

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, February 14, 2012**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, February 14, 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. Maria Chavero	Finance Director
Ms. Irene Szedlmayer	Planning and Community Dev. Dir.
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 6:30 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, JANUARY 24, 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 24, 2012. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

**PRESENTATION OF RECYCLING SURVEY BY STUDENTS OF C.E. VAIL  
SCHOOL, MS. BONNIE L. TOMPKINS MATH, SCIENCE AND SOCIAL  
STUDIES CLASS**

Students from Ms. Bonnie L. Tompkins Math, Science and Social Studies 4<sup>th</sup> Grade Class were present to discuss their findings of a survey they conducted regarding recycling.

There were four speakers who took turns presenting the survey findings. The Commission thanked the students for their presentation.

**PRESENTATION – LA FERIA WELLNESS OVERALL PLAN, A PROGRAM DESIGNED THROUGH THE COLLABORATION BETWEEN THE CITY OF LA FERIA AND LA FERIA INDEPENDENT SCHOOL DISTRICT**

City Manager Sunny K. Philip introduced Mr. Ben Guerrero, the City's co-chair on the City and School collaboration for the La Feria Wellness Plan. Mr. Guerrero reported that the Athletic Director could not be present tonight, but that Zumba Instructor Ms. Norma Cruz would be coming by after her class ends to assist in this presentation. He reported that the Zumba classes have been a big success. On average 24 to 26 people participate per week. There are 89 people enrolled in the Zumba classes. Mr. Guerrero credited Ms. Norma Cruz with the idea of offering the Zumba classes to the middle school aged children. He said that the classes would be offered on Thursdays from 4:30 to 5:30 p.m., and they would like to start at the beginning of next month. Mr. Guerrero said that this program would be one that could be transferred to the new recreation center or the wellness center in the future. Ms. Norma Cruz said that she started the Zumba classes in September and it has done great. She said even today, Valentine's Day, she had 17 attendees. Ms. Cruz said she wanted to introduce the young children to Zumba because two out of three children in the Valley have diabetes. Mayor Brewer said he was very excited to see that the Zumba classes would be offered to the younger population.

**PUBLIC HEARING TO RECEIVE INPUT REGARDING A REQUEST BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION FOR A SPECIFIC USE PERMIT FOR ALCOHOL SALES RELATED TO THE FIESTA DE LA FERIA CELEBRATION WHICH WILL BE HELD FEBRUARY 25, 2012**

Mayor Steve Brewer declared the public hearing open at 6:55 P.M. There were no comments regarding this item, so Mayor Steve Brewer declared the public hearing closed at 6:56 P.M.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY THE REQUEST BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION FOR A SPECIFIC USE PERMIT FOR ALCOHOL SALES RELATED TO THE FIESTA DE LA FERIA CELEBRATION WHICH WILL BE HELD FEBRUARY 25, 2012**

Commissioner Victor Gonzalez, Jr. moved to approve the request by the La Feria Industrial Development Corporation for a Specific Use Permit for alcohol sales related to the Fiesta de La Feria celebration which will be held February 25, 2012. Commissioner Lori Weaver 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**

City Manager Sunny K. Philip explained that at the last City Commission Meeting, the City Commission denied the sale of this property, and the South Texas Collaborative for Housing Development, Inc. (STCHD) put in a higher bid. The STCHD bid for the

property was \$7,000.00. There was no action taken on this item, as the action item follows.

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

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

Commissioner John Hernandez moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner Victor Gonzalez, Jr. 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 2012-17. After reading of the caption, Commissioner John Hernandez moved to approve Resolution 2012-17 approving the bid received from the STCHD on the tax resale conducted on November 1, 2011 for the above mentioned property. 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 RESOLUTION CONFIRMING TWO BOARD APPOINTMENTS TO THE LIBRARY BOARD**

City Manager Sunny K. Philip explained that the Library Board met on Wednesday, January 25, 2012 and they appointed two new members to the Library Board to replace Cindy Moore and Jean Burgoine. The new members were Mrs. Nora A. De Los Santos and Mr. Carlos Ochoa. Commissioner Victor Gonzalez, Jr. 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 2012-18. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2012-18 confirming the appointment of two board appointments to the Library. 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 SCHEDULING VOLUNTARY ANNEXATION**

This item was tabled by unanimous vote on a motion by Commissioner Lori Weaver and a second by Commissioner Victor Gonzalez, Jr.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA ANNEXING CERTAIN PROPERTIES TO THE BOUNDARIES OF THE LA FERIA TAX INCREMENT REINVESTMENT ZONE NO. 1**

City Manager Sunny K. Philip discussed the TIRZ boundaries and the new area being annexed which he said is the cross hatched area. That area is being considered for a housing tax credit development. Commissioner Victor Gonzalez, Jr. inquired if this would be for low income housing, because low income housing affects the community's property values. Mr. Philip said this will be the second housing development that will be maintained by the non-profit. He said it will be managed well, but he understands that there is always a stigma about low income housing. Commissioner Victor Gonzalez, Jr. said that this type of development worked very well in the City of Mission. Mr. Philip said this development would be managed by local citizens. City Attorney Richard S. Talbert clarified that the ordinance would only annex the area into the TIRZ zone, but

would not annex the area into the city limits. Commissioner Lori Weaver moved to read the ordinance 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 Ordinance 2012-02. After reading of the caption, Commissioner Lori Weaver moved to approve Ordinance 2012-02 annexing certain properties to the boundaries of the La Feria Tax Increment Reinvestment Zone No. 1. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE/DENY RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION FOR GRANT FUNDING AS A JOINT APPLICATION AMONG THE CITY OF LA FERIA, THE CITY OF DONNA, CITY OF MERCEDES, CITY OF WESLACO, AND THE CITY OF HARLINGEN**

