

City Council

200 North Brazil

Los Fresnos, TX 78566

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

Regular Meeting

~ Minutes ~

Tuesday, March 12, 2019

6:00 PM

City Hall

Agenda

1. Call meeting to order
Mayor Narvaez called the meeting to order at 6:00 p.m.
2. Invocation and Pledge of Allegiance
Mr. Milum gave the innovation and led the audience on the Pledge of Allegiance.

Consent Agenda

Consideration and ACTION to approve the minutes from February 12, 2019.Adopted

Motion was made and seconded to approve the minutes from February 12, 2019.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the minutes from February 12, 2019., seconded by Swain Real the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 498-amending chapter 28, "Nuisances", section 28-25 "Weeds and Vegetation" by adding the establishing fees and regulations for lot mowing work performed by the city.Adopted

Motion was made and seconded to approve the second reading of Ordinance 498-amending chapter 28, "Nuisances", section 28-25 "Weeds and Vegetation" by adding the establishing fees and regulations for lot mowing work performed by the city.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 498-amending chapter 28, "Nuisances", section 28-25 "Weeds and Vegetation" by adding the establishing fees and regulations for lot mowing work performed by the city., seconded by Swain Real the vote was [Unanimous].

Consideration and ACTION to approve the first reading of Ordinance 499, Chapter 34 of Code of Ordinances regulating solid waste services.Adopted

Motion was made and seconded to approve the first reading of Ordinance 499, Chapter 34 of Code of Ordinances regulating solid waste services.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the first reading of Ordinance 499, Chapter 34 of Code of Ordinances regulating solid waste services., seconded by Swain Real the vote was [Unanimous].

Consideration and ACTION to approve the first reading of Ordinance 500, Chapter 44 of Code of Ordinances regulating water and wastewater services.Adopted

Motion was made and seconded to approve the first reading of Ordinance 500, Chapter 44 of Code of Ordinances regulating water and wastewater services.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the first reading of Ordinance 500, Chapter 44 of Code of Ordinances regulating water and wastewater services., seconded by Swain Real the vote was [Unanimous].

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

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

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

Consideration and ACTION to approve a Proclamation declaring April 14- 20, 2019 as National Public Safety Telecommunicator's Week in the City of Los Fresnos. Adopted

Motion was made and seconded to approve a Proclamation declaring April 14- 20, 2019 as National Public Safety Telecommunicator's Week in the City of Los Fresnos.

Polo Narvaez made a motion to approve Consideration and ACTION to approve a Proclamation declaring April 14- 20, 2019 as National Public Safety Telecommunicator's Week in the City of Los Fresnos., seconded by Swain Real the vote was [Unanimous].

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.

Mr. James Keillor requested to speak about drainage issues.

Mr. Keillor thanked the council for allowing him to speak.

Mr. Keillor stated the city has had nine months since the major rains in June and three months left before hurricane season starts. He knows there are issues that are not going to be solved in the next twelve or eighteen months but believes there are a lot of things that can be solved in 90 days.

Mr. Keillor was glad to see the drainage issues on the agenda.

Mr. Keillor stated the drainage of Resaca Escondida, the pond north of East Resaca Drive has been needing an overflow drain since the early 90's and it needs to be done. There is a drainage ditch 100 feet to the East of the end of that body of water that can be used two ways, one on small rains to put water in at the right elevations and when it gets super high it can be used as an overflow to go out. Mr. Keillor explained that the next item is the Weikel Subdivision, Mr. Keillor saw work being done and the inlets are done but he has been told the east west line the connects the streets is clogged. He hopes it has been fixed. Mr. Keillor believes the city needs to take one step further and make sure the line underneath the water canal is open to drain those areas and the angle ditch that goes over into the main north south ditch that carries water needs to

be opened up as well. Mr. Keillor believes there cannot be an underneath canal if you can't take it to the drainage ditch, there is no point in fixing all of it, the city has repaired several streets in that area but every time there is a two inch rain the area is flooded half way up. Mr. Keillor stated the city is getting ready to fix Ash Street and that drainage has to be fixed.

The last item Mr. Keillor addressed was the main drain that is a mile south of the city that was washed out. Mr. Keillor claims the metal pipe was still there and it is folded. It substantially blocks it and while it may work with three or four inch rains, a gully gush of six to eight inch rain it may still dam up. He believes there has to be pressure by the city to the drainage district to get it resolved. Also there is a drain half a mile farther to the north that needs new metal, it is already rusted, coming up on the bottom, and bending in on the sides the same thing could happen with the old corrugated metal. He believes it needs to be cut and cleaned up.

