hearing open at 6:33 P.M. Planning and Community Development Director Ms. Irene Szedlmayer explained that the application seeks funds for installing sidewalks along Parker Road from Windsong Village and Valle

Verde down to the Expressway, then across the northern Expressway 83 frontage road to Main Street and north on Main Street to Barrington Heights Subdivision, and then along the south side of the Expressway, from Citrus Drive east to East Solis Road and down Rabb Road from the Expressway to Business 83. The proposed sidewalks would make it convenient, safe and pleasant for people to access essential goods and services. It would provide access to the high school and the new bus stops for the new bus routes. Ms. Szedlmayer said she was expecting letters of support from the middle school and high school student councils for this application. She said this would be a very competitive process. There will be a 20% local match required. Mayor Brewer asked attendees to introduce themselves as they made their comments during this public hearing.

Mr. Daniel Roper from the VIP RV Park said that the sidewalks are really needed badly. He goes to dialysis twice a week and he gets dropped off at Beddoes Road and then he goes down the sidewalks, and then has to ride the streets. Then he has to have his daughter come, because he won't ride the expressway frontage. Mr. Roper said there are quite a few people who also like to walk.

Mr. David Vidal also from VIP RV Park said he and his mother have encountered difficulties getting to the bank and to the local eating places such as Dairy Queen. He said his mother is 89 years old, and it would be nice to have a sidewalk along the south side of Expressway 83.

Mr. Arthur Red said the sidewalks would be so nice to have since most of the older residents are not very stable when walking and walking on the grass is very difficult. If there were sidewalks, it would increase the activity to the nearby businesses.

Ms. Barbara Saxon from the VIP RV Park said the sidewalks are really needed. She said she loves La Feria because everything is together and she walks every day. She walks to get her fruits and vegetables, to El Centro Foods, and to the Post Office. Ms. Saxon said she just learned to ride a bicycle and she is not comfortable riding on the road. Ms. Saxon said she knew that her next comment is not on the agenda, but if the sidewalks are not done, could the speed limit be lowered on the frontage road.

Mr. Fred Smith said this is his second Winter in La Feria and he has watched the traffic down the frontage road which at times is very heavy and other times is not, but the people from the VIP Park who want to walk down to McDonald's don't because they can't walk on the grass.

Ms. Ruth Dearing, the Manager of VIP RV Park, said this week she was driving heading towards the Expressway and just past Village Drive she saw an elderly lady walking on the street trying to get to Main Street and another lady pushing a baby carrier trying to get to Main Street and she thought there are two fatalities waiting to happen because the traffic kept zooming by. Ms. Dearing said the speed limit in front of their park on the frontage road is 55 mph and she has contacted TxDOT twice, but they have not done anything about it. She said another reason the sidewalks are so important is because they encourage their residents to get out, get exercise, and eat healthy, but if they can't walk outside without stepping in a hole and twisting an ankle, or falling and breaking a hip, it makes it very difficult for them to be active. Ms. Dearing said La Feria is a small town that is clean and people say they love it here and everybody has pride in their town, but it needs the sidewalks to make it even better. Mayor Brewer said

the City appreciates the comments and loves the fact that it can create pride in small town USA.

It was noted that five families in the audience are year around residents at VIP RV Park.

Mr. Lynn West said he has lived at VIP RV Park since 1992. He said at one time he was in the category of a senior citizen, but now at the age of 82 he is considered an endangered species (good humor – everyone laughed). He said he is a very active man at 82; he walks two miles every day and Ruth (Dearinger) would like for him to have a safe place for him to walk on because he is wearing out the blacktop at the park.

The application deadline is November 16, 2012 and Ms. Irene Szedlmayer said that the decision on whether or not the City gets funded for this project might be made as early as May of 2013. Commissioner Victor Gonzalez, Jr. said that in the meantime, maybe the City could appeal to TxDOT, either through Mr. Juan Bernal, TxDOT Engineer, or otherwise, to see what can be done about the speed limit on the frontage road by VIP RV Park.

