

**MINUTES OF PROCEEDINGS  
CITY COMMISSION  
Tuesday, June 9, 2015**

Be it known that the City of La Feria City Commission met in regular session on **Tuesday, June 9, 2015, 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 Edward Betancourt	City Commissioner
Mr. John Hernandez	City Commissioner
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. Kin Mendoza	Assistant Finance Director
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 Olga H. Maldonado to give 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.

**PUBLIC COMMENTS**

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

**REVIEW AND TAKE ACTION TO APPROVE THE MINUTES OF PROCEEDINGS OF THE REGULAR MEETING OF THE CITY COMMISSION HELD ON TUESDAY, MAY 26, 2015**

The minutes were not ready for consideration at this meeting, so Commissioner Esmeralda Lozano moved to table this item. Commissioner John Betancourt seconded the motion, and the motion carried by unanimous vote of the City Commission.

**WORKSHOP REGARDING PROCUREMENT LAWS AND PROCEDURES FOR BIDDING OUT AND ACCEPTING BIDS, AND LAW REQUIREMENT FOR CONTRACT AWARD**

City Manager Mr. Sunny K. Philip referenced The State of Texas Procurement Manual and the TML Texas Municipal Procurement Laws Made Easy publications that were provided to the City Commission in their packages and asked the City Commission to keep the two publications as reference materials. Mr. Philip then reviewed the procurement procedures followed by the City of La Feria in detail. He asked Mr. John Percy from the architect firm of Megamorphosis to explain the bonding requirements. Mr. Percy introduced himself and discussed the set of plans and specs that are provided to all contractors who are interested in bidding on any of the projects that the City of La Feria advertises. Mr. Percy explained that the plans and specs give the contractors all the information about the project and all requirements that must be submitted with their bid. He explained that the Bid Bond is to protect the City if the contractor that is selected decides not to honor the bid. The contractor has the option to include a Bid Bond or a cashier's check in the amount of 5%. He also explained that the Payment and Performance Bonds are not received until after the contract has been awarded to the successful bidder. The Payment Bond assures that the subcontractors are paid for work that they do for the general contractor and the Performance Bond ensures that if the contractor cannot complete the project, that there is another option to complete the work. Mr. Randy Winston with the engineering firm of Sigler, Winston, Greenwood & Associates said that when a project is bid out and the City receives a good number of bidders and all the bids are pretty much aligned, it is a good indication of how good the plans and specs were developed. He also said that the specifications for any project are mostly dictated by the funding agency for that project. The funding agency will require certain items be met in order for the City to be in compliance with the grant terms. Mr. Winston said that if the contractor cannot produce the Payment and Performance Bonds required for the project, the City would have to reject the bid and award the bid to the next highest bidder. There was much more discussion on this item. Mr. Philip stated that engineers and architects distribute the plans through Associated General Contractors and through other websites to generate interest from contractors. There was no action needed as a result of this workshop.

**REVIEW BID TABULATION AND CONSIDER AND TAKE ACTION TO AWARD CONTRACT TO THE LOWEST MOST QUALIFIED AND RESPONSIBLE BIDDER FOR THE UNGER PARK PROJECT**

City Manager Mr. Sunny K. Philip said that this item was tabled at the last meeting so that a workshop could be held on the procurement process utilized by the City of La Feria. He also discussed some of the history on the project as was requested by Commissioner Esmeralda Lozano. Mr. Philip explained that the project began in 2012, and that the Texas Parks and Wildlife Department (TPWD) is providing funding in the amount of \$100,000. The City of La Feria is matching that amount. Mr. Philip reviewed the scoring items that were necessary to design into the park for the City's grant application to score high and said that the uniqueness of the "Orange" theme for the park and the fact that a water activity, as well as activities for the adults such as a horseshoe game and shuffleboard gave the City a better opportunity of getting funded by TPWD. Mr. Philip explained that when an application is submitted for funding, the TPWD will review the City's Park Master Plan and if the items in the park design are included in the Master Plan and are listed as a priority on the Master Plan, they will score the application

