

City Council

520 E Ocean Blvd.

Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

Tuesday, March 10, 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

Mark Milum gave the invocation and led the audience of the pledge of allegiance.

Visitors remarks-To speak you must sign in with the City Secretary prior to the meeting. You have a limit of 5 minutes to speak.

Manuel Abrego signed up to speak. Mr. Abrego commented that the city sky boxes at the Los Fresnos Rodeo were not used on Sunday. He suggested the city use the boxes to set it aside for guest to help promote the city with businesses, elected officials from County and surrounding towns. He appreciates the support the city has for the rodeo.

Public Hearing

Public hearing to receive comments from property owners on a request concerning the rezoning of Espiritu Santo Grant 12-69.91 Acres of 76.11 TR V-1 & TRX-1 Property ID 161935 from R-1 Single Family to AG Agricultural District.No Action

Mayor Narvaez open the public hearing at 6:06 p.m.

A member in the audience asked where the property was located. Mr. Milum explained the location.

Mayor Narvaez closed the public hearing at 6:07 p.m.

made a motion to approve Public hearing to receive comments from property owners on a request concerning the rezoning of Espiritu Santo Grant 12-69.91 Acres of 76.11 TR V-1 & TRX-1 Property ID 161935 from R-1 Single Family to AG Agricultural District., seconded by the vote was .

Public hearing to receive comments from the public concerning an appeal on the Planning and Zoning Commission's denial of a request for a conditional use permit to allow a duplex to locate at 311 W 1st Street.No Action

Mayor Narvaez opened the public hearing at 6:08 p.m.

Manuel Abrego felt if the individual was going to improve the property it will not hurt the community.

Mayor Narvaez closed the public hearing at 6:12 p.m.

made a motion to approve Public hearing to receive comments from the public concerning an appeal on the Planning and Zoning Commission's denial of a request for a conditional use permit to allow a duplex to locate at 311 W 1st Street., seconded by the vote was .

Consent Agenda

Mayor Narvaez asked the council if they had any questions or concerns on the consent agenda.

There were none.

Consideration and ACTION to approve the minutes from February 11, 2020.Adopted

Motion was made and seconded to approve the minutes from February 11, 2020.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the minutes from February 11, 2020., seconded by Andres Lopez the vote was [Unanimous].

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

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

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

Consideration and ACTION to approve a final plat for Ulloa-Reyna Subdivision.Adopted

Motion was made and seconded to approve a final plat for Ulloa-Reyna Subdivision.

Polo Narvaez made a motion to approve Consideration and ACTION to approve a final plat for Ulloa-Reyna Subdivision., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve a Proclamation declaring April 12- 18, 2020 as National Public Safety Telecommunicator's Week in the City of Los Fresnos.Adopted

Motion was made and seconded to a approve a Proclamation declaring April 12-18, 2020 as National Public Safety Telecommunication's Week in the City of Los Fresnos.

Polo Narvaez made a motion to approve Consideration and ACTION to approve a Proclamation declaring April 12- 18, 2020 as National Public Safety Telecommunicator's Week in the City of Los Fresnos., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve a Proclamation declaring April as Fair Housing Month in the City of Los Fresnos.Adopted

Motion was made and seconded to approve a Proclamation declaring April as Fair Housing Month in the City of Los Frensos.

Polo Narvaez made a motion to approve Consideration and ACTION to approve a Proclamation declaring April as Fair Housing Month in the City of Los Fresnos., seconded by Andres Lopez the vote was [Unanimous].

Discuss, consider and adopt resolution to designate authorized signators for the 2019 Texas CDBG program contract 7219249.Adopted

Motion was made and seconded to adopt a resolution to designate authorized signators for the 2019 Texas CDBG program contract 7219249.

Polo Narvaez made a motion to approve Discuss, consider and adopt resolution to designate authorized signators for the 2019 Texas CDBG program contract 7219249., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve Resolution 4-2020 supporting proposed rule 3.334 that will provide clarity for cities and local government entities of all sizes to receive the local tax revenue from online purchases to which they are entitled.Adopted

Motion was made and seconded to approve Resolution 4-2020 supporting proposed rule 3.334 that will provide clarity for cities and local government entities of all sizes to receive the local tax revenue from online purchases to which they are entitled.

