

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, December 4, 2012**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, December 4, 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 Comm. Dev. Director
Ms. Kin Mendoza	Accountant
Ms. Paula Rodriguez	Capital Projects Coordinator
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 6:33 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, NOVEMBER 20, 2012**

After review of the minutes, Commissioner Angelica P. Baldivia moved to approve the minutes of proceedings of the regular meeting of the City Commission held on Tuesday, November 20, 2012. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

**REPORTS BY TXDOT ON LA FERIA RELATED PROJECTS AND
DISCUSSION WITH THE CITY COMMISSION**

Mr. Juan A. Bernal, P.E., CFM, Transportation Engineer from the Pharr TxDOT office, reported that a preconstruction meeting was held last month on the Safe Routes to School Project. Mr. Bernal said that on Central Avenue south of the Library, staff wants to construct the sidewalks on the library property instead of on the properties across the street because the driveways interfere too much. Mr. Bernal said he needs a letter from

the City asking for the change and the plans need to be corrected and submitted to the San Benito Area Office. The construction is expected to start on January 2, 2013. The contractor is Valley Infrastructure from Edinburg. TxDOT would like to have a groundbreaking ceremony during the month of December. This would be coordinated with City Secretary Olga Oberwetter and the date selected was December 18, 2012. Mr. Bernal said that additional information is needed on the new application, the sidewalk enhancement project and the deadline is December 13, 2012. Mayor Brewer thanked Mr. Bernal for his report.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN INTER-LOCAL AGREEMENT BETWEEN THE CITY OF LA FERIA AND TEXAS A & M UNIVERSITY-KINGSVILLE TO CONTINUE PARTICIPATION IN THE LOWER RIO GRANDE VALLEY REGIONAL STORMWATER TASKFORCE AND TO AUTHORIZE PAYMENT OF THE MEMBERSHIP FEE OF \$6,638.00 FOR FY2013, BEGINNING OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013

Planning and Community Development Director Ms. Irene Szedlmayer explained that this is the 10th year that the City has been a member of the Lower Rio Grande Valley Regional Stormwater Task Force and it is very beneficial to the City. She said more cities have recently joined the task force and that is why the cost has gone down slightly. Commissioner John Betancourt moved to approve the inter-local agreement between the City of La Feria and Texas A&M University-Kingsville to continue participation in the Lower Rio Grande Valley Regional Stormwater Task Force and to authorize payment of the membership fee of \$6,638.00 for fiscal year 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 APPROVE OR DENY AN INTER-LOCAL AGREEMENT BETWEEN THE CITY OF LA FERIA AND TEXAS A & M UNIVERSITY-KINGSVILLE FOR THE PREPARATION OF A TEXAS POLLUTION DISCHARGE ELIMINATION STORMWATER PERMIT APPLICATION AND STORMWATER PLAN AND AUTHORIZE PAYMENT OF \$4,000.00

Planning and Community Development Director Ms. Irene Szedlmayer explained that the current general permit expired in late August and that TCEQ has promulgated new proposed rules for the new program, but they have not finalized that yet. Once they finalize the rules, the City has six months to submit a new permit application and a new plan. The University will prepare the plan and the City can modify that to apply to La Feria. Commissioner Victor Gonzalez, Jr. moved to approve the inter-local agreement between the City of La Feria and Texas A&M University-Kingsville for the preparation of a Texas Pollution Discharge Elimination Stormwater Permit Application and Stormwater Plan and authorize payment of \$4,000.00. 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 AN ORDINANCE OF THE CITY OF LA FERIA DESIGNATING DECEMBER 8, 2012 AS THE DATE FOR THE 14TH ANNUAL CHRISTMAS PARADE IN LA FERIA AND AUTHORIZING THE TEMPORARY CLOSING OF CERTAIN AND SPECIFIED STREETS WITHIN THE CITY OF LA FERIA FOR THE PURPOSE OF ENSURING THE SAFETY AND GENERAL WELFARE OF THE PUBLIC

DURING THE 14TH ANNUAL CHRISTMAS PARADE ON SAID DATE OR IN THE EVENT OF INCLEMENT WEATHER ANY OTHER ALTERNATE DATE APPROVED BY THE CITY MANAGER

City Manager Sunny K. Philip explained that the ordinance was similar to those approved in previous years. Commissioner Lori Weaver moved to read the ordinance 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 Ordinance 2012-16. After reading of the caption, Commissioner Lori Weaver moved to approve Ordinance 2012-16 designating December 8, 2012 as the date for the 14th Annual Christmas Parade in La Feria and authorizing the temporary closing of certain and specified streets within the City of La Feria for the purpose of ensuring the safety and general welfare of the public during the 14th Annual Christmas Parade on said date or in the event of inclement weather any other alternate date approved by the City Manager. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

REPORT FROM STAFF ABOUT THE STATUS OF MARKET DAYS AND CONSIDER AND TAKE ACTION TO SUSPEND MARKET DAYS EVENT HELD EVERY SECOND SATURDAY OF THE MONTH UNTIL FURTHER NOTICE

