

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, May 13, 2014**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, May 13, 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
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	Planning and Community Dev. Dir.
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 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 CONFIRM THE MINUTES OF PROCEEDINGS OF THE PREVIOUS REGULAR MEETING OF THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION (LFIDC) HELD ON THURSDAY, APRIL 3, 2014**

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, April 3, 2014. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO ACCEPT THE CITY OF LA FERIA COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013**

Mr. Robert Rodriguez from the accounting firm of Long Chilton LLP presented the City of La Feria Comprehensive Annual Report. He said Mr. Quentin Anderson was unable to attend tonight's meeting and sent his regrets. Mr. Rodriguez referenced the Independent Auditors' Report on Pages 21-25 which states in part, "In our opinion, the financial

statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of La Feria, Texas, as of September 30, 2013, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.” Mr. Rodriguez reviewed the report in detail. He said that the Management Discussion and Analysis portion of the report presents an overview of the activities that transpired during the year and is a summary of all the pages presented in the audit. The City has submitted this report to the Government Finance Officers Association for consideration for a Certificate of Achievement for Excellence in Financial Reporting for 2013 and if awarded, this will make the 10<sup>th</sup> year that the City has received such recognition. The Commission thanked Finance Director Ms. Maria Chavero for all her hard work, and they thanked Mr. Robert Rodriguez for his presentation of the report. Commissioner John Betancourt moved to accept the City of La Feria Comprehensive Annual Financial Report for the Fiscal Year ending September 30, 2013. 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 INTERLOCAL COOPERATION AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF LA FERIA FOR PARTICIPATION IN OPERATION STONEGARDEN FY 2013**

City Manager Mr. Sunny K. Philip reported that a copy of the agreement was included in the packet. He said that there are funds available through Cameron County for overtime pay for police officers through Operation Stonegarden. Commissioner John Hernandez moved to approve the Interlocal Cooperation Agreement between Cameron County and the City of La Feria for participation in Operation Stonegarden for FY 2013. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY AN ORDINANCE CLOSING CERTAIN STREETS ON MAY 18, 2014 FOR THE ST. FRANCIS CHURCH FESTIVAL**

City Manager Mr. Sunny K. Philip explained that St. Francis Xavier requested that certain sections of the streets adjacent to the church be closed for their church festival to be held on May 18, 2014. He reviewed the map attached to the request. Commissioner Lori Weaver moved to read Ordinance 2014-04 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 Ordinance 2014-04. After reading of the caption, Commissioner Angelica P. Baldivia moved to approve Ordinance 2014-04 closing certain streets on May 18, 2014 for the St. Francis Xavier Catholic Church Festival. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission.

**REVIEW THE BID TABULATION AND TAKE ACTION TO AWARD THE CONTRACT FOR THE CONSTRUCTION OF TWO (2) FEMA FUNDED COMMUNITY SAFE ROOMS INCLUDING PARKING LOT, SITE LIGHTING,**

**WALKWAYS, AND UTILITY CONNECTIONS TO THE LOWEST, MOST QUALIFIED AND RESPONSIBLE BIDDER**

City Manager Mr. Sunny K. Philip explained that the bids were opened some time ago (Tuesday, November 26, 2013) and the amount of funding available was not enough to award the contract. At that time, the City Commission approved a resolution authorizing staff to work with the Texas Division of Emergency Management to seek additional funding and they had to get approval from FEMA. The City has been notified verbally that the additional funding has been approved. This is for two domes, one on Main Street and one on Pancho Maples Drive.

