

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, September 10, 2013**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, September 10, 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 Hernandez	City Commissioner
	Mr. Victor Gonzalez, Jr.	City Commissioner
	Ms. Angelica P. Baldivia	City Commissioner
Absent:	Mr. Steve Brewer	Mayor
	Mr. John Edward Betancourt	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. Paula Rodriguez	Planning and Comm. Dev. Director
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 7:03 P.M., Mayor Pro Tem Ms. Lori Weaver asked Commissioner Angelica P. Baldivia to give the invocation. After the invocation, Mayor Pro Tem Ms. 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.

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS
OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON
TUESDAY, AUGUST 13, 2013**

Commissioner John Hernandez moved to table this item as the minutes were not ready for consideration at this meeting. Commissioner Angelica P. Baldivia 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, AUGUST 27, 2013**

Commissioner John Hernandez moved to table this item as the minutes were not ready for consideration at this meeting. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

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 1, 2013

After review of the minutes, Commissioner Angelica P. Baldivia moved to confirm the minutes of proceedings of the previous regular meeting of the La Feria Industrial Development Corporation (LFIDC) held on Thursday, August 1, 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

Mr. Juan A. Bernal, P.E., CFM, Transportation Engineer from the Pharr TxDOT office, reported that he spoke with the contractor on the Safe Routes to School Project, and they plan to have the project completed probably by the third week of October 2013. He said all the school signs are in place. Mr. Bernal said all the concrete blocks have been removed from the Pharr facility and are in the custody of the City of La Feria. He also said that he learned that Ms. Irene Szedlmayer was no longer with the City of La Feria and that he has already been in touch with Paula Rodriguez who took over as the City's Planning and Community Development Director and gave her all the contact information for the contractor and TxDOT office.

SECOND 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

City Manager Mr. Sunny K. Philip introduced Ms. Paula Rodriguez as the new Planning and Community Development Director. Ms. Paula Rodriguez explained that Ms. Irene Szedlmayer left to join her husband who has resided in Florida for over a year and that she (Paula) has accepted the position of Planning and Community Development Director. She said she was looking forward to working with the City and the City Commission in her new capacity. Ms. Rodriguez explained that Ms. Szedlmayer had already given a staff report on this annexation at the previous meeting. She outlined the area of the Falt Lane Annexation. Mayor Pro Tem Ms. Lori Weaver declared the public hearing open at 7:08 P.M. There was no one present to comment on the area identified as the "Falt Lane Annexation," so Mayor Pro Tem Ms. Lori Weaver declared the public hearing closed at 7:10 P.M.

SECOND PUBLIC HEARING ON THE PROPOSED ANNEXATION BY THE CITY OF LA FERIA OF GENERALLY, FROM EXISTING CITY LIMITS 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. Paula Rodriguez outlined the area identified as "West Business 83, North" on the map. Mayor Pro Tem Ms. Lori Weaver declared the public hearing open at 7:11 P.M. The following people spoke in regards to the area identified as "West Business 83, North Annexation": Luciana Ruiz, Wayne Blaschka, Sonia Guajardo Lopez, Sam Longoria, and Mirtala Rodriguez. Mayor Pro Tem Ms. Lori Weaver declared the public hearing closed at 7:32 P.M.

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 Mr. Sunny K. Philip explained that the City goes out for bids every year for the employee group health insurance. He reviewed the proposals received and recommended that the City Commission award the contract to Valley Baptist Health Plans who submitted the lowest proposal and to appoint Ms. Joannie Bianchini as the agent for the group health insurance for another year. The original renewal rate per employee was \$335.30, an increase of \$34.32 over the previous rate of \$300.98 per employee per month or an 11.4% increase; however, the revised renewal rate came in at \$311.48 which is \$10.20 over the previous rate or 3.5% increase. Commissioner Victor Gonzalez, Jr. moved to award the employee group health insurance contract to Valley Baptist Health Plans at the revised renewal rate of \$311.48 for employee only, \$778.70 for employee and spouse, \$576.24 for employee and children, and \$918.87 for employee and family and to appoint Ms. Joannie Bianchini as the agent for another year. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER PROPOSALS RECEIVED AND TAKE ACTION TO AWARD CONTRACT FOR MANAGEMENT SERVICES REQUIRED BY THE CITY FOR THE IMPLEMENTATION OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS HOME PROGRAM – HOUSING REHABILITATION ASSISTANCE PROJECT, THE HOMEBUYER ASSISTANCE PROJECT AND PERSONS WITH DISABILITIES UNDER TENANT BASE RENTAL ASSISTANCE, AND DISASTER RELIEF SET-ASIDE UNDER HOUSING REHABILITATION ASSISTANCE

