

**MINUTES OF PROCEEDINGS
CITY COMMISSION
Tuesday, April 12, 2016**

Be it known that the City of La Feria City Commission met in Regular Meeting on **Tuesday, April 12, 2016 at 6:30 PM** in the City Commission Meeting Room, 115 E. Commercial Avenue, La Feria, TX 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.

DETERMINE QUORUM PRESENT AND CALL MEETING TO ORDER - MAYOR

Mayor Gonzalez declared a quorum present and called the meeting to order.

Attendee Name	Title	Status	Arrived
John Betancourt	Commissioner Position 1	Absent	
John Hernandez	Commissioner Position 2	Present	
Olga H. Maldonado	Commissioner Position 3	Present	
Julian Guevara Jr.	Commissioner Position 4	Present	
Esmeralda Lozano	Mayor Pro-Tem/Commissioner Position 5	Present	
Victor Gonzalez Jr.	Mayor	Present	

STAFF MEMBERS PRESENT

The following Staff members were present at said meeting:

Mr. Sunny K. Philip, City Manager
 Mr. Richard S. Talbert, City Attorney
 Ms. Paula Rodriguez, Planning and Community Development Director
 Ms. Kin Mendoza, Finance Director
 Ms. Esmeralda Sanchez, City Secretary

PUBLIC COMMENTS

Mayor Gonzalez opened the public comments session. Ms. Delores Fuller of 1000 S. Chelo Drive, La Feria addressed the Commission regarding the municipal court and police department. Ms. Fuller discussed a recent experience in court where a woman was brought into court still drunk and informed the Commission that even the Judge was mad because a person appeared in court drunk. She indicated she notified Sheriff Lucio by letter. Ms. Fuller feels the police have to lie about drunk driving. She discussed several incidents and feels that the police are forced to issue Public Intoxication. Ms. Fuller wants to do something about drunk drivers and believes the Commission are the bosses and that Sunny is not at fault for what happens in this City.

There being no other comments, Mayor Gonzalez closed the public comments session.

REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, JANUARY 26, 2016.

The minutes were provided to the Commission for review. A motion was made, seconded, and passed as noted to approve the minutes of the proceedings of the regular meeting of the City Commission held on Tuesday, January 26, 2016.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Hernandez, Commissioner Position 2
SECONDER:	Julian Guevara Jr., Commissioner Position 4
AYES:	Hernandez, Maldonado, Guevara Jr., Lozano
ABSENT:	Betancourt

REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, FEBRUARY 9, 2016.

The minutes were provided to the Commission for review. A motion was made, seconded, and passed as noted to approve the minutes of the proceedings of the regular meeting of the City Commission held on Tuesday, February 9, 2016.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Julian Guevara Jr., Commissioner Position 4
SECONDER:	Olga H. Maldonado, Commissioner Position 3
AYES:	Hernandez, Maldonado, Guevara Jr., Lozano
ABSENT:	Betancourt

REVIEW AND TAKE ACTION TO APPROVE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, FEBRUARY 23, 2016.

A motion was made, seconded, and passed as noted to table the minutes of the proceedings of the regular meeting of the City Commission held on Tuesday, February 23, 2016.

RESULT:	TABLED [UNANIMOUS]	Next: 4/26/2016 6:30 PM
MOVER:	John Hernandez, Commissioner Position 2	
SECONDER:	Olga H. Maldonado, Commissioner Position 3	
AYES:	Hernandez, Maldonado, Guevara Jr., Lozano	
ABSENT:	Betancourt	

CONSIDER AND TAKE ACTION TO APPROVE PROCLAMATION PROCLAIMING APRIL 2016 AS FAIR HOUSING MONTH IN LA FERIA.

