

City Council

200 North Brazil

Los Fresnos, TX 78566

Regular Meeting

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

~ Minutes ~

Tuesday, May 10, 2016

6:00 PM

City Hall

Agenda

1. Call meeting to order
Mayor Narvaez called the meeting to order at 6:04 PM
2. Invocation and Pledge of Allegiance
Mayor Narvaez gave the invocation and led the audience in the Pledge of Allegiance.

Presentation

Presentation by Los Fresnos Chamber of Commerce for January - March, 2016.No Action

Mr. Val Champion, Executive Director of the Chamber of Commerce, was present and presented the January through March, 2016 report to the Council.

Mr. Champion answered questions from the Council.

made a motion to approve Presentation by Los Fresnos Chamber of Commerce for January - March, 2016., seconded by the vote was .

Consent Agenda

Approval or rejection of Minutes from April 12, 2016 meeting.Adopted

Motion was made and seconded to approve the Minutes from April 12, 2016 meeting as presented.

Polo Narvaez made a motion to approve Approval or rejection of Minutes from April 12, 2016 meeting., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection of a Proclamation declaring the week of May 15-21, 2016 as Hurricane Preparedness Week.Adopted

Motion was made and seconded to approve the Proclamation declaring May 15-21, 2016 as Hurricane Preparedness Week in the City of Los Fresnos.

Polo Narvaez made a motion to approve Approval or rejection of a Proclamation declaring the week of May 15-21, 2016 as Hurricane Preparedness Week., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection to approve the preliminary and final plats for Vanart Subdivision as recommended by Planning and Zoning Commission.Adopted

Motion was made and seconded to approve the preliminary and finals plats for Vanart Subdivision as recommended by the Planning and Zoning Commission.

Polo Narvaez made a motion to approve Approval or rejection to approve the preliminary and final plats for Vanart Subdivision as recommended by Planning and Zoning Commission., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection of a Resolution that AEP Central Company's application for approval of a Distribution Cost Recovery Factor to increase distribution reates within the City should be denied; that the City's reasonable rate case expenses shall be reimbursed by AEP; that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution be sent to AEP and legal counsel.Adopted

Motion was made and seconded to approve the Resolution that AEP Central Company's application for approval of a distribution Cost Recovery Factor to increase distribution rates within the City should be denied; that the City's reasonable rate case expenses shall be reimbursed by AEP; that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution be sent to AEP and legal counsel.

Polo Narvaez made a motion to approve Approval or rejection of a Resolution that AEP Central Company's application for approval of a Distribution Cost Recovery Factor to increase distribution reates within the City should be denied; that the City's reasonable rate case expenses shall be reimbursed by AEP; that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution be sent to AEP and legal counsel., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection to approve the renewal of the Interlocal Agreement between City of Los Fresnos and Texas A & M University-Kingsville to continue to participate in the Stormwater Task Force.Adopted

Motion was made and seconded to approve the renewal of the Interlocal Agreement between City of Los Fresnos and Texas A & M University-Kingsville to continue to participate in the Stormwater Task Force.

Polo Narvaez made a motion to approve Approval or rejection to approve the renewal of the Interlocal Agreement between City of Los Fresnos and Texas A & M University-Kingsville to continue to participate in the Stormwater Task Force., seconded by Javier Mendez the vote was [Unanimous].

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

There were no comments from the public.

Action Items

Consideration and ACTION adoptin g an 2016 annexation plan map as prepared by Naismith Engineering, Inc showing areas for future annexation and dated May 2016; providing an effective date; and finding and declaring that the meeting at which this resolution is adopted was open to the public, that the public notice of time, place, and the subject matter of the public business to be considered was posted as required by law, including this resolution.Adopted

Mr. Milum explained that the law requires an Annexation Plan Map for the annexation of property and proposed annexation of property. The map shows several areas and the area we are looking at immediately is Area A2 and potentially in September Area A3.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the adoption of the 2016 annexation plan map; providing an effective date; and finding and declaring that the meeting at which this resolution is adopted was open to the public, that the public notice of time, place, and the subject matter of the public business to be considered was posted as required by law, including this resolution.

