

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, June 12, 2012**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, June 12, 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 6:34 P.M., Mayor Steve Brewer asked Commissioner John Betancourt 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, MAY 8, 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, May 8, 2012. Commissioner Lori Weaver 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, MAY 22, 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,

May 22, 2012. Commissioner John Hernandez 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 the plans and specs for the Safe Routes to School Project were sent to Austin for their review and approval. During the local review, TxDOT found that there were some things that need some adjustment. There are 18 gas meters inside the right-of-way that need to be relocated, and the gas company will most likely pay for the relocation; however, the City will need to pay for a plumber to make the connection from the gas meter to the house. Mr. Bernal said an email was sent to Mr. Philip regarding this. In reviewing the estimate, it was also determined that the cost overruns for the project would be approximately \$100,000.00 due to an increase in the price of concrete and that amount of money will have to be paid to TxDOT thirty days prior to the letting of the project. TxDOT is looking for a letting of the project in the first week of September, so the \$100,000.00 will have to be received by TxDOT by the first week of August 2012. Commissioner Lori Weaver inquired if the plans could be adjusted to put in \$100,000.00 less in sidewalks, rather than having to come up with that amount of money in such a short time. Mr. Bernal responded that the project size could not be adjusted. Mr. Philip said this item would be placed on a future City Commission meeting agenda.

Another project in La Feria that TxDOT is working on is an overlay of FM 506 from Business 83 to Expressway 83. The letting for this project will also be in September and the project will start construction probably in December 2012. There will also be a seal coat south of Business 83 later on. Mayor Brewer thanked Mr. Bernal for his report.

PRESENTATION BY HARLINGEN SAN BENITO MPO ON PROPOSED BICYCLE AND PEDESTRIAN PLAN

Ms. Rebeca Castillo, Transportation Planning Director for the Harlingen/San Benito Metropolitan Planning Organization (MPO), made a presentation to the Commission regarding the proposed Bicycle and Pedestrian Plan. Ms. Castillo said the MPO serves nine member cities, i.e., Harlingen, San Benito, La Feria, Santa Rosa, Rio Hondo, Primera, Palm Valley, Combes, and Cameron County Precinct 3 & 4. The MPO began working on a Bicycle and Pedestrian Plan on March 1, 2012 to be completed by March 2013. The plan will look at providing connectivity of the nine member cities while also looking at safety of bicyclists and pedestrians. Ms. Castillo announced that there would be a public meeting at Harlingen City Hall on June 21, 2012. Ms. Castillo announced that they plan to have a stakeholder meeting one month and then a public meeting the next month and so on throughout the year. Ms. Castillo said they are a planning group and they would be able to assist cities with information, but they do not implement any projects. Mayor Brewer thanked Ms. Castillo for her presentation.

At this point in the meeting Mayor Steve Brewer asked to consider Item #19 on the agenda, Texas Gas Service Resolution, before item #8. Commissioner Lori Weaver moved to consider Item #19 out of sequence. 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 OF LA FERIA, TEXAS AUTHORIZING REVIEW OF TEXAS GAS SERVICE COMPANY'S ("TGS") COST OF SERVICE ADJUSTMENT ("COSA") TARIFF; APPROVING OF A JOINT REVIEW OF TGS' APPLICATION ALONG WITH OTHER CITIES SERVED BY TGS; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING TGS TO REIMBURSE ALL REASONABLE COSTS ASSOCIATED WITH CITIES' EFFORTS IN THIS RATEMAKING EFFORT; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

Mr. Gilbert Ortiz from the Texas Gas Company was present at the meeting. Mr. Ortiz said this is a cost of service adjustment (COSA) request and they are asking for a \$0.93 increase. The current rate is \$11.25. City Manager Sunny K. Philip said that all the cities in the Valley jointly work with the Gas Company to find a solution to their request, and the Lower Rio Grande Valley Development Council (LRGVDC) is taking the lead. The action before the Commission is to approve or deny the resolution to join the group. 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 Commission. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2012-30. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2012-30 authorizing review of Texas Gas Service Company's ("TGS") Cost of Service Adjustment ("COSA") tariff; approving of a joint review of TGS' application along with other cities served by TGS; hiring legal and consulting services to negotiate with the Company and direct any necessary litigation and appeals; requiring TGS to reimburse all reasonable costs associated with cities' efforts in this ratemaking effort; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and Legal Counsel. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