A proclamation declaring April 2016 as "Fair Housing Month" in the City of La Feria was read by Mayor Pro-Tem Lozano. A motion was made, seconded, and passed to approve the Proclamation as noted.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
SECONDER:	Olga H. Maldonado, Commissioner Position 3
AYES:	Hernandez, Maldonado, Guevara Jr., Lozano
ABSENT:	Betancourt

REVIEW AND APPROVE INTERLOCAL AGREEMENT WITH THE TOWN OF COMBES AND THE CITY OF LOS INDIOS TO FURNISH COMMUNITY HEALTH WORKERS TO OFFER CLASSES RELATED TO HEALTH AND WELLNESS AT FACILITIES OWNED BY THE CITY OF LA FERIA.

The City was approached by the City of Combes about an opportunity to offer health and wellness classes in La Feria through a grant funded by The University of Texas Health Science Center, School of Public Health. The program currently offers health and wellness classes through Community Health Workers in Combes and Los Indios. The classes will be offered at no cost to the City. As part of the class participation, subject to consent, the community health worker will collect certain information to offer health information to participants and measure the effectiveness of the program. A copy of the Interlocal Agreement was provided to the Commission. Mr. Philip reviewed the highlights of the Interlocal Agreement with the Commission and indicated the program is a good idea and the premise for the Wellness Center/Safe Room on Pancho Maples.

This particular program will only offer classes and some level of screening through the end of the current funding cycle in August 2016. However there may be an opportunity to work with the UTRGV Medical School in the future to provide health services as a result of a recent visit from a delegation from UTRGV Medical School.

Participating in the existing program with Combes and Los Indios is a start for future health and wellness programming in La Feria and it will bring great results for the Community. The Community Health Worker will be responsible for identifying and carrying out the best form of outreach for the programs offered in La Feria.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Olga H. Maldonado, Commissioner Position 3
SECONDER:	Julian Guevara Jr., Commissioner Position 4
AYES:	Hernandez, Maldonado, Guevara Jr., Lozano
ABSENT:	Betancourt

REVIEW PROPOSALS RECEIVED AND SELECT THE MOST QUALIFIED FIRM AND AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PARKER ROAD ELEVATED WATER STORAGE TANK REHABILITATION PROJECT, FUNDED BY THE TEXAS DEPARTMENT OF AGRICULTURE, TXCDBG PROGRAM.

The City received Texas Community Development Block Grant (TxCDBG) funds for improvements to the elevated water tank on Parker Road. The City issued a request for

qualifications (RFQ) for engineering services. Due to specialized requirements, the RFQ included wording for specialization in tank rehabilitation. The overhead tank has been on site for more than 40 years. Mr. Philip passed around the core sample taken when Corpro Industries installed the Cathodic Protection. Although the tank is 40 years old it is in good shape. This indicates the City has been good in keeping up with maintenance. Tanks can last up to 100 years if well maintained. The elevated tank Industry has changed with dedicated specialists involved in the projects. TCEQ now requires annual inspection including tank, water quality, and accumulated sediment. We go through the inspection process as required. Specialized paint used now can also extend the lifetime of a tank by 15 years if done properly with a skirt around it to prevent paint affecting area around.

A copy of the scoring sheet, RFQ and responses from five engineering firms were provided to the Commission. Of the five firms responding, the two most experienced firms with tank rehabilitation were Tank Industry and Dunham Engineering.

The categories of the scoring sheet were reviewed. While all the respondents had tank experience, two firms stood out in regards to tank rehabilitation. The RFQ requested a discussion of the proposed approach to address the rehabilitation. Both Tank Industry and Dunham provided extensive detail about the approach, attributed to their experience. References were submitted in each RFQ response. The highest ranking firm was Dunham Engineering. This firm has an office in Alamo. The person responsible for climbing the tank and ensuring the quality of the workmanship is Brad McCrae who is based out of the Alamo office. Mr. McCrae is familiar with our elevated tank and has done work in La Feria previously with his father's company prior to joining Dunham Engineering. Mr. Joe Winston, P.E. of Sigler Winston Greenwood is also part of the Dunham Engineering team as a subcontractor. The selected firm will provide the professional liability insurance.

