

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, August 27, 2013**

Be it known that the City of La Feria City Commission met in regular session on Tuesday, August 27, 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.

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

Absent: Mr. Steve Brewer Mayor

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 6:42 P.M., Mayor Pro Tem Lori Weaver gave the invocation. After the invocation, Mayor Pro Tem Lori Weaver led everyone present in reciting the Pledge of Allegiance to the Flag of the United States of America. She then declared that a quorum of the City Commission was present and called the meeting to order.

**SECOND PUBLIC HEARING ON THE PROPOSED ANNEXATION BY THE CITY OF LA FERIA OF APPROXIMATELY 272 ACRES OF LAND REFERRED TO AS THE "RABB ROAD ANNEXATION," THE GENERAL BOUNDARIES OF WHICH ARE AS FOLLOWS. THE NORTH, EAST AND SOUTH BOUNDARY IS THE CURRENT CITY LIMIT LINE. THE WEST BOUNDARY IS THE DRAINAGE DITCH WEST OF RABB ROAD (AN-49), SOUTH OF BUSINESS HIGHWAY 83, AND THE WEST BOUNDARY OF CITRUS GROVE SUBDIVISION, NORTH OF BUSINESS HIGHWAY 83**

City Manager Mr. Sunny K. Philip explained that Items 4, 5, 6, and 7 are on the agenda for a second time, and Planning and Community Development Director Ms. Irene Szedlmayer would discuss each area considered for annexation. Ms. Szedlmayer reviewed the information she had presented at the previous public hearing concerning why city annex areas. She explained that the City annexes for several reasons, such as

being able to protect the area from undesirable land uses and to be able to exert some land use regulation and control and to engage in code enforcement. Another reason is to provide for more equitable sharing of the cost of municipal services, such as roads, streets, parks, and libraries from which people outside the city also benefit. Ms. Szedlmayer said cities also annex to increase the population and grow. Ms. Szedlmayer explained the four areas that are being considered for annexation and also explained the Development Agreements that are being executed by property owners that have land appraised as agricultural. She said the owner that executes a Development Agreement agrees that if for any reason the property described in the Development Agreement is developed, it is automatically annexed into the city limits. Ms. Szedlmayer then explained the Service Plans and announced that the Service Plans are posted on the City of La Feria's Website: [www.cityoflaferia.com](http://www.cityoflaferia.com). After the presentation, Mayor Pro Tem Ms. Lori Weaver declared the public hearing on the area identified as the "Rabb Road Annexation" open at 6:52 P.M. Those speaking on the proposed annexation were Uta Johnson, Delores Fuller, Yolanda Schoffeitt, Mike (last name unknown), Sandra Juajardo Lopez, Victor Gomez, Gail Brandt, Tracy Gomez, Oscar Flores, Cynthia Cobarrubias, and Juan Robles. After discussion on all facets of the annexation, Mayor Pro Tem Ms. Lori Weaver declared the public hearing closed at 7:21 P.M.

**SECOND PUBLIC HEARING ON THE PROPOSED ANNEXATION BY THE CITY OF LA FERIA OF APPROXIMATELY 98 ACRES OF LAND REFERRED TO AS THE "KELLY DRIVE ANNEXATION," THE GENERAL BOUNDARIES OF WHICH ARE AS FOLLOWS: BETWEEN THE SOUTH RIGHT-OF-WAY LINE OF U.S. BUSINESS HIGHWAY 83 AND THE SOUTH BOUNDARY OF BLOCK 6, BEAKLEY SUBDIVISION, FROM EXISTING CITY LIMITS ON THE WEST (CURVE IN KELLY DRIVE), TO THE WEST ROW LINE OF WHITE RANCH ROAD**

Planning and Community Development Director Ms. Irene Szedlmayer identified the area on the map and made a few comments about the Service Plan. Mayor Pro Tem Ms. Lori Weaver declared the public hearing open at 7:31 P.M. The persons speaking regarding this area identified as the "Kelly Drive Annexation" were Jesus Martinez, Mrs. Trevino, Gary Hinkle, and Ray Hockus. Mr Martinez said all residents of Kelly Drive are against the annexation. Mayor Pro Tem Ms. Lori Weaver declared the public hearing closed at 7:47 P.M.

