

City Council

520 E Ocean Blvd.

Regular Meeting

Los Fresnos, TX 78566

<http://citylf.cloudaccess.net/en/>

~ Minutes ~

Tuesday, February 11, 2020

6:00 PM

City Hall

Agenda

- A. Call meeting to order

Mayor Narvaez called the meeting to order at 6:00 p.m.

- B. Invocation and Pledge of Allegiance

Visitors remarks-To speak you must sign in with the City Secretary prior to the meeting you have a limit of 3 minutes to speak.

Mayor Narvaez advised the board there were three individuals the signed up to speak. He explained that Manuel Abrego would like to speak at the time the agenda item came up for discussion.

Mr. Patrick Anderson informed the council and audience on the Active Plan, Andy Bowie proposal for development and the National Environmental Policy Act. Mayor Narvaez thanked Mr. Anderson for the information.

Mr. Ramon Ortiz introduced Judge Gonzalez and gave the council a brief biography about her.

Oath of Office

Oath of OfficeNo Action

Judge Gonzalez gave the Oath of Office to Ramon "Ray" Ortiz as elected Member of Council Place 4.

Mr. Ortiz thanked Judge Gonzalez.

made a motion to approve Oath of Office, seconded by the vote was .

Presentation

Presentation of Certificate of Achievement for Excellence Financial Reporting.No Action

Mayor Narvaez explained to the council that the city has received the award a few years in a row. He read out the award and congratulated the city on the achievement.

made a motion to approve Presentation of Certificate of Achievement for Excellence Financial Reporting., seconded by the vote was .

Consent Agenda

Mayor Narvaez asked the council if they had any comments or concerns on the consent agenda. There were none. He asked Mr. Abrego who signed up to speak if he was ready.

Mr. Abrego explained that the CDC approved funding to replace the plants in the planters and lights along Hwy 100. He thanked the CDC and council for supporting the project. He suggested adding additional planters and lighting throughout the city and adding outlets for other lighting.

Consideration and ACTION to approve the minutes from January 14, 2020.Adopted

Motion was made and seconded to approve the minutes from January 14, 2020.

James Herrera made a motion to approve Consideration and ACTION to approve the minutes from January 14, 2020., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to approve the Quarterly Investment Portfolio Report ended as of December 31, 2019.Adopted

Motion was made and seconded to approve the Quarterly Investment Portfolio Report ended as of December 31, 2019.

James Herrera made a motion to approve Consideration and ACTION to approve the Quarterly Investment Portfolio Report ended as of December 31, 2019., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consider action to approve a contract amendment with Hanson Professional Services for Construction Testing done in conjunction with the Wastewater Treatment Plant Sludge Project UpgradeAdopted

Motion was made and seconded to approve a contract amendment with Hanson Professional Services for Construction Testing done in conjunction with the Wastewater Treatment Plant Sludge Project Upgrade.

James Herrera made a motion to approve Consider action to approve a contract amendment with Hanson Professional Services for Construction Testing done in conjunction with the Wastewater Treatment Plant Sludge Project Upgrade, seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to approve a budget amendment for the Police Department.Adopted

Motion was made and seconded to approve a budget amendment for the Police Department.

James Herrera made a motion to approve Consideration and ACTION to approve a budget amendment for the Police Department., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to approve a budget amendment for the LFCDC High Demand Job Training Program.Adopted

Motion was made and seconded to approve a budget amendment for the LFCDC High Demand Job Training Program.

James Herrera made a motion to approve Consideration and ACTION to approve a budget amendment for the LFCDC High Demand Job Training Program., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to approve the action of the LFCDC to fund replacing the fence on the Little League Baseball Field.Adopted

Motion was made and seconded to approve the action of the LFCDC to fund replacing the fence on the Little League Baseball Field.

James Herrera made a motion to approve Consideration and ACTION to approve the action of the LFCDC to fund replacing the fence on the Little League Baseball Field., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to approve the action of the LFCDC for the funding to update the planters along Hwy 100.Adopted

Motion was made and seconded to approve the action of the LFCDC for the funding to update the planters along Hwy 100.

