

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, September 11, 2012**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, September 11, 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.

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|----------------------------|---------------------------------|
| 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.

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|------------------------|----------------------------------|
| 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. 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 SPECIAL MEETING OF THE CITY COMMISSION HELD ON TUESDAY, SEPTEMBER 4, 2012

After review of the minutes, Commissioner John Betancourt moved to approve the minutes of proceedings of the special meeting of the City Commission held on Tuesday, September 4, 2012. Commissioner Angelica P. Baldivia 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, AUGUST 2, 2012

After review of the minutes, Commissioner John Hernandez moved to confirm the minutes of proceedings of the previous regular meeting of the La Feria Industrial Development Corporation (LFIDC) held on Thursday, August 2, 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 the traffic light at Beddoes Road would be changed from flashing to normal traffic signal in a week or so. Mr. Bernal said the Safe Routes to School Project was bid out and the bids came in as follows:

Valley Infrastructure, Inc.	\$538,299.00
REIM Construction, Inc.	\$618,825.95
IOC Company, LLC	\$636,077.96
TI-ZACK Concrete, Inc.	\$675,663.00
Construction Resolution Group, Inc.	\$677,787.35
Encino Landscape, Inc.	\$725,526.00

Mr. Bernal said TxDOT has \$575,000.00 allocated for the Safe Routes to School Project, so that means that the City does not have to come up with any extra money for the project. Valley Infrastructure, Inc. is from Edinburg, Texas. Mr. Bernal estimated that it would be six to eight weeks before the order to proceed would be issued and a preconstruction conference would be scheduled by the San Benito TxDOT Office. Mr. Bernal encouraged City staff to attend the preconstruction conference. Mr. Bernal explained that the check the City sent to TxDOT would not be reimbursed to the City until the completion of the sidewalk project, just in case there are some costs overruns. Mr. Bernal also distributed some information to the City Commission concerning fatalities due to texting while driving, and also some information on the designation of US 77 and US 281 along with US 83 from Pharr to Harlingen as Interstate 69.

Mayor Steve Brewer inquired about a Welcome Sign along the Expressway and Mr. Bernal said he would look into it. Mr. Bernal also reported that the highest speed in the nation will be in Texas at 85 miles per hour on a toll road between San Antonio and Austin. Mayor Brewer thanked Mr. Bernal for his report.

REVIEW PROPOSALS RECEIVED FOR EMPLOYEE GROUP HEALTH INSURANCE AND TAKE ACTION TO AWARD CONTRACT TO THE LOWEST QUALIFIED BIDDER AND CONSIDER APPOINTMENT OF AN AGENT

City Manager Sunny K. Philip reviewed the proposals received for employee group health insurance with the City Commission. Mr. Philip explained that the lowest bid was from Valley Baptist Health Plans with the rates as follows: Employee Only, \$300.98; Employee & Spouse, \$752.47; Employee & Children, \$556.83; and Employee & Family, \$887.91. Mr. Philip said the co-pay increased from \$20.00 to \$25.00, but the deductible remained at \$1,000.00 per employee. The out of pocket increased from \$2,000 to \$3,000. The rates include the prescription rider. Mr. Philip said the current monthly premium for Employee Only is \$319.60 and the new rate of \$300.98 represents a 5.85% reduction. Mr. Philip recommended award of contract to Valley Baptist Health Plans at the above-mentioned rates, and to appoint Ms. Joannie Bianchini as the agent for the City's health plan. Commissioner John Betancourt moved to award the contract for the employee group health insurance to the lowest bidder Valley Baptist Health Plans at the above-

mentioned rates and to appoint Ms. Joannie Bianchini as the agent. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

REVIEW PROPOSALS RECEIVED FOR EMPLOYEE GROUP LIFE INSURANCE AND TAKE ACTION TO AWARD CONTRACT TO THE LOWEST QUALIFIED BIDDER