City Manager Sunny K. Philip reported that there has been a reduction in the number of vendors participating in Market Days. Staff distributed an account of the revenues and expenses. Mr. Philip recommended suspension of Market Days until further notice. Commissioner Lori Weaver moved to suspend the Market Days Event held every second Saturday of the month until further notice. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

DISCUSSION AND POSSIBLE ACTION TO CONFIRM THAT THE CITY GENERAL ELECTION IN 2013 IN THE CITY OF LA FERIA WILL BE HELD IN MAY

City Manager Sunny K. Philip explained that the City Commission had a discussion at a previous meeting about whether to keep the City General Election in May or move it to November, and the consensus was that the City Commission wanted the election in May. Staff didn't want to take it for granted and therefore, placed this item on the agenda to reaffirm that May is the City Commission's choice. City Attorney Mr. Richard S. Talbert said that there was no action needed if the Commission wanted to keep it in May. The Commission reaffirmed that the City General Election should be in May.

DISCUSSION REGARDING THE ESTABLISHMENT OF A CHAMBER OF COMMERCE IN THE COMMUNITY AND CONSIDER AND TAKE ACTION TO AUTHORIZE THE CITY MANAGER TO PROVIDE SUPPORT FOR THE LA FERIA CHAMBER OF COMMERCE

City Manager Sunny K. Philip gave a brief history of the Chamber of Commerce in La Feria. He said there have been some groups that have come together to try to start a Chamber of Commerce, but it has not moved forward. This time there are some business members that want to form a business alliance. He met with them yesterday. Mr. Philip said the chamber is a private entity and their interest is to promote their businesses. He explained that this item is on the agenda to authorize him to provide support in the form of helping in the formation of the entity. City Attorney Mr. Richard S. Talbert said that

the Chamber would be a separate entity, and it would not be controlled by the City. The bank account would have to be controlled by the Chamber Board of Directors. Mr. Philip said that a phone line could be designated specifically for the Chamber and that City employees would be able to answer that line as the "La Feria Chamber of Commerce." Mayor Brewer said that the Chamber needs to stand on its own and that he didn't want it to be a City run function. Commissioner Angelica P. Baldivia moved to authorize the City Manager to provide support for the La Feria Chamber of Commerce. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

DISCUSSION REGARDING PENDING APPLICATION WITH USDA AND POSSIBLE ACTION TO AUTHORIZE THE SUBMISSION OF AN APPLICATION FOR FUNDING FOR THE EXPANSION OF THE POLICE DEPARTMENT

City Manager Sunny K. Philip discussed the proposed expansion of the Police Department facility, but there was no action taken on this item. A resolution will be brought back before the City Commission at the next meeting.

MONTHLY FINANCIAL REPORTS FOR THE MONTH OF OCTOBER 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

Mayor Steve Brewer declared the meeting in executive (closed) session at 7:52 P.M. After executive session deliberation, Mayor Steve Brewer declared the meeting back in open session at 8:37 P.M.

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

There was no action needed on this item as a result of the executive session.

REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION

- **Update on Drainage Project**
- **Water and Wastewater Systems Improvements Project**
- **Library Expansion Project**
- **City Hall Expansion Project**
- **Fire Station Expansion Project**
- **Dome Construction Project**

- **Sidewalk Improvement Project**
- **Demolition of Homes Approved by the City Commission**
- **Generator Purchase Project**

City Manager Sunny K. Philip reported on the following.

- Update on Drainage Project – Staff met with General Land Office staff today. The City is finalizing the plans on Rabb Road. The City is trying to beat their deadline by one year.
- Water and Wastewater Systems Improvements Project – The City has submitted the first set of plans for the State to review, and the first advertisement will appear in the newspaper on December 22, 2012.
- Library Expansion – the Contractor is moving along and doing a good job.
- The City Hall Expansion is going along very slow.
- Fire Station Expansion Project – the City has submitted the plans to USDA for their review. The City has closed on the land for the substation.
- Dome Construction Project – Megamorphosis is waiting on some of the final numbers on their subcontractors.
- Sidewalk Improvement Projects – Staff will work on setting up the groundbreaking ceremony.
- Demolition of the Homes - All except one have been completed. Public Works Director Javier Martinez has done an excellent job in demolishing these buildings.
- Generator Purchase Project – The City is issuing the purchase order this week.

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

All members of the City Commission were present at this meeting, so there was no action needed under 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 Hernandez 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 8:43 P.M.

APPROVED:



Steve Brewer, Mayor

ATTEST:


Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 9:45 A.M. on January 7, 2013, as official record.


Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, DECEMBER 4, 2012, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Juan Bernal	TxDOT Pharr, TX. 78775	956-702-6165
2	Adriana Garza	2202 E Bowie Hwy TX	956 7781388
3	Juan Garza	2202 E Bowie Hwy TX	956 230 0772
4	MARINA GARZA	2202 E Bowie Hwy TX	956 230 0772
5	Laul Garcia F	LA Ferri on News	797 9920
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