

City Council

520 E Ocean Blvd.

Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

Tuesday, April 13, 2021

6:00 PM

City Hall

Agenda

- A. Call meeting to order

Mayor Flores 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 in the Pledge of Allegiance.

Public Hearing

Public Hearing to receive comments from the public concerning the rezoning of 4.13 acres, more or less, out of the south one-third of Survey 45 in Subdivision F, Share 19 of the Espiritu Santo Grant from C-2 Highway Commercial District to R-1 Single Family District.No Action

Public hearing opened at 6:01 p.m.

Steve Gano, representing the developer was present and explained to the council where the property was located and what area would be included in the re-zoning.

Public hearing closed at 6:03 p.m.

made a motion to approve Public Hearing to receive comments from the public concerning the rezoning of 4.13 acres, more or less, out of the south one-third of Survey 45 in Subdivision F, Share 19 of the Espiritu Santo Grant from C-2 Highway Commercial District to R-1 Single Family District., seconded by the vote was .

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.

There were no comments.

Consent Agenda (All matters listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the City Council. The item may subsequently be removed from the Consent Agenda to be considered separately.)

Mayor Flores asked if there were any comments or questions on the consent agenda. There were none.

Consideration and ACTION to approve the minutes from March 9 & 25, 2021.Adopted

Motion was made and seconded to approve the minutes from March 9 & 25, 2021.

Andres Lopez made a motion to approve Consideration and ACTION to approve the minutes from March 9 & 25, 2021., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve the Los Fresnos Community Development Corporations action to support Los Fresnos Little League Baseball & Softball Programs Adopted

Motion was made and seconded to approve the Los Fresnos Community Development Corporations action to support Los Fresnos little League Baseball & Softball Programs.

Andres Lopez made a motion to approve Consideration and ACTION to approve the Los Fresnos Community Development Corporations action to support Los Fresnos Little League Baseball & Softball Programs, seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve Resolution 3-2021 of the submission of a grant application for the Local Border Star Security Program for the City of Los Fresnos to the to the Office of the Governor. Adopted

Motion was made and seconded to approve a Resolution of the submission of a grant application for the Local order Star Security Program for the City of Los Fresnos to the Office of the Governor.

Andres Lopez made a motion to approve Consideration and ACTION to approve Resolution 3-2021 of the submission of a grant application for the Local Border Star Security Program for the City of Los Fresnos to the to the Office of the Governor., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve Resolution 4-2021 of the submission of a grant application for Operation Stonegarden for the City of Los Fresnos to the to the Office of the Governor. Adopted

Motion was made and seconded to approve a Resolution of the submission of a grant application for Operation Stonegarden for the City of Los Fresnos to the Office of the Governor.

Andres Lopez made a motion to approve Consideration and ACTION to approve Resolution 4-2021 of the submission of a grant application for Operation Stonegarden for the City of Los Fresnos to the to the Office of the Governor., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve a Proclamation declaring May 6, 2021 as National Day of Prayer in the City of Los Fresnos. Adopted

Motion was made and seconded to approve a Proclamation declaring May 6, 2021 as National Day of Prayer in the City of Los Fresnos.

Andres Lopez made a motion to approve Consideration and ACTION to approve a Proclamation declaring May 6, 2021 as National Day of Prayer in the City of Los Fresnos., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve a Proclamation for National Hurricane Preparedness Week May 9-15, 2021 Adopted

Motion was made and seconded to approve a Proclamation for National Hurricane Preparedness Week May 9-15, 2021.

Andres Lopez made a motion to approve Consideration and ACTION to approve a Proclamation for National Hurricane Preparedness Week May 9-15, 2021, seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve a Proclamation declaring the week of May 16-22, 2021 as National Emergency Medical Services Week in the City of Los Fresnos. Adopted

Motion was made and seconded to approve a Proclamation declaring the week of May 16-22, 2021 as National Emergency Medical Services Week in the City of Los Fresnos.

