

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, December 16, 2014**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, December 16, 2014, 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. Esmeralda Lozano	City Commissioner/Mayor Pro Tem
	Mr. John Edward Betancourt	City Commissioner
	Mr. John Hernandez	City Commissioner
Absent:	Mr. Victor Gonzalez, Jr.	Mayor
	Ms. Olga H. Maldonado	City Commissioner
	Mr. Julian Guevara, 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. Paula Rodriguez	Planning and Community Dev. Dir.
Ms. Esmeralda Sanchez	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 6:30 P.M., Mayor Pro Tem Esmeralda Lozano gave the invocation. After the invocation, Mayor Pro Tem Lozano 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.

**PUBLIC COMMENTS**

Mayor Pro Tem Esmeralda Lozano declared the public comments session open. No one signed up to speak before the City Commission, so Mayor Pro Tem Esmeralda Lozano declared the public comment session closed.

**REVIEW AND TAKE ACTION TO APPROVE THE MINUTES OF  
PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION  
HELD ON TUESDAY, NOVEMBER 18, 2014**

The minutes were not ready for approval at this meeting, so Commissioner John Hernandez moved to table the minutes. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO APPROVE PURCHASE OF P25 COMMUNICATIONS SYSTEM MIGRATION EQUIPMENT**

City Manager Mr. Sunny K. Philip said that two gentlemen with South Texas Communications were present to explain the system in which this equipment will be utilized. Mr. James Ewing and Mr. Thomas Hushen were present, and Mr. Ewing explained the different components of the system. Mr. Philip also explained that the City is storing the used equipment being replaced by these purchases to see if Sprint will come up with a program where they will buy the used equipment, and in that case, the City would get some value from it. He said the City of Harlingen is negotiating with Sprint on behalf of various cities. Commissioner John Betancourt moved to approve the purchase of P25 Communications System Migration Equipment. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW BID TABULATION FOR BIDS RECEIVED FOR UNIT 5B-2 TÍO CANO INTERCONNECT DRAINAGE IMPROVEMENTS AND CONSIDER AWARD OF CONTRACT TO THE LOWEST MOST QUALIFIED AND RESPONSIBLE BIDDER**

The City went out for bids on the 5B-2 Tío Cano Interconnect Drainage Improvements Project, a project funded through the General Land Office (GLO) Disaster Recovery Program Grant, and two bids were received as follows.

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
Foremost Paving P.O. Box 29 Weslaco, Texas 78596 Phone: (956) 316-8900	\$ 991,500.00
Go Underground, LLC 217 E. Monroe Ave. Harlingen, Texas 78550 Phone: (956) 412-6100	\$1,089,356.04

City Manager Mr. Sunny K. Philip outlined the project area on the map and the area where the pumps would be located. The pumps will be considered on the next item on the agenda. Mr. Philip said that the Irrigation District would be pretty much in control of this project. Commissioner John Hernandez moved to award the contract for the Unit 5B-2 Tío Cano Interconnect Drainage Improvements Project to the lowest most qualified and responsible bidder Foremost Paving in the amount of \$991,500.00. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW BID TABULATION FOR BIDS RECEIVED FOR UNIT 5B-3 PUMPS FOR TÍO CANO INTERCONNECT DRAINAGE IMPROVEMENTS AND CONSIDER AWARD OF CONTRACT TO THE LOWEST MOST QUALIFIED AND RESPONSIBLE BIDDER**

The City went out for bids on the Unit 5B-3 Pumps for the Tío Cano Interconnect Drainage Improvements Project, which bid included the purchase, delivery and start-up of two (2) identical vertical, oil lubricated pumps for the pumping of drainage water, complete with electric motor, suction strainer sole plate, etc. Four bids were received as follows.

<u>Company</u>	<u>Bid Amount</u>
Dynamic Pump Systems, LLC P.O. Box 34274 Austin, Texas 78734 Phone: (512) 514-0274	\$112,000.00
Balch Machine Co. 7728 Padre Island Hwy. Brownsville, Texas 78521 Phone: (956) 831-2644	\$133,966.00
Pump & Power Equipment, LLC 601 E. Cedar Suite H McAllen, Texas 78501 Phone: (956) 668-7867	\$135,900.00
Equipos, Bombas y Construcciones De Texas 1035 Cypress Drive Brownsville, Texas 78520 Phone: (956) 621-1500	\$165,617.34

