

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, May 28, 2013**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, May 28, 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
Absent: 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 6:35 P.M., Mayor Steve Brewer gave the invocation. After the invocation, Mayor Steve Brewer led everyone present in reciting the Pledge of Allegiance to the Flag of the United States of America. He then declared that a quorum of the City Commission was present and called the meeting to order.

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS
OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON
TUESDAY, MAY 14, 2013**

After review of the minutes, Commissioner Angelica P. Baldivia moved to approve the minutes of proceedings of the regular meeting of the City Commission held on Tuesday, May 14, 2013. Commissioner Lori Weaver 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, MARCH 7, 2013**

After review of the minutes, Commissioner Lori Weaver moved to approve the minutes of proceedings of the previous regular meeting of the La Feria Industrial Development Corporation (LFIDC) held on Thursday, March 7, 2013. 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 REQUEST BY JUAN M. MARTINEZ FOR A ZONING CHANGE FROM R-1 SINGLE FAMILY RESIDENTIAL TO C-2 GENERAL COMMERCIAL FOR THE PROPERTY LEGALLY DESCRIBED AS LOT 1, BLOCK 1, PEACEFUL ACRES SUBDIVISION, CAMERON COUNTY, TX; A 3-ACRE PROPERTY ALSO KNOWN AS 1601 S. PARKER RD., LA FERIA

This item was tabled on a motion by Commissioner John Betancourt and a second by Commissioner Angelica P. Baldivia. The motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS AMENDING CHAPTER 14, EXHIBIT A, OF THE LA FERIA CODE OF ORDINANCES (THE ZONING ORDINANCE), AMENDING THE BOUNDARIES OF THE R-1 SINGLE FAMILY RESIDENTIAL TO R-2 GENERAL COMMERCIAL DISTRICTS ON THE OFFICIAL ZONING MAP OF THE CITY OF LA FERIA, AMENDING THE LA FERIA COMPREHENSIVE PLAN, AND PROVIDING AN EFFECTIVE DATE

This item was tabled on a motion by Commissioner John Betancourt and a second by Commissioner Angelica P. Baldivia. The motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA IN SUPPORT OF STATE LEGISLATION TO RESTORE GLASS-STEAGALL, "THE RETURN TO PRUDENT BANKING" ACT

This item was tabled on a motion by Commissioner Angelica P. Baldivia and a second by Commissioner Lori Weaver. The motion carried by unanimous vote of the City Commissioners present.

REVIEW PROPOSALS RECEIVED FOR THE PURCHASE OF WATER METERS, ENCODER REGISTERS, METER RADIO TRANSMISSION UNITS (MTU) AND THE PURCHASE AND INSTALLATION OF OTHER EQUIPMENT ALL REQUIRED FOR THE DEVELOPMENT OF AN AMR/AMI (AUTOMATIC METER READING) SYSTEM AND TAKE ACTION TO AWARD CONTRACT TO THE LOWEST, MOST QUALIFIED AND RESPONSIBLE PROPOSER

City Manager Mr. Sunny K. Philip reviewed the tabulation of bids received for the water meters project. The bids received were as follows:

Badger Meter, Inc.
4545 W Brown Deer Road
P.O. Box 245036
Milwaukee, WI 53224-9536
(414) 355-0400 or (800) 876-3837

\$633,131.16

Ferguson Enterprises, Inc., dba Ferguson Waterworks \$951,751.65*
 2650 S. Pipeline Rd.
 Euless, TX 76040 \$778,761.65**
 Zeb Wright-Ferguson M&A District Manager
 (214) 690-3604

*Price includes the following: SQL Software, Mi.Host Software, Mi.Data
 Consumer Portal Software & Server (see specs in Section I)

**Price does not include the above listed software

Mountain States Pipe & Supply \$978,593.60
 U.S. Metering and Technology
 111 West Las Vegas
 Colorado Springs, Colorado 80903
 (719) 634-5555 or (800) 777-7173

Aqua Metric Sales Company \$864,873.09***
 6700 Guada Coma Drive \$941,076.09****
 Schertz, Texas 78154 \$957,033.59*****
 (210) 967-6300

***Sensus accuSTREAM & OMNI Metrology

****Sensus iPERL & OMNI Metrology

*****Sensus SRII & OMNI Metrology

Mr. Philip explained that the Utilities Board had a special meeting earlier tonight to consider this item, and they are recommending the approval of the staff recommendation for this project as listed on the last column of the bid tabulation and listed below. Staff recommendation was as follows:

Badger Meter

Item #	Description	Qty.	Unit Price	Total
1.a	New 5/8" x 3/4" Displacement type cold water meter with Encoded Register all meeting AWWA standards	2,200 Each	\$ 50.49	\$111,078.00
1.b	New 5/8" x 3/4" Displacement type cold water meter with ADE Encoder all meeting AWWA standards	2,200 Each	\$ 77.10	\$169,620.00
2.a	New 3/4" x 3/4" Displacement type cold water meter with Encoded Register all meeting AWWA standards	250 Each	\$ 81.75	\$ 20,437.50
2.b	New 3/4" x 3/4" Displacement type cold water meter with ADE Encoder all meeting AWWA standards	250 Each	\$109.27	\$ 27,317.50
3.a	New 1" Displacement type cold water meter with Encoded Register all meeting AWWA standards	150 Each	\$116.53	\$ 17,479.50

3.b	New 1" Displacement type cold water meter with ADE Encoder all meeting AWWA standards	150 Each	\$180.63	\$ 27,094.50
4.a	New 2" Displacement type cold water meter with Encoded Register meeting AWWA standards	75 Each	\$384.33	\$ 28,824.75
4.b	New 2" Displacement type cold water meter with ADE Encoder all meeting AWWA standards	75 Each	\$411.55	\$ 30,888.75
5.	Material Cost for New Polyethylene Meter Boxes for meters	480 Each	\$ 15.19	\$ 7,291.20
	Items 1.a, 2.a, 3.a, 4.a & 5 Sub Total			\$185,110.95
	Items 1.b, 2.b, 3.b, 4.b & 5			\$254,920.75

Mountain States Pipe & Supply

Item #	Description	Qty.	Unit Price	Total
6.	New 2 watt radio transmitter for meters in items 1, 2, 3, & 4 above	2,675 Each	\$ 120.50	\$322,337.50
7.	Material cost of data receiving antennas/electronics, and electrical wiring, conduit, etc. all complete in place.		\$23,228.30	\$ 23,228.30
8.	Installation of item 7 above, data receiving equipment, electronics, wiring etc. all complete in place	1 LS	\$23,128.00	\$ 23,128.00
9.	Radio receiver, antenna, etc., computer hardware, and software required to receive meter reading data. Programming to existing Incode billing software to accept new/additional data.	1 LS	\$29,010.30	\$ 29,010.30
10.	Purchase of leak detection equipment, software, etc., all complete and operational in place, including 2 days of training.	1 LS	\$63,725.00	\$ 63,725.00
11.	Onsite training for AMR System -- minimum of 3 days	1 LS	\$14,455.00	\$ 14,455.00
12.	Project Sign	1 LS	\$ 3,000.00	\$ 3,000.00
	Items 6-12 Sub Total			\$478,884.10
	Total Project -- 1.a, 2.a, 3.a, 4.a, 5 & 6-12			\$663,995.05
	Total Project -- 1.b, 2.b, 3.b, 4.b, 5 & 6-12			\$733,804.85

Mr. Philip said that City Engineer Mr. Joe B. Winston and Mr. Juan Gamez of Sigler, Winston, Greenwood and Associates were present at the meeting to present a PowerPoint presentation of the bids and discuss the project. Mr. Juan Gamez presented the PowerPoint presentation and explained that the project is implemented through the EPA and the Texas Water Development Board through the Green Projects Fund which promotes projects that have to do with water conservation and systems that alleviate the burden on the City's system in terms of trying to conserve resources. Mr. Gamez explained that the project consists of hardware and software and explained the

components of each, and how the system would work. One system would be installed at the water tower on Rabb Road and one at the water tower on Parker Road and the base system would be installed at City Hall. After the presentation and all questions answered, Commissioner John Betancourt moved to award contract to Badger Meter for items 1 through 5 (\$254,920.75) and to Mountain States Pipe & Supply for items 6 through 12 (\$478,884.10) for a total of \$733,804.85 for the project subject to the approval of the Texas Water Development Board, and if not approved for the additional amount, that the City will reduce the number of meters that will be purchased to stay within the budgeted amount for the project. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW BID TABULATION FOR FLOOD CONTROL PUMP EQUIPMENT AND TAKE ACTION TO AWARD CONTRACT TO THE LOWEST, MOST QUALIFIED AND RESPONSIBLE BIDDER

City Manager Mr. Sunny K. Philip explained that the bid opening for this project and the next two items on the agenda was extended from Tuesday, May 28, 2013 to Thursday, June 6, 2013 at 2:00 p.m., so these items would need to be tabled until the meeting of June 11, 2013. Commissioner Angelica P. Baldivia moved to table this item. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW BID TABULATION FOR AN-49 LEVEE CROSSING IMPROVEMENTS AND TAKE ACTION TO AWARD CONTRACT TO THE LOWEST, MOST QUALIFIED AND RESPONSIBLE BIDDER