**SECOND PUBLIC HEARING ON THE PROPOSED ANNEXATION BY THE CITY OF LA FERIA OF APPROXIMATELY 291 ACRES OF LAND REFERRED TO AS THE "FM 506 ANNEXATION," THE GENERAL BOUNDARIES OF WHICH ARE AS FOLLOWS. THE NORTHERN BOUNDARY IS THE SOUTH BOUNDARY OF CITRUS VILLAGE SUBDIVISION. THE EASTERN BOUNDARY IS THE EAST FM 506 RIGHT-OF-WAY LINE (CURRENT CITY LIMITS). THE WEST BOUNDARY IS THE WEST BOUNDARY OF THE MINNESOTA-TEXAS LAND AND IRRIGATION COMPANY SUBDIVISION TRACTS FRONTING ON FM 506. THE SOUTH BOUNDARY IS THE LINE BETWEEN BLOCKS 23 AND 25 OF THE MINNESOTA TEXAS LAND AND IRRIGATION CO. SUBDIVISION**

Planning and Community Development Director Ms. Irene Szedlmayer identified the area on the map and made a few comments about the Service Plan. Mayor Pro Tem Ms. Lori Weaver declared the public hearing open at 7:53 P.M. The persons speaking regarding this area identified as the "FM 506 Annexation" were Mirtala Rodriguez, Brian

King, Lalo Sosa, and Patricia Vela. Mayor Pro Tem Ms. Lori Weaver declared the public hearing closed at 8:12 P.M.

**SECOND PUBLIC HEARING ON THE PROPOSED ANNEXATION BY THE CITY OF LA FERIA OF APPROXIMATELY 321 ACRES OF LAND REFERRED TO AS THE "WEST BUSINESS 83 ANNEXATION," THE GENERAL BOUNDARIES OF WHICH ARE AS FOLLOWS. THE NORTHERN BOUNDARY IS THE CURRENT CITY LIMIT LINE. NORTH OF BUSINESS 83, THE WEST BOUNDARY IS THE EASTERN RIGHT-OF-WAY LINE OF MILE 3 EAST AND KUBISKI ROAD AND THE EAST BOUNDARY IS THE EASTERN ROW OF FM 2556. SOUTH OF BUSINESS 83, THE WEST BOUNDARY IS THE EASTERN ROW LINE OF FM 2556 AND THE EAST BOUNDARY IS THE EASTERN BOUNDARY OF L & D RANCH SUBDIVISION**

Planning and Community Development Director Ms. Irene Szedlmayer identified the area on the map and made a few comments about the Service Plan. Mayor Pro Tem Ms. Lori Weaver declared the public hearing open at 8:15 P.M. The persons speaking regarding this area identified as "West Business 83 Annexation, South" were Gail Brandt, Sonia Guajardo Lopez, Arturo Villarreal, Paul Markowsky, Nadine Dunn, Wayne Blaschke and Ramon Gonzales. After all their concerns were heard and much discussion held, Mayor Pro Tem Ms. Lori Weaver declared the public hearing closed at 9:16 P.M.

**FIRST PUBLIC HEARING ON THE PROPOSED ANNEXATION BY THE CITY OF LA FERIA OF GENERALLY, THE LAND ON BOTH SIDES OF FALT LANE, WEST OF RABB ROAD LOCATED ON THE NORTHWEST PART OF LA FERIA**

Planning and Community Development Director Ms. Irene Szedlmayer identified the area on the map. Mayor Pro Tem Ms. Lori Weaver declared the public hearing open at 9:18 P.M. There was no one present to speak regarding the area identified as the "Falt Lane Annexation." Mayor Pro Tem Ms. Lori Weaver declared the public hearing closed at 9:19 P.M.

**FIRST PUBLIC HEARING ON THE PROPOSED ANNEXATION BY THE CITY OF LA FERIA OF GENERALLY, FROM EXISTING CITY LIMITS ON THE WEST SIDE OF THE CITY NEAR EXPRESSWAY 83, SOUTH ALONG MILE 3 EAST, KUBISKI, AND BIXBY ROADS, AND THE WEST SIDE OF FM 2556, TO U.S. BUSINESS 83**

Planning and Community Development Director Ms. Irene Szedlmayer identified the area on the map. Mayor Pro Tem Ms. Lori Weaver declared the public hearing open at 9:20 P.M. The only person speaking regarding this area identified as "West Business 83, North" was Sam Longoria. Mayor Pro Tem Ms. Lori Weaver declared the public hearing closed at 9:28 P.M.

