

City Council

200 North Brazil

Los Fresnos, TX 78566

Regular Meeting

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

~ Minutes ~

Tuesday, May 13, 2014

7:00 PM

City Hall

Agenda

1. Call meeting to order
2. Invocation and Pledge of Allegiance

Consent Agenda

Approval or Rejection of Minutes from April 8 and April 21, 2014Adopted

Tom Jones made a motion to approve Approval or Rejection of Minutes from April 8 and April 21, 2014, seconded by Javier Mendez the vote was [Unanimous].

Approval or Rejection of a Proclamation for National Hurricane Preparedness Week May 27 - June 1, 2014Adopted

Tom Jones made a motion to approve Approval or Rejection of a Proclamation for National Hurricane Preparedness Week May 27 - June 1, 2014, seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION on Second and Final Reading of Ordinance 235-BB-Maintenance of Signs.Adopted

Tom Jones made a motion to approve Consideration and ACTION on Second and Final Reading of Ordinance 235-BB-Maintenance of Signs., seconded by Javier Mendez the vote was [Unanimous].

Approval or Rejection to Renew Operation Stonegarden Interlocal Agreement Between City of Los Fresnos and Cameron County.Adopted

Consent agenda approved as presented.

Tom Jones made a motion to approve Approval or Rejection to Renew Operation Stonegarden Interlocal Agreement Between City of Los Fresnos and Cameron County., seconded by Javier Mendez the vote was [Unanimous].

Resolutions

Public hearing to receive comments from the public on the proposed reconstruction of Whipple Road and Henderson Road.

Mayor Narvaez opened the public hearing at 7:02 p.m.

Mr. Milum explained to the public that Whipple Road and Henderson Road are highly traveled roads by the public and by the school buses. There is a 208 apartment complex being built on Whipple Road and when Walmart is built there will be added traffic. The City will be extending Evergreen Street from Hwy 100 to Whipple Road and that will also add traffic to Whipple Road. There is an 80 foot right-of-way easement in most areas in the city limits and we will need to acquire additional easement from property owners that are outside of city limits. The idea has been to have full driving lanes in both directions, a center turn lane, and shoulders on each side with sidewalks on both sides. A retaining wall will have to be built at the Resaca crossings.

The City owns about 2/3 of Whipple and Henderson Roads and the County owns about 1/3 of the roads. The City will apply for Category 7 Funds from the MPO.

Mr. Hector Romero, property owner on Whipple Road, was present and he stated that his questions had been answered and he was glad to see that the City would install sidewalks on both sides of the road.

Mayor Narvaez closed the public hearing at 7:15 p.m.

made a motion to approve Public hearing to receive comments from the public on the proposed reconstruction of Whipple Road and Henderson Road., seconded by the vote was No Vote.

Presentation by Financial Advisor Estrada Hinojosa on potential upcoming projects

Mr. Don Gonzales, Financial Advisor from Estrada Hinojosa, was present and he went over several debt models for upcoming projects with the Council. Mr. Gonzales and Mr. Milum answered questions from the Council.

made a motion to approve Presentation by Financial Advisor Estrada Hinojosa on potential upcoming projects, seconded by the vote was No Vote.

Visitor Remarks

Action Items

Consideration and ACTION on a Lien Placed on Lot 5 Block 77 for Lot MowingAdopted

Ms. Wall, owner of property, was present and stated that before she bought the property at a tax sale she came to City Hall twice and asked if there was a lien on the property and she also went to the County and everyone told her there were no liens on the property. Then she receives a letter from the City stating she owns \$864.00 for a lot mowing lien that was placed on the property. She asked the Council if they would lower the amount due.

Mayor Narvaez stated that all property owners have to be treated equal. Mayor Narvaez asked Ms. Wall if she could make monthly payments until the amount was paid off and she stated she would.

The motion was approve a payment plan of \$100.00 per month until paid in full.

Polo Narvaez made a motion to approve Consideration and ACTION on a Lien Placed on Lot 5 Block 77 for Lot Mowing, seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION on a Lien Placed on Lot 6 Block 85 for Lot Mowing

Ms. Maldonado, owner of property, was present and she stated she had gone to the County to see if there was a lien on the property and she was told there were no liens. She received a letter from the City stating that there was a lien in the amount of \$704.00 for lot mowing. She asked the Council if there could give her a discount since she would pay in full with cash.

Mayor Narvaez stated that the same applies to her as to the previous owner, all property owners have to be treated equal.

Ms. Maldonado left the meeting.

No action was taken.

made a motion to approve Consideration and ACTION on a Lien Placed on Lot 6 Block 85 for Lot Mowing, seconded by the vote was No Vote.

Consideration and ACTION on Petition to Extend Sewer Services to Kendall Lane in LaurelesAdopted

Mr. Roger Merritt was present and he represented the property owners on Kendall Lane. Mr. Merritt stated that Kendall Lane is in a low area and that when it rains their septic systems do not work properly. The City has sewer lines near and they would like for the City to extend the lines.