Polo Narvaez made a motion to approve Consideration and ACTION to approve Resolution 4-2020 supporting proposed rule 3.334 that will provide clarity for cities and local government entities of all sizes to receive the local tax revenue from online purchases to which they are entitled., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve an Interlocal Cooperation Contract with Texas Department of Public Safety and the City of Los Fresnos for the Failure to Appear Program.Adopted

Motion was made and seconded to approve an Interlocal Cooperation Contract with Texas Department of Public Safety and the City of Los Fresnos for the Failure to Appear Program.

Polo Narvaez made a motion to approve Consideration and ACTION to approve an Interlocal Cooperation Contract with Texas Department of Public Safety and the City of Los Fresnos for the Failure to Appear Program., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve Resolution 1-2020 for the submission of a grant application for the City of Los Fresnos to the office of the Governor for the Local Border Security Program .Adopted

Motion was made and seconded to approve a Resolution 1-2020 for the submission of a grant application for the City of Los Fresnos to the office of the Governor for the Local Border Security Program.

Polo Narvaez made a motion to approve Consideration and ACTION to approve Resolution 1-2020 for the submission of a grant application for the City of Los Fresnos to the office of the Governor for the Local Border Security Program ., seconded by Andres Lopez the vote was [Unanimous].

Action Items

Consideration and ACTION to approve the first reading of Ordinance 508 to re-zone Espiritu Santo grant share 12 69.91 ACS out of 76.11 TR V-1 & TRX 1 in the City of Los Fresnos, Texas from r-1 single family district to ag agricultural district amending the official zoning map to reflect the new zoning; and providing an effective date for the implementation of this ordinance.Adopted

Mr. Milum explained the location of the property. He gave a brief summary on the history of the property.

Mr. Milum answered questions for the council and discussed the property's zone change.

Motion was made and seconded to approve the first reading of Ordinance 508 to re-zone Espiritu Santo grant share 12 69.91 ACS out of 76.11 TR V-1 & TRX 1 in the City of Los Fresnos, Texas from r-1 single family district to AG agricultural district amending the official zoning map to reflect the new zoning; and providing an effective date for the implementation of this ordinance.

James Herrera made a motion to approve Consideration and ACTION to approve the first reading of Ordinance 508 to re-zone Espiritu Santo grant share 12 69.91 ACS out of 76.11 TR V-1 & TRX 1 in the City of Los Fresnos, Texas from r-1 single family district to ag agricultural district amending the official zoning map to reflect the new zoning; and providing an effective date for the implementation of this ordinance., seconded by Ray Ortiz the vote was [Unanimous].

Consideration and ACTION to appeal the Planning and Zoning Commission's denial of a request for a conditional use permit to build a duplex at 311 W 1st Street.Adopted

Mr. Milum explained the request was denied after a long discussion by the Planning & Zoning Commission.

Mr. Milum and the council discussed the request.

Motion was made and seconded to approve the appeal of the Planning and Zoning Commission's denial of a request for a conditional use permit to build a duplex at 311 W 1st Street.

James Herrera made a motion to approve Consideration and ACTION to appeal the Planning and Zoning Commission's denial of a request for a conditional use permit to build a duplex at 311 W 1st Street., seconded by Ray Ortiz the vote was [5 to 1].

Consideration and approval of a resolution with respect to the Texas Water Development Board Clean Water State Revolving Fund relating to establishing the city's intention to

reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the city for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date.Adopted

Mr. Milum explained the resolution would allow the city to begin the process of advertising for bids and limited work that can be done in advance so the city is ready to proceed once the funding is in place.

Motion was made and seconded to approve a resolution with respect to the Texas Water Development Board Clean Water State Revolving Fund relating to establishing the city's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the city for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date.

James Herrera made a motion to approve Consideration and approval of a resolution with respect to the Texas Water Development Board Clean Water State Revolving Fund relating to establishing the city's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the city for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date., seconded by Andres Lopez the vote was [Unanimous].

Consideration and approval of a resolution with respect to the Texas Water Development Board Drinking Water State Revolving Fund relating to establishing the city's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the city for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date.Adopted

Mr. Milum explained the resolution was the same as the previous on Clean Water except it is for the Drinking Water.

Motion was made and seconded to approve a resolution with respect to the Texas Water Development Board Drinking Water State Revolving Fund relating to establishing the city's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the city for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date.

