

City Council

520 E Ocean Blvd.

Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

Tuesday, June 8, 2021

6:00 PM

City Hall

Agenda

- A. Call meeting to order

Mayor Flores called the meeting to order at 6:09 p.m.

- B. Invocation and Pledge of Allegiance

Mr. Milum gave the invocation and led the audience in the Pledge of Allegiance.

Public Hearing

Public Hearing on the annexation of a 116.43-acre tract of land located near the west side of the city limits and on the north side of Hwy 100.No Action

Mayor Flores opened the public hearing at 6:11 p.m.

Mr. Milum explained where the property was located.

Manuel Abrego asked if sewer services would be made available to the annexation because sewer service was still not available for property that was annexed on the west side of town in the past. Mr. Milum explained the city was pending the final approval from TWDB to provide services in those areas, the difference with the past annexation and the current one was that the owner requested the annexation for a future development. The owner would install all infrastructure for the development. James Keillor asked who would be responsible to extend the lines. Mr. Milum explained it would be the developer. Mr. Keillor asked for clarification. He wanted to know if the extension of the line would also include the connection for the citizen along the newly installed line. Mr. Milum explained to the Mayor that although he did know the answer to the question he did not feel it was part of the listed public hearing but he would answer the question. The prior annexed area to the west will be done with TWDB funds when they become available. This new annexation would require lines in a different direction and would be paid by the developer.

Mayor Flores closed the public hearing at 6:16 p.m.

made a motion to approve Public Hearing on the annexation of a 116.43-acre tract of land located near the west side of the city limits and on the north side of Hwy 100., 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.

Manuel Abrego wanted to recognize the Los Fresnos baseball and softball teams for their accomplishments. He suggested the city open a new account for a future sportsplex

Jose Luis Amaya stated that the city finally picked up brush after five months. He asked if the city was going to have a bonfire celebration in town because of the pile of pallets in the south side of town. He felt it was dangerous and a fire hazard. Mr. Amaya expressed his concerns on the parking in alleys, pot holes in the city, and mechanic work being done on the streets. He let the council know the Nature Park bird blinds were very nice but he felt it would attract teens there to do drugs and increase teen pregnancy.

Mr. Milum explained the pallets Mr. Amaya was referring to was in the process of being cleaned. The branches that were picked up were on a property that does not have active garbage services which is why it had not been picked up however Mr. Milum asked Republic Services as a favor to pick up the items.

Ida Bebon, Ruben Linan & Roque Villafranca spoke about their concerns with design, drainage, and change orders on the Henderson Road Resaca Crossing Improvements project.

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 the Council if they had any question or concerns on the consent agenda. There was none.

Consideration and ACTION to approve the minutes from May 11, 2021.Adopted

Motion was made and seconded to approve minutes from May 11, 2021.

James Herrera made a motion to approve Consideration and ACTION to approve the minutes from May 11, 2021., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve the Los Fresnos Police Department to participate in the Law Enforcement Support Office program (1033 Program).Adopted

Motion was made and seconded to approve the Los Fresnos Police Department to participate in the Law Enforcement Support Office program (1033 Program).

James Herrera made a motion to approve Consideration and ACTION to approve the Los Fresnos Police Department to participate in the Law Enforcement Support Office program (1033 Program)., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve a budget amendment for the Police Department.Adopted

Motion was made and seconded to approve a budget amendment for the Police Department.

James Herrera made a motion to approve Consideration and ACTION to approve a budget amendment for the Police Department., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve a budget amendment for Administration Department.Adopted

Motion was made and seconded to approve a budget amendment for Administration Department.

James Herrera made a motion to approve Consideration and ACTION to approve a budget amendment for Administration Department., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve Change Order No. 3 Wastewater Treatment Plant Headworks System Improvements.Adopted

Motion was made and seconded to approve Change Order No. 3 Wastewater Treatment Plant Headwork's System Improvements.

James Herrera made a motion to approve Consideration and ACTION to approve Change Order No. 3 Wastewater Treatment Plant Headworks System Improvements., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve Change Order No. 3 for the Wastewater Treatment Plant Chlorine Basin and Chemical Feed System Improvements.Adopted

Motion was made and seconded to approve Change Order No. 3 for the Wastewater Treatment Plant Chlorine Basin and Chemical Feed System Improvements.

James Herrera made a motion to approve Consideration and ACTION to approve Change Order No. 3 for the Wastewater Treatment Plant Chlorine Basin and Chemical Feed System Improvements., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve Change Order No. 1 for the City of Los Fresnos 9th Street Lift Station Relocation TXCDBG Contract No. 7219249.Adopted

Motion was made and seconded to approve Change Order No. 1 for the City of Los Fresnos 9th Street Lift Station Relocation TXCDBG Contract No. 7219249.

