

# City Council

200 North Brazil

Los Fresnos, TX 78566

## Regular Meeting

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

### ~ Minutes ~

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Tuesday, April 12, 2016

6:00 PM

City Hall

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#### Agenda

1. Call meeting to order  
Mayor Narvaez called the meeting to order at 6:13 PM
2. Invocation and Pledge of Allegiance  
Mayor Narvaez gave the invocation and led the audience in the Pledge of Allegiance.

#### Presentation

#### **Presentation and ACTION on annual Audit for fiscal year ending September 30, 2015 as presented by Long Chilton LLP.**Adopted

Mr. Quentin Anderson and Ms. Amanda Molina from Long Chilton LLP explained the results of the audit the firm had completed for fiscal year ending September 30, 2015. The audit results were good with a very good fund balance and there were no findings of concern.

Mr. Anderson answered questions from the Council.

Motion was made and seconded to approve the annual audit for fiscal year ending September 30, 2015 as presented by Long Chilton LLP.

Javier Mendez made a motion to approve Presentation and ACTION on annual Audit for fiscal year ending September 30, 2015 as presented by Long Chilton LLP., seconded by Polo Narvaez the vote was [Unanimous].

#### Consent Agenda

#### **Approval or rejection of Minutes from March 8, 2016 meeting.**Adopted

Motion was made and seconded to approve the Minutes from March 8, 2016 meeting as presented.

Polo Narvaez made a motion to approve Approval or rejection of Minutes from March 8, 2016 meeting., seconded by Javier Mendez the vote was [Unanimous].

#### **Approval or rejection of a Proclamation declaring May 15, 2016 as Peace Officers' Memorial Day and declaring the week of May 15-21, 2016 as National Police Week in the City of Los Fresnos.**Adopted

Motion was made and seconded to approve a Proclamation declaring May 15, 2016 as Peace Officers' Memorial Day and the week of May 15-21 as National Police Week.

Polo Narvaez made a motion to approve Approval or rejection of a Proclamation declaring May 15, 2016 as Peace Officers' Memorial Day and declaring the week of May 15-21, 2016 as National Police Week in the City of Los Fresnos., seconded by Javier Mendez the vote was [Unanimous].

**Approval or rejection of a Proclamation declaring the week of May 16-22, 2016 as National Emergency Medical Services Week in the City of Los Fresnos.**Adopted

Motion was made and seconded to approve the Proclamation declaring the week of May 16-22 as National Emergency Medical Services Week.

Polo Narvaez made a motion to approve Approval or rejection of a Proclamation declaring the week of May 16-22, 2016 as National Emergency Medical Services Week in the City of Los Fresnos., seconded by Javier Mendez the vote was [Unanimous].

**Approval or rejection of a Proclamation declaring May 5, 2016 as National Day of Prayer in the City of Los Fresnos.**Adopted

Motion was made and seconded to approve a Proclamation declaring May 5 as National Day of Prayer.

Polo Narvaez made a motion to approve Approval or rejection of a Proclamation declaring May 5, 2016 as National Day of Prayer in the City of Los Fresnos., seconded by Javier Mendez the vote was [Unanimous].

**Approval or rejection of Change Order #1 on Evergreen Street Extension Project.**Adopted

Motion was made and seconded to approve Change Orders 1 and 2 for Evergreen Street Extension Project.

Polo Narvaez made a motion to approve Approval or rejection of Change Order #1 on Evergreen Street Extension Project., seconded by Javier Mendez the vote was [Unanimous].

**Approval or rejection of a Resolution applying for a Criminal Justice Grant for Local Border Security.**Adopted

Motion was made and seconded to approve a Resolution to apply for a Criminal Justice Grant for Local Border Security.

Polo Narvaez made a motion to approve Approval or rejection of a Resolution applying for a Criminal Justice Grant for Local Border Security., seconded by Javier Mendez the vote was [Unanimous].

**Approval or rejection of budget amendment #1 for FT 2015/2016 for the Los Fresnos Community Development Corporation.**Adopted

Motion was made and seconded to approve budget amendment #1 for FY 2015/2016 for the Los Fresnos Community Development Corporation.

Polo Narvaez made a motion to approve Approval or rejection of budget amendment #1 for FT 2015/2016 for the Los Fresnos Community Development Corporation., seconded by Javier Mendez the vote was [Unanimous].

**Visitor Remarks - You must sign in with the City Secretary prior to start of meeting and you will have a limit of 3 minutes to speak.**

**Action Items**

**Consideration and ACTION to approve an Interlocal Agreement governing a territory exchange between the City of Los Fresnos and the City of Brownsville.**Adopted

Mr. Milum explained the agreement is for Los Fresnos to exchange territory with Brownsville. The City of Los Fresnos gets the area along Highway 100 east of FM 803 and City of Brownsville gets some ETJ south of the irrigation canal and west of Old Alice Road. It is a very good deal for Los Fresnos. The City of Brownsville approved this on March 15. The Mayor Narvaez, Mayor Pro-tem Mendez, City Attorney Enrique Juarea and Mr. Milum attended the Brownsville meeting. The agreement will take effect September 1. Between now and August 31 Los Fresnos has to annex the area between Tapia's Cafe and this property in order for the city limits to be contiguous. We will be working on the annexation process and plan for services. The water and wastewater are already installed and serviced by Olmito Water Supply. The City will have to provide police, fire, ems, health, code, etc as soon as the area is annexed.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the Interlocal Agreement governing a territory exchange between the City of Los Fresnos and the City of Brownsville.