James Herrera made a motion to approve Consideration and ACTION to approve the action of the LFCDC for the funding to update the planters along Hwy 100., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to approve the action of the LFCDC for the funding to replace lighting next to the planters along Hwy 100.Adopted

Motion was made and seconded to approve the action of the LFCDC for the funding to replace lighting next to the planters along Hwy 100.

James Herrera made a motion to approve Consideration and ACTION to approve the action of the LFCDC for the funding to replace lighting next to the planters along Hwy 100., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to approve the action of the LFCDC for the funding for phase 1 of the butterfly and birding areas at the Los Fresnos Nature Park.Adopted

Motion was made and seconded to approve the action of the LFCDC for the funding for phase 1 of the butterfly and birding areas at the Los Fresnos Nature Park.

James Herrera made a motion to approve Consideration and ACTION to approve the action of the LFCDC for the funding for phase 1 of the butterfly and birding areas at the Los Fresnos Nature Park., seconded by Yolanda H. Cruz the vote was [Unanimous].

Action Items

Consideration and ACTION to update the Visitor Remarks Public Participation Form and policy.Adopted

Mayor Narvaez felt this is something the city needs.

Mr. Milum suggested to approve the proposed policy and at the next meeting do some updates that he has come across and feels are important or just wait and approve it all at once. He felt 3 minutes is not enough and suggested to extend the time period to speak to 5 minutes. He explained why he recommended the 5 minute change. Mr. Milum explained that he did not address wording decorum and language that is used.

Mr. Milum and the council discussed the proposed changes. They agreed to extend the time allowed to speak to 5 minutes, removing the sentence that read. The presiding officer may, but is not required to, allow additional time to a speaker and add No exceptions on the 5 minute limit

Motion was made and seconded to approve the updating the Visitors Remarks Public Participation Form and policy with the changes discussed,

Andres Lopez made a motion to approve Consideration and ACTION to update the Visitor Remarks Public Participation Form and policy., seconded by James Herrera the vote was [Unanimous].

Consideration and ACTION to approve the Los Fresnos Police Department 2019 Racial Profiling Report. Adopted

Mr. Milum explained there was a glitch in the Incode system where it showed an incorrect total on the arrest count. He explained Incode is working on resolving the error. Once Incode resolves the issue the report would be back on the agenda for the council to review he asked the council approve the report subject to the correction.

Mr. Milum let the council know Hector Gonzalez, the Police Chief was present to answer questions.

Chief Gonzalez and Mr. Milum answered questions for the council and discussed the report.

Motion was made and seconded to approve the Los Fresnos Police Department 2019 Racial Profiling Report subject to the corrections.

Andres Lopez made a motion to approve Consideration and ACTION to approve the Los Fresnos Police Department 2019 Racial Profiling Report., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve additional work for the 2019 Street Improvement Project. Adopted

Mr. Milum informed the council that Paolina Vega and Rick Riggins with Hanson Professionals were present to answer any questions on the project. Mr. Milum explained that as the project began there are some additional curbs, some driveway entries and gutters that are problematic and needed to be addressed to help prevent problems with drainage in the future. The total amount of the additional work would be \$12,066.04.

Mr. Riggins and Mr. Milum answered questions for the board.

Motion was made and seconded to approve additional work for the 2019 Street Improvement Project in the amount of \$12,066.04.

James Herrera made a motion to approve Consideration and ACTION to approve additional work for the 2019 Street Improvement Project., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consider action to approve engineering services for drainage of Resaca Escondida (Detention area between East Resaca Drive and the Nature Park).Adopted

Mr. Milum explained the project to the council, where it was located and how it would possibly be funded.

Mr. Milum and Mr. Riggins answered questions for the council and discussed the proposed project.

Motion was made and seconded to approve engineering services for drainage of Resaca Escondida (Detention area between East Resaca Drive and the Nature Park).

Andres Lopez made a motion to approve Consider action to approve engineering services for drainage of Resaca Escondida (Detention area between East Resaca Drive and the Nature Park)., seconded by Polo Narvaez the vote was [Unanimous].

Acknowledgement of City Manager's Report

City Manager Report A. Wastewater Update B. Water Update C. Nature Park D. Hike & Bike Trails E. CDBG Disaster Grant F. Henderson Road Project G. Street Project H. Census Committee I. Update Planning & Zoning Ordinance J. Drainage Update K. 75 Year Anniversary CelebrationAdopted

Mr. Milum explained he had an item for the Hike & Bike Trail he would discuss in closed session. He reported the 2019 Street Project was coming along very well, the Henderson Road project is currently on hold pending pricing on the piping that needs to be installed under the roadway.

