

Appendix A-8

Correspondence Documents

**SIGLER, WINSTON, GREENWOOD
& ASSOCIATES, LLC.**

Charles A. Greenwood, P.E.
Special Consultant

Consulting Engineers

Joe B. Winston, JR., P.E.
Executive Vice-President

Randy Winston, P.E.
President

611 Bill Summers Int'l. Blvd.
WESLACO, TEXAS 78596
PH: (956) 968-2194 FAX: (956) 968-8300

WM. R. Shea, P.E.
Chairman of the Board

April 18, 2011

Rodolfo Montero
Area Operations Manager
International Boundary and Water Commission
Mercedes Field Office
325 Golf Course Road
Mercedes, Texas 78570

RE: City of La Feria IBWC Levee Crossing Application

Dear Mr. Montero,

The purpose of this letter is to apply for a license to perform work on or across rights-of-way under the jurisdiction of the United States Section, International Boundary and Water Commission (USIBWC).

The proposed IBWC levee crossing project is located in La Feria, at the junction of the levee and Structure #458; please refer to the attached location map. The proposed project construction involved will consist of, but shall not be limited to:

1. Construction of a temporary extension of an existing 24" drain line; after completion of project, remove and deliver pipes to La Feria Irrigation District.
2. Cofferdam construction using borrow material from "land side" area between toe of levee and north Right-of-Way line.
3. Construction of an 8' x 8' drainage structure complete with gatewell, gate, headwalls, etc.
4. Backfill cut through levee.
5. Removing cofferdam by filling up original borrow area.
6. Clean up site.

The proposed work is a public project that will increase the drainage flow capacity significantly at the junction of the levee and Structure #458 crossing, thereby providing flood relief to the City of La Feria and improving the drainage in the surrounding area. Refer to the attached construction plans for further detail on the proposed project.

This project has been identified and hydraulically validated by the La Feria Flood Protection Plan. If you have any questions, please feel free to call me. Thanks for your time.

Sincerely,



Juan M. Gamez, E.I.T



INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO
OPERATIONS AND MAINTENANCE DIVISION
LOWER RIO GRANDE PROJECT

April 13, 2012
Ref. No. 0/12-033

Sunny K. Philip, City Manager
City of La Feria
115 East Commercial Ave.
La Feria, TX 78559

Re: License No. LSF/G-1810

Dear Mr. Phillip:

Enclosed for your records is the duplicate-original of License No. LSF/G-1810. If you have any questions, or need additional information, please let us know.

Sincerely,


for Rodolfo Montero
Area Operations Manager

Enclosures
As stated

LICENSE NO. : LSF/G-1810
PROJECT: LOWER RIO GRANDE FLOOD CONTROL

INTERNATIONAL BOUNDARY & WATER COMMISSION
UNITED STATES AND MEXICO
THE COMMONS, BUILDING C, SUITE 310
4171 NORTH MESA STREET
EL PASO, TEXAS 79902

DUPLICATE-ORIGINAL

LICENSE

The United States of America, represented herein by the United States Commissioner, International Boundary and Water Commission, United States and Mexico, hereinafter respectively called United States and Commissioner, does hereby grant a revocable license, pursuant to authority given by Act of Congress approved August 27, 1935, (49 Stat. 906), and delegated to said Commissioner to:

City of La Feria

whose mail address is: **115 East Commercial Avenue La Feria, Texas 78559** hereinafter called Licensee, to construct, operate, and maintain certain improvements, hereinafter called works, to-wit: **8'X8' concrete box drainage structure, designated Structure 458L, to be placed on the north levee of the Arroyo Colorado Floodway south of the City of La Feria, Cameron County, Texas** within the United States Lower Rio Grande Flood Control Project, hereinafter called Project.

Licensee accepts this license subject to the conditions, covenants and provisions contained in the following attachments, which are hereby specifically adopted and incorporated herein for all purposes, to-wit:

- EXHIBIT A - GENERAL CONDITIONS OF LICENSE**
- EXHIBIT B - CONSTRUCTION REQUIREMENTS AND SPECIFICATIONS**
- EXHIBIT C - CONSTRUCTION PLAN**
- EXHIBIT D - VICINITY AND LOCATION MAP**
- EXHIBIT E - APPROVAL AND RECOMMENDATION OF LOCAL AUTHORITY**

This license granted and accepted as of MAR 27 2012 in duplicating originals.

Licensee: **City of La Feria**

WITNESSES:




By: 

Edward Drusina, P.E.
United States Commissioner
International Boundary & Water Commission
United States and Mexico

By: 
John L. Merino P.E., Principal Engineer, Engineering Department

VALLEY MORNING
STAR

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS
COUNTY OF CAMERON

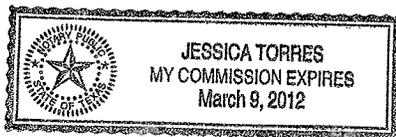
I, Victoria Kram being duly sworn on his/her oath states that he/she is a Representative of the Valley Morning Star and that the attached notice appeared in the following issues:

City of La Feria 20095958
85008523
May 23, 2009



Victoria Kram

Subscribed and sworn to before me on this the 25 day of May, 2009.