Polo Narvaez made a motion to approve Consideration and ACTION to approve an Interlocal Agreement governing a territory exchange between the City of Los Fresnos and the City of Brownsville., seconded by Yolanda H. Cruz the vote was [Unanimous].

**Consideration and ACTION to enter into a contract with an Energy Consultant.**Adopted

Mr. Milum explained a couple of months ago the Council directed him to negotiate a contract with Marco A. Arredondo Inc, a Professional Utility Rate & Energy Consulting firm to oversee and assist the City with our energy needs. The contract will be for 5 years beginning in January 2018 continuing through December 2022 for \$0.002 (mils) per kWh. Also, he will begin immediately free of charge after approval of contract for the next 20 months when our current agreement ends with TCAP.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the contract with Marco A. Arredondo Inc as the Professional Utility Rate & Energy Consulting firm.

Javier Mendez made a motion to approve Consideration and ACTION to enter into a contract with an Energy Consultant., seconded by Gary Minton the vote was [Unanimous].

**Consideration and ACTION to authorize the City Manager to enter into a contract with the Retail Electric Provider that provides the lowest rate and best contract as recommended by Marco Arredondo Inc for the period of 2018-2022.**Adopted

Mr. Milum stated that he did not receive the contract before the meeting. Mr. Arredondo had told him that Direct Energy will do a contract but the rates are up and down right now. The contract would be from 4 to 5 years. At the current time Direct Energy will do a 4 year contract for \$0.04054. Mr. Milum recommended that the Council authorize him to negotiate a contract.

Mr. Milum answered questions from the Council.

Motion was made and seconded to authorize the City Manager to negotiate a contract for the best rates for electricity.

Javier Mendez made a motion to approve Consideration and ACTION to authorize the City Manager to enter into a contract with the Retail Electric Provider that provides the lowest rate and best contract as recommended by Marco Arredondo Inc for the period of 2018-2022., seconded by Swain Real the vote was [Unanimous].

**Consideration and ACTION to approve Naismith Engineering to assist with 2016 annexation.**Adopted

Mr. Milum stated that Naismith Engineering has assisted the City in prior annexations. The contract is a reasonable figure. The area is from around Tapia's Cafe area to the existing City of Brownsville city limits along west Highway 100.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve Naismith Engineering to assist with 2016 annexation.

Polo Narvaez made a motion to approve Consideration and ACTION to approve Naismith Engineering to assist with 2016 annexation., seconded by Yolanda H. Cruz the vote was [Unanimous].

**Consideration and ACTION to name the city property located on West Ninth Street, just west of Nogal Street, to Montes Park.**Adopted

Mr. Milum stated that about a year or so ago Ms. Lupe Castro donated property to the City of Los Fresnos. The City only had to pay the back taxes on the property. This is the location that we will build a neighborhood park. The property is located on West 9th Street just west of Nogal Street. We can name the park anything that we wish. However since Ms. Castro gave us the property we asked her if she would like for us to name the it Castro Park. She would rather it be named Montes Park after her father since he had given her the property. We then asked her if she would include her name as well since she is the one who donated the land to us and she said fine as long as Montes was first, so it would be Montes-Castro Park.

Mr. Milum stated the City has received a Texas Parks and Wildlife grant in the amount of \$75,000. The Community Development Corporation agreed to match the \$75,000. The City agreed to put in some funds as well.

Mr. Milum answered questions from the Council.

Motion was made and seconded to name the park Montes-Castro Park.

Javier Mendez made a motion to approve Consideration and ACTION to name the city property located on West Ninth Street, just west of Nogal Street, to Montes Park., seconded by Yolanda H. Cruz the vote was [Unanimous].

**Consideration and ACTION to increase pay of Communication Officer now as a certified Police Officer.**Adopted

Mr. Milum explained that one of our Communications Officers has completed the Police Academy and is now a certified Police Officer. The City does not have an opening for a Police Officer at the present time. We do not want to lose him to another City. He is already certified as a Communications Officer and a Health and Code Inspector. As we increase our city limits we will need to add another code officer. As a Communication Officer his salary is \$11.00 per hour. As an entry level Police Officer he would make \$13.58 per hour which is an increase of \$2.58 per hour. He will stay in communications but when needed he can fill in for Police.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the increase of pay of the Communications Officer pay to an entry level Police Officer at \$13.58 per hour.

Swain Real made a motion to approve Consideration and ACTION to increase pay of Communication Officer now as a certified Police Officer., seconded by Gary Minton the vote was [Unanimous].