Following discussion, a motion was made, seconded, and approved as noted selecting Dunham Engineering to perform engineering services for the elevated water storage tank rehabilitation project funded by TxCDBG funds.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Olga H. Maldonado, Commissioner Position 3
SECONDER:	John Hernandez, Commissioner Position 2
AYES:	Hernandez, Maldonado, Guevara Jr., Lozano
ABSENT:	Betancourt

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/LEASE/SALE/DONATION OF REAL ESTATE BY THE LA FERIA INDUSTRIAL DEVELOPMENT CORPORATION/THE LA FERIA ECONOMIC DEVELOPMENT CORPORATION/CITY OF LA FERIA; SECTION 551.087 TO DISCUSS ECONOMIC DEVELOPMENT NEGOTIATIONS; SECTION 551.074 TO DISCUSS PERSONNEL; SECTION 551.074 TO DISCUSS THE DUTIES AND RESPONSIBILITIES OF THE CITY MANAGER.

Mayor Gonzalez declared the meeting in Executive Session at 7:00 PM.

Mayor Gonzalez declared the meeting back in open session at 8:01 PM.

RESULT: NO ACTION REQUIRED

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

As a result of Executive (closed) Session, two motions were required. The result box indicating "no action required" applies to an overall vote resulting from executive session, which was not required for this meeting. The required action must be addressed as individual motions defined below with respective result boxes.

RESULT: NO ACTION REQUIRED

MOTION TO CONFIRM LEASE AGREEMENT WITH OUR LADY OF THE LAKE UNIVERSITY

As a result of Executive Session deliberations, a motion to confirm the lease agreement with Our Lady of the Lake University was made, seconded, and approved as noted.

RESULT: APPROVED [UNANIMOUS]
MOVER: Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
SECONDER: Olga H. Maldonado, Commissioner Position 3
AYES: Hernandez, Maldonado, Guevara Jr., Lozano
ABSENT: Betancourt

MOTION TO CONFIRM EXECUTION OF DEVELOPMENT AGREEMENT WITH CARDENAS ENTERPRISES, INC.

As a result of Executive (closed) Session, a motion was made, seconded, and approved to confirm execution of the development agreement with Cardenas Enterprises, Inc. as noted.

RESULT: APPROVED [UNANIMOUS]
MOVER: Julian Guevara Jr., Commissioner Position 4
SECONDER: Olga H. Maldonado, Commissioner Position 3
AYES: Hernandez, Maldonado, Guevara Jr., Lozano
ABSENT: Betancourt

REVIEW AND DISCUSS LA FERIA POLICE DEPARTMENT RACIAL PROFILING AUDIT REPORT.

The annual racial profiling audit was presented by Investigator Isidro Delgado. A copy of the report was presented to the Commission. Investigator Delgado reviewed the annual summary. A total of 1,490 Citations and 444 warrants. Of the citations, the breakdown per ethnicity was reported as follows: 4 African-American, 4 Asian, 82 Caucasian, 1,397 Hispanic, and 3 Middle Eastern. The report was reported to TCOLE as a Tier 1 via internet. La FERIA Police Department

did not receive any racial complaints. The report was submitted by Investigator Delgado prior to the deadline of March 1, 2016. The ethnicities listed on the report are those that are set up on the report and not manipulated by the reporting police department. Following discussion of the numbers and clarification of ethnicities on the report, a motion to file the report for audit was made, seconded, and approved as noted.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
SECONDER:	Olga H. Maldonado, Commissioner Position 3
AYES:	Hernandez, Maldonado, Guevara Jr., Lozano
ABSENT:	Betancourt

REPORTS BY STAFF AND DISCUSSION WITH CITY COMMISSION.

- Drainage Improvement Projects
- Water/Wastewater Improvement Projects
- Carmen Tinajero Memorial Tiny Town Park Rededication & Sign Unveiling
- Texas Parks & Wildlife Department Site Visit

Mr. Philip reported on the following:

Texas Parks and Wildlife Department approved a grant to the City in amount of \$500,000 for the Sports Complex. A representative visited the new site and the other parks they have funded in La Feria and was very pleased with the maintenance of each facility. They consider their observations of the parks when reviewing future applications.