City Manager Mr. Sunny K. Philip explained that the City advertised for proposals for management services for the implementation of the Texas Department of Housing and Community Affairs HOME Program-Housing Rehabilitation Assistance Project, the Homebuyer Assistance Project and Persons with Disabilities under Tenant Base Rental Assistance, and Disaster Relief Set-Aside under Housing Rehabilitation Assistance. Only one proposal was received and that was from Langford Community Management Services. Mr. Philip recommended that the City Commission award contract to Langford Community Management Services. Commissioner Ms. Angelica P. Baldivia moved to award contract for management services required for the city for the implementation of the Texas Department of Housing and Community Affairs HOME Program – Housing Rehabilitation Assistance Project, The Homebuyer Assistance Project and Persons with Disabilities Under Tenant Base Rental Assistance, and Disaster Relief Set-Aside Under Housing Rehabilitation Assistance. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW AND TAKE ACTION TO APPROVE BUDGET AMENDMENTS FOR FY 2012-2013

Finance Director Ms. Maria Chavero presented the budget amendment figures for FY 2012-2013. The revenue figure was \$826,633 and the expenditures figure was \$757,159. Ms. Chavero stated that most of this is attributed to the capital outlay which is covered by the grants. Commissioner John Hernandez moved to approve the budget amendments for FY 2012-2013. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO APPROVE CAPITAL PROJECTS
BUDGET FOR FY 2013-2014**

Finance Director Ms. Maria Chavero explained the list of Capital Projects which totaled \$1,287,675. The list includes Streets and Improvements; Wellness Center-Pancho Maples Dome Shelter; Tech & Training Center-Main Street Dome Shelter; Vehicles; Mobile Radios-Police and Fire; HMGP Pump Station; Park Land/Acquisition, and a Transfer Out of \$100,000. Commissioner Angelica P. Baldivia moved to approve the Capital Projects Budget for FY 2013-2014. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO APPROVE THE CITY OF LA FERIA
GENERAL FUND BUDGET FOR FY 2013-2014**

Finance Director Ms. Maria Chavero reviewed the highlights of the General Fund Budget with the City Commission. The Revenues are \$10,305,377 and Expenditures are \$10,281,180 for a difference of \$24,197 revenues over expenditures. Commissioner Victor Gonzalez, Jr. moved to approve the General Fund Budget for FY 2013-2014 as presented. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**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 2013-2014**

Finance Director Ms. Maria Chavero explained that these budgets are all included in the City of La Feria Budget under the Special Revenue Funds tab and the Component Units tab and the budgets were approved by their respective boards. Commissioner John Hernandez moved to confirm the budgets of the 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 2013-2014. 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 ORDINANCE ADOPTING
TAX YEAR 2013 AD-VALOREM TAX RATES**

City Manager Mr. Sunny K. Philip said the copy of the ordinance was included in the City Commission packet, and he just wanted to call the Commission's attention that the rate established for Tax Year 2013 which is the effective rate of \$0.709317/\$100 valuation. Commissioner John Hernandez 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 Commissioners present. City Attorney Mr. Richard S. Talbert read the caption of Ordinance 2013-10. After reading of the caption, Commissioner John Hernandez moved to approve Ordinance 2013-10 adopting Tax Year 2013 Ad-Valorem Tax Rates. 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/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 Mr. Sunny K. Philip reported that there were no rate increases proposed for water, sewer or brush, so the two items dealing with the rate increases would require no action. There was no action taken on this item.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY ORDINANCE OF THE CITY OF LA FERIA AMENDING CERTAIN PROVISIONS OF ARTICLE 13.05 OF THE LA FERIA CODE OF ORDINANCES; APPROVING A MODIFIED FEE SCHEDULE FOR THE COLLECTION OF SOLID WASTE AND BRUSH; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE

There was no action taken on this item.

CONSIDER AND TAKE ACTION TO APPROVE CONTRACT BETWEEN THE CITY OF LA FERIA AND CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1 FOR FIREFIGHTING SERVICES TO UNINCORPORATED AREAS OF CAMERON COUNTY

City Manager Mr. Sunny K. Philip explained that a copy of the agreement which was approved by Cameron County Emergency Services District No. 1 was in the City Commission packet. He said the District agrees to pay the City \$159,822.14 per year. The previous year amount was \$141,729.00. Commissioner John Hernandez moved to approve the contract between the City of La Feria and Cameron County Emergency Services District No. 1 for Firefighting Services to unincorporated areas of Cameron County. 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 THE PURCHASE OF 11.69 ACRES OF PROPERTY, PARTICULARLY DESCRIBED AS MINNESOTA TEXAS IRRIGATION LAND CO. SUBDIVISION, BLOCK 37, 5.09 ACRES, 5.60 ACRES AND THE EAST 1.0 ACRE, CAMERON COUNTY, TEXAS ALSO KNOWN AS 1 MILE SOUTH HIGHWAY FM 506, LA FERIA, CAMERON COUNTY, TEXAS, FROM THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION

City Manager Mr. Sunny K. Philip explained that the LFIDC purchased this property several years ago for economic development on Main Street. He said this is the property where the 20,000 sq. ft. dome is proposed to be constructed and also the proposed 11 classrooms, but the property needs to be in the City's name. The LFIDC reviewed and considered this item, and they approved the sale of the property to the City. Commissioner Victor Gonzalez, Jr. moved to approve the purchase of 11.69 acres of property, particularly described as Minnesota Texas Irrigation Land Co. Subdivision, Block 37, 5.09 Acres, 5.60 Acres and the East 1.0 Acre, Cameron County, Texas also known as 1 Mile South Highway FM 506, La Feria, Cameron County, Texas, from the La Feria Industrial Development Corporation. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY ECONOMIC DEVELOPMENT INCENTIVE APPROVED BY THE LA FERIA ECONOMIC DEVELOPMENT CORPORATION UNDER THE FIRST READING

City Manager Mr. Sunny K. Philip explained that the LFEDC received an economic development incentive request by Climato Gonzalez to build a building and lease it to Little Caesar's Pizza. The LFEDC approved up to \$15,000. Mr. Talbert reviewed the regulations and determined that this item needs to be considered by the City Commission at two separate meetings, so this is the first reading and the second reading will be at a future meeting. Commissioner Victor Gonzalez, Jr. moved to approve the request by Climato Gonzalez for an economic development incentive in the amount of \$15,000, also approved by the La FERIA Economic Development Corporation, under the first reading. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

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 7:59 P.M. After executive session deliberation, Mayor Pro Tem Ms. Lori Weaver declared the meeting back in open session at 8:16 P.M.

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

There was no action needed on this item.

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
- Texas Parks and Wildlife Development Trail System Grant Award
- EDA Grant for Technology and Success Center
- Progress of Unger Park Project

City Manager Sunny K. Philip reported on the following.

- Update on Drainage Project – Staff will have a progress meeting next week. One of the Environmental Clearance Notice was published.

- Water and Wastewater Systems Improvements Project - The second project is being advertised for water improvements.
- Library Expansion Project – All the minor items have been cleared up and the City will have an open house on October 26, 2013.
- Fire Station Expansion and Substation Project – Contract documents have been submitted to the State already.
- Dome Construction Project – The City has been authorized to proceed with the advertisement for bids.
- Generator Purchase Project – The City has released a contractor to do the installation. The gas lines have been extended and are in place already.
- Sidewalk Improvement Project – The Commission heard the report from TxDOT representative Mr. Juan Bernal.
- Light System Improvement Project for A.J. Wilson Field – The project has been completed.
- Texas Parks and Wildlife Development Trail System Grant Award – The City is waiting on a contract from them. As soon as the contract is received, the City will be ready to move forward on it, but coordination is needed with the GLO.
- EDA Grant for Technology and Success Center – The City is waiting for the go-ahead from EDA.
- Progress of Unger Park Project – The architects have provided some preliminary drawings. This is the park with the orange (fruit) theme.

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

Commissioner Victor Gonzalez, Jr. moved to excuse Mayor Steve Brewer's absence and Commissioner John Betancourt'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 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 Commissioners present.

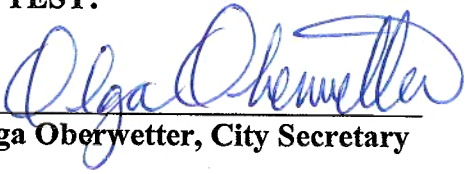
ADJOURNMENT

Mayor Pro Tem Ms. Lori Weaver adjourned the meeting at 8:24 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 1:40 A.M. on November 5, 2013 as official record.


Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, SEPTEMBER 10, 2013, AT 6:30 PM

WELCOME
PLEASE SIGN IN

<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1 <u>Dolores Fullon</u>	<u>1000 S. Chelton LA Feria, TX</u>	
2 <u>Leo Sam</u>	<u>500 Howard Lee Dr. LA Feria, TX</u>	
3 <u>JUAN BERNAL</u>		<u>956-702-6165</u>
4 <u>Joannie Bianchini</u>	<u>P.O. Box 88 Westaco, TX</u>	<u>956867-9510</u>
5 <u>Luis Balleza</u>		<u>281-5193</u>
6 <u>Samuel Longoria</u>	<u>PO Box 92 Mercedes</u>	<u>343-3175</u>
7 <u>Aliciana G. Ruiz</u>	<u>PO Box 1382, Mercedes</u>	<u>873-0494</u>
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