City Manager Sunny K. Philip reviewed the proposals received for the employee life and AD&D Insurance. The City provides a \$20,000.00 life policy and a \$20,000 AD&D policy for each employee. The lowest bid was submitted by The Standard Insurance Company at \$3.40 monthly premium per employee. The current provider is Sun Life Financial at \$4.00 monthly premium per employee. Mr. Philip recommended award of contract to the lowest qualified bidder The Standard Insurance Company. Commissioner Angelica P. Baldivia moved to award contract to the lowest bidder The Standard Insurance Company at \$3.40 monthly premium per employee. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

REVIEW AND TAKE ACTION TO APPROVE BUDGET AMENDMENTS FOR FY 2011-2012

Finance Director Ms. Maria Chavero distributed a revised budget amendment page which summarized the expenditures by department. The budget amendment for FY2011-2012 revenues was \$6,974,126 and the budget amendment for expenditures was \$6,992,999 for a total of expenditures over revenues of (\$18,873). After review and all questions answered, Commissioner Victor Gonzalez, Jr. moved to approve the budget amendments for FY 2011-2012. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE THE CITY OF LA FERIA GENERAL FUND BUDGET FOR FY 2012-2013

City Manager Sunny K. Philip reviewed the summary for all the funds including the General Fund, TIRZ Fund, Bailey H. Dunlap Memorial Public Library, Home Grant, Youth Sports Program, Boys and Girls Club (Indoor Recreation Center), Promotion of La Feria, Debt Service Fund, Capital Projects Funds, and the Component Units: Waterworks & Sewer System, LFIDC, and LFEDC. Mr. Philip said that even though the General Fund Budget is only \$6,020,243, the total of all the funds is \$25,348,039 so the FY 2012-2013 overall budget is \$25,348,039. Mr. Philip also reviewed the Capital Improvement Program Financing for the City of La Feria. He said the budget includes a 3% increase for all employees, but there are no additional employees proposed. The Police Department Incentive Pay that was initiated several years ago is included in the budget also. There is no increase in the brush or garbage fees, but there is a \$100,000 budget for the Indoor Recreation Center. Mr. Philip said there were no other changes made in the budget, other than it was figured at the Effective Tax Rate of \$0.6970/\$100 and since the Commission approved the \$0.70/\$100 rate, the revenues would have to be adjusted by a \$4,751 increase. Finance Director Ms. Maria Chavero reviewed the Capital Projects Fund and discussed each line item. Commissioner Lori Weaver moved to approve the General Fund Budget for FY 2012-2013. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

City Attorney Mr. Richard S. Talbert recommended that before considering the next item on the agenda which was to confirm all the budgets for the City, the Commission needed to take action on the water and sewer rates ordinance, because that affects the Utilities Board Budget. Commissioner Victor Gonzalez, Jr. moved to consider the item regarding the water and sewer rates ordinance out of order. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE/DENY AN ORDINANCE OF THE CITY OF LA FERIA AMENDING WATER AND SANITARY SEWER REGULATIONS; ESTABLISHING STANDARD RATES FOR WATER AND SANITARY SEWER SERVICES; PROVIDING FOR THE METERING OF WATER DELIVERED; SETTING ALL OTHER FEES AND CHARGES RELATED TO WATER AND SANITARY SEWER SERVICES; PROVIDING FOR A SAVING CLAUSE; PROVIDING FOR THE EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

City Manager Sunny K. Philip explained that the Utilities Board met and considered this ordinance, and they are recommending that the City Commission approve the ordinance. Mr. Philip reviewed the summary sheet of all the rates, and residential rates increased by only \$0.25. He added that this is the smallest increase in rates and that there was no increase in water and sewer rates last year. 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 2012-11. After reading of the caption, Commissioner Lori Weaver moved to approve Ordinance 2012-11 amending water and sanitary sewer regulations; establishing standard rates for water and sanitary sewer services; providing for the metering of water delivered; setting all other fees and charges related to water and sanitary sewer services; providing for a saving clause; providing for the effective date; providing for the publication and ordaining other matters related to the foregoing. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO CONFIRM THE BUDGETS OF LA FERIA UTILITIES BOARD, LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION, LA FERIA ECONOMIC DEVELOPMENT CORPORATION, LA FERIA TAX INCREMENT REINVESTMENT ZONE BOARD, AND BAILEY H. DUNLAP MEMORIAL PUBLIC LIBRARY FOR FY 2012-2013