The rededication of Tiny Town Park for Carmen Tinajero is scheduled for Saturday, April 30, 2016. A copy of the proposed sign was distributed to the Commission. The sign will be placed around one of the Pillars of Character upon which the park was developed. The sign will be placed at the top of one of pillars under the canopy so it is visible from Main Street and facing the Library. A second item is a sign to be unveiled which addresses Ms. Tinajero's reflection of the Pillars of Character. . The signs will be made of a thick gauge aluminum and will last about 7-10 years. Mayor Gonzalez voiced the suggestion from Commissioner Hernandez to revise the wording on the sign to read Carmen Tinajero-Tiny Town Memorial Park

Water and Wastewater Improvement Projects

Two contractors are currently working, JM Construction on the West Side and Saenz Brothers on the south and east part of the City. JM Construction is waiting on delivery of materials including specific manholes which the City requires to prevent infiltration of ground water. Mayor Gonzalez inquired about work on North Beddoes Road. Additional work will depend upon the bid received for the last of the sewer projects.

Drainage Improvement Projects were reviewed using Google Maps on the screen.

During the last heavy rain, the homes on the west side of Celina Ochoa were affected by flooding. Drainage pipes will be installed to help alleviate the threat of flooding on this street. Limited funding will not allow for installation of curb and gutter at this time.

The project to install pumps and new pipes to move water either North or south out of the Tio Cano. This project and the generator installed to power the pumps in an emergency allows several options to drain this area. A crossing was also improved just south of the pumps at Palis Drive to prevent a bottleneck. To the south there is a structure east of White Ranch road that leads to a considerable drop moving water to a natural ditch and ultimately to the to move water in to the natural ditch out to the Arroyo. As part of the work with the LFID we were planning to raise the banks along the Wilson Canal all the way to Tio Cano, however with all of the other improvements currently underway there is no need to raise the banks after all. This will help in reducing the overall project costs since the additional HMGP money has not come through. The completed drainage improvements and work currently underway are funded with \$18 million from GLO and \$2 million from HMGP.

After the recent nine inch rain in La Feria, observation of full drainage ditches known as AN-47 01 and 02 may need improvements since it is narrow. This is a critical area which drains a portion of the City. We are looking at funds to determine if these improvements can be accomplished. Crossing improvements to date on the east side of town include 7x7 boxes on Beddoes and Kansas City Roads as well as the opening of the Evans/Wilson Crossing south of town on the AN-47 ditch. We have limited funds and several projects to accomplish. This can be accomplished by value engineering the remaining projects and working with the La Feria Irrigation District (LFID) to help them financially while keeping within the project budget. This can be accomplished through the following:

Looking at Wilson Canal north of Expressway 83, you can see one concrete lined canal and a second concrete lined canal. When LFID was in financial trouble last year, the idea was to help them by working with them on the drainage projects. The funding agency agreed to allow us to work with LFID to pay personnel and equipment costs. This allowed LFID to purchase equipment and pay personnel which otherwise would have been awarded to a contractor. The cost for lining the proposed concrete canal is \$1 million. After further review of the project and discussion with SWG and LFID, the proposed lined concrete canal did not bring additional benefit and can be eliminated from the Wilson Canal project. The canal will be built as an earthen canal with clay on bottom and sides well compacted. An earthen canal is easier for the Irrigation District to maintain and it is cheaper to build. The proposed concrete lined canal was to be accomplished through a contract with Morwil. Deleting this work is approximately a reduction of \$1 million which will allow them to accomplish the work proposed as part of the remaining drainage project along Beddoes to alleviate the Rancho Blanco area. The work to alleviate Rancho Blanco is designed to drain towards the west into a borrow pit using a combination of pipe and earthen canal, taking it south along Beddoes to the ditch north of expressway. The estimated right of way along Beddoes Road is approximately 40'.

