

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, June 25, 2013**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, June 25, 2013, 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
	Mr. John Edward Betancourt	City Commissioner
	Mr. John Hernandez	City Commissioner
	Ms. Angelica P. Baldivia	City Commissioner
Absent:	Ms. Lori Weaver	City Commissioner/Mayor Pro Tem
	Mr. Victor Gonzalez, Jr.	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 Steve 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 28, 2013**

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 28, 2013. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS  
OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON  
TUESDAY, JUNE 11, 2013**

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,

June 11, 2013. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REPORT BY TXDOT ON LA FERIA RELATED PROJECTS AND DISCUSSION WITH THE CITY COMMISSION**

Mayor Steve Brewer welcomed Mr. Juan Bernal with TxDot and inquired if the contractor working on the sidewalks had taken a break. Mr. Bernal responded that the contractor had to complete a job in Edinburg, but they should be coming back very soon and they are within the project schedule. Mr. Bernal said Mayor Brewer made a call to the district engineer and requested that the retaining wall blocks be moved from Zapata to the District Office in Pharr and that is where they are now. Mayor Brewer said some were at the Innovative Block yard. Mr. Bernal said only ten pallets were at Innovative Block and the remainder 32 pallets are at the Pharr facility. Mr. Bernal said he was looking at the change orders for the Safe Routes to School Project and that the work is about 50% done. And the cost overrun is approximately \$44,000.00. This includes some of the driveways and curb and gutter which were not included in the original application. In regards to the Sidewalk Enhancement Application, Mr. Bernal said that it would probably be late July before any announcement would be made as to which cities received funding. Mayor Brewer thanked Mr. Bernal for his report.

**PUBLIC HEARING TO RECEIVE INPUT REGARDING A REQUEST BY JUAN M. MARTINEZ FOR A ZONING CHANGE FROM MH-MANUFACTURED HOUSING TO C-2 GENERAL COMMERCIAL FOR THE PROPERTY LEGALLY DESCRIBED AS LOT 1, BLOCK 1, PEACEFUL ACRES SUBDIVISION, CAMERON COUNTY, TX; A 3-ACRE PROPERTY ALSO KNOWN AS 1601 S. PARKER RD., LA FERIA**

Mayor Steve Brewer declared the public hearing open at 6:38 P.M. and welcomed Mr. Juan M. Martinez. Mr. Martinez distributed some information to the Commission in regards to his business, Safeguard Pest Control. He discussed that he is now a resident of La Feria and that he owns two properties in Harlingen, but those properties are for sale. Mr. Martinez said he and his wife are veterans. He discussed some letters from the competitors where they referred to him as a "gentlemen of his word". He also discussed his financials with the City Commission. Mr. Martinez said his business has been able to provide insurance to his employees. Commissioner John Betancourt inquired about the containment of chemicals. Mr. Martinez said his chemicals are kept in locked areas and in limited quantities.

Planning and Community Development Director Ms. Irene Szedlmayer gave the staff report on this item and showed the location of the properties on the map. Ms. Szedlmayer reported that from Mr. Martinez's testimony at the Planning and Zoning Commission Meeting, he indicated that he has reached an agreement with the congregations that will be sharing the Kingdom Hall next to his property and that he will be able to use their driveway to bring his commercial vehicles in to his facility. The Planning and Zoning Commission has recommended that only the eastern 200 feet of the property be zoned C-2 Commercial. Mr. Martinez said the front of his property would not be changed at all. Ms. Szedlmayer said that the Planning and Zoning Commission is recommending that Mr. Martinez's business be characterized as a Distribution Center/Warehouse and that those uses in the C-2 General Commercial Zone require a Specific Use Permit (SUP) which gives the City Commission a lot of oversight on the site plan. Mr. Martinez will have to come back before the City Commission one more time in

regard to the SUP. Ms. Szedlmayer said the C-2 General Commercial Zoning does require a solid wall or a hedge that would be up to six feet. There being no further comments, Mayor Steve Brewer declared the public hearing closed at 7:00 P.M.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS AMENDING CHAPTER 14, EXHIBIT A, OF THE LA FERIA CODE OF ORDINANCES (THE ZONING ORDINANCE), CHANGING THE ZONING DISTRICT OF THE EAST 200 FEET OF LOT 1, BLOCK 1, PEACEFUL ACRES SUBDIVISION, CAMERON COUNTY, TX; A 3-ACRE PROPERTY ALSO KNOWN AS 1601 S. PARKER RD., LA FERIA ON THE OFFICIAL ZONING MAP OF THE CITY OF LA FERIA FROM MH-MANUFACTURED HOUSING TO C-2 GENERAL COMMERCIAL, AMENDING THE LA FERIA COMPREHENSIVE PLAN, AND PROVIDING AN EFFECTIVE DATE**

Commissioner John Betancourt 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 2013-08. After reading of the caption, Commissioner John Betancourt moved to approve Ordinance 2013-08 amending Chapter 14, Exhibit A, of the La Feria Code of Ordinances (the Zoning Ordinance), changing the zoning district of the east 200 feet of Lot 1, Block 1, Peaceful Acres Subdivision, Cameron County, TX; a 3-acre property also known as 1601 S. Parker Rd., La Feria on the Official Zoning Map of the City of La Feria from MH-Manufactured Housing to C-2 General Commercial, amending the La Feria Comprehensive Plan, and providing an effective date. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION ON THE PROPOSED FINAL PLAT OF THE KELLY-WHITE RANCH SUBDIVISION, 6.126 ACRES LOCATED SOUTHWEST OF THE INTERSECTION OF KELLY DRIVE AND WHITE RANCH ROAD, IN LA FERIA'S ETJ**