Jessica Torres
Notary Public, Cameron County
State of Texas

**PUBLIC HEARING NOTICE
CITY OF LA FERIA**

The City of La Feria will be holding a public hearing to discuss the construction of the City of La Feria Fire Station, Fire Substation, Library, and Drainage Improvements. An application is being prepared for submittal to the U S Department of Agriculture (USDA), Community Facilities Program, requesting funding for this project.

The public hearing will be held:

Tuesday, May 26, 2009 at 6:30 p.m.
City of La Feria - City Hall
115 E Commercial Avenue
La Feria, TX 78559

The public is encouraged to attend the public hearing. Accommodations for individuals with handicap/disabilities shall be provided upon request. **Las presentaciones se haran en español para aquellas personas que así lo desean.**

For more information, please contact the City of La Feria at 115 E Commercial Avenue, La Feria, Texas or call (956) 797-2261. Written comments can be forwarded to:

Sunny K. Philip, City Manager
City of La Feria
115 E Commercial Avenue
La Feria, TX 78559

• INVITATION TO BID

The **RIO HONDO INDEPENDENT SCHOOL DISTRICT** is accepting sealed bids for:

• Athletic Insurance

Specifications are on file and available upon request at the Rio Hondo I.S.D. Athletic Department located at 215 W. Colorado St., Rio Hondo, Texas, 78583. Please direct any questions to Rocky James, Athletic Director, at telephone # (956) 748-1220.

Bids will be opened at the Rio Hondo High School Athletic Department office following the bid deadline at: **2:00 p.m., Thursday, May 28, 2009.**

The Rio Hondo Independent School District Board of Trustees reserves the right to

Tip of Tex K9 Rescue
www.TipOfTexK9Rescue.org
956.245.4809



Pancho a neutered male Lhasa Apso mix. Tip Of Tex K9 Rescue
www.TipOfTexK9Rescue.org
956.245.4809

Grady a neutered male Schnauzer. Approx. 1-2 yrs old. His partner "Greta" can be seen on the website. Tip Of Tex K9 Rescue
www.TipOfTexK9Rescue.org
956.245.4809

102 Bid Notices

GENERAL LAND OFFICE offering fishing cabin permits in the Laguna Madre-Land Cut on sealed bid basis. Bid Packet online at www.glo.state.tx.us or call 361-825-3038.

Specialty Publications & More
Newspaper
Direct Mail
Online

TUESDAY 5/26 FRIDAY 5/22 4:00 pm SATURDAY 5/22 4:00 pm

Have a Safe Holiday!

THE MONITOR

Valleywide

MULTI-MEDIA ADVERTISING ACCOUNT EXECUTIVE

Are you ready to sell an exciting number of products in an established business environment, with lots of potential?

You will be selling for the **#1 newspaper** in upper Cameron County as well as the **#1 web site.**

The Valley Morning Star and valleystar.com the leader in news and information is seeking two enthusiastic and motivated sales professionals. These positions will sell advertising in a number of exciting products including the daily newspaper, as well as helping clients with the strategic placement of online to better position their business for the future.

Candidates must have the ability to strategize, make presentations, and coordinate the creative process. In both positions, you will actively prospect for new business to grow a territory, manage current accounts as well as develop and execute strategic sales initiatives.

We offer a creative, interactive work environment that's exciting and always creating new products and services! Our staff is dedicated to offering the best print and online news and advertising options in the Valley. Our team enjoys:

- Medical, Dental, Vision Coverage
- 401(k) plans • Paid vacation & sick time
- Professional development programs
- Automatic Payroll Deduction
- Awards, Recognition & Bonus Program
- Copy of the newspaper

MINIMUM QUALIFICATIONS:

- 1+ years of proven sales record; experience in the Valley a plus
- Demonstrated success at prospecting, qualifying and closing sales to meet sales goals.
- Effective networking skills, building and maintain relationships
- Working knowledge of internet concepts, or advertising principals
- Deadline-motivated, positive work ethic, and the ability to manage multiple clients
- Proficient in the use of MS Office products, and common internet applications
- Proven verbal and written skills • Previous media sales a plus

Send Cover Letter & Resume online to

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, May 26, 2009**

Be it known that the City of La Feria City Commission met in regular session on Tuesday, May 26, 2009, 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
Mr. Victor Gonzalez, Jr.	City Commissioner – Late 7:13 P.M.
Ms. Angelica P. Baldivia	City Commissioner

The following staff members were present.

