

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, July 24, 2012**

Be it known that the City of La Feria City Commission met in regular session on Tuesday, July 24, 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. 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, JUNE 26, 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, June 26, 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 he met with Mr. Joe B. Winston, the City Engineer and discussed some of the comments received from the division in Austin and there would be some changes to the plans made for the Safe Routes to School Project. The changes should be completed

by the end of the week and then the plans would be sent back to Austin for further review. Mr. Bernal said that there are about 18 gas meters and 38 water meters that need to be relocated before the start of the project. He said that the project will be let in September and the contractor would be able to start in mid-November 2012. Mayor Brewer inquired about some utility poles, and Planning and Community Development Director Ms. Irene Szedlmayer responded that the Power Company has been notified and that they will be moving them. Mr. Bernal also reported that the other project in La Feria is the seal coat of FM 506 from Business 83 south to U.S. 281, and that this project would probably be done in December or January. The seal coat will extend the life of the highway. City Manager Sunny K. Philip reported that Mr. Winston met with the Gas Company today, and they will be working on relocating the gas meters soon. He said the City has completed relocating about one half of the water meters, and the Power Company has been notified to move the utility poles. Some of the fences will also be relocated by the time TxDOT gets the contract signed. In response to a question about the traffic light at Beddoes Road, Mr. Bernal said he would get some information about that for the next meeting. Mayor Brewer thanked Mr. Bernal for his presentation.

STAFF PRESENTATION ON THE CITY OF LA FERIA'S STORMWATER POLLUTION PREVENTION AND STORMWATER MANAGEMENT PLAN AND RECEIPT OF INPUT FROM THE PUBLIC REGARDING THE PROGRAM AND PLAN

Planning and Community Development Director Ms. Irene Szedlmayer presented a PowerPoint presentation on the City of La Feria's Stormwater Pollution and Stormwater Management Plan. Ms. Szedlmayer explained that the City has a Stormwater Permit and as a requirement of that permit, the City must have an annual meeting and this meeting was to fulfill that requirement. Ms. Szedlmayer said that public involvement in the Stormwater Plan is mandated by law and she was pleased to report that the Boys Scout Troop 12 under the leadership of Benito Hinojoso and Jesse Vega, who is working on an Eagle Scout Project, have taken on stenciling the rest of the City's stormwater drains. The City is providing the materials. They will also hand out brochures and bookmarks about the Arroyo Colorado and Laguna Madre. Ms. Szedlmayer discussed a number of Best Management Practices. Mayor Brewer declared the public hearing open at 6:59 P.M. There were no comments received from the audience. Mayor Brewer declared the public hearing closed at 7:00 P.M.

PUBLIC HEARING TO RECEIVE INPUT ON PARK AND RECREATIONAL FACILITIES

Mayor Steve Brewer declared the public hearing open at 7:00 P.M. City Manager Sunny K. Philip discussed the plans for improvements to the West Park (Unger Park) located at 330 S. West Street. He discussed the drawing of the park which would be designed to represent an orange to touch on the uniqueness of the Rio Grande Valley, representing the citrus industry. Mr. Philip said that in the future the park on the East side of town could be developed and designed to depict a grapefruit. Mrs. Katie Guerrero inquired whether there would be any parking for the park. Mr. Philip responded that the parking issue had been considered, but since it is a small park, providing parking spaces would cut into the green space of the park. He added that this is a neighborhood park and most of the visitors would be walking to the park. Mr. Philip added that a shuffleboard would be incorporated for the elderly as requested by residents. Ms. Criselda Vega inquired if the park would be fenced in. City Manager Sunny K. Philip responded that it would not

be fenced in but areas such as the basketball court would be fenced. There being no further comments, Mayor Steve Brewer declared the public hearing closed at 7:13 P.M.