Mr. Milum stated that the property is in the County and not in city limits of Los Fresnos. Usually these costs are paid for by the developer/residents and not the City. An engineer study would need to be done to see if it is possible to hook up all of the homes to the city sewer system.

Motion was for the City Manager to work with the City Engineer to get a preliminary estimate of costs to extend sewer to Kendall Lane.

Tom Jones made a motion to approve Consideration and ACTION on Petition to Extend Sewer Services to Kendall Lane in Laureles, seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to Approve a 4Th of July ParadeAdopted

Mr. Milum stated that the Chamber of Commerce would like to add a parade to the 4th of July Celebration that is held annually at Memorial Park. The parade would be a walking parade from City Hall to Memorial Park. The focus would be on families entering the parade with a red, white and blue theme.

Councilmember Mendez stated he is in favor of a parade but he would like to see that the US flag is the first thing in the parade. Also, he would like for the flag to be the first thing in all parades in the City.

Mr. Milum stated that the Chamber handles the parades but he would talk to them.

Motion was to approve a 4th of July parade.

Javier Mendez made a motion to approve Consideration and ACTION to Approve a 4Th of July Parade, seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION on Fun Skate Camp Agreement Between the City of Los Fresnos and Mentality Skateboarding Inc.Adopted

Mr. Milum explained that since the City has a great skate park and lots of skateboarders he would like to bring professional skaters to held classes/instructions for young folks in the area. The classes would be for 3 hours a day for 5 days for a total of 15 hours. The cost is \$159.92 per student. Mr. Milum would like for the City to pay \$59.92 per student and have the student pay \$100 each. The City has to guarantee the total amount of contract. We would advertise to get 60 students to sign up. If there is less than 60 students sign up, the City will be responsible for that amount.

Mr. Milum answered questions from the Council.

Motion was to approve the Agreement between the City and Mentality Skateboarding Inc in the amount of \$9595.00.

Swain Real made a motion to approve Consideration and ACTION on Fun Skate Camp Agreement Between the City of Los Fresnos and Mentality Skateboarding Inc., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to Approve or Reject Any or All Bids Received for Raw Waterline Improvements.Adopted

There were four bids received for the project. The engineers estimate for this project was \$319,319.00 and the low bid was for \$294,631.00 so we are \$24,688.00 under that amount. The low bidder was Cornett Construction and the City has used this company on other projects.

Motion was to approve Cornett Construction, subject to approval by USDA, for the raw waterline improvements for \$294,631.00.

Swain Real made a motion to approve Consideration and ACTION to Approve or Reject Any or All Bids Received for Raw Waterline Improvements., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to Approve or Reject Any or All Bids Received for Water Treatment Plant Sludge Removal.Adopted

Mr. Milum stated that there was only one bid received for this project. The engineers estimate for this project was \$300,000.00 and the bid was for \$183,626.63 so we are \$116,373.37 under that amount. We knew it would be substantially under because when we started this process we did not have a good idea as to the best method to take. During investigation of different options we were able to save funds by utilizing some existing infrastructure. R. M. Walsdorf, Inc was the only bidder and the City has used this company on other projects.

Motion was to approve R. M. Walsdorf, Inc, subject to approval by USDA, for the water treatment plant sludge removal for \$183,626.63.

Polo Narvaez made a motion to approve Consideration and ACTION to Approve or Reject Any or All Bids Received for Water Treatment Plant Sludge Removal., seconded by Gary Minton the vote was [5 to 1].

Consideration and ACTION to Approve or Reject Any or All Bids Received for Replacement of Water Filter and Backwash Control Tank.Adopted

Mr. Milum stated that there were 3 bids received on this project. The engineer's estimate for the filter replacement project was \$448,839.00 and the low bid came in at \$585,000.00 so we are over by \$136,161.00. Fortunately we saved more than that on the previous 2 projects that were bid. The low bid was from RM Wright Construction out of Edinburg. The City has not had prior experience with RM Wright Construction but their references checked out fine.

Motion was to approve RM Wright Construction, subject to approval by USDA, for replacement of water filter and backwash control tank for \$585,000.00.

Polo Narvaez made a motion to approve Consideration and ACTION to Approve or Reject Any or All Bids Received for Replacement of Water Filter and Backwash Control Tank., seconded by Gary Minton the vote was [Unanimous].

Consideration and Action to Purchase a Street Sweeper.Adopted

Mr. Milum stated that at the last meeting the Council approved to purchase a demo street sweeper. Later he found out it was also a rental unit and would not be available for purchase until June. After more research he feels that the 4 cubic yard Temco new unit will be the best for the City. The cost is \$114,750.00.

Motion was to approve the purchase of the 4 cubic yard Temco new unit for \$114,750.00.

Swain Real made a motion to approve Consideration and Action to Purchase a Street Sweeper., seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION to Approve Budget Amendment for Police DepartmentAdopted

Mr. Milum stated that the original expenditure in the budget was \$1,800 for maintenance to the shooting range. The original revenue showed \$500.00. We have received an additional \$3,500.00 so currently we have a total revenue of \$4,000.00. We need to increase the budget to \$5,300.00 in order to enlarge the dirt hills around the targets. They will be made wider and taller to prevent there being any possibility of a stray bullet.