There were two bids received for the La Feria Community Safe Rooms (domes). The bids were as follows:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
Texas Descon P.O. Box 3547 McAllen, TX 78502 (956) 682-1225	\$5,083,000.00
Highmark Construction 2016 S. 45 <sup>th</sup> Street McAllen, TX 78503 (956) 451-3274	\$5,565,000.00

The low bidder is Texas Descon and they have agreed to honor their bid. Mr. Philip said that the award is for a total of \$5,083,000.00. The bid for the dome on Main Street is \$2,783,000.00 and the bid for the dome on Pancho Maples Drive is \$2,300,000.00. Seventy-five percent (75%) of the funding will come from FEMA and twenty-five percent (25%) will be funded by the City of La Feria. The dome on Main Street will also be used as a Technology Center and the dome on Pancho Maples Drive will be used as a Wellness Center. The domes will be tornado rated. Commissioner Lori Weaver moved to award contract to the lowest, most qualified and responsible bidder Texas Descon in the amount of \$5,083,000.00 subject to receiving written confirmation of approval from FEMA for the additional funding. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO CANCEL AND RESCIND THE CONTRACT AWARD FOR VISION CONSTRUCTION COMPANY, INC. FOR THE CITY OF LA FERIA FIRE STATION EXPANSION AND FIRE SUBSTATION PROJECT AND AUTHORIZE ADVERTISEMENT AND REBIDDING OF THE PROJECT**

City Attorney Mr. Richard S. Talbert asked that the Commission consider going into Executive Session for consultation with the City Attorney concerning this item. Commissioner John Betancourt moved to go into Executive Session for consultation with the City Attorney. Commissioner Lori Weaver seconded the motion, and the motion carried by unanimous vote of the City Commission. Mayor Victor Gonzalez, Jr. declared the meeting in Executive Session at 7:03 P.M. After Executive Session deliberation, Mayor Victor Gonzalez, Jr. declared the meeting back in open session at 7:12 P.M.

Commissioner John Hernandez moved for the mutual rescission of the contract of Vision Construction Company, Inc. for the City of La Feria Fire Station Expansion and Fire Substation Project and to authorize the advertisement and rebidding of the project. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO ADOPT A PROCLAMATION OF THE CITY OF LA FERIA PROCLAIMING THE MONTH OF MAY AS MOTORCYCLE SAFETY AND AWARENESS MONTH**

Ms. Rosalie Marie Hernandez Davis was present as the spokesperson for the Christian Motorcyclists Association in support of the proclamation declaring the month of May as "Motorcycle Safety and Awareness Month." Ms. Davis spoke of the importance of making people aware that motorcyclists are on the highway and that vehicles need to be careful and respectful of their presence. Mayor Victor Gonzalez, Jr. read the proclamation. Commissioner John Betancourt moved to adopt the proclamation of the City of La Feria proclaiming the month of May as Motorcycle Safety and Awareness Month. Commissioner Angelica P. Baldivia seconded the motion, and the motion carried by unanimous vote of the City Commission. A brief pause in the meeting was taken to sign the proclamation in order to present it to the group that was present. Photographs of the group were taken.

**DISCUSSION REGARDING BID(S) RECEIVED ON THE FOLLOWING PROPERTY STRUCK OFF TO CAMERON COUNTY, FOR ITSELF AND OTHER TAXING JURISDICTIONS FROM A TAX RESALE CONDUCTED ON NOVEMBER 5, 2013. LEGAL DESCRIPTION: LOT 7, BLOCK 35, RALEIGH COURTS ADDITION, AN ADDITION TO THE CITY OF LA FERIA, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 1381, PAGE 155, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS (ACCT. NO. 29-7260-0350-0070-00)**

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

**DISCUSSION AND POSSIBLE ACTION ON THE RESOLUTION APPROVING THE BID(S) RECEIVED ON THE TAX RESALE CONDUCTED ON NOVEMBER 5, 2013 FOR THE ABOVE MENTIONED PROPERTY**

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

**DISCUSSION OF THE 100<sup>TH</sup> ANNIVERSARY OF THE INCORPORATION OF THE CITY OF LA FERIA AND SETTING THE DATE FOR THE OFFICIAL CELEBRATION OF THE EVENT**

