

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, March 27, 2012**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, March 27, 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. Maria Chavero	Finance Director
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 Lori Weaver 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, MARCH 13, 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, March 13, 2012. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO ACCEPT THE CITY OF LA FERIA
COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR
ENDING SEPTEMBER 30, 2011**

Mr. Quentin Anderson with the accounting firm of Long Chilton, LLP was present at the meeting to present the City of La Feria Comprehensive Annual Financial Report for the fiscal year ending September 30, 2011. Mr. Anderson said the firm has completed the audit of the City's financial records for the past fiscal year, and also previously, he had

presented the reports for the component units, the LFEDC, LFIDC, and the Waterworks and Sewer System, which are also included in the overall City audit. Mr. Anderson discussed the Certificate of Achievement for Excellence in Financial Reporting, which the City has received for several years and which is awarded for meeting a high standard of compliance with financial reporting requirements for state and local governments. This report will be submitted for review by the GFOA also, and Mr. Anderson said that it appears that it will meet all the requirements to receive the certificate again. Mr. Anderson said the Independent Auditor's Report reflects Long Chilton's opinion on the financial position of the City and states that "the basic financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of City of La Feria, Texas at September 30, 2011, and the respective changes in financial position and cash flows where applicable, thereof for the year then ended, in conformity with accounting principles generally accepted in the United States of America." Mr. Anderson said the Management Discussion and Analysis section of the audit highlights what is in the 161 pages of the report, and that he would use this analysis as his reference for discussion for the report. He referred the Commission to the various financial statements to back up the discussion. Mr. Anderson said the fund balance was \$515,306 and compared to last year's fund balance, this reflects an improvement on reserves. Mr. Anderson said their recommendation is at least 3 months of reserves, and the City has about one more month of reserves to build up. Mr. Anderson also discussed grant compliance and said the City's financial statements are fairly stated in all material respects in relation to the basic financial statements taken as a whole. Mayor Steve Brewer thanked Mr. Anderson for his report. Commissioner John Betancourt moved to accept the City of La Feria Comprehensive Annual Financial Report for the fiscal year ending September 30, 2011. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

PRESENTATION – CAMERON COUNTY HISTORICAL COMMISSION, CURRENT & FUTURE PLANS

Wilson Bourgeois with the Cameron County Historical Commission (CCHC) was present at the meeting and presented a PowerPoint Presentation of the purpose of the CCHC. He said the CCHC is a quasi department for Cameron County funded by the County as well as the State of Texas through the Texas Historical Commission. The board's managers locally are the Cameron County Commissioners and statewide it is the Texas Historical Commission. The plans for the future are to assist Cameron County in the growth of the economy. Mr. Bourgeois discussed the various committees and their responsibilities. He said the CCHC is the only County doing anything for the Civil War Sesquicentennial. He said the way La Feria could get involved would be through volunteering time for the numerous projects that the CCHC has. After the presentation, Mayor Brewer thanked Mr. Bourgeois and said that Ms. Betty Jo Dunlap has a tremendous amount of background information about the history of La Feria, because her family established this community. Ms. Betty Jo Dunlap said that a lot of the credit goes to Eddie (Gathings) McNail who loved history and was a teacher. She said Ms. McNail was on the Historical Commission and worked with different families to get the historical markers that are in La Feria. Commissioner John Hernandez inquired why there was no maintenance committee under the CCHC to maintain the historical sites. Mr. Bourgeois cited lack of funds and lack of younger membership who would be able to do the clean up. The City Commission recommended that the CCHC contact the La Feria Independent School

District to provide community service hours for the La Feria students who are required to accomplish a certain number of community service hours per year. There was no action need on this item.

PUBLIC HEARING TO RECEIVE INPUT ON THE REQUEST BY GEORGE E. LAZARO AND ESIQUIO R. LAZARO TO RE-ZONE LOTS 38 AND 39, THE EAST 15' OF LOT 37 AND THE WEST 18' OF LOT 40, BLOCK 11, LA FERIA ORIGINAL TOWNSITE, (207 EAST MAGNOLIA AVENUE) FROM R-3 SINGLE FAMILY RESIDENTIAL TO L-C LIGHT COMMERCIAL AND TO AMEND THE COMPREHENSIVE PLAN