CONSIDER AND TAKE ACTION TO APPROVE RESOLUTION OF THE CITY OF LA FERIA, TEXAS AUTHORIZING SUBMISSION OF AN APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT (TPWD) FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TPWD'S LOCAL PARK PROGRAM

City Manager Sunny K. Philip recommended approval of the resolution. 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 2012-34. After reading of the caption, Commissioner Angelica P. Baldivia moved to approved Resolution 2012-34 authorizing submission of an application to the Texas Parks and Wildlife Department (TPWD) for the purpose of participating in the Local Park Grant Program and authorizing the City Manager to act as the City's authorized representative in all matters pertaining to the City's participation in the TPWD's Local Park Program. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE RESOLUTION OF THE CITY OF LA FERIA, TEXAS AUTHORIZING THE SUBMISSION OF AN AMY YOUNG BARRIER REMOVAL PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE HOUSING TRUST FUND; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE AMY YOUNG BARRIER REMOVAL PROGRAM

City Manager Sunny K. Philip explained that this is the first time that the City is applying for this grant and there is no match required. Primarily the grant is intended for handicapped or elderly persons who need assistance in making their homes handicapped accessible. Mr. Philip said that the City would be able to help five families with this grant. 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 2012-35. After reading of the caption, Commissioner John Betancourt moved to approved Resolution 2012-35 authorizing submission of an application to the Texas Parks and Wildlife Department (TPWD) for the purpose of participating in the Local Park Grant Program and authorizing the City Manager to act as the City's authorized representative in all matters pertaining to the City's participation in the TPWD's Local Park Program. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO ACCEPT THE CERTIFIED APPRAISAL ROLL SUBMITTED BY CAMERON APPRAISAL DISTRICT

City Manager Sunny K. Philip discussed the Certified Appraisal Roll with the City Commission. He said the appraised value is \$161,706,196 which is 1% higher than last year. Commissioner Angelica P. Baldivia moved to accept the Certified Appraisal Roll

submitted by Cameron Appraisal District. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPOINT THE CITY OF LA FERIA TAX ASSESSOR/COLLECTOR TO CALCULATE AND PUBLISH THE EFFECTIVE AND ROLLBACK TAX RATE FOR TAX YEAR 2012

Commissioner John Hernandez moved to appoint City Manager Sunny K. Philip as the City of La Feria Tax Assessor/Collector to calculate and publish the Effective and Rollback Tax Rate for Tax Year 2012. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO ACCEPT CERTIFICATION REGARDING ANTICIPATED TAX COLLECTION RATE FOR TAX YEAR 2012 (FY 2012/2013)

City Manager Sunny K. Philip explained that the Certification regarding the anticipated tax collection rate for the City of La Feria states that the collection rate will be 95% for the tax year 2012 (FY 2012/2013). Commissioner John Betancourt moved to accept the Certification regarding the Anticipated Tax Collection Rate for the Tax Year 2012 (FY 2012/2013). Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE PROPOSED SCHEDULE FOR BUDGET DEVELOPMENT AND APPROVAL FOR THE CITY OF LA FERIA AND ITS SUBSIDIARIES

City Manager Sunny K. Philip discussed the proposed schedule for budget development and approval. He said the goal is to have the budget approved by September 11, 2012. Mr. Philip and Mayor Brewer asked that the Commissioners keep the schedule so that they may attend as many meetings as possible. Mr. Philip said there might need to be a few changes as the dates draw nearer. Commissioner Victor Gonzalez, Jr. moved to approve the proposed schedule for budget development and approval for the City of La Feria and its subsidiaries. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE A RESOLUTION OF THE CITY OF LA FERIA APPROVING AN APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE TEXAS CAPITAL FUND PROGRAM

City Manager Sunny K. Philip explained that several years ago the City applied for funding under this program for Precision Mold and Tool and the funding was approved, but at that time the economy began to take a turn for the worse, and the Company did not want to move forward with their plans. Now, they feel that the economy has stabilized somewhat, and they want to expand. The application was for \$750,000 but the State will be funding only \$475,000. Of the \$475,000 the funds for real estate will be \$440,000 and the remaining \$35,000 will be for administration. 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 2012-36. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2012-36 approving an application for funding through the Texas

Department of Agriculture Texas Capital Fund Program. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

MONTHLY FINANCIAL REPORTS FOR THE MONTH OF JUNE 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 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

Mayor Steve Brewer declared the meeting in executive session at 7:34 P.M. After executive session deliberation, Mayor Steve Brewer declared the meeting back in open session at 7:57 P.M.

