

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, March 13, 2012**

Be it known that the City of La Feria City Commission met in regular session on Tuesday, March 13, 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.

Commissioner Lori Weaver made a motion to move item number 14, Public Comments, to the beginning of the meeting, to accommodate a presentation by the Texas Department of Transportation (TxDOT) regarding the City's Safe Routes to School Project. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

PUBLIC COMMENTS

Mayor Steve Brewer declared the public comment session open. Mr. Juan A. Bernal, P.E., CFM, Transportation Engineer from the Pharr TxDOT office and Ricardo S. Gallaga, Jr., P.E., Assistant Area Engineer, from the San Benito TxDOT office were present to update the City on the progress of the Safe Routes to School Project for La Feria. Mr. Bernal said the engineering plans developed by Sigler, Winston, Greenwood & Associates have been reviewed and the goal is to go out for bids by September of this year (2012). The project will include sidewalks, curb ramps, crosswalks, and flashing

beacons at Noemi Dominguez, C.E. Vail, and W.B. Green Jr. High School. He said construction work would start around November or December this year, and the project would be complete by the end of March 2013. The grant funding for this project is \$500,000.00. Mr. Bernal said they will be keeping the Commission updated on the project on a monthly basis. Mayor Steve Brewer thanked Mr. Bernal and Mr. Gallaga for their presentation, and then called on Mr. Orville G. Kuran who had signed up to speak before the City Commission.

Mr. Kuran said there is a problem in their park (Palmera Park). A residence has been vacant for two years. He said he and the neighbors had been taking care of the maintenance of the lot, but they stopped doing that. He said he tried to contact the owners of the property to ask that they keep their property mowed, but he was not successful in getting that accomplished. Mr. Kuran said he and his wife had been in to discuss this with Planning and Community Development Director Ms. Irene Szedlmayer, and Mr. George Hanson had talked to Martha Gonzalez in the front office in December, but still two months later the situation has not been taken care of. Mayor Brewer thanked him for his comments and invited him to stay after the meeting, but Mr. Kuran handed some information to Ms. Szedlmayer and exited the meeting room. No one else signed up to speak before the City Commission, so Mayor Brewer declared the public comment session closed.

REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, FEBRUARY 14, 2012

After review of the minutes, Commissioner Lori Weaver moved to approve the minutes of proceedings of the regular meeting of the City Commission held on Tuesday, February 14, 2012. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, FEBRUARY 28, 2012

After review of the minutes, Commissioner Lori Weaver moved to approve the minutes of proceedings of the regular meeting of the City Commission held on Tuesday, February 28, 2012. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

REVIEW AND TAKE ACTION TO CONFIRM THE MINUTES OF PROCEEDINGS OF THE PREVIOUS REGULAR MEETING OF THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION (LFIDC) HELD ON THURSDAY, JANUARY 5, 2012

After review of the minutes, Commissioner Lori Weaver moved to confirm the minutes of proceedings of the previous regular meeting of the La FERIA Industrial Development Corporation (LFIDC) held on Thursday, January 5, 2012. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO ACCEPT THE ANNUAL RACIAL PROFILING REPORT PRESENTED BY POLICE CHIEF DONATO GARCIA

Police Chief Don Garcia was present at the meeting to present the Annual Racial Profiling Report. He reviewed the report in summary. All the monthly detail reports were provided to the Commission for their review prior to the meeting. After the presentation, Commissioner Victor Gonzalez, Jr. moved to accept the Annual Racial Profiling Report presented by Police Chief Donato Garcia. 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 A RESOLUTION OF THE CITY OF LA FERIA DESIGNATING THE FIRST NATIONAL BANK AS ONE OF THE DEPOSITORIES FOR THE FUNDS OF THE CITY OF LA FERIA

City Manager Sunny K. Philip asked that this item be tabled due to the fact that some revisions of the resolution were needed. Commissioner Lori Weaver moved to table this item. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO AUTHORIZE STAFF TO PROCEED WITH THE SOLICITATION OF BIDS FOR THE CITY HALL EXPANSION PROJECT