Planning and Community Development Director Ms. Irene Szedlmayer explained that this is a four lot subdivision. It is south of Kelly Drive and west of White Ranch Road and it involves about six acres. The developer will be extending a 12" sanitary sewer line over to White Ranch Road, and since the need for their subdivision is only 8", the City will participate in the cost of the oversize of the line. The four lots have water from the City of Harlingen, but as soon as the City of La Feria water line is completed, they will abandon the line from Harlingen and connect to the City of La Feria's water line. The Planning and Zoning Commission recommendation includes a variance on Kelly Drive. City Standards call for 30 ft. of pavement and curb and gutter, and currently it is just a caliche road and outside of city limits. The City did not require similar areas to be up to standard, so their recommendation is that Kelly Drive need not be improved. The plat note recommends that access from Lot 3 and Lot 4 are prohibited on to Kelly Drive until such time as Kelly Drive is improved. Lot 3 and Lot 4 have access to White Ranch Road. Staff is recommending approval with the variance to Kelly Drive. Commissioner John Hernandez moved to approve the proposed final plat of the Kelly-White Ranch Subdivision, 6.126 acres located southwest of the intersection of Kelly Drive and White Ranch Road, in La Feria's ETJ with the variance on Kelly Drive. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**MONTHLY FINANCIAL REPORTS FOR THE MONTH OF MAY 2013**

- **REVENUE AND EXPENDITURE REPORT**
- **PERFORMANCE INDICATORS**
- **INVESTMENT REPORT**
- **TAX COLLECTION REPORT**

Mayor Brewer inquired if there were any questions regarding the financial reports; there were no questions, so the financial reports for the month of May 2013 were 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 need for an executive session, so 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 Commissioners present.

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

Since there was no need for an executive session, this item was also 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 Commissioners present.

**REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION**

- Update on Drainage Project
- Water and Wastewater Systems Improvements Project
- Progress of Library Expansion Project
- Progress of City Hall Expansion Project
- Progress of Fire Station Expansion and Substation Project
- Status of Dome Construction Project
- Generator Purchase Project
- Sidewalk Improvement Project
- Light System Improvement Project for A.J. Wilson Field
- Independence Day Celebration – June 29, 2013

City Manager Sunny K. Philip reported on the following.

- Update on Drainage Project – The City has awarded three contracts and staff will be meeting tomorrow to continue with the process.
- Water and Wastewater Systems Improvements Project – Staff has submitted plans to the Texas Water Development Board and are awaiting their approval.
- Library Expansion – They have gone through two punch lists and hopefully within the next 30 days, all the items will be finalized.

- Fire Station and Substation Expansion Project – Staff will be opening bids on Thursday, June 27, 2013 and they will be brought before the City Commission for consideration.
- Status of Dome Construction Project – Plans and specs are ready at this time, and staff will meet with the architects to review them. They need to be submitted to FEMA and the State for their review also. That process may take about 30 days.
- Generator Project – The Contractor should start to install the generator soon.
- Sidewalk Improvement Project – Mr. Bernal from TxDOT reported on this project earlier in the meeting.
- Light System Improvement Project for A.J. Wilson Field – Delivery should be received on July 8, 2013.
- Independence Day Celebration – June 29, 2013 – The event will be this Saturday.

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

Commissioner Angelica P. Baldivia moved to approve Commissioner Victor Gonzalez's and Commissioner Lori Weaver's absence from this meeting. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**PUBLIC COMMENTS**

Mayor Steve Brewer declared the public comments session open and acknowledged Mr. Allen Stephenson who was present to speak before the Commission. Mr. Stephenson said he owns Ken La Mobile Home Park and that he brought his business here 13 years ago. He said he has supported the City in the past with water problems and donating easements. Mr. Stephenson also said that Sunny has worked very well with him and commended Sunny for all his knowledge and all the good that he has done for the community of La Feria. He also commended the City Commission for their work. Mr. Stephenson said he intends to stay in La Feria and just wanted to make the City aware of all that goes on in running the City. Commissioner Betancourt commented that Mr. Stephenson's comments say a lot about Sunny's work. No one else signed up to speak before the Commission, so Mayor Steve Brewer declared the public comment session closed.

Mayor Brewer made an announcement that there would be a Special City Commission Meeting on Wednesday, July 3, 2013.

**ACTION FOR ADJOURNMENT**

There being no further business to conduct, Commissioner John Betancourt moved to adjourn the meeting. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**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 2:20 P.M. on July 6, 2013, as official record.**

  
**Olga Oberwetter, City Secretary**

**CITY COMMISSION REGULAR MEETING**  
AT THE  
CITY COMMISSION MEETING ROOM  
**TUESDAY, JUNE 25, 2013, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1 JUAN M MARTINEZ	1601 So Parker Road	778-704
2 Juan Bernal		956-702-6165
3 Dileo S Lopez		956 501 8047
4 MB Whight		956 797-9920
5 Diana Brewer		
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