Motion was to approve the budget amendment for Police Department.

Polo Narvaez made a motion to approve Consideration and ACTION to Approve Budget Amendment for Police Department, seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION on the first reading of Ordinance 456 Storm Water Ordinance to regulate and reduce pollution that enters the surface water in the State of Texas and waters of the United States from discharges into the City's municipal separate storm sewer system.Adopted

Mr. Milum explained that this ordinance is recommended to be approved by Texas A&M University-Kingsville. This ordinance is like the City of La Feria's storm water ordinance. It sets rules, regulations, permits, and fines.

Mr. Milum answered questions from the Council

Motion was to approve the first reading of Ordinance 456 Storm Water Ordinance.

Swain Real made a motion to approve Consideration and ACTION on the first reading of Ordinance 456 Storm Water Ordinance to regulate and reduce pollution that enters the surface water in the State of Texas and waters of the United States from discharges into the City's municipal separate storm sewer system., seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION on CDBG Street Improvements concerning Ebony, Pecan and Magnolia Streets Adopted

Mr. Milum explained that part of the CDBG grant is to redo Ebony, Pecan, and Magnolia Streets. Survey work has been done and there is a problem with trees in the road right-of-way. On Ebony Street there appears to be about 26 trees that could cause a problem. On Pecan Street there appears to be about 26 trees that could cause a problem. On Magnolia Street there appears to be about 11 trees that could cause a problem. Some of the trees will need to be removed because they are in the way. Some of the trees might die due to disturbing the roots. Removing trees could upset some of the property owners. The City could take all the trees out that are in the right-of-way and agree for the City to plant trees back in the actual property.

Motion was to remove the trees that are in the way and if property owners wish to have a new tree planted on their property then City will do so.

Swain Real made a motion to approve Consideration and ACTION on CDBG Street Improvements concerning Ebony, Pecan and Magnolia Streets, seconded by Yolanda H. Cruz the vote was [Unanimous].

Update by City Manager**1. Wastewater Plant Expansion 2. Raw Water Line Upgrade, Filter Replacement, Sludge Removal System 3. Development Projects - Whipple Road Apartments, Walmart 4. Community Park Parking 5. Los Fresnos Nature Park 6. Hazardous Mitigation Plan 7. TIRZ 8. City Hall Plans No Action**

1. Wastewater Plant Expansion - We are waiting approval from TCEQ. Then TWDB will be able to give us final approval to start the bidding process.

2. Raw Water Line Upgrade, Filter Replacement, and Sludge Removal System - Bids were approved at the meeting tonight.

3. Development Projects - A. Apartment Complex on Whipple Road is moving quickly and water and wastewater lines are being put in. B. Walmart - They keep saying they will start construction soon.

4. Community Park Parking - We are getting quotes on the concrete portion to get that done so County can then come and just do the asphalt part. The parking area on Nogal Street and Third Street is in the process of being approved.

5. Los Fresnos Nature Park - We are still waiting on the appraisal and the review appraisal to be completed. Once that is done we can make a purchase.

6. Hazardous Mitigation Plan - No word back from FEMA yet on whether we received the grant or not.

7. TIRZ - It went before the County on Thursday. The County has asked that the Interlocal Agreement be changed to 100% for 15 years and to add construction of Whipple Road and Henderson Road into the plan. This will be brought before Council at the next meeting.

8. City Hall Plans - Mr. Milum gave the Council preliminary figures on building a new City Hall and Police Department. The cost estimate is \$195.00 per square foot and if they want the facility with hurricane resistant properties than the estimate is \$215.00 per square foot.

Mr. Milum answered questions from the Council.

made a motion to approve 1. Wastewater Plant Expansion 2. Raw Water Line Upgrade, Filter Replacement, Sludge Removal System 3. Development Projects - Whipple Road Apartments, Walmart 4. Community Park Parking 5. Los Fresnos Nature Park 6. Hazardous Mitigation Plan 7. TIRZ 8. City Hall Plans, seconded by the vote was .

Department Reports

Mr. Milum answered questions from the Council.

Finance Report 1. Monthly Report 2. Year-to-Date Report

made a motion to approve Finance Report 1. Monthly Report 2. Year-to-Date Report, seconded by the vote was No Vote.

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

made a motion to approve Public Works Report 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits, seconded by the vote was No Vote.

Police Department 1. Arrests 2. Offense Summary 3. Incidents

made a motion to approve Police Department 1. Arrests 2. Offense Summary 3. Incidents, seconded by the vote was No Vote.

Municipal Court 1. Monthly Report

made a motion to approve Municipal Court 1. Monthly Report, seconded by the vote was No Vote.

Library 1. Monthly Report

made a motion to approve Library 1. Monthly Report, seconded by the vote was No Vote.

Fire Department 1. Monthly Report

made a motion to approve Fire Department 1. Monthly Report, seconded by the vote was No Vote.

9. Adjournment

Consent Agenda

Presiding Officer of the Council

Recorder