Mr. Keillor stated he is glad to see these on the agenda and hopes they get resolved.

Action Items

Consideration and possible ACTION to review drainage throughout the City.No Action

Mr. Milum stated he would address some of the issues Mr. Keillor had just mentioned.

Mr. Milum presented a slide show to the council. The first picture was from the Resaca Escondida area. Mr. Milum described the location of a drain that runs to the south east from about the middle of the subdivision, underneath the canal. When there is a big rain that is the way it is pumped into the ditch Mr. Keillor referred to. Engineering has looked into a way to improve the draining and Mr. Milum will get the council an estimated cost soon.

Mr. Milum showed a picture of a ditch full of water on Highway 100 looking North during the last rains. He then showed a picture of the same ditch but looking the opposite direction to the South as the water flows.

The next picture was of the pipe Mr. Keillor was referring to. Mr. Milum explained he had pointed out to the drainage district a flap on the pipe had on one side and asked them what was going to be done. The drainage district was going to get back to Mr. Milum. He stated he had not heard from them as of yet.

Mr. Real asked where it was located. Mr. Milum explained it was located south of Highway 100 where the new city hall was being built.

Mr. Milum continued explained that further south there was a pipe that collapsed and feels that was what probably what caused homes to flood. He showed before and after pictures of the location explaining what occurred.

Next picture was behind Village East Subdivision. Mr. Milum explained that he could not find his before pictures but before the area was solid brush. Mr. Milum reminded the council the city had been trying to get Cameron County Drainage District #1 to maintain the area but they refused because they no longer took care of areas within city limits. It was proven via deeds that the area was turned over to their care and they have now come in and cleared the area and is now draining properly.

Mr. Milum explained as part of grant the city received for E 6th street is moving the drain underground to avoid future flooding.

The next pictures were before and after of an area by Valle Alto Subdivision south of Whipple Road north of the canal. The picture showed a detention area that had been created when Valle Alto was developed in the late 90's early 2000. Mr. Milum stated that the drainage district took in the property as well and are responsible for maintaining it.

Mr. Milum mentioned he had taken Council members Joe Collinsworth, James Herrera and Juan Munoz out to the area in the past.

Mr. Milum explained an area on west of town south of Highway 100 where there is a pottery business that has flooding issues.

Mr. Milum explained he spoke to Commissioner Garza in reference to a Cameron County study the city had agreed to participate in that will address issues like these.

Mr. Milum did not include a drainage ditch to the south next near the local O'Reilly store because he believes the drainage district is doing a great job in keeping it clean.

Mayor Narvaez stated the city should set a timeline on addressing the issues discussed.

No action was taken.

made a motion to approve Consideration and possible ACTION to review drainage throughout the City., seconded by the vote was .

Consideration and possible ACTION on the construction of the new city hall.No Action

Mr. Milum explained in the last meeting there were some comments made about the new city hall and the type of construction. Mr. Milum stated he would read directly from notes he had typed up and given to the council.

Mr. Milum address the first comment made which was that the City Hall building was designed improperly by utilizing wood/lumber and everyone that builds a commercial building knows it should be built out of block and brick or steel.. Mr. Milum raised the question to several Architects, Engineers, and contractors. Block and brick or steel used to be the only way it is done but in today's construction world it is much different.

Mr. Milum explained what the city hall was being built out of, the dimensions of the walls and the type of wood that was going to be used.

Other comments further stated that due to this improper choice of construction, the insurance for the building would be five times higher \$6,000 to \$7,000 versus \$30,000 and someone should be held accountable since the city would not be able to get wind rating for the building. Mr. Milum stated that he was made aware that the person making the comments also went to a local insurance company to get insurance prices on the city hall.

Mr. Milum explained to the council the cost of the insurance for the building and concluded that the insurance was not going to be five time higher as stated by the person that made the public comment.

The other piece to the insurance is windstorm insurance. Due to the area where Los Fresnos is located in relation to the Gulf of Mexico the wind requirement is minimum

wind rating of 130 miles per hour the city hall when complete will probably have a wind rating of 150 miles per hour. The city hall will be windstorm certified and inspections are done continually throughout the process. Mr. Milum explained an estimate he received from Texas Windstorm Insurance Association.

made a motion to approve Consideration and possible ACTION on the construction of the new city hall., seconded by the vote was .