Mr. Sunny K. Philip	City Manager
Mr. Miguel D. Wise	City Attorney
Ms. Darla Jones	Asst. City Manager
Ms. Maria Chavero	Finance 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 6:30 P.M., Mayor Steve Brewer asked Commissioner Lori Weaver to give 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 REGULAR MEETING OF THE CITY COMMISSION HELD ON
TUESDAY, MAY 12, 2009**

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, May 12, 2009. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**PUBLIC HEARING TO RECEIVE INPUT REGARDING THE SUBMISSION OF
APPLICATIONS TO THE UNITED STATES DEPARTMENT OF
AGRICULTURE (USDA) FOR THE EXPANSION OF THE FIRE STATION AND
CONSTRUCTION OF A SUBSTATION, LIBRARY EXPANSION, AND
DRAINAGE IMPROVEMENTS**

City Manager Sunny K. Philip explained that the City published a notice of public hearing in the newspaper regarding the submission of applications to the USDA for the

expansion of the fire station which would add two additional bays to the east of the existing building and additional living quarters, the construction of a new fire substation on the south side of town, the library expansion, and some drainage improvements. Mayor Brewer declared the public hearing open at 6:33 P.M. Mayor Brewer invited Volunteer Fire Chief Rick Garcia to give his comments regarding the new fire substation. Chief Rick Garcia said that in case of a worst case scenario where the Arroyo Colorado would flood, a substation in the Blue Town area would provide the service needed to those residents because personnel would be housed there. Mayor Steve Brewer asked if new volunteers would be recruited. Chief Rick Garcia said that he has three members from the Blue Town and Santa Maria area. Commissioner John Hernandez said that this is a step in the right direction, because it would show the residents of the newly annexed areas that the City is concerned and that the City is ready to deliver the services it has promised. Commissioner Angelica P. Baldivia inquired about the site for the new fire substation. Mr. Philip responded that the site would be selected before the application is submitted. There were no other comments, so Mayor Brewer declared the public hearing closed at 6:38 P.M.

CONSIDER AND TAKE ACTION TO APPROVE/DENY A RESOLUTION OF THE CITY OF LA FERIA AUTHORIZING THE SUBMISSION OF AN APPLICATION TO USDA FOR THE EXPANSION OF THE FIRE STATION AND CONSTRUCTION OF A SUBSTATION AND AUTHORIZING OFFICIALS TO EXECUTE DOCUMENTS RELATED TO SAID APPLICATION

Commissioner John Hernandez 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 Commissioners present. City Attorney Miguel D. Wise read the caption of Resolution 2009-21. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2009-21 authorizing the submission of an application to USDA for the expansion of the Fire Station and construction of a Substation and authorizing officials to execute documents related to said application. 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 A RESOLUTION OF THE CITY OF LA FERIA AUTHORIZING THE SUBMISSION OF AN APPLICATION TO USDA FOR THE LIBRARY EXPANSION PROJECT AND AUTHORIZING OFFICIALS TO EXECUTE DOCUMENTS RELATED TO SAID APPLICATION

City Manager Sunny K. Philip explained that this application is for a two-story section expansion to the library. Commissioner Angelica P. Baldivia 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 Commissioners present. City Attorney Miguel D. Wise read the caption of Resolution 2009-22. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2009-22 authorizing the submission of an application to USDA for the Library Expansion Project and authorizing officials to execute documents related to said application. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE/DENY A RESOLUTION OF THE CITY OF LA FERIA AUTHORIZING THE SUBMISSION OF AN

APPLICATION TO USDA FOR DRAINAGE IMPROVEMENTS AND AUTHORIZING OFFICIALS TO EXECUTE DOCUMENTS RELATED TO SAID APPLICATION

City Manager Sunny K. Philip said the City submitted two applications under the Hazard Mitigation Grant Program (HMGP), and typically they fund 75% of the project and the City has to fund the other 25%. The USDA has a very low interest loan program and the plan is to use this as a match to the HMGP grant. Commissioner John Hernandez 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 Commissioners present. City Attorney Miguel D. Wise read the caption of Resolution 2009-23. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2009-23 authorizing the submission of an application to USDA for Drainage Improvements and authorizing officials to execute documents related to said application. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

PUBLIC HEARING TO RECEIVE INPUT REGARDING A SPECIFIC USE PERMIT REQUEST BY UPPER VALLEY MATERIALS, LLC TO OPERATE A HOT MIX ASPHALT PLANT AT 1700 NORTH RABB ROAD, LA FERIA, TEXAS

City Manager Sunny K. Philip explained that the Commission had a copy of the Zoning Ordinance that shows that an asphalt batch plant is allowed only in Industrially Zoned areas and only with a Specific Use Permit approved by the City Commission. The City has complied with all the noticing procedures and publication of the public hearing notice. Mr. Philip briefly reviewed the documents included in the Commission's packets. Mr. Philip said he visited the plant in Penitas and Upper Valley Materials has submitted a video of the plant. The video was played at the meeting. Mayor Steve Brewer declared the public hearing open at 6:56 P.M. Mr. Ruben "Chano" Guajardo was the spokesman for the company. He introduced the owners Rufino Garza and Jaime Flores and Safety and Human Resource Director James Elliot. Mayor Brewer asked if the same size plant would be what they are proposing for the La Feria site. Mr. Guajardo said it would be a smaller version. There was much discussion about the workings of the plant. Mr. Pat Liston who said he owns property adjacent to the site and was here as a representative for Hanson Pipe and Precast spoke against the hot mix asphalt plant at the proposed site because it would lower his and Hanson Pipe and Precast's property value. Mr. Liston quoted from an EPA warning about the air pollutants caused by asphalt processing and asphalt roofing manufacturing facilities. He said that exposure to air toxics can cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation. Mr. Guajardo countered that the quote Mr. Liston read and their plant are two different things. Mr. Liston said the EPA does not differentiate between the two. Chief Donato Garcia said that Rabb Road is not adequate for truck traffic. There were no other comments, so Mayor Steve Brewer declared the public hearing closed at 7:12 P.M.