Commissioner Angelica P. Baldivia moved to table this item until the meeting of June 11, 2013. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW BID TABULATION FOR PAVING AND DRAINAGE IMPROVEMENTS FOR RABB ROAD AND TAKE ACTION TO AWARD CONTRACT TO THE LOWEST, MOST QUALIFIED AND RESPONSIBLE BIDDER

Commissioner Angelica P. Baldivia moved to table this item until the meeting of June 11, 2013. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY THE PROPOSED FINAL PLAT OF THE LONGORIA COMMERCIAL SUBDIVISION CONSISTING OF THE RE-PLAT OF LOTS 3, 4 AND 5, HOMESTEADERS TOO SUBDIVISION, LA FERIA GRANT, CAMERON COUNTY, TX.

Planning and Community Development Director Ms. Irene Szedlmayer explained that this was a replat of three lots out on Mile 3 in the City's ETJ, not in the city limits. The owners wanted to remove some of the restrictions that came with the plat. Ms. Szedlmayer explained that replatting requires the written acknowledgment and consent of all the owners of the six lots of the original Homesteaders Too Subdivision. The Planning and Zoning Commission reviewed the preliminary plat on April 15, 2013 and they reviewed the final plat on May 20, 2013 and they are recommending approval to the City Commission subject to receipt of the written acknowledgment and consent of the owners of lots 1 and 2. They have received consent from the owners of lots 6 and 7. Ms. Szedlmayer said that the owners are replatting to remove the restriction for residential use

and some sanitary easements. The Planning and Zoning Commission recommended approval and granted two variances, one is a 60' ROW on Mile 3 East. The second variance is to the water and utility extension policy which would not require the "to and through" extension of the water line. Commissioner John Betancourt moved to approve the final plat of the Longoria Commercial Subdivision consisting of the re-plate of Lots 3, 4, and 5, Homesteaders Too Subdivision, La Feria Grant, Cameron County, TX subject to the receipt of the written acknowledgment and consent of the owners of lots 1 and 2. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

MONTHLY FINANCIAL REPORTS FOR THE MONTH OF APRIL 2013

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

Mayor Brewer inquired if there were any questions regarding the financial reports; there were no questions, so the financial reports for the month of April 2013 were filed for audit.

CONSIDERATION AND APPROVAL OF AN ORDINANCE AMENDING, RESTATING, AND READOPTING AN ORDINANCE PREVIOUSLY ADOPTED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS AUTHORIZING THE ISSUANCE OF OBLIGATIONS DESIGNATED AS "CITY OF LA FERIA, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2012A"; AND OTHER MATTERS IN CONNECTION THEREWITH

City Manager Mr. Sunny K. Philip said this is the ordinance for the loan portion of the library expansion and that it lowers the interest rate from 3.75% to 3.50%.

Commissioner Lori Weaver 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 2013-06. After reading of the caption, Commissioner Lori Weaver moved to approve Ordinance 2013-06 amending, restating, and readopting an ordinance previously adopted by the City Commission of the City of La Feria, Texas authorizing the issuance of obligations designated as "City of La Feria, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2012A"; and other matters in connection therewith. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDERATION AND APPROVAL OF AN ORDINANCE AMENDING, RESTATING, AND READOPTING AN ORDINANCE PREVIOUSLY ADOPTED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS AUTHORIZING THE ISSUANCE OF OBLIGATIONS DESIGNATED AS "CITY OF LA FERIA, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2012B"; AND OTHER MATTERS IN CONNECTION THEREWITH

City Manager Mr. Sunny K. Philip said this is the ordinance for the loan portion of the expansion of the existing fire station and the new fire substation, and that it lowers the

interest rate from 3.75% to 3.50%. Commissioner Lori Weaver 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 2013-07. After reading of the caption, Commissioner Angelica P. Baldivia moved to approve Ordinance 2013-07 amending, restating, and readopting an ordinance previously adopted by the City Commission of the City of La Feria, Texas authorizing the issuance of obligations designated as "City of La Feria, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2012B"; and other matters in connection therewith. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

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 ABOUT THE COMMITMENT OF LOCAL MATCH FUNDS FOR PUBLIC WORKS AND ECONOMIC ADJUSTMENT ASSISTANCE PROGRAM FUNDING FOR THE CONSTRUCTION OF A TECHNOLOGY AND SUCCESS CENTER