City Manager Sunny K. Philip said this is a very good project; he says he has seen people of various ages walking at night. He also said that the sidewalks need to be next to a curb and gutter street otherwise you have to deal with drain ditches, so this is a fairly safe route. There being no further comments, Mayor Steve Brewer declared the public hearing closed at 6:50 P.M.

Mayor Steve Brewer acknowledged Mr. Tom Morgan who is the Director of Valley Metro. He said Mr. Morgan has worked very hard to get interconnectivity in La Feria with other cities in the Valley. The bus fare is only \$0.50.

**REVIEW PROPOSALS RECEIVED AND TAKE ACTION TO AWARD CONTRACT TO THE MOST QUALIFIED ARCHITECTURAL/ENGINEERING SERVICES FIRM FOR PROFESSIONAL SERVICES IN REGARDS TO THE CONSTRUCTION OF TWO MONOLITHIC CONCRETE DOMES TO BE USED AS COMMUNITY SAFE ROOMS IN LA FERIA**

This item was tabled on a motion by Commissioner John Betancourt and a second by Commissioner Angelica P. Baldivia. The motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY RESOLUTION RE-APPOINTING TWO MEMBERS TO THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION (LFIDC)**

City Manager Sunny K. Philip said that the board members whose terms have expired are Brad Shields and Ignacio A. Garcia Galvez. Both members were contacted, and they have agreed to serve on the LFIDC for another three years. Commissioner John Betancourt 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 Commission. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2012-46. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2012-46 re-appointing Mr. Brad Shields and Mr. Ignacio A. Garcia Galvez to the La Feria Industrial Development

Corporation (LFIDC). 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 RESOLUTION RE-APPOINTING ALL MEMBERS OF THE LA FERIA ZONING BOARD OF ADJUSTMENTS FOR ANOTHER TERM OF TWO YEARS**

City Manager Sunny K. Philip said that the board members for the Zoning Board of Adjustment are appointed for two-year terms and their term has expired. All members were contacted and they have agreed to serve for another two years. 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 2012-47. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2012-47 re-appointing all members of the La Feria Zoning Board of Adjustments for another term of two years. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY RESOLUTION RE-APPOINTING TWO MEMBERS TO THE PLANNING AND ZONING COMMISSION**

City Manager Sunny K. Philip said that the board members whose terms have expired are George Lazaro, George Hernandez, and Manuel Briones. He added that George Lazaro is not eligible to serve on the board any longer, because he has served three consecutive terms on the board and that is the term limits. The other two members George Hernandez and Manuel Briones were contacted, and they have agreed to serve on the Planning and Zoning Commission for another three-year term. Commissioner John Betancourt 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 Commission. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2012-48. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2012-48 re-appointing Mr. George Hernandez and Mr. Manuel Briones to the La Feria Planning and Zoning Commission. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY RESOLUTION RE-APPOINTING THREE MEMBERS TO THE LA FERIA ECONOMIC DEVELOPMENT CORPORATION (LFEDC)**

City Manager Sunny K. Philip said that the LFEDC Board is comprised of four City Commissioners, one member representing the Utilities Board, one member representing the LFIDC, and one member representing the Planning and Zoning Commission. The three members whose terms have expired are Ms. Betty Jo Dunlap, Utilities Board; Ms. Mary Garcia, Planning and Zoning Commission; and Mr. Ignacio A. Garcia Galvez, LFIDC. All three members were contacted, and they have agreed to serve on the LFEDC Board for another two years. Commissioner John Hernandez moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner John Betancourt 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 2012-49. After reading of the caption, Commissioner John Hernandez moved to approve

Resolution 2012-49 re-appointing Ms. Betty Jo Dunlap, Ms. Mary Garcia, and Mr. Ignacio A. Garcia Galvez to the La Feria Economic Development Corporation (LFEDC). Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE CONTRACT BETWEEN THE CITY OF LA FERIA AND CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1 FOR FIREFIGHTING SERVICES TO UNINCORPORATED AREAS OF CAMERON COUNTY**