City Manager Sunny K. Philip explained that this item would need to be tabled because some changes would need to be made in the resolution. Commissioner John Betancourt moved to table this item. 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 A RESOLUTION OF THE CITY OF LA FERIA AUTHORIZING THE SUBMISSION OF AN APPLICATION ON BEHALF OF THE CITY OF LA FERIA TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY SUNRISE TERRACE, LP FOR HOME INVESTMENT PARTNERSHIP FUNDS FROM THE MULTIFAMILY DEVELOPMENT PROGRAM (MDP) GENERAL SET-ASIDE AND PERSONS WITH DISABILITIES SET-ASIDE AND APPOINTING SUNRISE TERRACE, LP TO ACT ON THE CITY'S BEHALF IN APPLYING FOR TDHCA HOME FUNDS FROM THE MDP GENERAL SET-ASIDE AND PERSONS WITH DISABILITIES SET-ASIDE FOR THE SUNRISE TERRACE APARTMENTS**

City Manager Sunny K. Philip explained that this was in reference to the site that was mentioned in the previous item discussing the TIRZ annexation. He said that when the governing body approves a resolution, it scores more points for the application. Mr. Philip added that there was no cost to the City. 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 2012-19. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2012-19 authorizing the submission of an application on behalf of the City of La Feria to the Texas Department of Housing and Community Affairs (TDHCA) by Sunrise Terrace, LP for Home Investment Partnership Funds from the Multifamily Development Program (MDP) General Set-aside and Persons with Disabilities Set-aside and appointing Sunrise Terrace, LP to act on the City's behalf in applying for TDHCA HOME Funds from the MDP General Set-aside and Persons with Disabilities Set-aside for the Sunrise Terrace Apartments. 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 RESOLUTION IN SUPPORT OF THE U.S. 77 UPGRADE PROJECT TO INTERSTATE STANDARDS**

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 2012-20. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2012-20 in support of the US 77 Upgrade Project to Interstate Standards. 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 OF THE CITY COMMISSION OF THE CITY OF LA FERIA AUTHORIZING THE SUBMISSION OF A FUNDING APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS UNDER THE NEIGHBORHOOD STABILIZATION PROGRAM AND AUTHORIZING OFFICIALS TO ACT ON BEHALF OF THE CITY OF LA FERIA IN ALL ASPECTS OF THE CONTRACT**

City Manager Sunny K. Philip discussed that this would provide \$1,035,353.00 in funds for the development of 8 homes in the community. 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 2012-21. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2012-21 authorizing the submission of a funding application to the Texas Department of Housing and Community Affairs under the Neighborhood Stabilization Program and authorizing officials to act on behalf of the City of La Feria in all aspects of the contract. 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 ORDINANCE ADOPTING THE 2006 INTERNATIONAL CODE COUNCIL SERIES OF BUILDING CODES**

Planning and Community Development Director Ms. Irene Szedlmayer discussed that Cameron County uses the 2006 Codes. She added that to approve the 2006 Codes with the schedule of fees provided would increase the permit fees by more than double from the existing permit fees. Ms. Szedlmayer explained that the City Commission has the option to authorize adoption of the 2006 Codes with the provision that the schedule of fees be kept the same as the existing fees. Commissioner John Betancourt 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 Attorney Mr. Richard S. Talbert read the caption of Ordinance 2012-03. After reading of the caption, Commissioner Victor Gonzalez, Jr. moved to approve Ordinance 2012-03 adopting the 2006 International Code Council Series of Building Codes, but retaining the 2003 schedule of fees. 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 ORDINANCE ESTABLISHING REQUIREMENTS FOR COMMERCIAL, INSTITUTIONAL, AND INDUSTRIAL FOOD SERVICE ESTABLISHMENTS, REQUIRING THE**

**INSTALLATION AND MAINTENANCE OF GREASE INTERCEPTOR SYSTEMS FOR SAME, PROHIBITING THE DISCHARGE OF FATS, OILS OR GREASE INTO THE SANITARY SEWER SYSTEM OR STORMWATER SYSTEM, ESTABLISHING GUIDELINES FOR INSPECTIONS OF GREASE INTERCEPTING SYSTEMS AND ESTABLISHING PENALTIES FOR VIOLATION**

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

**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 foam insulation has been applied.
- Air Conditioning Replacement Project – The contractor is waiting on the delivery of the units.
- Fiesta de La Feria – Staff has finalized the review of the directory and we are waiting for the printing to distribute to the residents. The volunteers are doing an excellent job.

**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 7:35 P.M.

APPROVED:



Steve Brewer, Mayor

ATTEST:



Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 5:45 P.M. on March 12, 2012, as official record.

  
Olga Oberwetter  
**Olga Oberwetter, City Secretary**





**CITY COMMISSION REGULAR MEETING**  
**AT THE**  
**CITY COMMISSION MEETING ROOM**  
**TUESDAY, FEBRUARY 14, 2012, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Eduardo Ariza		
2	Kaitlyn Minnick		
3	Elena Contrata		
4	Bonnie Tomkins		
5	Juan Reyes		
6	Antonio Rodriguez		
7	Kate Ortiz		
8	Sofia Guel/CEO		
9	Bethany A. Taguila		
10	Jordan Bennett		
11	Ethan Montalvo		
12	Derek Cortez		
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