James Herrera made a motion to approve Consideration and ACTION to approve Change Order No. 1 for the City of Los Fresnos 9th Street Lift Station Relocation TXCDBG Contract No. 7219249., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve a Memorandum of Understanding with the Los Fresnos Consolidated Independent School District allowing the use of school facilities for the Community Health Program.Adopted

Motion was made and seconded to approve a memorandum of understanding with the Los Fresnos Consolidated Independent School District allowing the use of school facilities for the Community Health Program.

James Herrera made a motion to approve Consideration and ACTION to approve a Memorandum of Understanding with the Los Fresnos Consolidated Independent School District allowing the use of school facilities for the Community Health Program., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 520 of the City of Los Fresnos, Cameron County, Texas amending Chapter 8, Building and Construction, Article II. Construction Regulations Section 8-21 to update the adopted various International Codes and other building codes relating to inspection activities and enforcement of building provisions as provided in said codes, and adding mechanical contractor to subsection (g), and repealing all ordinances and parts of ordinances in conflict therewith.Adopted

Motion was made and seconded to approve second reading of Ordinance 520 of the City of Los Fresnos, Cameron County, Texas amending Chapter 8, Building and Construction, Article II. Construction Regulations Section 8-21 to update the adopted various International Codes and other building codes relating to inspection activities and enforcement of building provisions as provided in said codes, and adding mechanical contractor to subsection (g), and repealing all ordinances and parts of ordinances in conflict therewith.

James Herrera made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 520 of the City of Los Fresnos, Cameron County, Texas amending Chapter 8, Building and Construction, Article II. Construction Regulations Section 8-21 to update the adopted various International Codes and other building codes relating to inspection activities and enforcement of building provisions as provided in said codes, and adding mechanical contractor to subsection (g), and repealing all ordinances and parts of ordinances in conflict therewith., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 521 to annex territory to the City of Los Fresnos and extending the boundary limits of said City.Adopted

Motion was made and seconded to approve second reading of Ordinance 521 to annex territory to the City of Los Fresnos and extending the boundary limits of said City..

James Herrera made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 521 to annex territory to the City of Los Fresnos and extending the boundary limits of said City., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 522 amending Chapter 48, Zoning, Division 4-Residential Districts, Section 48-103 M-H Manufactured Housing District, b. Uses Permitted. and adding Recreational Resort Cottages; to provide for changes and amendments and to prescribe penalties for the violation of its provisions as approved by the Planning & Zoning Commission.Adopted

Motion was made and seconded to approve second reading of Ordinance 522 amending Chapter 48, Zoning, Division 4-Residential Districts, Section 48-103 M-H Manufactured Housing District, b. Uses Permitted. and adding Recreational Resort Cottages; to provide for changes and amendments and to prescribe penalties for the violation of its provisions as approved by the Planning & Zoning Commission.

James Herrera made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 522 amending Chapter 48, Zoning, Division 4-Residential Districts, Section 48-103 M-H Manufactured Housing District, b. Uses Permitted. and adding Recreational Resort Cottages; to provide for changes and amendments and to prescribe penalties for the violation of its provisions as approved by the Planning & Zoning Commission., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve Ordinance 523 proposing amendments to the Home-Rule Charter of the city of Los Fresnos and ordering that the proposed amendments be submitted to the qualified voters at a regular election..Adopted

Motion was made and seconded to approve Ordinance 523 proposing amendments to the Home-Rule Charter of the city of Los Fresnos and ordering that the proposed amendments be submitted to the qualified voters at a regular election..

James Herrera made a motion to approve Consideration and ACTION to approve Ordinance 523 proposing amendments to the Home-Rule Charter of the city of Los Fresnos and ordering that the proposed amendments be submitted to the qualified voters at a regular election., seconded by Polo Narvaez the vote was [Unanimous].

Action Items

Consideration and ACTION to approve a proclamation recognizing three siblings as valedictorian..Adopted

Mayor Flores explained the purpose of the proclamation.

Motion was made and seconded to approve a proclamation recognizing three siblings as valedictorian.

Alejandro Flores made a motion to approve Consideration and ACTION to approve a proclamation recognizing three siblings as valedictorian., seconded by Ray Ortiz the vote was [Unanimous].

Consideration and ACTION to approve the first reading of Ordinance 524 to annex territory of to the City of Los Fresnos and extending the boundary limits of said City..Adopted

Mayor Flores asked if the council had any questions or comments on the Ordinance. There were none.

Motion was made and seconded to approve first reading of Ordinance 524 to annex territory of to the City of Los Fresnos and extending the boundary limits of said City.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the first reading of Ordinance 524 to annex territory of to the City of Los Fresnos and extending the boundary limits of said City., seconded by James Herrera the vote was [Unanimous].

Consideration and ACTION to support and approve CDC funding of the 2021 Narcisco Martinez Cultural Arts Center Conjunto Festival.Adopted

Juan Munoz joined the meeting remotely via Zoom at 6:46 p.m.