**Consideration and ACTION to adopt a new City logo.**Adopted

Mr. Milum stated we have been working to upgrade and update the City's web site we were looking at the City logo. The web site company helped create a new logo that looks more modern but still has the old elements included. We would like to begin using the new logo.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the new logo for the City.

Polo Narvaez made a motion to approve Consideration and ACTION to adopt a new City logo., seconded by Swain Real the vote was [Unanimous].

**Consideration and ACTION to approve a Resolution adopting the Green Kingfisher Bird as the City's official bird.**Adopted

Mr. Milum explained birding is becoming a larger portion of economic development and tourism and the Nature Park being developed. The folks that are in this business has suggested we adopt the Green Kingfisher bird as the City's official bird. A gentleman from Germany was here a week ago and he stayed at Chachalaca Bend and he is writing an article on birding. Los Fresnos will be mentioned in the article.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the Green Kingfisher bird as the Official Bird for the City of Los Fresnos.

Javier Mendez made a motion to approve Consideration and ACTION to approve a Resolution adopting the Green Kingfisher Bird as the City's official bird., seconded by Gary Minton the vote was [Unanimous].

**Discussion, consideration and ACTION on Legislative Issues.**No Action

Mr. Milum stated every two year cycle we go over legislative issues the Council would like to take up with our state elected officials in the coming legislative session. Several of cities meet and a few of the items discussed were as follows: 1. No caps on revenue. The current caps are sufficient; 2. Additional park funding; 3. Hike & Bike Trail funding; 4. Drainage districts taking over all drainage ditches in their taxing area; and 5. State amount taken on city citations are too high.

Mayor Pro-tem Mendez stated he would like to see irrigation ditches be put underground.

Mr. Milum told the Council to be thinking about other items they would like to see added to the list.

made a motion to approve Discussion, consideration and ACTION on Legislative Issues., seconded by the vote was .

**Consideration and ACTION to appoint a person to the Los Fresnos Planning & Zoning Commission.No Action**

No action was taken.

made a motion to approve Consideration and ACTION to appoint a person to the Los Fresnos Planning & Zoning Commission., seconded by the vote was .

**Consideration and ACTION to appoint a person to the Los Fresnos Housing Authority.No Action**

No action was taken.

made a motion to approve Consideration and ACTION to appoint a person to the Los Fresnos Housing Authority., seconded by the vote was .

**Update by City Manager**

**A. Wastewater Plant Expansion B. Los Fresnos Nature Park C. Hike & bike Trails D. Hazardous Mitigation Plan E. Certificates of Obligation F. Possible Financing for City Hall & PD and Utilities to the west.No Action**

A. Wastewater Plant Expansion - Naismith Engineering is working on changing the scope of work to reduce the amount of expansion to be able to get it within the available funds. We should have something to decide upon in the next few months.

B. Los Fresnos Nature Park - Meetings are taking place to begin the process of design.

C. Hazardous Mitigation Plan - All of the assessments have been done. As we move along I will bring items to you for your review.

D. Hike & Bike Trails - Meetings are taking place to begin the process of design.

E. Certificates of Obligation - The Water Line Loop Project is complete. The West Ocean Lift Station & Force Main Project is complete and operational. Evergreen Street is complete and open.

F. We will be having Estrada Hinojosa give the Council some information on possible debt and how that will affect and how much we might want to borrow for the City Hall, Police Department, water extensions, sewer extensions, street repairs, park upgrades, etc, as agreed upon since we just got the sales tax information from Walmart sales in December.

Mr. Milum answered questions from the Council.

made a motion to approve A. Wastewater Plant Expansion B. Los Fresnos Nature Park C. Hike & bike Trails D. Hazardous Mitigation Plan E. Certificates of Obligation F. Possible Financing for City Hall & PD and Utilities to the west., seconded by the vote was .

### **Department Head Reports**

#### **Financial Report 1. Monthly 2. Year-to-DateNo Action**

Mr. Milum answered questions from the Council.

made a motion to approve Financial Report 1. Monthly 2. Year-to-Date, seconded by the vote was .

#### **Public Works Report 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits 4. RecyclingNo Action**

Mr. Milum answered questions from the Council.

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

#### **Police Department Report 1. Arrests 2. Incidents 3. AccidentsNo Action**

Mr. Milum answered questions from the Council.

made a motion to approve Police Department Report 1. Arrests 2. Incidents 3. Accidents, seconded by the vote was .

#### **Municipal Court Report 1. Monthly ReportNo Action**

Mr. Milum answered questions from the Council.

made a motion to approve Municipal Court Report 1. Monthly Report, seconded by the vote was .

#### **Library Report 1. Monthly ReportNo Action**

Mr. Milum answered questions from the Council.

made a motion to approve Library Report 1. Monthly Report, seconded by the vote was .



**Fire Marshall Report 1. Monthly Report****No Action**

Mr. Milum answered questions from the Council.

made a motion to approve Fire Marshall Report 1. Monthly Report, seconded by the vote was .

9. Adjournment

Mayor Narvaez adjourned the meeting at 8:09 PM.

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Presiding Officer of the Council

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Recorder