City Manager Sunny K. Philip discussed that the contract is similar to those approved in the past and that every year the payment fluctuates according to the number of calls for the prior year. The contract this year is in the amount of \$141,728.95 to be paid in quarterly installments of \$35,432.24. This is approximately \$50,000.00 less than last year's contract and the City will be making a budget amendment in the future. City Attorney Mr. Richard S. Talbert called attention to page 3 of the contract, which requires that reports be filed within a ten day period after the end of the month or the City would not get paid at all for the entire quarter; not that it would not be paid **until the report is filed** which Mr. Talbert said would be reasonable, but it states not at all. Mr. Talbert's recommendation was that if the Commission agrees with the concept and the amount of the contract, the motion should be to authorize the City Manager to execute the contract once the payment qualification terms are negotiated. City Commissioner John Betancourt moved to approve the contract between the City of La Feria and Cameron County Emergency Services District No. 1 for Firefighting Services to unincorporated areas of Cameron County and to authorize the City Manager to execute the contract once the wording on the payment qualifications is negotiated. 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 INTERLOCAL AGREEMENT FOR COOPERATION & JOINT SPONSORSHIP – VALLEY METRO (FORMERLY RIO METRO) AND THE CITY OF LA FERIA, TEXAS TO CONTINUE PARTICIPATION IN THE REGIONAL PUBLIC TRANSPORTATION SYSTEM MANAGED BY THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC) AND TO AUTHORIZE THE CONTRIBUTION OF \$7,120.00 FOR FY 2013, BEGINNING OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013**

Valley Metro Director Mr. Tom Logan was present at the meeting and thanked the City of La Feria for partnering with Valley Metro and the Lower Rio Grande Valley Development Council. Mr. Logan said the service provided to the community has more than doubled. Previously, there was only one route, and now there is another route (Route 31) that goes from Harlingen to La Feria and from La Feria to McAllen. Valley Metro has also added service from 6:00 a.m. to 8:00 p.m. and also service on Saturdays. City Manager Sunny K. Philip said that when the service was first started La Feria asked that the service go directly to TSTC and the medical facilities in Harlingen and that they facilitated that request. He said it is really beneficial to people who attend TSTC. Mr. Philip added that this service is not only for people without a car, it is a way to decrease traffic congestion and provide affordable public transportation. Mayor Steve Brewer said these buses are first class buses with bicycle racks, handicap accessible and they are top of the line. Mayor Brewer added that as the community grows, this service would be utilized more and more. Commissioner Lori Weaver moved to approve the Interlocal

Agreement for Cooperation & Joint Sponsorship – Valley Metro (Formerly Rio Metro) and the City of La Feria, Texas to continue participation in the regional public transportation system managed by the Lower Rio Grande Valley Development Council (LRGVDC) and to authorize the contribution of \$7,120.00 for FY 2013, beginning October 1, 2012 through September 30, 2013. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO ADOPT PROCLAMATION  
PROCLAIMING NOVEMBER 2012 AS NATIONAL HOSPICE AND  
PALLIATIVE CARE MONTH**

Commissioner Angelica P. Baldivia moved to adopt proclamation proclaiming November 2012 as National Hospice and Palliative Care Month. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

**MONTHLY FINANCIAL REPORTS FOR THE MONTH OF SEPTEMBER 2012**

- **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. There were no questions, so Mayor 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, 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 John Betancourt 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**

Since no executive session was held, Commissioner Lori Weaver moved to table this item. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

**REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION**

- Indoor Recreation Facility Construction Progress
- Water and Wastewater Systems Improvements Project
- Status of Drainage Improvements Project
- Status of Fire Station and Fire Substation Project
- Status of City Hall Expansion Project
- Status of Library Expansion Project
- Status of Solar Panel Projects for Water Treatment Plant and Wastewater Treatment Plant

- Report on City of La Feria Shelters

City Manager Sunny K. Philip reported on the following:

- Indoor Recreation Facility – staff did a walk through on the equipment and maintenance items. The furniture is on order. There are a few other items that need to be taken care of such as purchase of an icemaker and leasing vending machines. Commissioner Angelica P. Baldivia said that she was riding her bicycle around the area and she saw a group of young men playing basketball on the outside courts already. She inquired if this was okay. Mr. Philip said it was perfectly fine; he said the building is secure and the outside courts are available for use.
- Water and Wastewater Systems Improvements Project – the Drinking Water project has been environmentally cleared by the Texas Water Development Board and now the City can advertise on that section of the project. Still waiting on the Wastewater project environmental review clearance.
- Status of Drainage Improvements Project – Staff has developed a schedule to implement the project as to which project will go as number 1, 2, 3, etc. Staff has met with GLO staff and the HMGP staff and they are reviewing this at this time. Mr. Philip explained the process as having to submit 30% of the plans and specs for review; then they will release the environmental review process. It will take 60 days to complete the environmental review and only then can the City take ownership of the rights-of-way or the property purchases. The plans then need to be submitted to GLO for review. Mr. Philip said that even though the project completion date is 2015, the idea is to complete the project by 2014.
- Fire Station and Fire Substation Project – Staff is finalizing the drawings. Mr. Philip explained the electrical power needs for the entire municipal complex and what is being considered for the generators.
- City Hall Expansion Project – The contractor has completed the block work and they installed the deck. They are working on the roof and the air conditioning ducts.
- The Library Expansion Project – The foundation was poured and there is a weekly progress meeting held to discuss the construction. Because the three phase air conditioning units are much more efficient, AEP needs to extend some power to that area to make it three phase. The bids for the library came in lower than expected, so some of those funds may be used to replace the older air conditioning units in the existing library.
- Status of Solar Panel Projects for Water Treatment Plant and Wastewater Treatment Plant – Staff will send the link where you can look up the energy being produced.
- Report on City of La Feria Shelters – Staff had a meeting in Edinburg which clarified some of the questions. FEMA requires the City to go through a procurement process for architectural/engineering services. Yesterday was the deadline for the proposals and the City received eight proposals within the deadline and one proposal after the deadline which was returned unopened. Staff will be reviewing those and making a recommendation at the next meeting. There will be specific qualifications required when the bid is advertised. Mr. Philip said that at today's meeting in Edinburg, staff learned that the City has the option to ask for cost overrun monies, and see whether the dome could go two story.

**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 comments session open. There was no one present to speak before the Commission, so Mayor Brewer 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 Commissioners present.

**ADJOURNMENT**

Mayor Steve Brewer adjourned the meeting at 7:16 P.M.

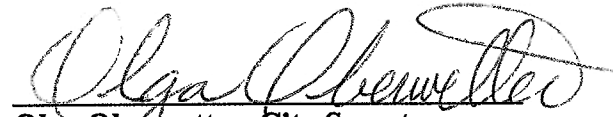
**APPROVED:**

Steve Brewer, Mayor

**ATTEST:**

Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 2:15 P.M. on November 3, 2012, as official record.



Olga Oberwetter, City Secretary



**CITY COMMISSION REGULAR MEETING**  
**AT THE**  
**CITY COMMISSION MEETING ROOM**  
**TUESDAY, OCTOBER 23, 2012, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Bart Layton	VIP 600 E. Expy 83	956-343-0612
2	Dan Raper	VIP 600 E. Expy 83	<del>956</del> -734-397-7767
3	Tom Logan	510 S. Pleasantum Dr	956.574.8322
4	Ruth Dearing	600 E Exp. 83 Lot D-16	913-702-4067
5	DAVID VIDAL	600 E EXP 83 Lot P1	956 200 7030
6	Freddie Vidal	600 E Exp 83 Lot P1	956 200 7030
7	Lynn West	600 E. Exp 83 Lot Q1	797-3446
8	Shirley West	" "	" "
9	Dorla Sine	600 E. Exp. 83 Lot C30	207-930-0627
10	Jul Smith	600 E Exp 83 Lot C-30	207-930-0628
11	Mary Red	600 E Exp 83 Feb B-25 -	501-517-4027
12	Jetta Red	600 E Exp 83 Lot B25	-501-517-4027
13	Runt Gwyn	LA FERIA NEWS	797 2290
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15			
16			
17			
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