

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, July 22, 2014**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, July 22, 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. Esmeralda Lozano	City Commissioner/Mayor Pro Tem
	Mr. John Hernandez	City Commissioner
	Mr. Julian Guevara, Jr.	City Commissioner
	Ms. Olga H. Maldonado	City Commissioner
Absent:	Mr. John Edward Betancourt	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 Victor Gonzalez, Jr. asked Commissioner Esmeralda Lozano to give the invocation. After the invocation, Mayor Gonzalez 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.

**PUBLIC COMMENTS**

Mayor Victor Gonzalez, Jr. declared the public comments session open and acknowledged Mrs. Delores Fuller who advised the Commission that the siren is not going off at night. She said that she checked with the Police Department and they said that the computer was not working or that the dispatcher was not pushing the button. Mrs. Fuller also reported that she had attended court on Wednesday and that she is still upset that drunk drivers are still getting PI (public intoxication). Her last comment was concerning the HUD homes and she asked that the Commission investigate the homes built by the City and the homes built by the Lower Rio Grande Valley Development Council (under the Disaster Recovery Program). Mrs. Fuller went off subject and Mayor Gonzalez reminded her to stay on topic. Mayor Gonzalez thanked her for her comments.

No one else signed up to speak before the City Commission, so Mayor Victor Gonzalez, Jr. declared the public comment session closed.

**REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, JULY 8, 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, July 8, 2014. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**PUBLIC HEARING TO RECEIVE INPUT AND COLLECT EVIDENCE ON THE REQUEST, PURSUANT TO LA FERIA CODE OF ORDINANCES, SECTION 4.04.005(C), BY ISAAC JAMES LOYA DBA THE HIDEOUT SPORTS PUB, FOR A SPECIFIC USE PERMIT, TO ALLOW THE LATE HOURS SALE OF ALCHOLIC BEVERAGES (UNTIL 2:00 A.M) SEVEN DAYS A WEEK AT 312 W. FIRST STREET, LA FERIA, TX.**

Mayor Victor Gonzalez, Jr. declared the public hearing open at 6:37 P.M. City Manager Mr. Sunny K. Philip explained that the notice of public hearing was published and the surrounding areas were notified. He said this location has received Specific Use Permits before under various vendors and that there have been no complaints from any of the residents in the surrounding area. Mr. Philip said staff was recommending approval, which action could be taken on the next item. There being no further comments, Mayor Victor Gonzalez, Jr. declared the public hearing closed at 6:39 P.M.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY THE REQUEST FOR A SPECIFIC USE PERMIT FOR ISAAC JAMES LOYA, DBA THE HIDEOUT SPORTS PUB LOCATED AT 312 W. FIRST STREET, LA FERIA, TX TO ALLOW THE LATE HOURS SALE OF ALCOHOLIC BEVERAGES UNTIL 2:00 A.M. SEVEN DAYS PER WEEK AND AUTHORIZE THE MAYOR TO EXECUTE THE SPECIFIC USE PERMIT ORDER**

Commissioner Esmeralda Lozano asked for clarification of Item C of the SUP on page 3 as to what constitutes a "substantial complaint." City Manager Mr. Sunny K. Philip responded that this would involve any complaint that would require the assistance of the Police Department and that the operator of the business would be given an opportunity to remedy the situation. If the complaints continued after that, the item would be brought back to the City Commission for their consideration and action. Mr. Philip also explained that Item C is in reference to a renewal only. The City Commission is the SUP granting authority. Mayor Victor Gonzalez, Jr. inquired of the owner whether he would have security any nights of the week. Mr. Isaac Loya said he would have security on Fridays and Saturdays contracted through Border Security. Commissioner Esmeralda Lozano moved to approve the request for a Specific Use Permit for Isaac James Loya, dba The Hideout Sports Pub located at 312 W. First Street, La Feria, TX to allow the late hours sale of alcoholic beverages until 2:00 A.M. seven days per week and authorize the Mayor to execute the Specific Use Permit order. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW BID TABULATION FOR THE REPLACEMENT OF AC LINE FROM THE WATER TREATMENT PLANT TO ELEVATED TOWER NO. 1, UNIT G, AND CONSIDER AND TAKE ACTION TO AWARD CONTRACT TO THE**

**LOWEST AND MOST QUALIFIED BIDDER CONTINGENT UPON REVIEW  
OF THE BIDDING DOCUMENTS AND APPROVAL BY TEXAS WATER  
DEVELOPMENT BOARD (TWDB)**

City Manager Mr. Sunny K. Philip referenced the recommendation letter from City Engineer Mr. Joe B. Winston and the bid tabulation for the project. The lowest bid was submitted by Cornett Construction Co. in the amount of \$882,667.36. The project is for replacing a 10" AC line with a 12" PVC line. Mr. Philip said that the Texas Water Development Board (TWDB) considered this a "Green" project since it is replacing asbestos cement lines and therefore the project was able to score higher. Mr. Philip added that Cornett Construction Co. is already working another project for the City, and they have done a good job. Seven contractors submitted bids which were opened on July 10, 2014 and the base bids received were as follows:

Cornett Construction Co. P.O. Box 2048 San Benito, TX 78586 Phone: (956) 399-3743	\$882,667.36
2GS, LLC P.O. Box 595 Penitas, TX 78576 Phone: (956) 424-3414	\$906,074.00
Mor Wil, LLC 808 S. Shary Rd., Suite E Mission, TX 78575 Phone: (956) 551-2055	\$918,353.00
DK III Hornback Enterprises, Ltd. 702 W. Exp. 83, Ste. 116 Weslaco, TX 78596 Phone: (956) 968-2829	\$919,004.04
Rojas Heavy Equipment, LLC dba Rojas Construction & Paving 240 Frontage Rd. Alamo, TX 78516 Phone: (956) 787-8778	\$1,248,921.00
Jimmy Closner & Sons P.O. Box 170 Mercedes, TX 78570 Phone: (956) 565-2688	\$1,399,625.00
Whitewater Construction, Inc. 6640 Old Mexia Rd. Waco, TX 76705 Phone: (254) 863-5750	\$2,088,340.00

Mr. Philip reviewed the project route on the map and explained the "Add Alternate" amount for Pipe Bursting listed on the bid tabulation which he said is not part of the

action item for tonight's meeting. Mr. Philip said that "Pipe Bursting" is a technology that is used in difficult areas whereby the contractor bursts the pipe and replaces the new pipe all underground. This was being considered due to the business Innovative Block of South Texas operating 24 hours a day. But Innovative Block has agreed that once the contractor digs up the site and replaces the line, Innovative Block will replace their own pavers at their own expense. Mayor Victor Gonzalez, Jr. said the Utilities Board considered this item and they are recommending to the City Commission to award the contract to Cornett Construction Co. of San Benito, Texas in the amount of \$882,667.36 as the lowest and most qualified bidder, contingent upon review of the bidding documents and approval by the Texas Water Development Board (TWDB). Mayor Gonzalez said that the City Engineer is also recommending the award to Cornett Construction Co. He said the only item he did not see on the bid is any provision for traffic control. City Manager Mr. Sunny K. Philip said that the contractor would be made aware of the need for traffic control. He said staff will verify whether it is already addressed in the specifications for the project. Commissioner John Hernandez moved to award contract for the AC line from the Water Treatment Plant to the elevated tower No. 1, Unit G, to the lowest and most qualified bidder Cornett Construction Co. in the amount of \$882,667.36, contingent upon review of the bidding documents and approval by the Texas Water Development Board (TWDB). Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**REVIEW PROPOSALS RECEIVED FOR AUDIT SERVICES AND CONSIDER SELECTION OF FIRM TO PROVIDE AUDIT SERVICES FOR THE NEXT FIVE YEARS**

City Manager Mr. Sunny K. Philip explained it is a State requirement that the City be audited by an independent auditing firm and that the State allows that the contract be for a period of up to five years. The selection that the Commission approved previously expired with the audit completed for last year. Mr. Philip said a notice of request for proposals was published in the newspaper and it was also posted on the City's Website and there was only one proposal submitted and that was from Long Chilton, LLP. Mr. Quentin Anderson from Long Chilton was present at the meeting. Mr. Philip said that since it is a professional service the Commission would be selecting the firm on qualifications. Mr. Philip said Long Chilton has done an excellent job in the past. Commissioner John Hernandez said they have been the City's accounting firm for many years. City Attorney Mr. Richard S. Talbert explained that the Commission would not be awarding a contract, but would be approving the firm of Long Chilton as the best proposal received and City Manager Mr. Sunny K. Philip will negotiate the fee. Mayor Victor Gonzalez, Jr. inquired about the negotiated fee and whether it would contain a certain percentage increase per year. Mr. Philip said there is no set percentage because of the nature of the different projects and the amount charged is on the amount of time required for the auditors to review the materials. Mr. Quentin Anderson added that their firm charges on the amount of time required to provide the services to the City and that the different projects such as the \$15 million water and sewer project has a lot of activity right now, but eventually the project will be completed and then the time requirement would be less for the following years. There being no other questions, Commissioner Olga H. Maldonado moved to select Long Chilton, LLP as the firm to provide audit services for the next five years. Commissioner Esmeralda Lozano seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY A RESOLUTION RE-APPOINTING COMMISSIONER JOHN HERNANDEZ AND MAYOR VICTOR GONZALEZ, JR. TO THE LA FERIA ECONOMIC DEVELOPMENT CORPORATION, INC. (LFEDC)**