City Manager Sunny K. Philip reviewed the proposed plans for the City Hall Expansion Project. Funding for the project is through the Certificates of Obligation issuance. Mr. Philip said there are eight offices and a conference room designed in the proposed plan. Commissioner Victor Gonzalez, Jr. mentioned that the City Manager's office should be larger and that an office should be designated as the Mayor's office. Commissioner Angelica P. Baldivia inquired as to how far the addition to City Hall would be from the flag pole. Mr. Philip responded that the new addition would reach to the large oak tree in the yard. Commissioner John Betancourt moved to authorize staff to proceed with the solicitation of bids for the City Hall Expansion Project. 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

City Manager Sunny K. Philip said a revised version of the ordinance was distributed to the City Commission. He explained that the City is experiencing some problems with the sewer system, and the major issue is the grease going into the system. Commissioner Angelica P. Baldivia inquired about how long the businesses would have to be in compliance with the requirements of this ordinance. Mr. Philip responded that the businesses are in compliance with the ordinance, that in most cases the problem is the lack of cleaning of the grease intercepting systems. This ordinance will address the situation. Commissioner Victor Gonzalez, Jr. 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 2012-04. After reading of the caption, Commissioner Victor Gonzalez, Jr. moved to approve Ordinance 2012-04 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. 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 AMENDING CHAPTER 4 (BUSINESS REGULATIONS) OF THE CODE OF ORDINANCES TO AMEND THE DEFINITION OF LEVEL 1 GAMING DEVICE AND TO ESTABLISH AN EFFECTIVE DATE

City Manager Sunny K. Philip explained that a revised version of the ordinance was distributed to the City Commission. He said when the City Commission approved the previous game hall ordinance, it did not have any provision for the sweepstakes games. This ordinance amends the definition of the gaming machines. Commissioner John Betancourt 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 2012-05. After reading of the caption, Commissioner John Betancourt moved to approve Ordinance 2012-05 amending Chapter 4 (Business Regulations) of the Code of Ordinances to amend the definition of level 1 Gaming Device and to establish an effective date. Commissioner John Hernandez 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**
- **Air Conditioning Replacement Project funded through SECO**
- **Water and Wastewater System Improvement Project**
- **Proposed Parking Lot improvement for the Wellness Center**
- **Proposed Drainage System Improvements**

City Manager Sunny K. Philip reported on the following:

- The Indoor Recreation Facility – Staff meets with the contractor on a regular basis. The contractor is doing a good job. They have applied the foam insulation. At this time, staff is asking for a quote on the parking lots. One is for the Recreation Center and one is for the Wellness Center.
- Air Conditioning Replacement Project – The contractor has replaced the circuitry at the Fire Station.
- Water and Wastewater System Improvement Project – TCEQ has made the transfer from the North Alamo Water Supply Company to the City. The Texas Water Development Board is proceeding to close on the loan. The City is looking to advertise for bids in June or July for the smart system water meters. Mr. Philip said the City has a pilot program on this type of system, but it is not working well, so staff is looking at some other systems.
- Wellness Center parking lot was discussed with the Recreation Center.

- Proposed Drainage System Improvements - Mr. Philip reviewed the list of projects on the bulletin board. Funding for this project is from the General Land Office.

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

There was no action needed on this item.

PUBLIC COMMENTS

This item was taken out of sequence and considered at the beginning of the meeting before approval of minutes.

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 7:20 P.M.

APPROVED:



Steve Brewer, Mayor

ATTEST:


Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 10:45 A.M. on March 26, 2012, as official record.


Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, MARCH 13, 2012, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Orville Kuran	708N Hibiscus	797-1506
2	Jean Kuran	"	"
3	Liana Brewer		
4	Velma Bufancomt	500 Liberty Ave	
5	Christina Elwell		
6	Mary Jane Elwell	26150 Meredith	
7	Juan Bernal	P.O. Box 1041 San Benito	399-5102
8	Ricardo Gallaga	PO Box 1041 San Benito	399-5102
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			