

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, June 11, 2013**

Be it known that the City of La Feria City Commission met in regular session on Tuesday, June 11, 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
Mr. Victor Gonzalez, Jr.	City Commissioner
Ms. Angelica P. Baldivia	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	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 6:34 P.M., Mayor Steve Brewer asked Commissioner Victor Gonzalez, Jr. 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 CONFIRM THE MINUTES OF PROCEEDINGS OF THE PREVIOUS REGULAR MEETING OF THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION (LFIDC) HELD ON THURSDAY, MAY 2, 2013

After review of the minutes, Commissioner Lori Weaver moved to confirm the minutes of proceedings of the previous regular meeting of the La Feria Industrial Development Corporation (LFIDC) held on Thursday, May 2, 2013. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION OF THE CITY OF LA FERIA APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY AEP TCC TO REVIEW AEP TEXAS CENTRAL COMPANY'S REQUESTED APPROVAL OF AN ADJUSTMENT TO ITS ENERGY EFFICIENCY COST RECOVERY FACTOR;

HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO LEGAL COUNSEL

City Manager Sunny K. Philip said this is similar to previous resolutions approved in regards to AEP's request for an adjustment to its Energy Efficiency Cost Recovery Factor. Commissioner Lori Weaver moved to read the resolution 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 Mr. Richard S. Talbert read the caption of Resolution 2013-21. After reading of the caption, Commissioner Lori Weaver moved to approve Resolution 2013-21 approving cooperation with the steering committee of cities served by AEP TCC to review AEP Texas Central Company's requested approval of an adjustment to its Energy Efficiency Cost Recovery Factor; hiring legal and consulting services to negotiate with the Company and direct any necessary litigation and appeals; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to legal counsel. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

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 discussed items 6, 7 and 8 of the agenda together since the three items pertain to the large drainage improvements project that the City is working on. He said the first component is the purchase of two pumps to pump the water over the IBWC levee. In a hurricane scenario, the IBWC will come and close the gate and there is no way that gravity water will flow into the levee. The second item deals with opening up the levee itself on Orange Grove, pull out the pipe and put in a bigger box in there and that will have the capacity to take all the water from inside the area, the Rabb Road area and all the way to the south. The third item is drainage improvements from the levee onwards all the way to the Expressway (83) and it includes the reconstruction of Rabb Road from Business Highway 83 to Expressway 83. That includes widening, curb and gutter, and drainage. The funding is from three different grants. There is one from the General Land Office which originated from HUD under the Disaster Recovery Program in the amount of \$18,000,000.00. There is another award from the HMGP Program for a net amount of \$1.8 million. And then there is another award of \$500,000.00 for the pump purchase. The City is utilizing all of the grants as one pool, and the beauty of it is that portions of the \$18,000,000.00 is being used as part of the match funds for the other grants, so that most of the work being done is mostly funded through grant money. There are some cost overruns so some items may not be done. After the overall drainage project is completed, there should be no flooding in the areas that were affected during Hurricane Dolly. Mr. Philip asked Mr. Juan Gamez from Sigler, Winston, Greenwood & Associates to show the area of the project. Mr. Gamez discussed the areas where the improvements will be made.

The bids received for the three projects were:

FLOOD CONTROL PUMP EQUIPMENT

MWI Pumps

\$320,084.00

33 N.W. 2nd Street
Deerfield Beach, Florida 33441

AN-49 LEVEE CROSSING IMPROVEMENTS

	<u>Base Bid</u>
R.M. Walsdorf 10155 Old State Hwy. 48 Brownsville, TX 78521	\$586,123.00
CRG 11550 IH-10, W. Suite 100 San Antonio, TX 78230	\$778,460.28
Jimmy Closner P.O. Box 170 Mercedes, TX 78570	\$690,750.00

PAVING & DRAINAGE IMPROVEMENTS FOR RABB ROAD

	<u>Base Bid</u>
Reim 9612 Stewart Rd. Mission, TX 78573	\$3,401,158.15
R.M. Walsdorf 10155 Old State Hwy. 48 Brownsville, TX 78521	\$2,793,058.76
Jimmy Closner P.O. Box 170 Mercedes, TX 78570	\$3,187,520.80

Though all three items were discussed together, the action under this item is only for the Flood Control Pump Equipment. Commissioner John Betancourt moved to award contract for the Flood Control Pump Equipment to MWI Pumps in the amount of \$320,084.00. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

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

The City Commission reviewed the bid tabulation as part of the previous agenda item and for clarification purposes the tabulation for AN-49 Levee Crossing is listed below once more.