REVIEW PROPOSALS RECEIVED AND CONSIDER AND TAKE ACTION TO APPROVE THE SALE OF THE HOUSE LOCATED AT THE SOUTHEAST CORNER OF 4TH STREET AND WEST STREET TO THE BEST OFFER SUBMITTED AND/OR CONSIDER DONATION OF THE HOUSE TO SOUTH TEXAS COLLABORATIVE FOR HOUSING DEVELOPMENT TO MAKE THE HOUSE AVAILABLE UNDER THE AFFORDABLE HOUSING PROGRAM

City Manager Sunny K. Philip said that the City advertised for bids for the sale of the house to be moved and no bids were received. The minimum bid was \$10,000.00 and that minimum was determined because the City had an offer from an individual who had offered an amount higher than that previous to advertising. After advertising in the paper, that individual did not follow through with a bid. Mr. Philip said the Commission received a letter from the non-profit, South Texas Collaborative for Housing, for a donation of the house so that it can rehab the home and make it available for sale or lease to promote affordable housing in the community. Mr. Philip added that if the Commission approves this item, there would be an agreement between the City and the non-profit stipulating the conditions that would apply. City Attorney Mr. Richard S. Talbert clarified that though the item on the agenda item reads "donation of the house," it would not be a pure donation, because pure donations are not permitted by the

Constitution; however, expenditure of funds that achieve the public purpose are permitted. Section 272 (g) of the Local Government Code provides that a political subdivision may convey an interest in real property, and a structure is considered real property under the law, to an entity for the development of low income or moderate income housing. And that the political subdivision shall determine the terms and conditions of the transaction to effectuate and maintain the public purpose. Mr. Talbert said that the City Commission actually has two public purposes, because one is assisting affordable housing in the City and the other is that the property on which the house sits has been designated for development of a public park and the removal of the structure would cost the City money. Mr. Talbert said that the Commission needs to find that the transfer of the title to the non-profit is for public purposes (the park and low and moderate income housing) and the agreement should impose some restrictions, such as establishing a reasonable time for removal of the home so that the park can be developed. Commissioner John Betancourt moved to authorize the transfer of the title to the house located on the southeast corner of 4th Street and West Street to the South Texas Collaborative for Housing Development non-profit, on terms and conditions as the City Manager deems to be in the best interest to effectuate the public purposes of park development and providing low income housing for the citizens of La Feria. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

At this time City Manager Sunny K. Philip asked that the Commission go into executive session before considering Item # 9 on the agenda, Review bid tabulation for Solar Panel Projects. Mayor Steve Brewer declared the meeting in executive session at 7:07 P.M. After executive session deliberation, Mayor Steve Brewer declared the meeting back in open session at 7:42 P.M.

**REVIEW BID TABULATION AND CONSIDER AND TAKE ACTION TO
AWARD CONTRACT FOR THE SOLAR PANEL PROJECT FOR THE WATER
TREATMENT PLANT TO THE LOWEST, MOST RESPONSIBLE BIDDER**

City Manager Sunny K. Philip explained that the City advertised for bids for the Solar Panel Project for the Water Treatment Plant and the Wastewater Treatment Plant. The City asked for a base bid for a 135 KW system and a base bid for a 230 KW system. The City has a deadline of August 31, 2012 to complete the installation of the systems. Mr. Philip said the funds for this project originated from the Department of Energy and are managed by the State Energy Conservation Office (SECO). The bids were as follows:

<u>Bidder</u>	<u>135 KW Total</u>	<u>230 KW Total</u>
Meridian Solar, Inc. 4109 Todd Lane, Suite 900 Austin, TX 78744	\$ 949,645.46	\$1,479,696.44
Axium Solar, Inc. 1609 Precision Dr., Ste. 110 Plano, TX 75074	\$1,019,151.00	\$1,562,768.00
Texas Solar Power Co. 1703 W. Koenig Lane Austin, TX 78756	\$1,022,494.00	\$1,618,845.20

D. Wilson Construction Co. P.O. Box 3455 McAllen, TX 78502	\$1,414,860.00	\$2,099,550.00
Mardel Souza, Inc. 4255 Old Hwy. 77 Brownsville, TX 78520	\$1,567,350.00	\$1,934,000.00

The lowest total amount was from Meridian Solar, Inc., 4109 Todd Lane, Suite 900, Austin, TX 78744, (512) 448-0055, in the amount of \$949,645.46 for the 135 KW system and \$1,479,696.44 for the 230 KW system.

Mr. Philip said that in order to maximize the funds, the City has the option of ordering two 135 KW systems for the Water Treatment Plant and two 135 KW systems for the Wastewater Treatment Plant. If that is approved, the two 135 KW systems for the Water Treatment Plant would be a total of \$953,772.34 and the two 135 KW systems for the Wastewater Treatment Plant would be a total of \$945,518.58, which still leaves some amount left over in the overall funds which can be changed order to maximize the grant funds. Mr. Philip said that the Utilities Board also reviewed this item and they are recommending approval. Mr. Philip said that if this option is approved by the City Commission the Water Treatment Plant would have a 280 KW system which would provide about 100% of the power needs for the plant with about \$1,000.00 left over to sell and the Wastewater Treatment Plant would have a 282 KW system which would provide about 60% of the power need at the plant. Mr. Philip said he is recommending that the award be made to Meridian Solar, Inc., Austin, TX. Commissioner John Hernandez moved to authorize the City to enter into a contract with Meridian Solar, Inc. for \$953,772.34 for installation of two 135 KW (140.76 actual) photovoltaic arrays complete in place at the Water Treatment Plant including Alternate No. I in the bid proposals, using a centralized inverter system including authority to enter into all change orders deemed to be in the best interest of the City in accordance with applicable law; provided however, any such change order shall not obligate the Utilities Board and/or the City to expend funds on the project in excess of the \$217,800.00 previously approved by the Utilities Board and/or the City; and to authorize the City Manager to execute all documents and make all disbursements relating thereto. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

**REVIEW BID TABULATION AND CONSIDER AND TAKE ACTION TO
AWARD CONTRACT FOR THE SOLAR PANEL PROJECT FOR THE
WASTEWATER TREATMENT PLANT TO THE LOWEST, MOST
RESPONSIBLE BIDDER**

Discussion for this item was the same as in the previous item. Commissioner John Hernandez moved to authorize the City to enter into a contract with Meridian Solar, Inc. for \$945,518.58 for installation of two 135 KW (140.76 actual) photovoltaic arrays complete in place at the Wastewater Treatment Plant, including Alternate No. I in the bid proposals, using a centralized inverter system, including authority to enter into all change orders deemed to be in the best interest of the City in accordance with applicable law; provided however, any such change order shall not obligate the Utilities Board and/or the City to expend funds on the project in excess of the \$217,800.00 previously approved by the Utilities Board and the City; and to authorize the City Manager to execute all

documents and make all disbursements relating thereto. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

REVIEW BID TABULATION AND CONSIDER AND TAKE ACTION TO AWARD CONTRACT FOR THE CITY HALL EXPANSION PROJECT TO THE LOWEST, MOST RESPONSIBLE BIDDER

City Manager Sunny K. Philip explained that the bid opening for the expansion to City Hall was held at 4:00 P.M. today and the bids received were as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Sean Andrew 18703 Starbuck Road Harlingen, TX 78552	\$301,000.00
Trigen Construction 509 E. Pike Blvd. Weslaco, TX 78596	\$304,000.00
Highmark Construction 2016 S. 45 th Street McAllen, TX 78503	\$355,000.00
Rigney Construction 7011 N. Seminary Rd. Edinburg, TX 78541	\$358,000.00
Ferguson Construction 5905 E. 14 th Street Brownsville, TX 78523	\$376,000.00