City Manager Mr. Sunny K. Philip explained that this is the extension to the north side of the dome on Main Street. The City asked for 80% of the grant which is the maximum, but they have notified us that the City qualified for only 70% which equals to \$1,076,250.00 of the total development cost and that the local match funds would be \$461,250.00. This resolution states that the City would like to continue with the project and that the City will raise the funds to provide the local match funds. Commissioner John Betancourt 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 Commissioners present. City Attorney Mr. Richard S. Talbert read the caption of Resolution 2013-20. After reading of the caption, Commissioner John Hernandez moved to approve Resolution 2013-20 authorizing the submission of a response to the U.S. Department of Commerce Economic Development Administration about the commitment of local match funds for Public Works and Economic Adjustment Assistance Program Funding for the construction of a Technology and Success Center. 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 551.072 TO DISCUSS PROPOSED PURCHASE/SALE/DONATION OF REAL ESTATE BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION/CITY OF LA FERIA; AND SECTION 551.087 TO DISCUSS ECONOMIC DEVELOPMENT NEGOTIATIONS

There was no need for an executive session, so this item was tabled on a motion by Commissioner John Betancourt and a second by Commissioner Angelica P. Baldivia. The motion carried by unanimous vote of the City Commissioners present.

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

Since there was no need for an executive session, this item was also tabled on a motion by Commissioner John Betancourt and a second by Commissioner Angelica P. Baldivia. The motion carried by unanimous vote of the City Commissioners present.

REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION

- Update on Drainage Project
- Water and Wastewater Systems Improvements Project
- Progress of Library Expansion Project
- Progress of City Hall Expansion Project
- Progress of Fire Station Expansion and Substation Project
- Status of Dome Construction Project
- Generator Purchase Project
- Sidewalk Improvement Project
- Light System Improvement Project for A.J. Wilson Field
- Report on La Feria Neighborhood Plan Study

City Manager Sunny K. Philip reported on the following.

- Update on Drainage Project – The City is advertising for bids on part of this project. At the same time, the City received notification from the Parks and Wildlife Department approving the Arroyo Colorado Overlook Point Trail, and the City will include some of the components of this project as part of the Drainage improvements needed in this area. Commissioner John Betancourt said that he wanted to read part of the letter received from Texas Parks and Wildlife that stated, “Congratulations for submitting such a worthy proposal.” He commended the staff for being successful in obtaining the grants needed to beautify La Feria.
- Water and Wastewater Systems Improvements Project – The City Commission acted on the first part of this project on the water meter purchase at this meeting, and staff has submitted other parts of the project to the state for review and that will come before the City Commission at a later date.
- Library Expansion – About 98% complete. Some of the tasks still needed are to collect the money from USDA and the second will be to send them the bill for the roof upgrade for the existing library portion. If there is any money remaining, staff will approach them to fund the replacement of the air conditioning units for the existing library system.
- City Hall Expansion – Waiting for a final inspection.
- Fire Station and Substation Expansion Project – The City Commission passed the ordinance and staff can move forward and advertise for bids.
- Status of Dome Construction Project – Staff has a progress meeting. The engineers and architects are working together so there may be additional reports at the next meeting.
- Generator Project – Staff is waiting for a response from HMGP about the wall that will be built around the generators.
- Sidewalk Improvement Project – Mayor Steve Brewer reported that he talked to Mario Jorge with TxDOT, and they will move all the blocks needed for the sidewalk project from Zapata to the Pharr area. Mayor Brewer said all that is needed now is to

get with David Riegert of Innovative Block and ask them to transport the blocks from Pharr to La Feria.

- Light System Improvement Project for A.J. Wilson Field – The City is working with the contractor to move on that installation.
- Report on La Feria Neighborhood Plan Study – Mr. Philip said that the City had a wonderful visit with a team of planners that spent a week in the City to develop a Neighborhood Plan Study. He said it is unusual to get such talented people all at one time. They went through an exercise with local people where people picked some of their favorite places, and some of those were the parks. They also picked the worst places in the City. Mayor Brewer and the City Commission commended Planning and Community Development Director Ms. Irene Szedlmayer for putting this together. Mr. Philip presented a PowerPoint presentation prepared by the team in coordination with Ms. Irene Szedlmayer.

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

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

PUBLIC COMMENTS

Mayor Steve Brewer declared the public comments session open. No one signed up to speak before the 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 Commissioners present.

ADJOURNMENT

Mayor Steve Brewer adjourned the meeting at 8:39 P.M.

APPROVED:

Steve Brewer, Mayor

ATTEST:

Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 11:40 A.M. on June 23, 2013, as official record.

Olga Oberwetter, City Secretary



CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, MAY 28, 2013, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Alvaro Salazar & Esmeralda Salazar	1415 Parker Rd	797-3898
2	Rogelio Pontieria		
3	Pedro & Ruth Leticia Vazquez	1401 S Parker Rd	
4	Urbano + Maria Rivera	1501 S. Parker	797 3847
5	Grey Purcell		
6	MB Wright	LFN	
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