The council had no questions for Mr. Milum.

Motion was made and seconded to acknowledge the City Manager's Report.

Polo Narvaez made a motion to approve City Manager Report A. Wastewater Update B. Water Update C. Nature Park D. Hike & Bike Trails E. CDBG Disaster Grant F. Henderson Road Project G. Street Project H. Census Committee I. Update Planning & Zoning Ordinance J. Drainage Update K. 75 Year Anniversary Celebration, seconded by James Herrera the vote was [Unanimous].

Acknowledgement of Department Head Reports

Mayor Narvaez asked the council if they had any questions on the Department Head Reports. There were none.

Financial Report 1. Monthly 2. Year to Date 3. Sales TaxAdopted

Motion was made and seconded to acknowledge the Financial Report.

Polo Narvaez made a motion to approve Financial Report 1. Monthly 2. Year to Date 3. Sales Tax, seconded by Andres Lopez the vote was [Unanimous].

Public Works Report 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits 4. RecyclingAdopted

Motion was made and seconded to acknowledge the Public Works Report.

Polo Narvaez made a motion to approve Public Works Report 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits 4. Recycling, seconded by Andres Lopez the vote was [Unanimous].

Police Department 1. Arrests 2. Incidents 3. AccidentsAdopted

Motion was made and seconded to acknowledge the Police Department Report.

Polo Narvaez made a motion to approve Police Department 1. Arrests 2. Incidents 3. Accidents, seconded by Andres Lopez the vote was [Unanimous].

Municipal Court 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge the Municipal Court Report.

Polo Narvaez made a motion to approve Municipal Court 1. Monthly Report, seconded by Andres Lopez the vote was [Unanimous].

Library Report 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge the Library Report.

Polo Narvaez made a motion to approve Library Report 1. Monthly Report, seconded by Andres Lopez the vote was [Unanimous].

Fire Marshal's Report 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge the Fire Marshal's Report.

Polo Narvaez made a motion to approve Fire Marshal's Report 1. Monthly Report, seconded by Andres Lopez the vote was [Unanimous].

Closed Session - Deliberation pursuant to Section 551.072 & 551.074 Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following.

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Closed Session -Deliberation pursuant to Sections 551.072 & 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding: A. The purchase, exchange, lease, or value of real property. B. Employment and duties of the IT Director.No Action

Mayor Narvaez recessed the meeting at 6:57 p.m. for closed session.

made a motion to approve Closed Session -Deliberation pursuant to Sections 551.072 & 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding: A. The purchase, exchange, lease, or value of real property. B. Employment and duties of the IT Director., seconded by the vote was .

Open Session – Deliberation and possible action regarding the following:

Open Session - Deliberation pursuant to Sections 551.072 & 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding: A. The purchase, exchange, lease, or value of real property. B. Employment and duties of the IT Director.Adopted

Mayor Narvaez opened the meeting at 7:39 p.m.

Motion was made and seconded to authorize City Manager, Mark W. Milum to negotiate the purchase as discussed of the property on Retama Street.

Yolanda H. Cruz made a motion to approve Open Session - Deliberation pursuant to Sections 551.072 & 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding: A. The purchase, exchange, lease, or value of real property. B. Employment and duties of the IT Director., seconded by Andres Lopez the vote was [Unanimous].

Open Session - Deliberation pursuant to Sections 551.072 & 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding: A. The purchase, exchange, lease, or value of real property. B. Employment and duties of the IT Director.Adopted

Motion was made and seconded to allow City Manager, Mark W. Milum to comply with the new wage & hour law regarding the IT Director.

James Herrera made a motion to approve Open Session - Deliberation pursuant to Sections 551.072 & 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding: A. The purchase, exchange, lease, or value of real property. B. Employment and duties of the IT Director., seconded by Juan Munoz the vote was [Unanimous].

L. Adjournment

Mayor Narvaez closed the meeting at 7:42 p.m.

Presiding Officer of the Council

Recorder