Javier Mendez made a motion to approve Consideration and ACTION adoptin g an 2016 annexation plan map as prepared by Naismith Engineering, Inc showing areas for future annexation and dated May 2016; providing an effective date; and finding and declaring that the meeting at which this resolution is adopted was open to the public, that the public notice of time, place, and the subject matter of the public business to be considered was posted as required by law, including this resolution., seconded by Swain Real the vote was [Unanimous].

Consideration and ACTION to approve a Resolution calling for two public hearing on annexation of property on West Highway 100 from Tapia's to drainage ditch.Adopted

Mr. Milum explained that this resolution is calling for 2 public hearings as required by law to start the annexation process for the area between Tapia's Cafe and the existing Brownsville city limits on the south side of West Hwy 100 and on the north side from Longhorn Lane to the drainage ditch.

The first public hearing will be held on June 14 at 6:00 PM in City Hall and the second public hearing will be held on July 28 at 6:00 PM in City Hall. If there are too many property owners present then we will move the public hearing to the Community Center.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the resolution calling for two public hearing on the annexation of property for June 14, 2016 and June 28, 2016 both at 6:00 PM.

Swain Real made a motion to approve Consideration and ACTION to approve a Resolution calling for two public hearing on annexation of property on West Highway 100 from Tapia's to drainage ditch., seconded by Gary Minton the vote was [Unanimous].

Consideration and ACTION to approve a Texas Comission on Environmental Quality settlement.Adopted

Mr. Milum explained that for the months of May, June, September and October 2015 the wastewater discharge samples for Ammonia Nitrogen tested higher than the limits established by TCEQ. The problems are from rain water infiltrating into the plant and a broken gear box on one of the aerator basins. The gear box has been repaired and the levels immediately came back into compliance. Since we do not have an on-going problem this is the option TCEQ offers as settlement for the fines associated with the testing above the limits. The settlement amount is \$9,600. As part of the engineering study that Guzman & Munoz are doing is to determine the problem areas so the rain infiltration can be limited.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the settlement amount of \$9,600.

Swain Real made a motion to approve Consideration and ACTION to approve a Texas Comission on Environmental Quality settlement., seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION to approve a resolution supporting the re-organization of the Metropolitan Planning Organizations in the Rio Grande Valley.No Action

Mr. Milum stated that he was asked to bring this to the Council so it could be discussed. There has been talk about combining the 3 MPO's in the Valley and creating a single MPO. There are pros and cons on going to a regional MPO.

Pros: Single MPO has less moving parts. The State and TxDot wants this to happen. This would create the 5th largest MPO area in the state. Most feel more money will be available. A single unified voice will be viewed better than 3 separate individual voices.

Cons: Los Fresnos now has a vote in the Brownsville MPO and would not in a Regional MPO. There would probably be a small city representative for all small cities. Brownsville respects and listens to our concerns and that would probably not be as much the case in a Regional MPO. Historically Hidalgo County has controlled funding since they have larger populations. It is very easy to deal with Brownsville with daily questions and concerns and that would most likely change.

Mr. Milum answered questions from the Council.

No action was taken.

made a motion to approve Consideration and ACTION to approve a resolution supporting the re-organization of the Metropolitan Planning Organizations in the Rio Grande Valley., seconded by the vote was .

Consideration and ACTION to approve budget amendments for the 2015-2016 Fiscal Year Budget.Adopted

Mr. Milum explained that the budget year is over half way through the budget year. Historically we go through the budget to see if there are any problem areas developing and if there is any excess funds available for needed projects.

After going over the budget we feel the revenues of property taxes, permits, sales tax, court revenue and residential garbage collection fees are all up over the conservative projections that will bring in an additional \$171,000. The following are items we would like to purchase:

Two police staff vehicles, a four wheel drive truck for code enforcement, vehicle for emergency management, a tractor & shredder and a flat bed truck for streets, and sand for the volleyball court.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the budget amendments for the 2015-2016 Fiscal year Budget.