Mr. Philip said the City made some calls on the low bidder Sean Andrew Construction and received good references, and he recommended award of contract to the lowest bidder Sean Andrew Construction. Commissioner John Betancourt moved to award contract for the City Hall Expansion Project to the lowest, most responsible bidder Sean Andrew Construction in the amount of \$301,000.00. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

REVIEW REQUESTS FOR PROPOSALS RECEIVED FOR DEVELOPER FOR SINGLE FAMILY HOMEBUYER UNITS AND AWARD CONTRACT TO THE MOST QUALIFIED DEVELOPER

City Manager Sunny K. Philip explained that the City received an award from the Texas Department of Housing and Community Affairs (TDHCA) in the amount of \$1,035,000.00 plus about \$46,000.00 in administration fees. The City has purchased a few lots and already owns other lots and the plan is to hire a developer. The City advertised in the newspaper, and there was only one proposal received and that was from the non-profit, South Texas Collaborative for Housing Development, Inc. (STCHD). When construction is ready to start, there would be a contract between the City and the STCHD, and the City would be reimbursed for the lot it has purchased. The non-profit entity will build eight homes and three of them will have to be sold to people below

certain income level and the remaining can be up to 120% of the median household income. Mr. Philip said this would be in-fill development. Mr. Philip said STCHD is building the 80-unit apartment complex in La Feria and it is also poised to build 70 single family units on FM 2556. Commissioner Victor Gonzalez, Jr. moved to award contract for Development for Single Family Homebuyer Units to South Texas Collaborative for Housing Development, Inc. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

PUBLIC HEARING TO RECEIVE INPUT REGARDING A SPECIFIC USE PERMIT REQUEST BY MARY ELLEN AND OSCAR DURAN, DBA BABY CAKES CONCESSIONS, TO LOCATE A RECREATIONAL VEHICLE FOR PURPOSE OF OPERATING A RASPA (SNOW CONE) STAND IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT AT 500 N. MAIN ST., LA FERIA, IN THE EL CENTRO SUPERMARKET PARKING LOT

Mayor Steve Brewer declared the public hearing open at 7:55 P.M. Planning and Community Development Director Ms. Irene Szedlmayer explained that the City Zoning Ordinance requires a Specific Use Permit to use a recreation vehicle in a C-2 Zone and since the snowcone stand, "Raspa" stand, would be in a trailer, they needed to apply for the SUP. She reviewed the requirements and provided a sketch of the locations where the stand would be located. Option #1 could be located between the two northernmost driveways of the parking lot and Option #2 would be south of the Metro Bus Stop. Staff recommended approval with a few conditions. Mr. Clem Gonzalez, owner of the property, said he would prefer Option #2 and Mr. and Mrs. Duran, owners of the business, also preferred Option #2. Mayor Steve Brewer declared the public hearing closed at 8:05 P.M.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY SPECIFIC USE PERMIT REQUEST BY MARY ELLEN AND OSCAR DURAN, DBA BABY CAKES CONCESSIONS, TO LOCATE A RECREATIONAL VEHICLE FOR PURPOSE OF OPERATING A RASPA (SNOW CONE) STAND IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT AT 500 N. MAIN ST., LA FERIA, IN THE EL CENTRO SUPERMARKET PARKING LOT AND AUTHORIZE THE MAYOR TO EXECUTE THE ORDER

Commissioner Victor Gonzalez, Jr. moved to approve Option #2 for the Specific Use Permit request by Mary Ellen and Oscar Duran, dba Baby Cakes Concessions, to locate a recreational vehicle for purpose of operating a raspa (snow cone) stand in the C-2 General Commercial zoning district at 500 N. Main St., La Feria, in the El Centro Supermarket parking lot and authorize the Mayor to execute the order. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE CHANGE ORDERS FOR THE INDOOR RECREATION FACILITY TO INCLUDE LOW IMPACT DEVELOPMENT PARKING LOT FUNDED THROUGH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

City Manager Sunny K. Philip explained the four change orders for the Indoor Recreation Facility as follows.

