

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, April 8, 2014**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, April 8, 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.

Mr. Victor Gonzalez, Jr.	Mayor
Ms. Lori Weaver	City Commissioner/Mayor Pro Tem
Mr. John Hernandez	City Commissioner
Mr. John Edward Betancourt	City Commissioner
Absent:	
Ms. Angelica P. Baldivia	City Commissioner

The following staff members were present.

Mr. Sunny K. Philip	City Manager (by phone)
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 Victor Gonzalez, Jr. gave the invocation. After the invocation, Mayor Victor Gonzalez, Jr. 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 SPECIAL MEETING OF THE CITY COMMISSION HELD ON
MONDAY, FEBRUARY 3, 2014**

After review of the minutes, Commissioner John Betancourt moved to approve the minutes of proceedings of the special meeting of the City Commission held on Monday, February 3, 2014. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS
OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON
TUESDAY, FEBRUARY 11, 2014**

After review of the minutes, Commissioner John Hernandez moved to approve the minutes of proceedings of the regular meeting of the City Commission held on Tuesday,

February 11, 2014. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, MARCH 11, 2014

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, March 11, 2014. 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, FEBRUARY 6, 2014

After review of the minutes, Commissioner John Hernandez moved to confirm the minutes of proceedings of the previous regular meeting of the La Feria Industrial Development Corporation (LFIDC) held on Thursday, February 6, 2014. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REPORT BY TXDOT ON LA FERIA RELATED PROJECTS AND DISCUSSION WITH THE CITY COMMISSION

Mr. Juan A. Bernal, P.E., CFM, Transportation Engineer from the Pharr TxDOT office, reported that the traffic light at Business Highway 83 and Beddoes Road was functioning correctly. He also reported that the La Feria School District has not submitted a request indicating the timing of the flashing lights, so that has not been addressed by TxDOT. Mr. Bernal inquired about the retaining walls that need to be installed in conjunction with the Safe Routes to School Project. Mayor Gonzalez responded that that work is still waiting to be scheduled. Mr. Bernal said that the closing of the project should be done as soon as the Project Manager Steve Walker prepares the paperwork and schedules a meeting with City Manager Sunny K. Philip. He then said that this would be the last meeting at which he would be present to report on any projects, but that he would be available by phone to assist the City on any items pertaining to TxDOT. Mayor Gonzalez thanked Mr. Bernal for his report.

PRESENTATION OF RACIAL PROFILING REPORT BY POLICE CHIEF DONATO GARCIA AND CONSIDER AND TAKE ACTION TO ACCEPT THE REPORT

Police Chief Donato Garcia reviewed the Racial Profiling Report with the City Commission. He reported that there were no racial profiling complaints. After review and all questions answered, Commissioner John Betancourt moved to accept the Racial Profiling Report for calendar year January 1 through December 31, 2013. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

CONSIDER AND TAKE ACTION TO ADOPT PROCLAMATION PROCLAIMING APRIL AS "FAIR HOUSING MONTH"

City Manager Mr. Sunny K. Philip explained that this proclamation is to bring awareness to people that the City has a non-discrimination policy on housing and that a notice is

also published in the La Feria News every year. Mayor Victor Gonzalez, Jr. read the proclamation. Commissioner John Hernandez moved to adopt the proclamation proclaiming April as "Fair Housing Month." Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW BID TABULATION FOR GLO UNIT 5 – TIO CANO WATERSHED IMPROVEMENTS PROJECT AND CONSIDER AND TAKE ACTION TO AWARD CONTRACT TO THE LOWEST AND MOST RESPONSIBLE QUALIFIED BIDDER

City Manager Mr. Sunny K. Philip explained that this is the northern portion of the work of the GLO Drainage Project and that it starts from Tio Cano. The bids received were as follows:

<u>Company</u>	<u>Bid Amount</u>
Texas Cordia Construction, LLC 3149-A Center Pointe Drive Edinburg, TX 78539 (956) 627-6181	\$ 999,996.20
Jimmy Closner & Sons Construction Co., Inc. P.O. Box 170 Mercedes, TX 78570 (956) 565-2688	\$1,033,389.30
The 5125 Company 1008 Doherty Mission, TX 78572 (956) 583-5125	\$1,166,666.66
Cornett Construction Co. P.O. Box 2048 San Benito, TX 78586 (956) 399-3743	\$1,279,497.60
CAS Companies, LP 3765 S. Alameda St., Ste.315 Corpus Christi, Texas 78411 (361) 334-0688	\$1,373,969.35
Foremost Paving, Inc. P.O. Box 29 Weslaco, TX 78596 (956) 316-8900	\$1,399,932.00
R.M. Walsdorf, Inc. 10155 Old State Hwy. 48 Brownsville, TX 78521 (956) 831-3984	\$1,881,628.02

