

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, July 23, 2013**

Be it known that the City of La Feria City Commission met in regular session on Tuesday, July 23, 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
Ms. Lori Weaver	City Commissioner/Mayor Pro Tem
Mr. John Edward Betancourt	City Commissioner
Mr. John Hernandez	City Commissioner
Ms. Angelica P. Baldivia	City Commissioner
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 6:32 P.M., Mayor Steve Brewer asked Commissioner Victor Gonzalez, Jr. to give 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, JULY 9, 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, July 9, 2013. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

**DISCUSSION REGARDING PRIVATE OFFER RECEIVED ON THE  
FOLLOWING PROPERTIES STRUCK OFF TO CAMERON COUNTY, FOR  
ITSELF AND OTHER TAXING JURISDICTIONS FROM A TAX RESALE  
CONDUCTED ON NOVEMBER 2, 2010**

- **Private Offer: Legal Description: Lots 93, and 94, Block 3, Dunn Acres, Cameron County, Texas, according to the map or plat thereof, recorded in**

**Volume 11, Page 62, map records of Cameron County, Texas (Acct. No. 29-2640-0030-0930-00)**

City Manager Mr. Sunny K. Philip introduced Mr. Rogelio Ortiz and Mr. Mark Moody with the law firm of Linebarger, Goggan, Blair and Sampson, LLP who were present to discuss the private offer received on the foreclosed property as listed above. Mr. Ortiz discussed that when there are taxes that are delinquent, the property is sold to pay the taxes. The judgment was for \$1,156.82 for the three taxing entities, Cameron County (\$68.03), La Feria I.S.D. (\$1,012.55) and the City of La Feria (\$76.24). The private offer was made by South Texas Collaborative for Housing Development, Inc., a non-profit in La Feria. The private offer was for \$6,500.00 and each entity will receive the following: Cameron County (\$296.76), La Feria I.S.D. (\$4,303.02) and the City of La Feria (\$346.22). The costs of sale was \$1,554.00. There was no action needed on this item since it was discussion only. Mayor Steve Brewer thanked Mr. Ortiz for his presentation.

**DISCUSSION AND POSSIBLE ACTION ON THE RESOLUTION APPROVING A PRIVATE OFFER RECEIVED ON THE TAX RESALE CONDUCTED ON NOVEMBER 2, 2010 FOR THE ABOVE MENTIONED PROPERTIES**

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 2013-24. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2013-24 approving a private offer received on the tax resale conducted on November 2, 2010 for the above mentioned properties. Commissioner Angelica P. Baldivia 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 Mr. Sunny K. Philip reviewed the Certified Appraisal Roll with the City Commission. The approved net taxable value for the City of La Feria is \$185,520,883 for the 2013 Tax Year. This is an increase of 2.15% of the approved net taxable value of \$181,614,571 for the 2012 Tax Year. Commissioner Lori Weaver 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 2013**

Commissioner Lori Weaver moved to appoint the City of La Feria Tax Assessor/Collector to calculate and publish the Effective and Rollback Tax Rate for Tax Year 2013. Commissioner Angelica P. Baldivia 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 2013 (FY 2013/2014)**

City Manager Mr. Sunny K. Philip explained that the certification of the anticipated collection rate for the City of La Feria for the 2013 Tax Year is 95%. Commissioner Victor Gonzalez, Jr. moved to accept the certification regarding the anticipated Tax

Collection Rate of 95% for the Tax Year 2013 (FY 2013/2014). 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 Mr. Sunny K. Philip explained the schedule for the various meetings for the development of the new fiscal year budgets. Commissioner Lori Weaver moved to approve the proposed schedule for budget development and approval for the City of La Feria and its subsidiaries. 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 A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LA FERIA AND THE LA FERIA INDEPENDENT SCHOOL DISTRICT REGARDING THE JOINT OPERATION OF THE LA FERIA INDOOR RECREATION CENTER FOR THE BENEFIT OF THE COMMUNITY**