higher. Mr. Philip said when the application for Unger Park was submitted there were approximately 30 applications submitted for funding to the TPWD and the City of La Feria scored in the top 10 and that is why the City received funding. Mr. Philip then reported that there were six bids received in response to the City's advertisement for bids and the low bidder was Northridge Designs, LLC in the amount of \$242,465.84 and completion in 80 days and the next low bidder was Rivmor General Contractors, LLC in the amount of \$328,000.00 and completion in 150 days. Mr. Philip asked Mr. John Percy to report on his other reference checks for Northridge Designs, LLC. Mr. Percy reported that Northridge Designs was the contractor for the Valley Baptist Dorms and that his contact at Valley Baptist had glowing remarks as to the quality of the work done. Mr. John Percy asked the contractor if he would have a full time project manager at the project site and Mr. Eliud Garcia, principal of Northridge Designs answered in the affirmative and said it would be Ruben Gonzalez or Robert Chavez. Commissioner John Betancourt moved to award contract to the lowest most qualified and responsible bidder Northridge Designs, LLC for the Unger Park Project in the amount of \$242,465.84 subject to Northridge Designs providing the necessary bonds. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commission.

**REVIEW BID TABULATION AND CONSIDER AND TAKE ACTION TO AWARD CONTRACT TO THE LOWEST MOST QUALIFIED AND RESPONSIBLE BIDDER FOR THE FIRE DEPARTMENT EXPANSION AND SUBSTATION PROJECT**

City Manager Mr. Sunny K. Philip said that this item requires a bit of discussion as it was previously bid and awarded to a contractor, but the funding never materialized and the contractor could not hold the prices in their bid. The bid award was cancelled. The project was re-advertised for bids and bids were opened on June 2, 2015. Mr. Philip said the funding for this facility was included in the 2015 Certificates of Obligation Series 2015. There were nine bids received and the bids are as follows:

<b>Company</b>	<b>Base Bid</b>
JCON Construction 604 Palmview Drive Mission, TX 78574 Phone: (956) 580-9997	\$1,012,500.00
Tri-Gen Construction, LLC 509 East Pike Blvd., Ste. A Weslaco, TX 78596 Phone: (956) 447-1048	\$1,089,950.00
Rigney Construction & Development 7011 N. seminary Road Edinburg, TX 78541 Phone: (956) 638-6421	\$1,150,000.00
Via Calx, Inc.	\$1,151,000.00

2020 E. Expressway 83  
Mercedes, Texas 78570  
Phone: (956) 565-4637

Scoggins Construction Co., Inc. 17862 Graham Rd. Harlingen, Texas 78552 Phone: (956) 421-3558	\$1,200,000.00
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Alpha Building Corporation 222 E. Van Buren, Ste. 503 Harlingen, Texas 78550 Phone: (956) 622-3242	\$1,210,000.00
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Ziwa Corporation 1952 S. Price Road Brownsville, TX 78521 Phone: (956) 542-8167	\$1,373,000.00
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CAS Companies, LP 5402 S. Expressway 83 Harlingen, TX 78552 Phone: (956) 216-8200	\$1,388,000.00
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Holchemont, Ltd. 900 N. Main St. McAllen, TX 78501 Phone: (956) 686-2901	\$1,647,000.00
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The lowest bid was submitted by JCON Construction Company in the amount of \$1,012,500. Mr. John Percy reported on his review of references and then asked the contractor if he would also have a full time project manager on site. JCON will have a full time project manager on site. Staff recommended award of contract to the lowest most qualified and responsible bidder JCON Construction Company. Commissioner John Betancourt moved to award the contract to the lowest most qualified and responsible bidder JCON in the amount of \$1,012,500.00 for the La Feria Fire Department Expansion and Substation Project with the understanding that the contract will be in accordance with the requirements of the law and the bid specifications. Commissioner John Hernandez seconded the motion, and the motion carried by unanimous vote of the City Commission.