Planning and Community Development Director Ms. Irene Szedlmayer addressed the Commission on this issue. She said the request is to rezone the property located at 207 East Magnolia from R-3 Single Family Residential to L-C Light Commercial for use as a professional office building. She said the applicants Mr. George E. Lazaro and Esiquio R. Lazaro would have to go through two application procedures. First would be the request for the rezoning and then they would need to apply for a Specific Use Permit. Ms. Szedlmayer reviewed the lengthy memorandum she had prepared for the Commission's review. She noted that the public hearing notice was published in the La Feria News on March 7, 2012 and it was also mailed to 25 owners of property within 200 feet of the property in question. A sign was also posted on the property. The Planning and Zoning Commission met on March 22, 2012, and they voted unanimously to recommend approval of the rezoning from R-3 to L-C. Mayor Steve Brewer declared the public hearing open at 7:25 P.M. Ms. Lupita Magana, 125 E. Magnolia Street, addressed the Commission and said she did have a concern. She said she looked at other cities before selecting La Feria as her home and she was concerned that a business would increase traffic on her street. She said other residents on her street feel the same way, but they weren't here. Mayor Brewer said that Mr. Lazaro has taken an old structure and has remodeled it and it looks great. Ms. Betty Jo Dunlap also said she had a concern about the parking, but she had attended the Planning and Zoning Commission Meeting and heard the presentation by the owner. Mr. George Lazaro, the owner of 207 E. Magnolia, addressed the Commission and the resident's concerns. He said one of the goals of purchasing the property was to help beautify La Feria. He said the home had a lot of history, but the house had been neglected and it deteriorated. Mr. Lazaro said he had tried to get a location on Main Street, but none of the property owners wanted to part with their property. Mr. Lazaro said this is a family owned business and there would not be much traffic. He said there would be nine parking spaces in the back of the building and in the front would be the necessary handicap parking. He said the nature of their business is not one where people would be coming in to see them. Mr. Lazaro said there would not be a sign in front of the office. There would be security lighting and there would be a privacy fence. A brief discussion followed concerning the SUP. There being no further comments, Mayor Brewer declared the public hearing closed at 7:48 P.M.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA REZONING LOTS 38 AND 39, THE EAST 15' OF LOT 37 AND THE WEST 18' OF LOT 40, BLOCK 11, LA FERIA ORIGINAL TOWNSITE, (207 EAST MAGNOLIA AVENUE) FROM R-3 SINGLE FAMILY RESIDENTIAL TO L-C LIGHT COMMERCIAL AND TO AMEND THE COMPREHENSIVE PLAN

City Manager Sunny K. Philip recapped the discussion that took place during the public hearing and said that City staff has followed the guidelines required by the ordinance and

the City Commission has heard the recommendation from the Planning and Zoning Commission and would later consider issuing an order for a Specific Use Permit. He said that based on the public hearings held by the Planning and Zoning Commission and here tonight, staff's recommendation to the City Commission is to approve the change of zoning and later when considering the Specific Use Permit take into consideration the comments of the neighbors. Commissioner Lori Weaver moved to read the ordinance 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 Ordinance 2012-06. After reading of the caption, Commissioner Lori Weaver moved to approve Ordinance 2012-06 rezoning Lots 38 and 39, the east 15' of Lot 37 and the west 18' of Lot 40, Block 11, La Feria Original Townsite, (207 East Magnolia Avenue) from R-3 Single Family Residential to L-C Light Commercial and to amend the Comprehensive Plan. 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 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 said this item was tabled from the previous meeting. The City has applied for funding from the United States Department of Agriculture (USDA), and the USDA has selected the First National Bank as the escrow agent for these funds. Commissioner Lori Weaver 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 2012-24. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2012-24 designating the First National Bank as one of the depositories for the funds of the City of La Feria. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO ADOPT PROCLAMATION PROCLAIMING APRIL AS "FAIR HOUSING MONTH"

City Manager Sunny K. Philip explained that this is a proclamation that the City Commission adopts every year in order to be in compliance with certain grants that the City receives. Commissioner John Betancourt moved to adopt a proclamation proclaiming April as "Fair Housing Month." 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 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LA FERIA AND CAMERON COUNTY FOR STONEGARDEN GRANT 2011

City Manager Sunny K. Philip explained that this is funding from Homeland Security to Cameron County for use in extra patrol in the form of overtime pay and for purchase of vehicles. The City of La Feria has requested \$35,000 for one vehicle and the remainder of the funds (\$35,000) for overtime pay. Commissioner John Betancourt moved to approve a Memorandum of Understanding between the City of La Feria and Cameron County for Stonegarden Grant 2011. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

MONTHLY FINANCIAL REPORTS FOR THE MONTH OF FEBRUARY 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. No one had any questions, so he thanked Finance Director Ms. Maria Chavero for the reports and 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 business to discuss in Executive Session, so Commissioner John Betancourt moved to table this item. Commissioner Angelica P. Baldivia 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

No action was needed under this item since there was no Executive Session held.

REPORTS BY STAFF

- **Indoor Recreation Facility Construction Progress**
- **Air Conditioning Replacement Project funded through SECO**
- **Update on Drainage Project**
- **Water and Wastewater Systems Improvements Project**

City Manager Sunny K. Philip reported on the following.

- The Indoor Recreation Facility construction – Staff continues to have progress meetings at the site. Currently, we are waiting for a quote on the parking lot which will be paid by funds from TCEQ.
- The Air Conditioning Replacement Project – The contractor has replaced three of the seven units, and they will replace the remainder units starting next Saturday.
- Update on Drainage Project – Staff has had continuous meetings with the GLO and this project has its own challenges, but it is moving along.
- Water and Wastewater Systems Improvements Project – The TWDB has received the CCN Amendment, and they are in the process of closing the loan sometime within the next month. The money will be deposited in an escrow account, and the City will be able to draw down the funds as needed to pay for the projects.

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 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 Lori Weaver moved to adjourn the meeting. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

ADJOURNMENT

Mayor Steve Brewer adjourned the meeting at 8:00 P.M.

APPROVED:



Steve Brewer, Mayor

ATTEST:


Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 3:30 P.M. on April 7, 2012, as official record.


Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING

AT THE

CITY COMMISSION MEETING ROOM

TUESDAY, MARCH 27, 2012, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	George E. Lazo	512 E. Magnolia, La Feria	956-797-1612
2	Velma Betancourt	501 Liberty Lane La Feria	
3	Jill		
4	Lupita Magana	125 E. Magnolia, LF	956-493-5311 (cell)
5	Betty Jo Dunlap	212 E. Magnolia	797-2561 office
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