City Manager Mr. Sunny K. Philip explained that the Memorandum of Understanding (MOU) was not ready for consideration at this meeting. He explained that at previous meetings that were held between the City and the School, the School had expressed a lot of interest in this undertaking, but since then the school has gone through the retirement of its past superintendent and the hiring of a new superintendent, plus the school year ended and the timing was not right to present the MOU until now. Mr. Philip said the activities at the La Feria Indoor Recreation Center would be a youth oriented program, and that the School had agreed to participate at 50% of the costs. Mr. Philip explained that there would be an advisory committee that would recommend programs for the facility. The advisory committee would be comprised of a cross section of the community, including representatives of the church community and the School would have the authority to appoint two members of the advisory committee. This item was tabled to be brought back at a later time on a motion by Commissioner Lori Weaver and a second by Commissioner John Betancourt. The motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS AUTHORIZING THE SUBMISSION OF A RESPONSE TO THE U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION THAT AMENDS THE COMMITMENT OF LOCAL MATCH FUNDS FOR THE PUBLIC WORKS AND ECONOMIC ADJUSTMENT ASSISTANCE PROGRAM FUNDING FOR THE CONSTRUCTION OF A TECHNOLOGY AND SUCCESS CENTER**

City Manager Mr. Sunny K. Philip reported that the City Commission had approved a similar resolution previously and the local match participation was 30%; however, this resolution is needed to reflect that the local match would be 35% as reflected in the letter received from the USDA Economic Development Administration dated July 12, 2013. Mayor Steve Brewer commented that whenever the City receives a letter from EDA such as this, it is a very good indication that the project will be approved. Commissioner Angelica P. Baldivia 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 2013-25. After reading of the caption, Commissioner Angelica P. Baldivia moved to approve Resolution 2013-25 authorizing the submission of a response to the U.S. Department of Commerce Economic Development Administration that amends the commitment of local match funds for the Public Works and Economic Adjustment Assistance Program funding for the construction of a Technology and Success Center. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

#### **MONTHLY FINANCIAL REPORTS FOR THE MONTH OF JUNE 2013**

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

Finance Director Ms. Maria Chavero commented that the sales tax continues to go up. Mayor Steve Brewer inquired if there were any questions regarding the financial reports; there were no questions, so the financial reports for the month of June 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**

Mayor Steve Brewer declared the meeting in executive (closed) session at 7:11 P.M. After executive session, Mayor Brewer declared the meeting back in open session at 7:24 P.M.

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

There was no action taken as a result of the executive session.

#### **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 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
- City Manager Sunny K. Philip reported on the following.
- Update on Drainage Project – The City held a preconstruction conference with the contractor and continues to hold progress meetings on easements acquired. Staff has asked for an extension on the HMGP Program.

- Water and Wastewater Systems Improvements Project – Staff has received some of the comments back from the Texas Water Development Board on the plans and specs submitted on the project.
- Library Expansion – The elevator passed inspection and there is a punch list to complete the project. The Library Board met and they are trying to set a target date for an open house. Staff placed the order for the computers today. This is a project that is funded through so many sources of funding.
- Fire Station and Substation Expansion Project – Staff verified the contractors qualifications and it looks like a good company. Staff is working on the contracts.
- Status of Dome Construction Project – Plans and specs have been submitted to the Texas Department of Emergency Management and they have contracted with an outside consultant to review the plans. Staff is waiting on their review.
- Generator Project – The Gas Company is installing the gas lines.
- Sidewalk Improvement Project – The contractor is now working around the school areas before school starts. Commissioner Angelica P. Baldivia inquired about the light pole on Cypress.
- Light System Improvement Project for A.J. Wilson Field – The lights should be received soon.

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

There was no action needed as a result of the executive session.

**PUBLIC COMMENTS**

Mayor Steve Brewer declared the public comments session open. No one signed up to speak before the City Commission, so Mayor Steve 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 John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

**ADJOURNMENT**

Mayor Steve Brewer adjourned the meeting at 7:35 P.M.

**APPROVED:**

Steve Brewer, Mayor

**ATTEST:**

Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 1:34 P.M. on August 13, 2013, as official record.

Olga Oberwetter, City Secretary



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**CITY COMMISSION REGULAR MEETING**

AT THE

CITY COMMISSION MEETING ROOM

**TUESDAY, JULY 23, 2013, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	<i>Max M...</i>		<i>456-2715</i>
2	<i>Rogelio Ortiz</i>	<i>1905 Ruhl Terrace Blvd. P-28, Brownsville TX 77526</i>	<i>(arc.) 546-1216</i>
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