Change Order #1 - \$22,486.00

Change Order #2 - \$25,099.00

Change Order #3 - \$10,000.00
 Change Order #4 - \$154,662.00

Commissioner Angelica P. Baldivia moved to approve the four change orders for the Indoor Recreation Facility to include low impact development parking lot funded through the Texas Commission on Environmental Quality (TCEQ). 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 OF THE CITY OF LA FERIA AUTHORIZING INDIVIDUALS WHO WILL BE AUTHORIZED TO SIGN STATE OF TEXAS PURCHASE VOUCHERS AND REQUEST FOR ADVANCE REIMBURSEMENT PERTAINING TO THE TEXAS GENERAL LAND OFFICE DISASTER RECOVERY GRANT CONTRACT NO. 12-211-000-5511

City Manager Sunny K. Philip said this is for the \$18 million GLO Drainage Project. Commissioner John Betancourt 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 2012-29. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2012-29 authorizing individuals who will be authorized to sign State of Texas Purchase Vouchers and Request for Advance Reimbursement pertaining to the Texas General Land Office Disaster Recovery Grant Contract No 12-211-000-5511. 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, TEXAS AUTHORIZING THE CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE VETERANS MEMORIAL SPORTS COMPLEX DURING THE HOURS OF CELEBRATION ON JUNE 30, 2012 OR ON AN ALTERNATE DATE SELECTED BY THE EVENT PLANNING COMMITTEE AND APPROVED BY THE CITY MANAGER FOR THE CITY OF LA FERIA INDEPENDENCE DAY CELEBRATION

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 2012-08. After reading of the caption, Commissioner Victor Gonzalez, Jr. moved to approve Ordinance 2012-08 authorizing the consumption of alcoholic beverages at the Veterans Memorial Sports Complex during the hours of celebration on June 30, 2012 or on an alternate date selected by the Event Planning Committee and approved by the City Manager for the City of La Feria Independence Day Celebration. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE A FIREWORKS DISPLAY AS PART OF THE CITY OF LA FERIA INDEPENDENCE DAY CELEBRATION TO BE HELD ON SATURDAY, JUNE 30, 2012 AT THE VETERANS MEMORIAL SPORTS COMPLEX OR AN ALTERNATE DATE SELECTED BY THE EVENT PLANNING COMMITTEE AND APPROVED BY THE CITY MANAGER

Commissioner Victor Gonzalez, Jr. move to approve a fireworks display as part of the City of La Feria Independence Day Celebration to be held on Saturday, June 30, 2012 at the Veterans Memorial Sports Complex or an alternate date selected by the Event Planning Committee and approved by the City Manager. 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 OF LA FERIA, TEXAS AUTHORIZING REVIEW OF TEXAS GAS SERVICE COMPANY'S ("TGS") COST OF SERVICE ADJUSTMENT ("COSA") TARIFF; APPROVING OF A JOINT REVIEW OF TGS' APPLICATION ALONG WITH OTHER CITIES SERVED BY TGS; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING TGS TO REIMBURSE ALL REASONABLE COSTS ASSOCIATED WITH CITIES' EFFORTS IN THIS RATEMAKING EFFORT; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

This item was considered out of sequence in the agenda after Item #7.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA TO ESTABLISH RULES AND STANDARDS FOR CONSTRUCTION AND MAINTENANCE OF FENCES AND WALLS IN RESIDENTIAL ZONES BY AMENDING CHAPTER 14, EXHIBIT A (ZONING ORDINANCE) OF THE CITY OF LA FERIA CODE OF ORDINANCES TO CREATE A NEW SECTION 4C(9), AMEND SECTION 26 TO DEFINE CERTAIN NEW TERMS, AND AMEND SECTION 3.05 (SUBSTANDARD BUILDINGS) TO CREATE A NEW SUB-SECTION 3.05.002(D) AND TO ESTABLISH AN EFFECTIVE DATE

This item was tabled on a motion by Commissioner Victor Gonzalez, Jr. and a second by Commissioner Lori Weaver. The motion was approved unanimously by the City Commission.