Commissioner Lori Weaver moved to confirm the budgets of La Feria Utilities Board, La Feria Industrial Development Corporation, La Feria Economic Development Corporation, La Feria Tax Increment Reinvestment Zone Board, and Bailey H. Dunlap Memorial Public Library for FY 2012-2013. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE ORDINANCE ADOPTING TAX YEAR 2012 AD-VALOREM TAX RATES

City Manager Sunny K. Philip explained that the ordinance before the City Commission reflects the rate of \$0.70/\$100 which is the same as last year's rate. 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 2012-10. After reading of the caption, Commissioner Lori Weaver moved to approve Ordinance 2012-10 adopting the tax year 2012 Ad-valorem Tax Rate at \$0.70/\$100. Commissioner Angelica P. Baldivia 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, APPROVING THE TAX ROLL FOR THE CITY OF LA FERIA, AND AUTHORIZING THE CAMERON COUNTY TAX ASSESSOR/COLLECTOR TO BEGIN THE COLLECTION OF TAXES FOR TAX YEAR 2012

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

CONSIDER AND TAKE ACTION TO APPROVE/DENY AN ORDINANCE OF THE CITY OF LA FERIA AMENDING WATER AND SANITARY SEWER REGULATIONS; ESTABLISHING STANDARD RATES FOR WATER AND SANITARY SEWER SERVICES; PROVIDING FOR THE METERING OF WATER DELIVERED; SETTING ALL OTHER FEES AND CHARGES RELATED TO WATER AND SANITARY SEWER SERVICES; PROVIDING FOR A SAVING CLAUSE; PROVIDING FOR THE EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

This item was taken out of sequence in the agenda and considered immediately before confirming all the budgets for the FY 2012-2013.

PUBLIC HEARING TO RECEIVE INPUT CONCERNING THE SUBMISSION OF APPLICATIONS TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG) GRANTS, INCLUDING THE COMMUNITY DEVELOPMENT PROGRAM, THE PLANNING AND CAPACITY BUILDING PROGRAM, COLONIA FUNDING AVAILABLE THROUGH CAMERON COUNTY, AND COMMUNITY DEVELOPMENT FUNDING AVAILABLE THROUGH CAMERON COUNTY

City Manager Sunny K. Philip explained that the City advertised the public hearing and the TxCDBG requires only one public hearing. He said the City is applying for the Community Development Program which the City has participated in since 1984, and the amount available is about \$219,000. Two items the City is applying for is to make improvements within the Technology Center or to make improvements at the Water Treatment Plant. The other application would be for the Planning and Capacity Building Program. The City Commission approved a Planning document completed in 2007 and approved in 2008. Since then the City has completed many of the projects that were identified in that plan. The Planning and Capacity Building application will be prepared by Mr. Jim Delashaw. The amount available is \$55,000 and the City has to match \$11,000 to score a higher score. The applications are due on October 26, 2012. The County has agreed to submit an application and earmark it for the City of La FERIA for the Alto Real. The other item through Cameron County is through a Colonia program, which would be earmarked for La FERIA Gardens to pave the streets. Mayor Steve Brewer declared the public hearing open at 7:47 P.M. Commissioner Victor Gonzalez, Jr.

inquired if there was any money for the Police Department. Mr. Philip responded not through this program, this program is mainly for water, sewer and drainage. Mayor Brewer said there are 70 or 75 homes in that area and the roads are terrible. Mayor Brewer declared the public hearing closed at 7:50 P.M.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY THE PROPOSED PRELIMINARY PLAT FOR SUNRISE TERRACE SUBDIVISION, A 50.98 ACRE TRACT COMPRISING ALL OF BLOCKS 31 AND 34 OF SOLIS SUBDIVISION AND PARTS OF BLOCKS 30 AND 35, SAID PROPERTY BEING LOCATED ON THE EAST SIDE OF FM 2556 AND NORTH OF MILE 8 N. ROAD