The low bidder was Texas Cordia Construction, LLC in the amount of \$999,996.20. Mr. Philip said they are highly recommended by the engineers and others. Commissioner John Hernandez moved to award contract to the lowest and most responsible qualified bidder Texas Cordia Construction, LLC in the amount of \$999,996.20. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

REVIEW BID TABULATION FOR GLO SOUTHWEST DRAIN EXTENSION PROJECT AND CONSIDER AND TAKE ACTION TO AWARD CONTRACT TO THE LOWEST AND MOST RESPONSIBLE QUALIFIED BIDDER

City Manager Mr. Sunny K. Philip explained that this is another segment of the work under the GLO Drainage Project. He said that the bids came in over the budgeted amount for this segment of the work, but that Cameron County Drainage District #5 (CCDD#5) has issued a letter regarding the funding for the completion of the project. CCDD#5 requested that funding allocated to acquisition and special engineering totaling \$64,450.00 be reallocated to construction and that the cost of acquisition and special engineering would be borne by CCDD#5. The letter further states that, "This reallocation will result in a construction budget of \$830,373.00. The low bid for the project by Jimmy Closner & sons, a reputable competent contractor, being \$998,980.50, we hereby request that the award be given to Jimmy Closner & sons. Cameron County Drainage District #5 will bear the cost of the balance between the budget and the bid, \$168,607.50." City Attorney Mr. Richard S. Talbert reminded Mr. Philip and the City Commission that the City does have a Memorandum of Understanding with CCDD#5 which provides that the CCDD#5 is not responsible for acquisition or the cost above the budgeted amount, but it does provide that it is effective until there is a written agreement and the letter provided by the CCDD#5 is their written agreement to abide by the items identified in the letter. Mr. Talbert recommended to the Commission to award the contract and authorize City Manager Mr. Sunny K. Philip to execute an amendment to the MOU identifying the provisions on the CCDD#5 letter.

The bids received were:

<u>Company</u>	<u>Bid Amount</u>
Jimmy Closner & Sons Construction Co., Inc. P.O. Box 170 Mercedes, TX 78570 (956) 565-2688	\$ 998,980.50
Texas Cordia Construction, LLC 3149-A Center Pointe Drive Edinburg, TX 78539 (956) 627-6181	\$1,040,647.00
Zimmerman Construction Co., Inc. P.O. Box 366 Burnet, TX 78611 (512) 756-8499	\$1,113,182.46

Commissioner John Hernandez moved to award contract to the lowest and most responsible qualified bidder Jimmy Closner & Sons Construction Co., Inc. in the amount of \$998,980.50 contingent on the execution of an amendment to the existing Memorandum of Understanding (MOU) with the CCDD#5 and authorizing City Manager Mr. Sunny K. Philip to execute the MOU. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

MONTHLY FINANCIAL REPORTS FOR THE MONTHS OF JANUARY AND FEBRUARY 2014

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

There were no questions on the financial reports, so Mayor Victor Gonzalez, Jr. announced that the financial reports would be filed for audit.

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

Commissioner Lori Weaver moved to excuse Commissioner Angelica P. Baldivia's absence from this meeting due to out-of-town travel for work. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

PUBLIC COMMENTS

Mayor Victor Gonzalez, Jr. declared the public comments session open and acknowledged Mr. Jim Oates who spoke regarding some issues with his newly constructed home funded through the Texas Department of Housing and Community Affairs (TDHCA). Mayor Gonzalez explained to Mr. Oates that the City Commission cannot respond to any of the public comments, but he asked him to make an appointment with the City Manager to discuss the situation. No one else signed up to speak before the City Commission, so Mayor Gonzalez declared the public comment session closed.

ACTION FOR ADJOURNMENT

There being no further business to conduct, Commissioner John Betancourt moved to adjourn the meeting. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

ADJOURNMENT

Mayor Victor Gonzalez, Jr. adjourned the meeting at 6:56 P.M.

APPROVED:

Victor Gonzalez, Jr., Mayor

ATTEST:


Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 5:30 P.M. on May 24, 2014, as official record.


Olga Oberwetter, City Secretary

CITY COMMISSION REGULAR MEETING
AT THE
CITY COMMISSION MEETING ROOM
TUESDAY, APRIL 8, 2014, AT 6:30 PM

WELCOME
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	James Oakes	PO Box 1831	
2	Alan Moore	1423 Palis Dr.	
3	JUAN BERNAL		956-702-6165
4	Jennifer Elias	Sorkrestu lann	
5	Sharon Mungia	906 N. D st Harlingen, TX 79550	956-792-1589
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