EXECUTIVE (CLOSED) SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION 551.071 TO CONSULT WITH CITY ATTORNEY REGARDING ANNEXATION AND EXTRA TERRITORIAL JURISDICTION (ETJ) AND ISSUANCE OF SPECIFIC USE PERMIT TO UPPER VALLEY MATERIALS, LLC; SECTION 551.072 TO DISCUSS PROPOSED

PURCHASE/SALE 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 Session at 7:13 P.M.

Commissioner Victor Gonzalez arrived at this point in the meeting. After Executive Session deliberations Mayor Steve Brewer declared the meeting back in open session at 7:51 P.M.

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

There was no action necessary as a result of Executive Session deliberations.

CONSIDER AND TAKE ACTION TO APPROVE A RESOLUTION CONFIRMING THE DEVELOPMENT AGREEMENTS BETWEEN THE CITY OF LA FERIA AND QUALIFIED PROPERTY OWNERS LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY AND SUBJECT TO PROPOSED MUNICIPAL ANNEXATION ON MAY 26, 2009, SAID AREAS BEING BLOCKS 7, 9, 11, AND 13, MINNESOTA-TEXAS LAND AND IRRIGATION COMPANY SUBDIVISION

City Manager Sunny K. Philip explained that Resolution 2009-24 acknowledged that the property owners who were eligible for development agreements have executed those agreements and returned them to the City. Commissioner Lori Weaver moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission. City Attorney Miguel D. Wise read the caption of Resolution 2009-24. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2009-24 confirming the Development Agreements between the City of La FERIA and qualified property owners located within the extraterritorial jurisdiction of the city and subject to proposed municipal annexation on May 26, 2009, said areas being Blocks 7, 9, 11, and 13, Minnesota-Texas Land and Irrigation Company Subdivision. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS ANNEXING CERTAIN AREAS ADJACENT TO THE CITY OF LA FERIA, TEXAS, ALSO KNOWN AS BLOCKS 7, 9, 11, AND 13, MINNESOTA-TEXAS LAND AND IRRIGATION COMPANY SUBDIVISION; EXTENDING THE BOUNDARIES AND EXTRA TERRITORIAL JURISDICTION OF THE CITY OF LA FERIA, TEXAS SO AS TO INCLUDE SAID ANNEXED AREA WITHIN THE CORPORATE LIMITS OF THE CITY OF LA FERIA, TEXAS; GRANTING TO SAID ANNEXED AREA AND ALL OWNERS AND INHABITANTS THEREOF ALL THE RIGHTS AND PRIVILEGES ACCORDED TO THEM BY THE CITY OF LA FERIA, TEXAS BY VIRTUE OF SUCH ANNEXATION; BINDING SAID AREAS AND ALL OWNERS AND INHABITANTS THEREOF TO ALL THE RULES, ORDINANCES AND OTHER ACTS OF THE CITY OF LA FERIA, TEXAS, BY VIRTUE OF SUCH ANNEXATION, AND ESTABLISHING AN EFFECTIVE DATE

City Manager Sunny K. Philip said this is the annexation ordinance that annexes the areas where there are no development agreements. The properties that have development agreements will be within the City's ETJ, and the City's ETJ boundary will be extended. 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 Commission. City Attorney Miguel D. Wise read the caption of Ordinance 2009-04. After reading of the caption, Commissioner John Hernandez moved to approve Ordinance 2009-04 annexing certain areas adjacent to the City of La Feria, Texas, also known as Blocks 7, 9, 11, and 13, Minnesota-Texas Land and Irrigation Company Subdivision; extending the boundaries and extra territorial jurisdiction of the City of La Feria, Texas so as to include said annexed area within the corporate limits of the City of La Feria, Texas; granting to said annexed area and all owners and inhabitants thereof all the rights and privileges accorded to them by the City of La Feria, Texas by virtue of such annexation; binding said areas and all owners and inhabitants thereof to all the rules, ordinances and other acts of the City of La Feria, Texas, by virtue of such annexation, and establishing an effective date. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA, TEXAS AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR GRANT FUNDS FROM THE CRIMINAL JUSTICE DIVISION, OFFICE OF THE GOVERNOR

City Manager Sunny K. Philip said a copy of the resolution was included in the package. The program is titled "Operation Vigilance" which is a grant to purchase additional equipment for the Police Department. The application will be submitted through the Lower Rio Grande Valley Development Council, and they will make a recommendation on the application. Commissioner Angelica P. Baldivia 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 Miguel D. Wise read the caption of Resolution 2009-25. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2009-25 authorizing the submission of an application for Grant Funds from the Criminal Justice Division, Office of the Governor. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA APPOINTING MEMBERS OF THE COMMUNITY TO A COMPLETE COUNT COMMITTEE IN COOPERATION WITH THE CENSUS 2010