Commissioner John Hernandez moved to award the contract for Unit 5B-3 Pumps for the Tío Cano Interconnect Drainage Improvements to the lowest most qualified and responsible bidder Dynamic Pump Systems, LLC in the amount of \$112,000.00. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW BID TABULATION FOR BIDS RECEIVED FOR SANITARY SEWER IMPROVEMENTS (UNITS E AND H) AND CONSIDER AWARD OF CONTRACT TO THE LOWEST MOST QUALIFIED AND RESPONSIBLE BIDDER**

In response to the advertisement for bids for Sanitary Sewer Improvements (Units E and H), the City received nine (9) bids. The bids were:

<u>Company</u>	<u>Bid Amount</u>
Saenz Brothers Construction 3226 N. Victoria Rd. Donna, Texas 78537 Phone: (956) 464-3400	\$2,311,940.00

REIM Construction, Inc. 9612 Stewart Rd. Mission, TX 78573 Phone: (956) 580-2675	\$2,346,932.25
Cornett Construction Co. P.O. Box 2048 San Benito, TX 78586 Phone: (956) 399-3743	\$2,411,523.50
JM Construction 3701 Jade Street Weslaco, TX 78596 Phone: (956) 565-5222	\$5,747,387.00
RM Walsdorf, Inc. 10155 Old State Hwy. 48 Brownsville, TX 78521 Phone: (956) 831-3984	\$2,855,793.62
The 5125 Company 1008 Doherty Mission, TX 78572 Phone: (956) 583-5125	\$2,888,888.88
Spiess Construction Co., Inc. P.O. Box 2849 Santa Maria, CA 93457 Phone: (805) 937-5859	\$3,142,825.00
Jimmy Closner & Sons P.O. Box 170 Mercedes, TX 78570 Phone: (956) 565-2688	\$3,331,320.00
Foremost Paving P.O. Box 29 Weslaco, TX 78596 Phone: (956) 316-8900	\$3,419,210.40

City Manager Mr. Sunny K. Philip said this project would bring sewer service to the area on Main Street where the FEMA dome project is being constructed, and to sections of Parker Road, Kansas City Road, and Beddoes Road. He reviewed the areas on the map, and said the low bidder was Saenz Brothers Construction in the amount of \$2,311,940.00. Mr. Philip said that Saenz Brothers Construction has done work for the City in prior years, and the City has been pleased with their work. This is being funded through the Texas Water Development Board (TWDB). Commissioner John Betancourt moved to award contract for Sanitary Sewer Improvements (Units E and H) to the lowest most

responsible bidder Saenz Brothers Construction in the amount of \$2,311,940.00 subject to the TWDB approval. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW BID TABULATION FOR BIDS RECEIVED FOR WATER DISTRIBUTION IMPROVEMENTS FOR WEST COLONIAS (UNIT C) AND CONSIDER AWARD OF CONTRACT TO THE LOWEST MOST QUALIFIED AND RESPONSIBLE BIDDER**

In response to the advertisement for bids for the Water Distribution Improvements for West Colonias (Unit C) Project, the City received eight bids and they were:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
Cornett Construction Co. P.O. Box 2048 San Benito, TX 78586 Phone: (956) 399-3743	\$1,159,508.95
Texas Cordia Construction 3149 A Center Pointe Drive Edinburg, TX 78539 Phone: (956) 627-6181	\$1,276,517.50
H2O Construction Services, Inc. P.O. Box 532845 Harlingen, TX 78553 Phone: (956) 495-6953	\$1,279,280.50
R. M. Walsdorf, Inc. 10155 Old State Hwy. 48 Brownsville, TX 78521 Phone: (956) 831-3984	\$1,349,927.37
Sal Construction, LLC 1200 W. Expressway 83 La Feria, TX 778559 Phone: (956) 277-0354	\$1,426,456.00
2GS, LLC P.O. Box 595 Penitas, TX 78576 Phone: (956) 424-3414	\$1,445,607.00
The 5125 Company 1008 Doherty Mission, TX 78572 Phone: (956) 583-5125	\$1,466,666.66

Jimmy Closner & Sons  
 P.O. Box 170  
 Mercedes, TX 78570  
 Phone: (956) 565-2688

\$1,720,438.50

City Manager Mr. Sunny K. Philip reviewed the area for this project on the map. He said the low bidder was Cornett Construction Company of San Benito in the amount of \$1,159,508.95. Mr. Philip said that Cornett Construction has two contracts with the City for water main installation, and they have done a good job. This project is also funded through the Texas Water Development Board (TWDB). Commissioner John Betancourt inquired if this project would cover the customer hook ups and Mr. Philip said that it would. Commissioner John Hernandez moved to award contract for Water Distribution Improvements for West Colonias (Unit C) Project to the lowest most qualified and responsible bidder Cornett Construction Co. of San Benito, Texas in the amount of \$1,159,508.95 subject to the TWDB approval. 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 RESOLUTION AUTHORIZING THE CITY OF LA FERIA TO APPLY FOR A GRANT FROM THE RURAL BUSINESS ENTERPRISE GRANT FOR TECHNICAL ASSISTANCE FOR THE COMPLETION OF A COMPREHENSIVE STRATEGIC PLAN**