Proposed crossings to complete the drainage work include alleviating Rabb Road to Parker Street area north of the expressway. The crossings include 60" pipes at the Main Canal, Rabb Road, a 10x 5 box at Canal Road and at Parker Road. The savings from the Wilson project may allow completion of these crossings which will strategically achieve much needed drainage improvements. As a result of the drainage projects, the City has also been able to achieve approximately \$7 million in street improvements. Completion of these projects has been the

easiest task working with LFID to address the City's issues. It is important to visit the project sites and there is a possibility of establishing a drainage.

La Feria's exposure in the media after Hurricane Dolly would not attract any business to the City. Although much of the severe flooding was outside the City, it was identified as La Feria. Through these efforts, many of the issues have been resolved with drainage improvements that now help with economic development. The work completed to date is not the end of the work. We can achieve the economic development through efforts outlined in the comprehensive plan. Mayor Gonzalez inquired about new topographical information including all the current improvements. It's a lot of work, and Sigler Winston Greenwood has accomplished a massive undertaking designing multiple projects. For the contingency plan are there other topo shots being taken to plan for future projects. Following Hurricane Dolly the City hired ESPY consultants that worked with a local firm to provide information for drainage projects that led to the currently funded projects. The plan is to have SWG provide plans and elevations of where the water is going. Engineering cost for the current projects was approximately \$1 million at the time of the award plus a substantial amount of work that went into establishing the plan before there were funds available. SWG designed the current Morwil project however with the design changes being proposed for the AN-47 and Morwil projects, SWG will not be paid any more for the redesign.

In the event that a major hurricane affects the area, we have evaluated the volume of water moving south and do not want to contribute to Harlingen's flooding. This is being considered in future planning. Some people have commented that the City will need to pay for using their waterways to move water in the event of a storm; we will have to address that if a storm hits. The City has had discussions with IBWC since after Hurricane Alex they put water in the North floodway. If they put more water in the flood way than what they did in Alex it would have flooded Harlingen. Hidalgo County has plans to bring more water from the Delta area to dump into the Arroyo. We have notified the Cameron County and the Drainage District about being careful with the plans to bring more water to this area. Before signing off on the project, they need to ensure they have a pump system like ours on Orange Grove Road to address a situation in which the floodway is closed, the plans should not be approved. Hidalgo County has funds available through a bond issue, but hopefully county engineers and the drainage district will be cautious about the project. Other than complicating issues on the west side of town, we should not have any trouble. The IBWC has control of flooding us out, not because of what we do but because of what Hidalgo County may do. We will need to assure that the new County Commissioner Gus Ruiz is aware of the situation as well as remind the County, IBWC, the Drainage District, and Harlingen.

RESULT:	NO ACTION REQUIRED
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CONSIDER AND TAKE POSSIBLE ACTION ON ATTENDANCE STATUS OF MAYOR AND/OR COMMISSIONERS.

A motion to excuse the absence of Commissioner John Betancourt was made, seconded, and approved as noted.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
SECONDER:	Olga H. Maldonado, Commissioner Position 3
AYES:	Hernandez, Maldonado, Guevara Jr., Lozano
ABSENT:	Betancourt

ACTION FOR ADJOURNMENT

A motion to adjourn the meeting was made, seconded, and approved as noted.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Esmeralda Lozano, Mayor Pro-Tem/Commissioner Position 5
SECONDER:	Olga H. Maldonado, Commissioner Position 3
AYES:	Hernandez, Maldonado, Guevara Jr., Lozano
ABSENT:	Betancourt

ADJOURNMENT

Mayor Gonzalez declared the meeting adjourned at 8:49 PM.

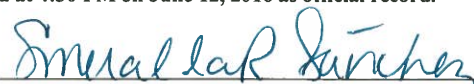
APPROVED:


 Victor Gonzalez, Jr., Mayor

ATTEST:


 Esmeralda R. Sánchez, City Secretary

These minutes were prepared and filed with the City of La Feria at 4:30 PM on June 12, 2016 as official record.


 Esmeralda R. Sánchez, City Secretary