City Manager Mr. Sunny K. Philip explained that the terms of Commissioner John Hernandez and Mayor Victor Gonzalez, Jr. expired on September 30, 2013 and this appointment is for a two year term. Commissioner Julian Guevara, Jr. moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner Olga H. Maldonado 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 2014-19. After reading of the caption, City Commissioner Esmeralda Lozano moved to approve Resolution 2014-19 re-appointing Commissioner John Hernandez and Mayor Victor Gonzalez, Jr. to the La Feria Economic Development Corporation, Inc. (LFEDC). Commissioner Olga H. Maldonado seconded the motion, and 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 SPECIFYING THE TYPE OF VEHICULAR TRAFFIC PERMITTED ON PANCHO MAPLES DRIVE, ESTABLISHING A PENALTY, AUTHORIZING THE INSTALLATION OF SIGNAGE, AND ESTABLISHING AN EFFECTIVE DATE**

City Manager Mr. Sunny K. Philip said this item was not ready for action tonight, but he wanted to bring the discussion to the City Commission. He discussed that there is a lot of activity in the area of Pancho Maples Drive from FM 506 to Rabb Road due to the school, the sports complex, and the recreation center. There will also be a new wellness center completed next to the recreation center soon and the purpose of this ordinance was to highlight the need for safety in the area. This ordinance will be brought back at the next meeting. Mayor Victor Gonzalez, Jr. inquired about the speed limit on Pancho Maples Drive. Mr. Philip said it is 30 mph except during the school year in the school zone which is 20. Mayor Gonzalez said maybe dropping the speed limit to 20 mph at all times would be the best way to go. More discussion followed regarding the speed limit and the street being designated as a commuter street to move the traffic and what effect the reduction of speed to 20 miles per hour would have on moving the traffic. Mayor Victor Gonzalez, Jr. requested that along with the ordinance presented at the next meeting that staff attach a sketch or map designating where the signage would be placed. Commissioner Olga H. Maldonado moved to table this item. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

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

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

Finance Director Ms. Maria Chavero reviewed the financial reports for the month of June 2014 with the City Commission. Ms. Chavero reviewed the Budget vs. Actual Report reviewing the monthly and the year-to-date figures for the month. She then reviewed the City Investment Report, the Current Year Tax Collection Report, the Delinquent Tax Collection Report, the Court Fines Collection Report and the City Sales and Use Tax Comparison Report. After review and all questions answered, Mayor Victor Gonzalez, Jr. announced that the reports would be filed for audit.

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

- **Update on Drainage Improvement Project**
- **Water and Wastewater Systems Improvements Project**
- **Status of Dome Construction Project**
- **Ground Breaking Ceremony for Safe rooms (domes) August 15, 2014**

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

- Staff had a lengthy discussion about the drainage project at a previous meeting, and staff has been moving along with those projects. The La Feria Irrigation District Board has given permission for the City to utilize the Wilson Canal. At the previous meeting, there was also discussion about the Kelly Drive drainage improvements and the drainage improvements on portion of Rabb Road on the south side of the Expressway. One additional item being looked at is north of Barrington Heights where there is a drain ditch going east. In analyzing the area, staff found that there was quite a bit of water bottlenecked there during Hurricane Dolly, but since it is outside the Environmental Zone for the GLO drainage project, staff is asking the GLO to expand that Buffer Zone to include the drain ditch.
- Water and Wastewater System Improvements – The Commission just awarded the contract to Cornett Construction for the replacement of the AC line. There are several packages being developed and submitted to the TWDB for review. Some projects are being prioritized due to the grant money time running out.
- Dome Projects – The contractor is moving along. At the last meeting there was a discussion about a presentation to the Commission about the domes. The City is planning a Ground Breaking Ceremony next to the La Feria Recreation Center on August 15, 2014 and staff will ask the dome technology people to come and make a presentation.
- Staff presented some pictures of the Levee Crossing Project.

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

Commissioner John Hernandez moved to approve Commissioner John Betancourt's absence from this meeting. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

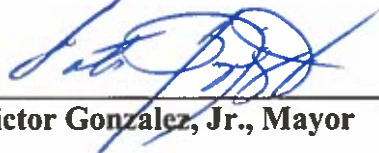
**ACTION FOR ADJOURNMENT**

There being no further business to conduct, Commissioner Olga H. Maldonado moved to adjourn the meeting. Commissioner Julian Guevara, Jr. seconded the motion, and the motion carried by unanimous vote of the City Commissioners present.

**ADJOURNMENT**

Mayor Victor Gonzalez, Jr. adjourned the meeting at 7:55 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 7:30 P.M. on August 9, 2014, as official record.

  
**Olga Oberwetter, City Secretary**





**CITY COMMISSION REGULAR MEETING**  
**AT THE**  
**CITY COMMISSION MEETING ROOM**  
**TUESDAY, JULY 22, 2014, AT 6:30 PM**

WELCOME  
PLEASE SIGN IN

	<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>HOME/WORK PHONE NO.</u>
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