Commissioner Lori Weaver left the meeting at this point in time.

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

There was no action needed for this item.

REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION

- **Indoor Recreation Facility Construction Progress**
- **Water and Wastewater Systems Improvements 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**
- **Status of Solar Panel Projects for Water Treatment plant and Wastewater Treatment Plant**

City Manager Sunny K. Philip reported on the following.

- Indoor Recreation Facility Construction Progress – The contractor is working on staining the floors, the data lines and the phone lines are being installed. It is nearing completion.
- Water and Wastewater Systems Improvements Project – Staff is working on the last items for the acquisition of the easements. The specs are ready to go out for bids on the water meters. The Environmental Review at the State level may be on the TWDB Agenda for September. Staff has a monthly meeting to make sure the project is moving forward.

- The Drainage Improvement Project – Staff also has a monthly meeting on this project, and dates for the advertisement for the first project have been selected. This will include Rabb Road and the drain all the way to the Arroyo Colorado and the crossing at the floodway levee system also. There are two or three easements that still need to be acquired. Also the Environmental Review needs to be cleared by the State; therefore, no construction can begin before that.
- Fire Station and Substation – The architects are working on the design. The land on the south side of town is still not in the City's name due to some estate issues.
- City Hall Expansion – The contractor starting moving dirt today and placing a fence around the site.
- Library Expansion Project – Staff submitted the contract documents to USDA, and they are waiting for their state review of the documents, so we can schedule a groundbreaking.
- Solar Panel Projects – The contractor has begun the project, and they are moving along good. SECO has agreed to extend the deadline until September 30, but the City wants that agreement in writing before letting the contractor know that the deadline will be extended from August 20, 2012 to September 30, 2012. Staff is working with the contractor to make sure that the work area is safe.

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 comments session open and acknowledged Mr. Octavio Quintanilla who was present to discuss water wells within the city limits. He wanted to know if City Inspectors go out to see if water well owners are complying with safety and health codes. He said a neighbor has a gas operated compressor that pumps his water, which compressor is situated 2 feet away from their living room window, and the carbon monoxide fumes penetrate their home. He said the neighbor runs the compressor for about an hour and a half in the afternoon and evenings. Mr. Quintanilla said that their daughter is in the house and they are afraid that the fumes will affect her. He said he spoke with the neighbor about the situation and the neighbor didn't seem to care. Mr. Quintanilla said he understands that there is no ordinance that restricts the use of water wells, but he would like to see something that would limit or restricts the use of gasoline for their operation or sets parameters as to the location specifically in neighborhoods where houses are too close to each other. There being no further comments, Mayor Brewer thanked Mr. Quintanilla and 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 John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

ADJOURNMENT


Mayor Steve Brewer adjourned the meeting at 8:11 P.M.

APPROVED:




Steve Brewer, Mayor

ATTEST:


Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 9:30 P.M. on August 11, 2012, as official record.


Olga Oberwetter, City Secretary

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CITY COMMISSION REGULAR MEETING

AT THE

CITY COMMISSION MEETING ROOM

TUESDAY, JULY 24, 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 DISTRICT	956-702-6265
2 Benito Hinojosa	Boy Scout LeFlore	797-5669
3 Octavio Quintanilla	615 Av A	956-970-0661
4 E. Cazares	615 Ave B	44 577-1958
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