Andres Lopez made a motion to approve Consideration and ACTION to approve a Proclamation declaring the week of May 16-22, 2021 as National Emergency Medical Services Week in the City of Los Fresnos., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve a Proclamation declaring May 15, 2021 as Peace Officers' Memorial Day and declaring the week of May 9-15, 2021 as National Police Week in the City of Los Fresnos. Adopted

Motion was made and seconded to approve a Proclamation declaring May 15, 2021 as Peace Officers Memorial Day and declaring the week of May 9-15, 2021 as National Police week in the City of Los Fresnos.

Andres Lopez made a motion to approve Consideration and ACTION to approve a Proclamation declaring May 15, 2021 as Peace Officers' Memorial Day and declaring the week of May 9-15, 2021 as National Police Week in the City of Los Fresnos., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve Resolution 5-2021 of the City of Los Fresnos, Texas finding that AEP Texas INC.'s application to amend its distribution cost recovery factors to increase distribution rates within the city should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the city's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. Adopted

Motion was made and seconded to approve Resolution of the City of Los Fresnos, Texas finding that AEP Texas INC's application to amend it's distribution cost recovery factors

to increase distribution rates within the city should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the city's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.

Andres Lopez made a motion to approve Consideration and ACTION to approve Resolution 5-2021 of the City of Los Fresnos, Texas finding that AEP Texas INC.'s application to amend its distribution cost recovery factors to increase distribution rates within the city should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the city's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 518 proposing amendments to the Los Fresnos Community Development Corporation By-Laws.Adopted

Motion was made and seconded to approve the second reading of Ordinance 518 proposing amendments to the Los Fresnos Community Development Corporation By-Laws.

Andres Lopez made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 518 proposing amendments to the Los Fresnos Community Development Corporation By-Laws., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve the first reading of Ordinance 519 to re-zone 4.13 acres, more or less, out of the south one-third of Survey 45 in Subdivision F, Share 19 of the Espiritu Santo Grant in the City of Los Fresnos, Texas from C-2 Highway Commercial District to R-1 Single Family District amending the official zoning map to reflect the new zoning; and providing an effective date for the implementation of this ordinance.Adopted

Motion was made and seconded to approve the first reading of Ordinance 519 to re-zone 4.13 acres, more or less, out of south one-third of Survey 45 in Subdivision F, Share 19 of the Espiritu Santo Grant in the City of Los Fresnos, Texas from C-2 Highway Commercial District to R-1 Single Family District amending the official zoning map to reflect the new zoning; and providing an effective date for the implementation of this ordinance.

Andres Lopez made a motion to approve Consideration and ACTION to approve the first reading of Ordinance 519 to re-zone 4.13 acres, more or less, out of the south one-third of Survey 45 in Subdivision F, Share 19 of the Espiritu Santo Grant in the City of Los Fresnos, Texas from C-2 Highway Commercial District to R-1 Single Family District amending the official zoning map to reflect the new zoning; and providing an effective date for the implementation of this ordinance., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve a Memorandum of Understanding between the City of Los Fresnos and South Texas ISD regarding the use of the parking lot at Memorial Park.Adopted

Motion was made and seconded to approve a Memorandum of Understanding between the City of Los Fresnos and South Texas ISD regarding the use of the parking lot at Memorial Park.

Andres Lopez made a motion to approve Consideration and ACTION to approve a Memorandum of Understanding between the City of Los Fresnos and South Texas ISD regarding the use of the parking lot at Memorial Park., seconded by Polo Narvaez the vote was [Unanimous].

Action Items

Council member Ray Ortiz arrived at 6:03 p.m.

Consideration and ACTION to accept a Petition Requesting Annexation by Land Owner for Feather Ridge Phase IV a 12.145 Acre Tract of land out of Tract 45, Subdivision “F” of Paredes Tract Subdivision in Share 19, Espritu Santo Grant, Cameron County, Texas; said 12.145 Acre Tract also being out of a certain 747.1 Acre Tract of land and set at date and time for a public hearing.Adopted

Motion was made and seconded to accept a Petition Requesting Annexation by Land Owner for Feather Ridge Phase IV a 12.145 Acre Tract of land out of Tract 45, Subdivision “F” of Paredes Tract Subdivision in Share 19, Espritu Santo Grant, Cameron County, Texas; said 12.145 Acre Tract also being out of a certain 747.1 Acre Tract of land and set at date and time for a public hearing for May 11, 2021 at 6:00 p.m.