City Manager Mr. Sunny K. Philip explained that Resolution 2014-29 was for a grant application to the United States Department of Agriculture (USDA) for a \$130,000 Comprehensive Planning Grant. The request would be for the USDA to fund \$100,000 and the City would fund \$30,000 as the local match. 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 Mr. Richard S. Talbert read the caption of Resolution 2014-29. After reading of the caption, Commissioner John Betancourt moved to approve Resolution 2014-29 authorizing the City of La Feria to apply for a grant from the Rural Business Enterprise Grant for Technical Assistance for the completion of a Comprehensive Strategic Plan. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**MONTHLY FINANCIAL REPORTS FOR THE MONTH OF NOVEMBER 2014**

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

There were no questions on the financial reports, so Mayor Pro Tem Esmeralda Lozano announced that the reports would be filed for audit.

**EXECUTIVE (CLOSED) SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW CHAPTER 551, GOVERNMENT CODE, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION 551.072**

**TO DISCUSS PROPOSED PURCHASE/SALE/DONATION OF REAL ESTATE BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION/THE LA FERIA ECONOMIC DEVELOPMENT CORPORATION/CITY OF LA FERIA; AND SECTION 551.087 TO DISCUSS ECONOMIC DEVELOPMENT NEGOTIATIONS**

Mayor Pro Tem Esmeralda Lozano declared the meeting in executive session at 7:45 P.M. After executive session deliberations, Mayor Pro Tem Lozano declared the meeting back in open session at 8:20 P.M.

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

There was no action needed as a result of executive session deliberations.

**REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION**

- **UPDATE ON DRAINAGE IMPROVEMENT PROJECT**
- **WATER AND WASTEWATER SYSTEMS IMPROVEMENTS PROJECT**
- **STATUS OF SAFE ROOMS (DOMES) CONSTRUCTION PROJECT**

City Manager Mr. Sunny K. Philip reported the following:

- The drainage project is up to date, and the Commission awarded two projects tonight.
- Water and Wastewater System – Two projects were awarded tonight.
- The Ultra Violet Treatment Project was broken down into two projects. The City had to get an exemption from TCEQ and they have approved it.
- The Dome Project – There was a progress meeting today. Capital Projects Coordinator Esmeralda Sanchez and Planning and Community Development Director Paula Rodriguez visited the dome project site in Los Fresnos which is a dome the same size as the La Feria dome on Main Street. The dome in Los Fresnos is already inflated, and Esmeralda Sanchez described the process of the construction of the dome.

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

Commissioner John Betancourt moved to excuse the absences from this meeting of Mayor Victor Gonzalez, Jr.; Commissioner Julian Guevara, Jr.; and Commissioner Olga H. Maldonado. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

Mayor Pro Tem Esmeralda Lozano thanked everybody for her excused absences. She appreciated everybody's understanding and compassion.

**ACTION FOR ADJOURNMENT**

Commissioner John Betancourt said that the Commission was kept apprised of her mother's condition and thoughts were with her family during that difficult time. Mayor Pro Tem Lozano expressed her gratitude for the acts of kindness to her family. 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 Commissioners present.

**ADJOURNMENT**

Mayor Pro Tem Esmeralda Lozano adjourned the meeting at 8:27 P.M.

**APPROVED:**

  
Esmeralda Lozano  
**Esmeralda Lozano, Mayor Pro Tem**

**ATTEST:**

  
Olga Oberwetter  
**Olga Oberwetter, City Secretary**

These minutes were prepared and filed with the City of La Feria at 8:35 A.M. on January 12, 2015, as official record.

  
Olga Oberwetter  
**Olga Oberwetter, City Secretary**



**CITY COMMISSION REGULAR MEETING**  
**AT THE**  
**CITY COMMISSION MEETING ROOM**  
**TUESDAY, DECEMBER 16, 2014, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	Delores Fuller	1000 S Chebo Dr	LA Feria, TX
2	Roberto Delgado	1035 Cypress	Braunsville, TX 78528
3	Thomas Husher	2321 Hacienda Rd	HSA TX 78552
4	Janet L. Ewing	709 E Pecan	Mallom TX 78561
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