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 need for an executive session, so Commissioner Angelica P. Baldivia 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 DEEMED NECESSARY AS THE RESULT OF EXECUTIVE (CLOSED) SESSION DELIBERATIONS

Commissioner Angelica P. Baldivia 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 RESOLUTION
DECLARING THE PROPERTY LOCATED AT 416 WEST SPRUCE STREET AS
BLIGHTED PROPERTY REQUIRING REMEDIAL ACTION**

City Manager Sunny K. Philip said the City owns this property and the idea is to tear it down and build a new home. Commissioner Lori Weaver 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 2012-31. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2012-31 declaring the property located at 416 West Spruce Street (Avenue) as blighted property requiring remedial action. 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
AUTHORIZING PARTICIPATION IN THE COOPERATIVE PURCHASING
PROGRAM THROUGH REGION VIII EDUCATION SERVICE CENTER
IDENTIFIED AS TIPS/TAPS AND AUTHORIZING PERSONS TO EXECUTE
AGREEMENT WITH THE ENTITY**

Commissioner Angelica P. Baldivia moved to approve Resolution 2012-32 authorizing the participation in the Cooperative Purchasing Program through Region VIII Education Service Center identified as TIPS/TAPS and authorizing persons to execute agreement with the entity. Commissioner John Betancourt 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**
- **Water and Wastewater System Improvement Project**
- **Status of Drainage Improvements Project**
- **Status of Fire Station and Fire Substation Project**
- **Status of City Hall Expansion Project**
- **Status of Library Expansion Project**

City Manager Sunny K. Philip reported on the following:

- The Indoor Recreation Facility – Discussed earlier and the City Commission approved the four change orders.
- Water and Wastewater Systems Improvements Project – The design is progressing and the easement acquisitions are almost complete. The City is hoping to go out for bids sometime in July.
- Status of Drainage Improvements Project – Having monthly meetings at this time. The goal is to start the bidding process sometime in October or November.
- Status of Fire Station and Fire Substation Project – The property to be donated for the Substation is going through some name changes. In the meantime, the City will submit the plans to USDA for review.
- Status of City Hall Expansion Project – The bids were opened, and construction should move fairly quickly, because there is no need for approval from any agencies.
- Status of Library Expansion Project – The city is working on the contract submitted to USDA and hoping they will come through and close on the contract soon.

CONSIDER AND TAKE ACTION TO ACKNOWLEDGE MAYOR STEVE BREWER'S ELECTION AS PRESIDENT OF THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL

City Manager Sunny K. Philip said it is a long time process to make it to the Executive Committee and Mayor Brewer has accomplished this. He said it will truly give the small cities a voice and he congratulated Mayor Brewer. The Commission and staff all congratulated Mayor Brewer on his accomplishment. Mayor Brewer said it is an honor to work on a regional basis for projects for the whole Valley region. Commissioner Angelica P. Baldivia moved to publicly acknowledge Mayor Steve Brewer's election as President of the Lower Rio Grande Valley Development Council. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

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 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 8:30 P.M.

APPROVED:



Steve Brewer, Mayor

ATTEST:


Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 1:45 P.M. on June 23, 2012, as official record.


Olga Oberwetter, City Secretary



CITY COMMISSION REGULAR MEETING

AT THE

CITY COMMISSION MEETING ROOM

TUESDAY, JUNE 12, 2012, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Rebecca Castillo	502 E. Tyler St, Hgn, TX	(956) 216-5240
2	Julia Alvarez		357-2948
3	JUAN BERNAL	600 E. EXPRESSWAY PHARR, TX 78577	956-702-610
4	Gilbert Ortiz		739-2972
5	Jim Gomez	611 Intl Blvd	(956) 968-2194
6	Jessica Campos (Sean Andrew Const)		412-1055
7	Oscar Duran		345-1700
8	Mary Ellen Duran		792-9459
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