Polo Narvaez made a motion to approve Consideration and ACTION to accept a Petition Requesting Annexation by Land Owner for Feather Ridge Phase IV a 12.145 Acre Tract of land out of Tract 45, Subdivision “F” of Paredes Tract Subdivision in Share 19, Espritu Santo Grant, Cameron County, Texas; said 12.145 Acre Tract also being out of a certain 747.1 Acre Tract of land and set at date and time for a public hearing., seconded by James Herrera the vote was [Unanimous].

Consideration and ACTION to approve adding street lights along Henderson Road.Adopted

Council member Andres Lopez asked if the lights were in the original contract for Henderson Road Resaca Crossing Project. Mr. Milum explained it was not. This was a project by AEP and the funds would be pulled from the streets fund.

Council member Polo Narvaez asked who was requesting this. Mr. Milum explained that street lights were discussed in planning of project but since lighting is done by AEP we'd wait until the end of project to do.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve adding street lights along Henderson Road. James Herrera made a motion to approve Consideration and ACTION to approve adding street lights along Henderson Road., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve Change Order 6 for the Henderson Road Resaca Crossings Project.Adopted

Mr. Milum answered questions for the council. They discussed the change order.

Vicente Mendez with Ambiotec was present. He explained how the hydro mulch would help prevent erosion. He answered questions for the council on the change order, type of grass, the pricing of the grass and maintenance.

Motion was made and seconded to approve Change Order 6 for the Henderson Road Resaca Crossings Project.

Andres Lopez made a motion to approve Consideration and ACTION to approve Change Order 6 for the Henderson Road Resaca Crossings Project., seconded by Polo Narvaez the vote was [4 to 1].

Discussion on delays and completion date for the Henderson Road Resaca Crossings Project.No Action

Juan Munoz connected remotely at 6:40 p.m.

Mr. Milum stated that the information on the Henderson Road Resaca Crossing Projects was requested at the last meeting. He summarized a estimated timeline for the completion of the project.

Vicente Mendez with Ambiotec answered questions from the council about the completion date, drainage, and construction of the project.

Mr. Milum explained the changed requested by Cameron County Irrigation District 6 and how it affected the progress of the project and discussed the project with the council.

made a motion to approve Discussion on delays and completion date for the Henderson Road Resaca Crossings Project., seconded by the vote was .

Consideration and ACTION to authorize the City Manger to dispose of surplus Items.Adopted

Mr. Milum explained the surplus process to the council and answered questions.

Motion was made and seconded to authorize the City Manager to dispose of surplus items as listed.

James Herrera made a motion to approve Consideration and ACTION to authorize the City Manger to dispose of surplus Items., seconded by Ray Ortiz 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. Henderson Road Project F. Drainage Update G. Whipple Road H. CDBG 9th Street Lift Station Relocation I. Teacher Appreciation Month J. COVID-19 K. Boys & Girls Club Quarterly Report L. TxDot Highway 100 ProjectAdopted

Mayor Flores asked if there were any questions on the City Manager Report. There were none.

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. Henderson Road Project F. Drainage Update G. Whipple Road H. CDBG 9th Street Lift Station Relocation I. Teacher Appreciation Month J. COVID-19 K. Boys & Girls Club Quarterly Report L. TxDot Highway 100 Project, seconded by James Herrera the vote was [Unanimous].

Acknowledgement of Department Head Reports

Mayor Flores asked if there were 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 James Herrera the vote was [Unanimous].

Public Works Report 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits 4. Recycling 5. Waste Water Treatment Plant Discharge Monitoring ReportAdopted

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 5. Waste Water Treatment Plant Discharge Monitoring Report, seconded by James Herrera 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 James Herrera 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 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 Flores adjourned the meeting at 6:56 a.m.

Presiding Officer of the Council

Recorder