City Manager Sunny K. Philip explained that the Census Representative Julian Pena made a presentation to the City Commission at a previous meeting. In order to ensure that all residents are counted in the 2010 census, they are asking that the cities appoint Complete Count Committees. Mr. Philip added that since it is very difficult to recruit new members to form this committee, some of the Event Planning Committee members were listed for appointment by the Commission. Commissioner Angelica P. Baldivia moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission. City Attorney Miguel D. Wise read the caption of Resolution 2009-26. After reading of the caption, Commissioner John Betancourt

moved to approve Resolution 2009-26 appointing members of the community to a Complete Count Committee in cooperation with the Census 2010, those members being Mary Beth Wright, Eva Menchaca, Xavier Alegria, Norma Alaniz, Toni Garcia, Jesse Garcia, Cynthia Cobarrubias, Alvaro Saucedo, Deb Harris, Janet King, Arturo Salas, Emma Martinez, Patty Rodriguez, Glenn Singleton, Lupe Zuniga, Olga Oberwetter, Sunny K. Philip, and Darla Jones. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission. New members can be added or removed by the Committee.

CONSIDER AND TAKE ACTION TO APPROVE A RESOLUTION CONFIRMING THE DEVELOPMENT AGREEMENTS BETWEEN THE CITY OF LA FERIA AND QUALIFIED PROPERTY OWNERS LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY AND SUBJECT TO PROPOSED MUNICIPAL ANNEXATION ON MAY 26, 2009; SAID AREAS BEING LOTS 12, 13 AND 14, LA FERIA GRANT; UNSUBDIVIDED TRACT R; UNSUBDIVIDED TRACT R1; BLOCKS A – G, LONGORIA SUBDIVISION; BLOCKS 1, 3 AND 5, MINNESOTA-TEXAS LAND AND IRRIGATION COMPANY SUBDIVISION

City Manager Sunny K. Philip explained that Resolution 2009-27 and the development agreements were included in the Commission's package. The resolution acknowledges that the property owners eligible for development agreements have executed those agreements and returned them to the City. All property owners accepted the agreements. Commissioner John Hernandez 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 Miguel D. Wise read the caption of Resolution 2009-27. After reading of the caption, Commissioner Victor Gonzalez, Jr. moved to approve Resolution 2009-27 confirming the Development Agreements between the City of La Feria and qualified property owners located within the extraterritorial jurisdiction of the city and subject to proposed municipal annexation on May 26, 2009; said areas being Lots 12, 13 and 14, La Feria Grant; Unsubdivided Tract R; Unsubdivided Tract R1; Blocks A – G, Longoria Subdivision; Blocks 1, 3 and 5, Minnesota-Texas Land and Irrigation Company Subdivision. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS ANNEXING CERTAIN AREAS ADJACENT TO THE CITY OF LA FERIA, TEXAS, ALSO KNOWN AS LOTS 12, 13 AND 14, LA FERIA GRANT; UNSUBDIVIDED TRACT R; UNSUBDIVIDED TRACT R1; BLOCKS A – G, LONGORIA SUBDIVISION; BLOCKS 1, 3 AND 5, MINNESOTA-TEXAS LAND AND IRRIGATION COMPANY SUBDIVISION; EXTENDING THE BOUNDARIES AND EXTRA TERRITORIAL JURISDICTION OF THE CITY OF LA FERIA, TEXAS SO AS TO INCLUDE SAID ANNEXED AREA WITHIN THE CORPORATE LIMITS OF THE CITY OF LA FERIA, TEXAS; GRANTING TO SAID ANNEXED AREA AND ALL OWNERS AND INHABITANTS THEREOF ALL THE RIGHTS AND PRIVILEGES ACCORDED TO THEM BY THE CITY OF LA FERIA, TEXAS BY VIRTUE OF SUCH ANNEXATION; BINDING SAID AREAS AND ALL OWNERS AND INHABITANTS THEREOF TO ALL THE RULES, ORDINANCES AND OTHER ACTS OF THE CITY OF LA FERIA, TEXAS, BY

VIRTUE OF SUCH ANNEXATION, AND ESTABLISHING AN EFFECTIVE DATE

City Manager Sunny K. Philip explained that this ordinance includes all the properties except the properties that have development agreements. These properties are in the Highway 281 area. Commissioner Lori Weaver moved to read the ordinance by caption only, in lieu of reading it in its entirety. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission. City Attorney Miguel D. Wise read the caption of Ordinance 2009-05. After reading of the caption, Commissioner Lori Weaver moved to approve Ordinance 2009-05 annexing certain areas adjacent to the City of La Feria, Texas, also known as Lots 12, 13 and 14, La Feria Grant; Unsubdivided Tract R; Unsubdivided Tract R1; Blocks A – G, Longoria Subdivision; Blocks 1, 3 and 5, Minnesota-Texas Land and Irrigation Company Subdivision; extending the boundaries and extra territorial jurisdiction of the City of La Feria, Texas so as to include said annexed area within the corporate limits of the City of La Feria, Texas; granting to said annexed area and all owners and inhabitants thereof all the rights and privileges accorded to them by the City of La Feria, Texas by virtue of such annexation; binding said areas and all owners and inhabitants thereof to all the rules, ordinances and other acts of the City of La Feria, Texas, by virtue of such annexation, and establishing an effective date. Commissioner Victor Gonzalez, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE/DENY A SPECIFIC USE PERMIT REQUEST BY UPPER VALLEY MATERIALS, INC. TO OPERATE A HOT MIX ASPHALT PLANT TO BE LOCATED AT 1700 NORTH RABB ROAD, LA FERIA, TEXAS, AND AUTHORIZING THE MAYOR TO ISSUE AN ORDER GRANTING OR NOT GRANTING A SPECIFIC USE PERMIT