**CONSIDER AND TAKE ACTION TO APPROVE INTERLOCAL COOPERATION AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF LA FERIA PERTAINING TO PARTICIPATION IN THE OPERATION STONE GARDEN GRANT TO ENHANCE LAW ENFORCEMENT PREPAREDNESS AND OPERATIONAL READINESS AMONG REGIONAL LAW ENFORCEMENT AGENCIES IN A JOINT MISSION TO SECURE THE BORDERS**

Commissioner Victor Gonzalez, Jr. moved to approve the Interlocal Cooperation Agreement between Cameron County and the City of La Feria pertaining to participation in the Operation Stone Garden Grant to enhance law enforcement preparedness and operational readiness among Regional Law Enforcement Agencies. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY USE OF ALTERNATE BID SUBMITTED BY R.M. WALSDORF, CONTRACTOR FOR DRAINAGE SYSTEM PIPES WHICH WILL RESULT IN SAVINGS TO THE CITY OF LA FERIA CAPITAL IMPROVEMENT PROJECT**

City Manager Mr. Sunny K. Philip explained that when the bids were presented to the City Commission at a previous meeting, the City asked for an alternate and the alternate would save the City approximately \$90,000.00. All lines crossing the street or shallow areas will still be concrete. Commissioner Victor Gonzalez, Jr. moved to approve the use of the alternate bid submitted by R.M. Walsdorf, contractor for drainage system pipes which will result in savings to the City of La Feria Capital Improvement Project. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

Commissioner Victor Gonzalez, Jr. moved to take a short break. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**BUDGET WORKSHOP FOR THE CITY OF LA FERIA GENERAL FUND FOR FISCAL YEAR 2013-2014**

City Manager Mr. Sunny K. Philip said that staff has gone through the budget and is still trying to find some revenues and cut expenditures in order to balance the budget. Mr. Philip said the fire service contract was cut by about \$50,000.00. The Recreation Center will be open, and it will have one full time employee and two part-time employees. Mr. Philip said that some of the positions that are open may not be filled. He also said that the non-profit may be able to pay rent money to the City for the use of the office space. Mr. Philip said he was confident that the City would be able to balance the budget. There was no action needed on this item.

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

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

Mayor Pro Tem Ms. Lori Weaver inquired if there were any questions regarding the financial reports; there were no questions, so the financial reports for the month of July 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 551.071, CONSULTATION WITH CITY ATTORNEY RELATING TO TDA CAPITAL FUND CONTRACTS ON ALLIED WASTE AND THE LITTLE LIGHTHOUSE**

**REHAB CENTER; SECTION 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 Pro Tem Ms. Lori Weaver declared the meeting in executive (closed) session at 10:05 P.M. After executive session, Mayor Pro Tem Ms. Lori Weaver declared the meeting back in open session at 10:16 P.M.

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

Commissioner John Betancourt moved to authorize the Mayor to execute the settlement agreement with Texas Department of Agriculture (TDA). Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO APPROVE ALLOCATION OF FUNDS FOR TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, CITY OF LA FERIA FOR THE EXTENSION OF WATER MAIN, SEWER PRESSURE MAIN, CONSTRUCTION OF SANITARY SEWER LIFT STATION TO FOSTER DEVELOPMENT ON THE NORTHWEST PART OF THE CITY, INCLUDING SUNRISE TERRACE SUBDIVISION**

City Manager Mr. Sunny K. Philip reported that a 70 unit subdivision is planned on the west side of town and while some funds are set aside for infrastructure, an additional \$120,000 is required for water and sewer improvements and \$180,000 for a lift station. Commissioner John Hernandez moved to authorize the allocation of funds for Tax Increment Reinvestment Zone Number One, City of La FERIA for the extension of water main, sewer pressure main, construction of sanitary sewer lift station to foster development on the northwest part of the City, including Sunrise Terrace Subdivision. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO APPROVE REVISED BUDGET FOR THE CITY OF LA FERIA CAPITAL PROJECTS FOR FISCAL YEAR 2012-2013**

Commissioner John Hernandez moved to approve the revised budget for the City of La FERIA Capital Projects for fiscal year 2012-2013. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW AND DISCUSS PROPOSED ISSUANCE OF CERTIFICATES OF OBLIGATION, SERIES 2013 FOR VARIOUS CAPITAL IMPROVEMENTS PROJECTS**

City Manager Mr. Sunny K. Philip discussed various capital improvements projects with the City Commission and the need to raise some funds for these projects. There was no action needed on this item.

**CONSIDER AND TAKE ACTION TO APPROVE RESOLUTION IDENTIFYING REVISED SOURCES OF LOCAL MATCH FUNDS FOR THE EDA FUNDED TECHNOLOGY AND SUCCESS CENTER**

Commissioner John Betancourt moved to read the caption of the resolution, in lieu of reading it in its entirety. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2013-26. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2013-26 identifying revised sources of local match funds for the EDA funded Technology and Success Center. Commissioner John Hernandez seconded the motion, and 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 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
- EDA Grant for Technology and Success Center

City Manager Sunny K. Philip said there was nothing new to report on the items listed above.

