

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, November 20, 2012**

Be it known that the City of La Feria City Commission met in regular session on Tuesday, November 20, 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
Mr. John Edward Betancourt	City Commissioner
Mr. John Hernandez	City Commissioner
Mr. Victor Gonzalez, Jr.	City Commissioner
Ms. Angelica P. Baldivia	City Commissioner

Absent: Ms. Lori Weaver City Commissioner/Mayor Pro Tem

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, NOVEMBER 6, 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, November 6, 2012. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY RESOLUTION  
AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING TO  
THE UNITED STATES DEPARTMENT OF AGRICULTURE – RURAL  
DEVELOPMENT FOR RURAL BUSINESS ENTERPRISE GRANT (RBEG)**

City Manager Sunny K. Philip explained the purpose of this application. This resolution is to submit an application in the amount of \$300,000 to RBEG to purchase computers

and furniture for the dome to be built on South Main Street. 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 Commissioners present. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2012-51. After reading of the caption, Commissioner Angelica P. Baldivia moved to approve Resolution 2012-51 authorizing the submission of an application for funding to the United States Department of Agriculture – Rural Development for Rural Business Enterprise Grant (RBEG). Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR FUNDING TO THE UNITED STATES DEPARTMENT OF COMMERCE FOR THE CONSTRUCTION OF A TECHNOLOGY AND SUCCESS CENTER OR FACILITY IN LA FERIA**

City Manager Sunny K. Philip explained that this resolution is for a rectangular building that would be constructed as part of the dome facility that is to be built on South Main Street. 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 Commissioners present. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2012-52. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2012-52 authorizing the submission of an application for funding to the United States Department of Commerce for the construction of a technology and success center or facility in La Feria. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

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

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

The reports were not ready for this meeting, so this item was tabled on a motion by Commissioner John Betancourt and a second by Commissioner John Hernandez. The motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE POSSIBLE ACTION ON ACQUISITION OF EQUIPMENT AND VEHICLES FOR THE CITY OF LA FERIA**

City Manager Sunny K. Philip explained that two packages were distributed; one was Resolution 2012-53 which is for the purchase of a generator under the HMGP program and the other was for the backhoe, garbage truck, two vehicles for the Police Department and three pickups for the Public Works Department. Mr. Philip suggested that the City Commission take two separate actions for this item starting with the resolution for the generator. 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 Commissioners present. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2012-53. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2012-53

authorizing the purchase and installation of necessary equipment funded through the Hazard Mitigation Grant Program, Texas Department of Emergency Management for the Hurricane Alex Declaration; and authorizing the City Manager to act as the City's Executive Officer and authorized representative in all matters pertaining to the City's participation in such Hazard Mitigation Grant Program for the purchase and installation of necessary equipment. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

City Manager Sunny K. Philip called the City Commission's attention to the Capital Improvements Program Financing worksheet provided which showed the budget for vehicles and equipment purchase approved by the City Commission during the budget process to be \$385,000.00. The items listed for purchase were an extendable backhoe, three Ford F150 pickups, one new garbage truck, and 2 Police Department vehicles. Commissioner Victor Gonzalez, Jr. moved to approve the purchase of the backhoe, the new garbage truck, two vehicles for the Police Department, and three pickups for the Public Works Department. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

#### **WORKSHOP ON RECREATION CENTER PROGRAM DEVELOPMENT**

City Manager Sunny K. Philip discussed the existing community programs that the City administers during the year and how these programs may be run by the person who is hired as the Recreation Center manager. Some programs will still require coordination with the school due to the number of participants in the program and the need for more than one gym. Mayor Steve Brewer said that the School District had agreed to provide \$50,000 a year for maintenance and operation of the facility and asked that an agreement be worked out. Mr. Philip recommended that an advisory board be appointed composed of a City Commission member, a School Board member, a student from the high school, someone from the church community, someone from the sports community, a member of the community in general, and a senior person. Commissioner Victor Gonzalez, Jr. recommended that a member of the local business community also be included in the advisory board. Mayor Steve Brewer said the City would need to operate this center on a basis of cooperation with the school so that the total cost of running the facility and programs doesn't fall entirely on the City's budget. Mr. Philip said volunteers would also play a big role on the success of this facility. He reported that Mrs. Delores Fuller had approached him to volunteer on some of the programs at the recreation center. He added that the number one priority would be programs for youths and another priority of equal value would be programs for adults during the day. Mr. Philip also reported that sometime ago, Mr. John Callaway donated \$5,000 towards the Boys and Girls Club and that amount is available for this center, and the City would entertain any other donations by any other business person or any resident who would like to give back to the community. The City budgeted \$45,000 for personnel for the recreation center, which would include a manager and two part-time employees. The City will advertise in the *Valley Morning Star* and the *La Feria News* for the positions available for this facility sometime during the month of February 2013. There was no action needed on this item.

**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 7:39 P.M. After executive session deliberations, Mayor Steve Brewer declared the meeting back in open session at 8:07 P.M.

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

Mayor Steve Brewer announced that there were two actions.

1. Approve or deny Resolution 2012-54 documenting the acceptance of donation of property on FM 506 for the Fire Department Substation. 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 Commissioners present. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2012-54. After reading of the caption, Commissioner Angelica P. Baldivia moved to approve Resolution 2012-54 accepting the donation of property related to the establishment of the Fire Substation and authorizing the City Manager to take all necessary action in relation to the completion of such transaction. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.
2. Approve or deny Real Estate Contract for the proposed purchase of 24.041 acres on north FM 506. City Attorney Mr. Richard S. Talbert reported that the negotiations were completed in accordance with the terms discussed previously with the City Commission and the contract had been signed subject to City Commission action. Commissioner Victor Gonzalez, Jr. moved to confirm and ratify the certain Real Estate Contract between Dovie Ann Werlla and Anita Gay Diesing as seller and the City of La Feria as buyer relating to the sale and purchase of 24.041 acres of Minnesota-Texas Irrigation and Land Company Subdivision and to authorize the City Manager to take all necessary actions to consummate such purchase in accordance with the terms of the contract. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**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 City Hall Expansion Project
- Status of Library Expansion Project
- Status of Fire Station and Fire Substation Project
- Report on City of La Feria Shelters

City Manager Sunny K. Philip reported that there were no new developments to report on these projects.

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

Commissioner Victor Gonzalez, Jr. moved to excuse Commissioner Lori Weaver's absence from this meeting. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**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 Angelica P. Baldivia moved to adjourn the meeting. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**ADJOURNMENT**

Mayor Steve Brewer adjourned the meeting at 8:15 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 December 1, 2012, as official record.



Olga Oberwetter, City Secretary



**CITY COMMISSION REGULAR MEETING**  
**AT THE**  
**CITY COMMISSION MEETING ROOM**  
**TUESDAY, NOVEMBER 20, 2012, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	<i>Liana Brewer</i>		
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			