City Manager Sunny K. Philip explained that the City properly noticed the required parties regarding the request for a Specific Use Permit from Upper Valley Materials, Inc.; the City Commission conducted the public hearing; and staff provided to the Commission the documentation from the City and the documentation provided by the company. He said that one of the requirements of the Zoning Ordinance is that the City Manager or a designated person review the documents and make a recommendation to the City Commission. Mr. Philip then asked City Attorney Miguel D. Wise to explain further the requirements of a Specific Use Permit, after which Mr. Philip would then make his recommendation to the City Commission. Mr. Wise explained that the area where the asphalt plant is proposed is in an Industrial Zone and an issuance of a Specific Use Permit by the City Commission is required because of the type of industry. He reviewed Section 19 of Chapter 14, of the City of La Feria Code of Ordinances with the Commission and the public. Mr. Wise said in the proposed Order Granting Specific Use Permit which he prepared, there is recitation in the Preamble that Upper Valley Materials has met all the requirements of Section 19, Chapter 14, of the Code, which is a finding that must be determined by the City Commission before granting the Specific Use Permit. He then reviewed the Specific Use Permit. After Mr. Wise's comments, Mr. Philip said that based on Section 19 F of the Zoning Ordinance (also part of the Comprehensive Plan) whenever an application is received by the City, City staff needs to investigate and make a presentation before the Commission. He said staff looked at the site they have proposed and requested input from the Planning and Zoning Department about the site plans, and input from the Police Chief and Fire Marshal concerning other items relevant to this request. Mr. Philip said that after gathering all the information and taking into consideration the comments received at the public hearing tonight, and after comparing it

to the Standards in Section 19, Items 1 through 6, of Chapter 14 of the Code of Ordinances, there are several areas where the request does not meet the requirements of the ordinance. Based on that, his recommendation to the Commission was to deny the Specific Use Permit. Commissioner John Hernandez moved to deny a Specific Use Permit request by Upper Valley Materials, Inc. to operate a hot mix asphalt plant to be located at 1700 North Rabb Road, La Feria, Texas. Commissioner John Betancourt seconded the motion, and the motion carried by a majority vote of the City Commission. Commissioner Victor Gonzalez, Jr. abstained due to the fact that his employer, a city in the Valley, does major purchases of asphalt from different suppliers.

MONTHLY FINANCIAL REPORTS FOR THE MONTH OF APRIL 2009

- **Revenue and Expenditure Report**
- **Performance Indicators**
- **Investment Report**
- **Tax Collection Report**

Finance Director Ms. Maria Chavero reviewed the Revenue and Expenditure Report for the month of April. She also reviewed the year-to-date figures. Ms. Chavero reviewed the Investment Report, the Current year Tax Collection, and the Comptroller's Sales Tax Report. Mayor Brewer inquired about amnesty for outstanding warrants and what could be done to bring in that money. City Manager Sunny K. Philip responded that the amnesty was offered to all by mail, but a notice regarding the amnesty was not published. He said the City is currently working with the Municipal Service Bureau, which does collection for the City. Commissioner John Betancourt inquired about the spike on the emergency calls. Ms. Chavero said she had asked Police Chief Donato Garcia about the figures for Fire Calls, Police Calls, and Emergency Calls, and Chief Garcia indicated that the figures for the month were incorrect and he would provide corrected figures on the next report. There being no further questions, the reports were filed for audit.

REPORTS BY STAFF

- **TxDOT Report**
- **Wastewater Treatment Plant Progress Report**
- **Water Plant Expansion – Phase 1 & 2**
- **Street Paving**

City Manager Sunny K. Philip reported on the following:

- A copy of the TxDOT Report was in the package.
- The Wastewater Treatment Plant is moving along pretty good. As soon as it is safe, staff will make arrangements to take the Commission to the site.
- Water Plant Expansion Phase 1 is nearing completion. They are installing the equipment.
- Water Plant Expansion Phase 2 - The contractor will be starting soon.
- Street Paving – Mission Paving is moving along with the project. Several streets are torn up at this time, and as soon as they have enough to pave one day, they will begin to pave.

PUBLIC COMMENT

Mayor Steve Brewer declared the public comments session open. No one signed up to speak before the Commission, so Mayor Brewer declared the public comment session closed.

ACTION FOR ADJOURNMENT

There being no further business to conduct, Commissioner John Hernandez 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 8:27 P.M.

APPROVED:



Steve Brewer, Mayor

ATTEST:


Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 8:30 A.M. on June 9, 2009, as official record.


Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING

AT THE

CITY COMMISSION MEETING ROOM

TUESDAY, MAY 26, 2009, AT 6:30 PM

WELCOME

PLEASE SIGN IN

<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1 Ruben "Chano" Guajardo	1937 Royal Palm Dr.	(956) 536-5853
2 Pat Liston	PO Box 1273 LaBorie	956 367 7170
3 Maria C. Hernandez		797-1075
4 Rutilio Garza	7301 W. St. 83 Mission Tx	(956) 580-2502
5 Jaime Flores	7301 W. St. 83 Mission Tx	(956) 580-2502
6 Eva M...		
7 M. B. Wright		
8 Rosa Turner		
9 Riana Brewer		
10 Mary Calderas		
11 Esti Ireland		
12 Mary Ann Bauer		
13 Edward Bauer		
14		
15		
16		
17		
18		

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 2, 2011

Mr. Steve Mendoza
Langford Community Management
13740 Research Blvd., Suite G-1
Austin, Texas 78750

Re: TCEQ Grant and Texas Review and Comment System (TRACS) #2011-206, City of La Feria, Cameron County – FEMA-TX-1931-044, Hurricane Alex-Pump Station Grant Project

Dear Mr. Mendoza:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above-referenced project and offers following comments:

A review of the project for General Conformity impact in accordance with 40 CFR Part 93 and Title 30, Texas Administrative Code § 101.30 indicates that the proposed action is located in the City of La Feria, Cameron County, which is currently unclassified or in attainment of the National Ambient Air Quality Standards for all six criteria air pollutants. Therefore, General Conformity does not apply.

Although any demolition, construction, rehabilitation or repair project will produce dust and particulate emissions, these actions should pose no significant impact upon air quality standards. Any minimal dust and particulate emissions should be easily controlled by the construction contractors using standard dust mitigation techniques.

We do not anticipate significant long term environmental impacts from this project as long as construction and waste disposal activities associated with it are completed in accordance with applicable local, state, and federal environmental permits and regulations. We recommend that the applicant take necessary steps to insure that best management practices are utilized to control runoff from construction sites to prevent detrimental impact to surface and ground water.

Thank you for the opportunity to review this project. If you have any questions, please contact Ms. Tangela Niemann at (512) 239-3786 or tangela.niemann@tceq.texas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Harrison".

Jim Harrison, Director
Intergovernmental Relations Division

LANGFORD



COMMUNITY MANAGEMENT SERVICES

Serving Texas Cities and Counties

Judy Langford, President
Margaret J. Hardin, Vice President

5/26/2011

Mr. Mark Wolfe, Executive Director
Texas Historical Commission
P. O. Box 12276
Austin, Texas 78711

RE: FEMA-TX-1931-044, Hurricane Alex-Pump Station Grant Project

Dear Sir:

The City of La Feria has approval for a HMGP grant through the Federal Emergency Management Agency (FEMA). This grant will allow the City to construct a storm water pump station near the current drainage channel gate (see map) which will provide improved drainage for the City during storm events.

To the best of our knowledge, the site of the improvements is located in a previously disturbed area within the City of La Feria and will not have any cultural, environmental or historical adverse affects. Please find attached information pertaining to the project including project summary, maps and photos of the project area.

If you disagree with our finding of no adverse effect and have additional information we should consider or have any questions, please do not hesitate to contact us. If we do not hear from you within 30 calendar days, we will assume that you agree with our determination and we will proceed with the project.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Mendoza".

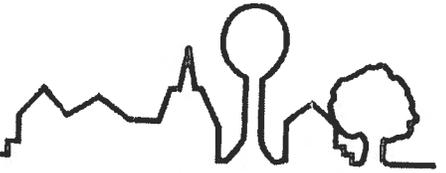
Steve Mendoza
Langford Community Management Services
13740 Research Blvd. Suite G1
Austin, Texas 78750
512/452-0432
512/452-5380
Steve@lcmsinc.com

Attachments

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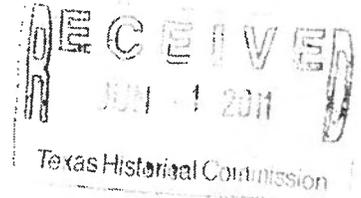
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Sincerely,

Steve Mendoza
Langford Community Management Services
13740 Research Blvd. Suite G1
Austin, Texas 78750
512/452-0432
512/452-5380
Steve@lcmsinc.com

CONCUR	
by	
for	Mark Wolfe
	State Historic Preservation Officer
Date	7/6/11
Track#	20114698

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Judy Langford, President
Margaret J. Hardin, Vice President

5/26/2011

Ms. Glenda Thorn
Texas Commission on Environmental Quality
Water Program Specialist
P. O. Box 13087
Austin, TX 78711-3087

RE: FEMA-TX-1931-044, Hurricane Alex- Pump Station Grant Project

Ms. Thorn,

The City of La Feria has approval for a HMGP grant through the Federal Emergency Management Agency (FEMA). The City plans to construct a storm water pump station to help control the flooding that occurs in the City during storm events. The two 50 cfs pumps will be constructed near one of the drainage channel gates (see map) which will improve drainage for the city during storms.