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

Commissioner John Betancourt moved to excuse Mayor Steve Brewer'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 Pro Tem Ms. Lori Weaver declared the public comments session open. No one signed up to speak before the City Commission, so Mayor Pro Tem Ms. Lori Weaver 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 Pro Tem Ms. Lori Weaver adjourned the meeting at 10:32 P.M.

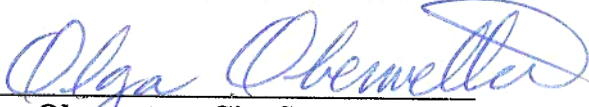
**APPROVED:**

  
**Lori Weaver, Mayor Pro Tem**

**ATTEST:**

  
Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 6:13 A.M. on November 4, 2013, as official record.

  
Olga Oberwetter, City Secretary





CITY COMMISSION REGULAR MEETING

AT THE

CITY COMMISSION MEETING ROOM

TUESDAY, AUGUST 27, 2013, AT 6:30 PM

WELCOME  
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Dolores Fuller	1000 S Chels Dr La Feria, TX	
2	Gluciana Ruiz	PO Box 1382, Mercedes, TX. 78570	
3	<sup>Amanda</sup> Norma Longoria	P.O. Box 725 Santa Rosa, TX 78593	
4	Myra Longoria	PO Box 902, Mercedes TX 78570	
5	Samuel Lopez	PO Box 962 Mercedes TX 78570	
6	Yolanda Shuford	PO Box 6907 Azar 78557	
7	Thomas Donyak		
8	Lulu Ann	500 Howard Lee Dr La Feria, TX 78559	
9	Jean Robles	11557 FALT LANE LA FERIA TX 78559	
10	Brian Kutz	PO BOX 246 La FERIA, TX 78559	797-2218
11	Orser Flous	21652 Bixby Rd	797-5133
12	Mr. Mrs. Francisco Trevino		(956) 742-2525
13	Jesusa Almorán		(956) 200 8698
14	Betty Jo DUNLAP	PO Box 995 La Feria	
15	Linda Gail Brandt	28296 Orange Grove Road La Feria	956-357-0213
16	Ade Brandt	28296 Orange Grove Rd. La Feria, Tx. 78559	956-792-6436
17	William Brandt	28296 Orange Grove Rd, La Feria, 78559	956-778-4340
18	Jesse Cantreñas & Candelaria	10348 W. Bus. 83	

NAME

MAILING ADDRESS

HOME/WORK PHONE NO.

19 Don Bennett 10872 W. Bus 83 467 8576

20 Mirtala Rodriguez 200 Bearfield Lane 264-4083

21 Wayno Blonaha 3535 Little Beach Hwy 956-226-1382

22 Paul Markowsky 28196 Orange Grove Rd 797-5843

23 Ray Markowsky P.O. Box 1966 Edinburg Tx 78540 (956)445-7377

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**CITY COMMISSION REGULAR MEETING**  
**AT THE**  
**CITY COMMISSION MEETING ROOM**  
**TUESDAY, AUGUST 27, 2013, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	CLIMACO GONZALES	
2	Desi Martinez 1806 Haverford Blvd, Harlingen	778-8921 desiamdite@yahoo.com
3	Yolanda Shuffert P O Box 627 Hzn	
4	Amanda Longman	
5	Mirya Ingovira	
6	Luciana Ruiz	
7	Samuel Lopez	
8	Delores Fuller	
9	Lalo Sosa 500 Howard Lee Da La Feria TX	
10	Refugio Guajardo 27818 Bixby Rd	956-202-3995
11	Michael: Patricia Phillip P.O. Box 487 La Feria	956-793-7479
12	Sonia Guajardo-Lopez 27764 Bixby Rd La Feria, TX	78559 490-4223
13	Arturo Rosvey 28219 S. Samar Rd	956-330-6976
14	Arturo Villacast 28290 S Samar Rd	956-357-5591
15	Luis Balleza	956-281-5193
16	Jesus Martinez	226-3952
17	Mario Acosta	454-0303
18	Cynthia Cobarrubias 27567 Rabb Rd	454-4677

19 Juan Ojeda (956) 454-03-03

20 Ute Johnston 27462 Rabb Rd, La Terra TX

21 Ray Marbousky PO-Box 1966 Edinburg TX 78540 (956) 445-7377

22 Victor & Tracy Gomez 27672 Rabb Rd Lufkin 956-778-6408

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