City Manager Mr. Sunny K. Philip asked for input from the City Commission in regards to the 100<sup>th</sup> Anniversary of the incorporation of the City of La Feria. The Commission suggested a two-day event in conjunction with the Fiesta de La Feria. Commissioner Angelica P. Baldivia suggested that the School District be involved on a Friday and Saturday and to have some special program for children. Mayor Victor Gonzalez, Jr. suggested that a tour to the Tichenor Home be included. Commissioner John Betancourt suggested that artifacts be identified and displayed at a certain location so that people

could see the history of La Feria. He also recommended that the taste of La Feria be incorporated through the local restaurants. Another suggestion was a fly-by advertising the 100<sup>th</sup> anniversary. Commissioner John Hernandez suggested the history of the railroad depot. This item will be placed on the City Commission Agenda at various times throughout the year for future consideration. There was no action needed as a result of the discussion.

#### **MONTHLY FINANCIAL REPORTS FOR THE MONTH OF MARCH 2014**

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

The financial reports were not ready to present at this meeting. This item was tabled on a motion by Commissioner Lori Weaver and a second by Commissioner Angelica P. Baldivia. 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 Executive Session so this item was tabled on a motion by Commissioner Lori Weaver 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 Lori Weaver 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 Improvement Project**
- **Water and Wastewater Systems Improvements Project**
- **EDA Grant for Technology and Success Center**
- **Unger Park Improvement Project**
- **Trail Improvement Project**

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

- The drainage project is ongoing on Rabb Road and the Levee Project is coming along good. Pictures of the projects were included in the packet. Staff had a visit from the HMGP group, some from Austin and some from Houston. The City used its bus to take them to the different project locations. After the drainage work is done on Rabb Road, the contractor will work on paving the street from Business Hwy. 83 to Expressway 83. The pumps have been purchased, but the pump building is pending. On drainage there are two other areas, the Tío Cano areas (Phase I) has been advertised and awarded, and Phase II will be advertising

soon. Another section is the connection between Tio Cano and Santa Rosa which will be advertised next Wednesday.

- Water and Wastewater System Improvements – Cornet Construction is doing a good job. Currently, they are working on the east side of town.
- EDA Grant for Technology and Success Center – Staff is working with the architects for the design.
- Unger Park – Staff asked the architect for a cost estimate, and the cost seems to be less than anticipated.
- Trail Improvement Project – This has been approved by the State. Paula is working on identifying a qualified entity for archeology testing. Six hundred forty-six linear feet needs to be reviewed. The idea is to do this project in conjunction with the drainage project.

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

There was no action needed on this item.

**PUBLIC COMMENTS**

Mayor Victor Gonzalez, Jr. declared the public comments session open and acknowledged Mr. Jim Oates who asked where things stood about the issues with his newly constructed home funded through the Texas Department of Housing and Community Affairs (TDHCA). Mr. Oates said he received a call from Karen who informed him that the City would put a lien on his house if he didn't sign a document. City Manager Mr. Sunny K. Philip said he would put a report item on the agenda so that the Commission would be advised about Mr. Oates home. 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 Lori Weaver moved to adjourn the meeting. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

**ADJOURNMENT**

Mayor Victor Gonzalez, Jr. adjourned the meeting at 7:48 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 10:30 P.M. on May 24, 2014, as official record.



Olga Oberwetter, City Secretary





**CITY COMMISSION REGULAR MEETING**  
**AT THE**  
**CITY COMMISSION MEETING ROOM**  
**TUESDAY, MAY 13, 2014, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
1	James Oates	80	
2	Lorelei Carlson	4515 Graham Rd	423-4044
3	Dennis Carlson	4515 Graham Rd	423-4044
4	Bob Keen	25192 Pruitt Way	399-0691
5	Rosalie Davis	1634 Sun Crest	956-6402460
6	Brian Davis	" "	956-2025142
7	Debra Wilkes	800 State Hwy 495 78576	956-784-9823
8	AUDY SHODDIS	" "	956-783-8287
9	Sylvia Towne	P.O. Box 912 LaSalle	
10	Mandy West	P.O. Box 905 LaSalle	
11	Danny Anderson	Harlingen	
12	Kimberly Anderson	"	
13	Shan Murgis	La Feria News 102 S. Main	956-793-1589
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