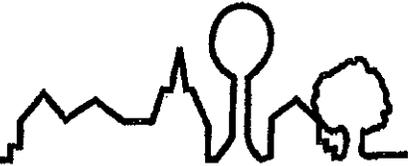
To the best of our knowledge, our project will have no adverse affects on any cultural, environmental or historical aspects of the community due the fact the construction of the pumps will take place in a previously disturbed areas. Please find attached information pertaining to the project including project summary, maps and photos of the project area.

According to the guidelines for this project, we are to notify your agency and obtain approval or an indication that the proposed project is not inconsistent with your environmental concerns, specifically related to debris removal, water contamination and air quality. We will forward you response to the Texas Division of Emergency Management.

Steve Mendoza
Langford Community Management
13740 Research Blvd., Suite G-1
Austin, Texas 78750
512-452-0432-Office
512-452-5380-Fax

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Judy Langford, President
Margaret J. Hardin, Vice President

5/26/2011

Ms. Kathy Boydson
Texas Parks and Wildlife Department
Wildlife Habitat Assessment Program
4200 Smith School Rd.
Austin, Texas 78744

RE:

Dear Ms. Boydson:

The City of La Feria has approval for a HMGP grant through the Federal Emergency Management Agency (FEMA). This grant will allow the City to construct a storm water pump station near the current drainage channel gate (see map) which will provide improved drainage for the City during storm events.

To the best of our knowledge, the site of the Improvements is located in a previously disturbed area within the City of La Feria and will not have any cultural, environmental or historical adverse affects. Please find attached information pertaining to the project including project summary, maps and photos of the project area.

Per FEMA's instructions, the purpose of this letter is to notify you of this potential undertaking, and start the process of early coordination with the resource agencies. If you or any other party has additional information that we should consider, please send your comments to me at the address below. If we do not receive comments within a reasonable time we will assume that you agree with our determination and will proceed with the project

A handwritten signature in black ink, appearing to read "Steve Mendoza".

Steve Mendoza
Langford Community Management Services
13740 Research Blvd. Suite G1
Austin, Texas 78750
512/452-0432 PH
512/452-5380 FAX
Lcmsinc@austin.rr.com

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CRD



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Serving Texas Cities and Counties
5/26/2011

Judy Langford, President
Margaret J. Hardin, Vice President

Tammy S. Brooks
Coastal Coordination Council Secretary
Consistency Review Coordinator
Coastal Resources
Texas General Land Office
P. O. Box 12873
Austin, TX 78711-2873

RE: FEMA-TX-1931-044, Hurricane Alex- Pump Station Grant Project

Ms. Brooks,

The City of La Ferla has approval for a HMGP grant through the Federal Emergency Management Agency (FEMA). The City plans to construct a storm water pump station to help control the flooding that occurs in the City during storm events. The two 50 cfs pumps will be constructed near one of the drainage channel gates (see map) which will improve drainage for the city during storms.

To the best of our knowledge, our project will have no adverse affects on any cultural, environmental or historical aspects of the community due the fact the construction of the pumps will take place in a previously disturbed areas. Please find attached information pertaining to the project including project summary, maps and photos of the project area.

According to the guidelines for this project, a General Land Office review is necessary. We are asking for a review from the General Land Office declaring the project should have no significant adverse impact on the environment or natural resources in the area.

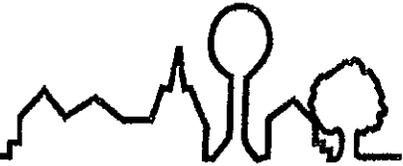
Steve Mendoza

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COMMUNITY MANAGEMENT SERVICES

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Judy Langford, President
Margaret J. Hardin, Vice President

5/24/2011

U. S. Army Corps of Engineers
Regulatory Branch
P.O. Box 1229
Galveston, TX 77553-1229

RE: FEMA-TX-1931-044, Hurricane Alex- Pump Station Grant Project

To Whom It May Concern:

The City of La Feria has approval for a HMGP grant through the Federal Emergency Management Agency (FEMA). The City plans to construct a storm water pump station to help control the flooding that occurs in the City during storm events. The two 50 cfs pumps will be constructed near one of the drainage channel gates (see map) which will improve drainage for the city during storms.

According to guidelines for this project, we are to notify your agency and obtain approval. No adverse environmental impact is anticipated from the project. No alternative is feasible.

If you or any other party disagrees with the finding of no significant impact and have additional information that we should consider, please send your comments to me at the address below. If we do not receive comments within a reasonable time we will assume that you agree with our determination and will proceed with requesting the release of funds for the project.

Steve Mendoza
Langford Community Management
13740 Research Blvd., Suite G-1
Austin, Texas 78750
512-452-0432-Office
512-452-5380-Fax

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Judy Langford, President
Margaret J. Hardin, Vice President

COMMUNITY MANAGEMENT SERVICES

Serving Texas Cities and Counties

5/24/2011

U. S. Army Corps of Engineers
Regulatory Branch
P.O. Box 1229
Galveston, TX 77553-1229

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