**REVIEW BID TABULATION AND CONSIDER AND TAKE ACTION TO APPROVE  
RESOLUTION TO AWARD CONTRACT TO THE LOWEST MOST QUALIFIED AND  
RESPONSIBLE BIDDER FOR THE HOME PROJECT 1001916 FOR THE  
CONSTRUCTION OF FOUR (4) HOMES**

Mr. Philip explained that under the HOME Program the Housing and Urban Development (HUD) allows some money to go to the State which is then made available to the small cities.



Larger cities get money directly from HUD and not through the State. Assistant Finance Director Ms. Kin Mendoza is the go between person between Mr. Philip, the consultant, the homeowners and the State on this program. Mr. Philip reported that a lady whose home burned down submitted an application and she was one of the first to get funding. The City advertises the program and the applicants bring their documents and a selection process begins. Mr. Philip said that the City then has to go through an environmental clearance. Mr. Philip said getting funding under this program is almost like winning a lottery. He also said that the City works with John Percy for the design of the homes and with Karen Segal, consultant with Langford Community Management, on this project. The City advertised for bids for construction of four homes and two bids were received. They were as follows:

<u>Company</u>	<u>Base Bid</u>
J.W. Turner 14215 Mary Jane Tomball, TX 77377	\$329,348.00
Northridge Designs, LLC 119 W. Van Buren, Ste. 103 Harlingen, TX 78550 Phone: (956) 536-1471	\$374,644.74

The HOME Program requires that award of contract be done by resolution and staff recommended award of contract to J.W. Turner in the amount of \$329,348.00. Commissioner John Betancourt moved to read the resolution by caption only, in lieu of reading it in its entirety. Commissioner Julian Guevara, Jr. 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 2015-07. After reading of the caption, Commissioner Julian Guevara, Jr. moved to approve Resolution 2015-07 awarding the contract for the Home Project 1001916 for the construction of four (4) homes to the lowest most qualified and responsible bidder J. W. Turner in the amount of \$329,348.00. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commission.

#### **WORKSHOP REGARDING PROPOSED CRAFT TRAINING CENTER IN LA FERIA**

Mayor Victor Gonzalez, Jr. introduced Ms. Petra Reyna, owner of The Reyna Network, and the consultant with the City on this project. Ms. Reyna said the City held a meeting here at La Feria City Hall last week regarding the creation of a craft training center, and the attendance was amazing. She thanked Commissioner Esmeralda Lozano who suggested that Ms. Reyna contact Region I, and she said they were very gracious. Ms. Reyna said that she enjoys working with the City of La Feria and that she is currently managing the Revolving Loan Fund Program for the City and in the past has prepared applications for funding through EDA and has been successful.

City Manager Mr. Sunny K. Philip discussed that some of the elected officials and staff had an opportunity to visit the Craft Center in Corpus Christi. Then the City invited Dr. Michael Sandroussi, Ed. D, President of the Craft Training Center of the Coastal Bend to the meeting here in La Feria to share his experiences. Mr. Philip reviewed a drawing of the area that would

be used for the development of the Craft Training Center in La Feria. He also referred to other materials provided to the City Commission, as well as the copy of the Power Point presentation entitled, "Preparing a Young Skilled Work Force for Industry." Mr. Philip said that Dr. Sandroussi had suggested that the La Feria Craft Center could operate under their umbrella until such time as the La Feria Craft Center could be self-sustaining.

(Mayor Victor Gonzalez, Jr. had to leave the meeting during the workshop discussion at 8:20 P.M. Mayor Pro-Tem Esmeralda Lozano took over the presiding duties.)

Mayor Pro-Tem Lozano gave a brief summary of Dr. Sandroussi's presentation. The Craft Training Center provides skilled training, structure and self-pride in students.