Consideration and possible ACTION on the plans for the Henderson Road Resaca Crossing Project.No Action

Mr. Milum had a few pictures to show the council. He needed the council to give him direction on some of the items that residents had commented about at council meetings and as he has been meeting with residents along Henderson Road. Plans for the crossings show five foot sidewalks on each sides of the crossings. Mr. Milum received different comments from residents that wanted to leave it as is and one that thought it was better to only put the sidewalk on one side of the crossing to save money to put sidewalks all along Henderson Road.

Mr. Milum discussed options and answered questions for the council.

Mr. Milum asked the council for direction. Mr. Real believed it was best to move forward with Mr. Milum's recommendation to bid both sidewalks with the option to remove one depending on the financial impact or savings needed.

Mr. Milum explained that other comments were concerns about safety barriers. Mr. Milum presented a variety of fences and barriers made of different materials. Mr. Milum recommended a three foot tall fence because it would keep the visibility .

Mr. Milum discussed options and answered questions for the council.

The council and Mr. Milum agreed to look into the cost for the different types of fence first before making a decision which one to choose.

Mr. Milum explained that landscaping mentioned by the residents for the project. This is and extra cost and not something that was initially discussed. The council felt it was best to complete the project first then add the landscaping in the future.

Mr. Milum explained the lighting was also mentioned. It was suggested more lighting was needed on ground level with the barriers. Mr. Milum believes that would add a significant cost to the project. He recommended to continue to use pole lights like the ones that have been used throughout the city and would like direction from the council. Council agreed.

Mr. Milum discussed options and answered questions for the council.

made a motion to approve Consideration and possible ACTION on the plans for the Henderson Road Resaca Crossing Project., seconded by the vote was .

Acknowledgement of City Manager's Report

City Manager Report A. Wastewater Plant Update B. Water Plant Update C. Water & Wastewater Engineering Study D. Whipple Road Wastewater Extension E. Nature Park F.

Hike & Bike Trails G. CDBG 2017-2018 Grant H. Henderson Road Project I. City Hall Project J. Underground Canal K. Dog Park L. Update Planning & Zoning Ordinance**Adopted**

Mr. Milum reported that he had a phone conference with Texas Water Development Board on getting the process going on how to fund the upgrades needed at the Water and Wastewater plant.

The city is pending the playground to be installed at the Nature Park and then do the final pieces.

The environmental clearance letter has been received for the Hike & Bike Trail.

The 2017-2018 CDBG Grant is to upgrade drainage on Ash Street, Ebony Street and Pecan Street along the canal as well as on East Sixth Street and Ebano Street.

There is no change on the underground canal.

Mr. Milum has not heard back from Wal-Mart on the dog park.

Municode is still looking at the city's Planning & Zoning Ordinance.

Motion was made and seconded to approve the City Manager Report.

Polo Narvaez made a motion to approve City Manager Report A. Wastewater Plant Update B. Water Plant Update C. Water & Wastewater Engineering Study D. Whipple Road Wastewater Extension E. Nature Park F. Hike & Bike Trails G. CDBG 2017-2018 Grant H. Henderson Road Project I. City Hall Project J. Underground Canal K. Dog Park L. Update Planning & Zoning Ordinance, seconded by Joe Collinsworth the vote was [Unanimous].

Acknowledgement of Department Head Reports

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

Motion was made and seconded to approve the Financial Report.

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

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

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

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

Municipal Court 1. Monthly ReportAdopted

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

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

Library Report 1. Monthly ReportAdopted

Motion was made and seconded to approve the Library Report.

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

Fire Marshal's Report 1. Monthly ReportAdopted

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

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

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

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

Closed Session - Deliberation pursuant to Sections 551.072, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the purchase, exchange, lease, or value of real property.No Action

Mayor Narvaez recessed the meeting at 7:25 p.m.

made a motion to approve Closed Session - Deliberation pursuant to Sections 551.072, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the purchase, exchange, lease, or value of real property., seconded by the vote was .

Open Session – Deliberation and possible action regarding the following:

Open Session - Deliberation pursuant to Sections 551.072, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the purchase, exchange, lease, or value of real property.Adopted

Mayor Narvaez called the meeting back to order at 7:43 p.m.

Motion was made and seconded to authorize the City Manager, Mark Milum to move on the purchase of the two mentioned properties.

Swain Real made a motion to approve Open Session - Deliberation pursuant to Sections 551.072, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the purchase, exchange, lease, or value of real property., seconded by Joe Collinsworth the vote was [Unanimous].

10. Adjournment

Mayor Polo Narvaez closed the meeting at 7:45 p.m.

Presiding Officer of the Council

Recorder