Rogelio Nunez with the Narcisco Martinez Cultural Arts Center gave a brief summary on the festival.

Mayor Flores asked the Council if they had any questions or comments on the action item. There were none.

Mr. Nunez thanked the Council.

Motion was made and seconded to approve and support CDC funding for 2021 Narcisco Martinez Cultural Arts Center Conjunto Festival.

Polo Narvaez made a motion to approve Consideration and ACTION to support and approve CDC funding of the 2021 Narcisco Martinez Cultural Arts Center Conjunto Festival., seconded by Ray Ortiz the vote was [Unanimous].

Consideration and ACTION to assume ownership of the Palmer-Laakso and Laureles-Liberty Memorial Lift Stations.Adopted

Mr. Milum explained when the schools were built they were required to provide everything needed for sewer services. For some reason the ownership and operation of the lift stations were never turned over to the City. This would allow the City to assume ownership and operation.

Mr. Milum answered questions for the council.

Motion was made and seconded to assume ownership of the Palmer-Laakso and Laureles-Liberty Memorial Lift Stations.

Ray Ortiz made a motion to approve Consideration and ACTION to assume ownership of the Palmer-Laakso and Laureles-Liberty Memorial Lift Stations., seconded by James Herrera the vote was [Unanimous].

Consideration and ACTION to approve Change Order 7 for the Henderson Road Resaca Crossings Project.Defeated

Gordon Cappon, James Kiellor, Inis Gomez and George Laughlin spoke regarding their concerns about the design, drainage, and safety of the Henderson Road Resaca Crossings Project.

Mr. Milum answered questions for the public and council.

Council member Ray Ortiz recommended that the change order be tabled until the city, residents, engineers and irrigation districts meet and come to an agreement.

Mr. Milum asked if it was possible to approve the Eastside for now and bring back the West side to help avoid delays in the project, since even the residents are in favor of completing the Wesside as presented.

Motion was made and seconded to approve change order 7 with the suggested amendments funding only the continuation of the west crossing not the east crossing until further discussion.

Motion died for lack of votes.

Polo Narvaez made a motion to approve Consideration and ACTION to approve Change Order 7 for the Henderson Road Resaca Crossings Project., seconded by Alejandro Flores the vote was [2 to 3].

Consideration and ACTION to approve the proposal to amend the City of Los Fresnos Hazard Mitigation Plan.Adopted

Mayor Flores asked the council if they had any questions. Council member Ray Ortiz for more information.

Mr. Milum explained the purpose of the mitigation plan.

Motion was made and seconded to approve the proposal to amend the City of Los Fresnos Hazard Mitigation Plan.

Ray Ortiz made a motion to approve Consideration and ACTION to approve the proposal to amend the City of Los Fresnos Hazard Mitigation Plan., seconded by James Herrera 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. TxDot Highway 100 Project L. Water ConservationAdopted

Mayor Flores asked Mr. Milium if he would like to add anything.

Me. Milum said he did not but if the council had any questions he would be glad to answer.

Motion was made and seconded to acknowledge 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. TxDot Highway 100 Project L. Water Conservation, seconded by James Herrera the vote was [Unanimous].

Acknowledgement of Department Head Reports

Mayor Flores asked the council if they had 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 Financial Report.

Ray Ortiz made a motion to approve Financial Report 1. Monthly 2. Year to Date 3. Sales Tax, seconded by Polo Narvaez 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 Public Works Report.

Ray Ortiz 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 Polo Narvaez the vote was [Unanimous].

Police Department 1. Arrests 2. Incidents 3. AccidentsAdopted

Motion was made and seconded acknowledge Police Department Report.

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

Municipal Court 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge Municipal Court Report.

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

Library Report 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge Library Report.

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

Fire Marshal's Report 1. Monthly ReportAdopted

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

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

Closed Session

Closed Session - Deliberation pursuant to Section 551.071, Title 5 of the Texas Government Code, the Texas Open Meetings Act, regarding the pending or contemplated litigation with online auction provider.No Action

Mayor Flores recessed the meeting for closed session at 7:52 p.m.

made a motion to approve Closed Session - Deliberation pursuant to Section 551.071, Title 5 of the Texas Government Code, the Texas Open Meetings Act, regarding the pending or contemplated litigation with online auction provider., seconded by the vote was .

Open Session – Deliberation and possible action regarding the following:

Open Session - Deliberation and possible action regarding the pending or contemplated litigation with online auction provider.No Action

Mayor Flores reopen the meeting at 7:57.

No action was taken.

made a motion to approve Open Session - Deliberation and possible action regarding the pending or contemplated litigation with online auction provider., seconded by the vote was .

K. Adjournment

Mayor Flores adjourned the meeting at 7:57 p.m.

Presiding Officer of the Council

Recorder