Planning and Community Development Director Ms. Irene Szedlmayer discussed this item, and said it will be the site of housing development by the South Texas Collaborative for Housing, Inc., a non-profit in La Feria. She said that one of the changes from the staff report included in the Commission packet is that the plat will not include all 50.98 acres, rather it will be 15.82 acres. Ms. Szedlmayer said this is just a preliminary plat and there is a fair amount of refining that needs to be done prior to the final presentation. The Planning and Zoning Commission met and considered the plat and is recommending approval. Commissioner Lori Weaver moved to approve the proposed preliminary plat for Sunrise Terrace Subdivision, a 50.98 acre tract comprising all of Blocks 31 and 34 of Solis Subdivision and parts of Blocks 30 and 35, said property being located on the east side of FM 2556 and north of Mile 8 N. Road. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY THE PROPOSED PRELIMINARY PLAT OF THE LA FERIA FIRE SUB-STATION SUBDIVISION, A 0.84 ACRE TRACT OF LAND OUT OF BLOCK 3, MINNESOTA-TEXAS LAND AND IRRIGATION COMPANY SUBDIVISION

Planning and Community Development Director Ms. Irene Szedlmayer explained that the City has prepared the plat, but the City does not have the property as of yet. The property is 0.84 acres. The water and wastewater will be provided by Military Highway Water Supply. The City will be making the connection. The Planning and Zoning Commission is recommending approval on an advisory basis. Commissioner John Betancourt moved to approve the proposed preliminary plat of the La Feria Fire Sub-Station Subdivision, a 0.84-acre tract of land out of Block 3, Minnesota-Texas Land and Irrigation Company Subdivision. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of 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 551.071 TO CONSULT WITH CITY ATTORNEY REGARDING THE TEXAS CAPITAL FUND PROGRAM IMPACT ON THE CITY OF LA FERIA; 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

This item was tabled on a motion by Commissioner Lori Weaver and a second by Commissioner Angelica P. Baldivia. The motion carried by unanimous vote of the City Commission.

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

There was no action needed on this item, since the executive session was tabled.

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**
- **Status of Solar Panel Projects for Water Treatment Plant and Wastewater Treatment Plant**
- **Report on City of La Feria Shelters**

City Manager Sunny K. Philip reported on the following:

- The Indoor Recreation Facility – Staff is putting pressure on the contractor to complete the facility.
- Water and Wastewater System Improvements Project – Completing the acquisition of easements, but in the meantime, the City is waiting on the Texas Water Development Board to clear the Environmental Review.
- Drainage Improvements Project – There is an ongoing meeting on the project, and the City will meet with the engineers tomorrow to go over more details.
- The Fire Station and Fire Substation delay on the project is that the property deed for the substation is not cleared yet.
- The City Hall Expansion work has been started. The Contractor is working on it.
- Library Expansion Groundbreaking is set for September 14, 2012 at 10:00 A.M.
- Solar Panels for the Water and Wastewater Treatment Plant – The contractor has installed 98% of the solar panels at the Wastewater Treatment Plant. They are now doing the installation at the Water Plant. Mr. Philip has asked Mr. Pena, an electrician, to do special inspections on these projects.
- Report on City of La Feria Shelters – Have received the award, but the City has not received a contract yet. The State is having a workshop on the procurement process and some City staff is attending.

Mayor Steve Brewer reminded everyone about the groundbreaking ceremony for the library at 10:00 a.m. Friday.

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 John Betancourt 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 8:10 P.M.

APPROVED:



Steve Brewer, Mayor

ATTEST:



Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 8:45 A.M. on October 8, 2012, as official record.



Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, SEPTEMBER 11, 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	956-702-6165
2	Julie Conway		
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