AN-49 LEVEE CROSSING IMPROVEMENTS

	<u>Base Bid</u>
R.M. Walsdorf 10155 Old State Hwy 48 Brownsville, TX 78521	\$586,123.00
CRG 11550 IH-10, W. Suite 100 San Antonio, TX 78230	\$778,460.28
Jimmy Closner P.O. Box 170 Mercedes, TX 78570	\$690,750.00

Commissioner John Betancourt moved to award contract for the AN-49 Levee Crossing Improvements to R.M. Walsdorf in the amount of \$743,753.00 which would include Alternate #1 and Alternate #2, with the condition that if not needed the Additive Alternate #1 in the amount of \$137,130.00 would not be done. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

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

The City Commission reviewed the bid tabulation as part of a previous agenda item and for clarification purposes the tabulation for Paving & Drainage Improvements for Rabb Road is listed below once more.

PAVING & DRAINAGE IMPROVEMENTS FOR RABB ROAD

	<u>Base Bid</u>
Reim 9612 Stewart Rd. Mission, TX 78573	\$3,401,158.15
R.M. Walsdorf 10155 Old State Hwy. 48 Brownsville, TX 78521	\$2,793,058.76
Jimmy Closner P.O. Box 170 Mercedes, TX 78570	\$3,187,520.80

Commissioner John Betancourt moved to award contract for the Paving and Drainage Improvements to R. M. Walsdorf in the amount of \$2,793,058.76. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

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 Commission.

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

Since there was no executive session held, 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 Commission.

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
- Texas Parks and Wildlife Development Trail System Grant Award
- EDA Grant for Technology and Success Center

City Manager Sunny K. Philip reported on the following.

- Update on Drainage Project – Already covered in previous items.
- Water and Wastewater Systems Improvements Project – Staff is waiting for the State to approve the plans submitted. As soon as that is complete, staff will advertise for bids and bring that before the Commission for consideration.
- Library Expansion Project – A walk through was done today and a final walk through will be done next week.
- City Hall Expansion Project – Did a walk through and there are several items that still need to be completed.
- Fire Station Expansion and Substation Project – Staff will be opening bids on June 27, 2013.
- Dome Construction Project – The architects and engineers are finalizing the design and are coordinating with FEMA to make sure that what they design can be used for other activities.
- Generator Purchase Project – Putting up a wall structure with fancy signs with arrows giving the direction of the Fire Station, Police Station and City Hall.

- Sidewalk Improvement Project – The contractor is moving along fine. Mayor Brewer reported that Innovative Block will move the blocks from Pharr to La Feria and they will store them at Innovative Block so that the City can pick up as needed.
- Light System Improvement Project for A.J. Wilson Field – The City will be entering into a lease purchase program.
- Texas Parks and Wildlife Development Trail System Grant Award –A copy of the award letter was provided to the City Commission at the last meeting. When the drainage system is built, it will be built at a certain level to accommodate this project.
- EDA Grant for Technology and Success Center – The City had a visit from the second person in command from the Regional EDA Office. He wanted to come see the site for the addition to the Dome on south FM 506.

Commissioner John Hernandez inquired about the status of the Recreation Center. Mr. Philip said he had interviewed several applicants and he would be making a decision soon.

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

There was no action needed on this item.

PUBLIC COMMENTS

Mayor Steve Brewer declared the public comments session open and acknowledged Ms. Reva Ayala, a retired school teacher from La Feria who spoke regarding an event, "Great Strides," that will be held in La Feria at the Veterans Memorial Sports Complex to benefit the Cystic Fibrosis Foundation. Ms. Ayala said her granddaughter was diagnosed with the disease and that is how she got involved. Sponsorships of \$100.00 or more will get the organization's logo on the back of the T-shirt. The event will take place on October 26, 2013. There will be a 5K Run and a 1 mile walk. The entry fee is \$15.00. An entry fee of \$25.00 will include a T-shirt. Registration can be done online or on site from 8 to 9 a.m. and the event starts at 9 a.m. Ms. Ayala said the goal is to raise \$10,000.00 from this event. Ms. Ayala said this will be the first annual walk in La Feria and hopefully it will continue for a long time. She said she also had a campaign of a donation of \$1.00 for a pin up and the businesses can participate in that. Mayor Steve Brewer thanked Ms. Ayala. No one else 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 Angelica P. Baldivia moved to adjourn the meeting. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

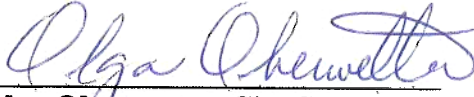
ADJOURNMENT

Mayor Steve Brewer adjourned the meeting at 7:59 P.M.

APPROVED:

Steve Brewer, Mayor

ATTEST:


Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 1:55 P.M. on June 23, 2013, as official record.


Olga Oberwetter, City Secretary



CITY COMMISSION REGULAR MEETING

AT THE

CITY COMMISSION MEETING ROOM

TUESDAY, JUNE 11, 2013, AT 6:30 PM

WELCOME

PLEASE SIGN IN

NAME

MAILING ADDRESS

HOME/WORK PHONE NO.

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Rena Ayala 502 W Taft Ave Hgn - 893-3488

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