There was no action needed as a result of this workshop.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY CONTRACT BETWEEN THE CITY OF LA FERIA AND THE REYNA NETWORK, LLC TO PREPARE AND SUBMIT A REDLG APPLICATION TO MAGIC VALLEY ELECTRIC COOP FOR FUNDING IN SUPPORT OF THE CONSTRUCTION OF A CRAFT CENTER TRAINING FACILITY**

City Manager Mr. Sunny K. Philip said that the copy of the proposed contract was included in the Commission's package. Commissioner John Hernandez moved to approve the contract between the City of La Feria and The Reyna Network, LLC to prepare and submit a REDLG application to Magic Valley Electric Coop for funding in support of the construction of a Craft Center Training Facility. Commissioner Olga H. Maldonado seconded the motion, and the motion carried by unanimous vote of the City Commission.

**CONSIDER AND TAKE ACTION TO APPROVE OR DENY CONTRACT BETWEEN THE CITY OF LA FERIA AND THE REYNA NETWORK, LLC TO PREPARE AND SUBMIT A REDLG APPLICATION TO VTX COOP FOR FUNDING IN SUPPORT OF THE CONSTRUCTION OF A CRAFT CENTER TRAINING FACILITY**

City Manager Mr. Sunny K. Philip said that the copy of the proposed contract was included in the Commission's package. Commissioner Olga H. Maldonado moved to approve the contract between the City of La Feria and The Reyna Network, LLC to prepare and submit a REDLG application to VTX Coop for funding in support of the construction of a Craft Center Training Facility. Commissioner Julian Guevara, Jr. seconded the motion, and 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/THE LA FERIA ECONOMIC DEVELOPMENT CORPORATION/CITY OF LA FERIA; SECTION 551.074-PERSONNEL, DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE CITY MANAGER; SECTION 551.074-PERSONNEL, DISCUSSION REGARDING PERSONNEL; AND SECTION 551.087 TO DISCUSS ECONOMIC DEVELOPMENT NEGOTIATIONS**

Mayor Pro Tem Esmeralda Lozano declared the meeting in executive session at 8:44 P.M. After executive session, Mayor Pro Tem Esmeralda Lozano declared the meeting back in open session at 9:31 P.M.

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

There was no action taken 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 on the following:

- Drainage Improvements – All projects are moving along okay. One project is advertised for bids. Finalizing the agreement with the Irrigation District.
- Water and Wastewater Systems Improvements – Waiting on clearance from the Texas Water Development Board on two contracts, one to build a lift station and the other to extend the water line from Rabb Road to the County Line.
- What is left to be done is a major project to build 2 lift stations and extend the water and sewer lines to Bixby and Kubiski Road. That has been submitted to the TWDB.
- The Safe Rooms – The contractor is working on finishing the project. Need a parking area for the Dome on South Main.

Commissioner John Hernandez reported that there is a stench coming out of a manhole on South Parker Road.

Mayor Pro-Tem Esmeralda Lozano said her water smells like rotten eggs.

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

There was no action needed on this item.

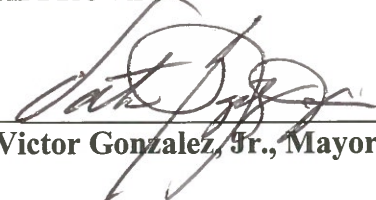
**ACTION FOR ADJOURNMENT**

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 Commission.

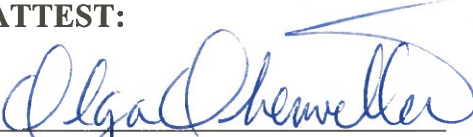
**ADJOURNMENT**

Mayor Pro Tem Esmeralda Lozano adjourned the meeting at 9:50 P.M.

**APPROVED:**

  
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 Victor Gonzalez, Jr., Mayor

ATTEST:

  
Olga Oberwetter, City Secretary

These minutes were prepared and filed with the City of La Feria at 9:10 A.M. on July 10, 2015, as official record.

  
Olga Oberwetter, City Secretary