Polo Narvaez made a motion to approve Consideration and approval of a resolution with respect to the Texas Water Development Board Drinking Water State Revolving Fund relating to establishing the city's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the city for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve Ordinance 509 an ordinance amending the code of ordinance of the city of Los Fresnos, Chapter 42, Article I, section 42-6 speed limits, said code is hereby amended by changing the speed limits; providing for a penalty not to exceed \$500.00 for any violation thereof; providing for an effective date; providing for publication; providing for severability and ordaining other provisions related to the subject matter hereof.Adopted

Mr. Milum explained TxDot conducted a speed survey on the west side of the City. He explained the results of the speed survey results and the recommendations made by TxDot to the council. Mr. Milum answered questions for the board.

Motion was made and seconded to approve Ordinance 509 an ordinance amending the code of ordinance of the city of Los Fresnos, Chapter 42, Article I, section 42-6 speed limits, said code is hereby amended by changing the speed limits; providing for a penalty not to exceed \$500.00 for any violation thereof; providing for an effective date; providing for publication; providing for severability and ordaining other provisions related to the subject matter hereof.

Ray Ortiz made a motion to approve Consideration and ACTION to approve Ordinance 509 an ordinance amending the code of ordinance of the city of Los Fresnos, Chapter 42, Article I, section 42-6 speed limits, said code is hereby amended by changing the speed limits; providing for a penalty not to exceed \$500.00 for any violation thereof; providing for an effective date; providing for publication; providing for severability and ordaining other provisions related to the subject matter hereof., seconded by Andres Lopez the vote was [Unanimous].

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

Mr. Milum explained that the changes made to the form were in red. He explained each change to the council.

Mr. Milum and the council discussed the form. Mayor Narvaez suggested the form be translated. Mr. Milum agreed.

Motion was made and seconded to approve the update to the Visitor Remarks Public Participation Form and policy.

Ray Ortiz 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 on the selection of Mayor Pro-tem for a one-year term.Adopted

Council member Ray Ortiz suggested the position be filled by seniority in office.

Motion was made and seconded to select Council Member Yolanda Cruz as Mayor Pro-tem for a one-year term.

Ray Ortiz made a motion to approve Consideration and ACTION on the selection of Mayor Pro-tem for a one-year term., seconded by Andres Lopez 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 Celebration Adopted**

Mr. Milum informed the council that he sent them an email explaining that the University of Texas Health Science which funds the community health program cancelled all classes effective immediately due to the COVID-19.

Mr. Milum reported that easement with Holiday RV park was agreed on last month for the Hike & Bike Trails. The project will go out for bids once Texas Water Development Board approves it. The city applied for CDBG Disaster grant for drainage and street improvements. The drainage was not approved but the paving was. The funds will help pave East 10th street and part of Whipple Road. Mr. Milum reported the Henderson Rd. project would begin that day. The Street Project had been completed and encouraged the council to go out and look at the streets. Mr. Milum listed items the Los Fresnos Census Committee was doing to get residents to complete the questionnaire. Mr. Milum completed his report with an update on drainage project and the outcome of the first 75th Anniversary Celebration Committee Meeting.

Motion was made and seconded to acknowledge the City Manager 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 Andres Lopez the vote was [Unanimous].

Acknowledgement of Department Head Reports

Mayor Narvaez asked if the council had any questions on the Department Head Reports.

Council Member Andy Lopez explained he noticed the Police Report listed 11 immigrants detained. He asked if the Police Department catch someone trafficking or what was the nature of it. He explained he knows that when there is a traffic stop the officer is not suppose to ask if they are legal. Mr. Milum explained that other agencies detain individuals and are held at the Los Fresnos Jail and the officers do not ask individuals of their legal status when they are stopped. Mr. Milum explained the agreement the city has with Homeland Security.

Financial Report 1. Monthly 2. Year to Date 3. Sales Tax Adopted

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 James Herrera the vote was [Unanimous].

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

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 James Herrera the vote was [Unanimous].

Police Department 1. Arrests 2. Incidents 3. Accidents**Adopted**

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 James Herrera the vote was [Unanimous].

Municipal Court 1. Monthly Report**Adopted**

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 James Herrera the vote was [Unanimous].

Library Report 1. Monthly Report**Adopted**

Motion was made and seconded to acknowledge the Library Report.

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

Fire Marshal's Report 1. Monthly Report**Adopted**

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 James Herrera the vote was [Unanimous].

I. Adjournment

Mayor Narvaez closed the meeting at 7:02 p.m.

Presiding Officer of the Council

Recorder