Polo Narvaez made a motion to approve Consideration and ACTION to approve budget amendments for the 2015-2016 Fiscal Year Budget., seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION on use of certificate of obligation funds.Adopted

Mr. Milum stated that the Council had a copy of the summary of the Certificate's of Obligation we issued and each project we agreed to undertake. There is a balance of \$133,857 and Mr. Milum is recommending to have Naismith Engineering to complete the project of extending sewer to the 5 or 6 homes along Whipple Road. Naismith Engineering did the engineering to see the cost when we extended the water. The suggestion is to hook up these 5 or 6 residences utilizing a grinder pump system. If there is any funds left over he would recommend that we upgrade the North Arroyo lift station and purchase a by-pass pump. Currently we are renting a pump for over \$2,000 per month.

Mr. Milum and Ms. Smith answered questions from the Council.

Motion was made and seconded to approve the recommendations of the City Manager of the use of funds left over from the Certificate of Obligations.

Gary Minton made a motion to approve Consideration and ACTION on use of certificate of obligation funds., seconded by Swain Real the vote was [Unanimous].

Consideration and ACTION to employ a licensed operator for the water and wastewater plants.**Adopted**

Mr. Milum explained that the Council had approved him to hire a person to be the water and wastewater plant manager and not to exceed \$17.00 per hour. He and Carlos have discussed this with the person and due to he is currently making \$17.00 per hour he will not move for under \$18.00 per hour.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the City Manager to negotiate with the per and not to exceed \$18.00 per hour.

Javier Mendez made a motion to approve Consideration and ACTION to employ a licensed operator for the water and wastewater plants., seconded by Polo Narvaez the vote was [Unanimous].

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

No action was taken on this item.

made a motion to approve Consideration and ACTION to appoint a person to the Los Fresnos Housing Authority., 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 on this item.

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

Update by City Manager

Update by City Manager A. Wastewater Plant Expansion B. Hazardous Mitigation Plan C. Certificates of Obligation D. Nature Park E. Hike & Bike Trails F. Memorial Park Playground G. Montes-Castro Park H. Walk Across Texas I. Welcome SignNo Action

Mr. Milum reported on the following:

A. Wastewater Plant Expansion - We are having a difficult time cutting down the scope of work in a way that saves substantial funds when compared to the needs. We will continue to work and hopefully have a direction in the next month or so.

B. Hazardous Mitigation Plan - We have developed some plans identifying 13 different potential hazardous conditions. We have also presented plans to resolve these hazards. We will have these for Council review for the June meeting.

C. Nature Park - The design of the park is continuing. We will have information and a public hearing in July or August to go over the concept and get your input.

D. Hike & bike Trails - The preliminary drawings are done. The more specific items are being worked on including working with TxDot on the requirements for the crossings at FM 2480 and State Highway 100. He is trying to get on the agenda of Cameron County Drainage District #1 for approval to utilize their easements. When we get further along we will bring it to the Council for review and comments.

E. Memorial Park Playground - Work is continuing and should be done by the end of the week. Please stop by and look at it.

F. Montes-Castro Park - We met with TPW for the initial visit to determine all the requirements. We will have to advertise for an engineering firm for the design of the park. We were hoping to do that ourselves and save that money but will not be able to. We will need a rating review committee.

G. Walk Across Texas - The 8 week event we teamed with USDA and LFCISD was a huge success. Many teams of 8 successfully walked/ran 832 miles during the 8 weeks. Individuals had to walk/run 104 miles or 13 miles per week.

H. Welcome Sign - Ruben Gallegos, Jr has bought the old Ag-Air warehouse and they are remodeling it. This is the area where we were wanting to put the welcome sign. Councilmember Mendez set up a meeting with Mr. Gallegos, himself and me and we are working on an agreement that benefits both parties.

Mr. Milum answered questions from the Council.

made a motion to approve Update by City Manager A. Wastewater Plant Expansion B. Hazardous Mitigation Plan C. Certificates of Obligation D. Nature Park E. Hike & Bike Trails F. Memorial Park Playground G. Montes-Castro Park H. Walk Across Texas I. Welcome Sign, 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's Report 1. Monthly ReportNo Action

Mr. Milum answered questions from the Council.

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

9. Adjournment

Mayor Narvaez adjourned the meeting at 7:47 PM.

Presiding Officer of the Council

Recorder