

City Council

200 North Brazil

Los Fresnos, TX 78566

Regular Meeting

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

~ Minutes ~

Tuesday, June 9, 2015

6:00 PM

City Hall

Agenda

1. Call meeting to order
Mayor Narvaez called the meeting to order at 6:03 PM.
2. Invocation and Pledge of Allegiance
Mayor Narvaez gave the invocation and led the audience in the Pledge of Allegiance.

Public Hearing

Public hearing to solicit public input on updated priorities for inclusion in the Los Fresnos Recreation and Open Space Plan.No Action

Mayor Narvaez opened the public hearing at 6:05 p.m.

Ms. Patty Alexander, Consultant, was present and she stated that these updated priorities will override the priorities that are in the current Park Master Plan. There were 591 surveys received. Ms. Alexander read the priority list to the public.

There were no comments from the public.

Mayor Narvaez closed the public hearing at 6:09 p.m.

made a motion to approve Public hearing to solicit public input on updated priorities for inclusion in the Los Fresnos Recreation and Open Space Plan., seconded by the vote was .

Presentation

Presentation, consideration and ACTION on report by Rodeo Committee and to approve utilizing Hotel/Motel Fund Tax to promote Los Fresnos Rodeo.Adopted

Mr. Wesley Milum, Marketing Director, and Mr. Mike Todd, Chairman, of the Los Fresnos Rodeo Committee were present.

Mr. Wesley Milum gave a report to the Council on the social marketing from last year and what has happened so far in 2015. Mr. Milum stated that they are looking into E-Commerce for buying rodeo items online, vendors to pay their fees, and sponsors can pay their fees.

Mr. Todd told the Council that they had a tremendous turn-out everyday for the rodeo and it was due to the Super Bowl not being played that Sunday. The Rodeo Committee has decided to move the rodeo to the 3rd week-end in February so there will be no conflict with the Super Bowl. Mr. Todd asked the Council to continue to support the social marketing again this year.

Mr. Wesley Milum and Mr. Mike Todd answered questions from the Council.

Motion was made and seconded to support the Rodeo Committee by utilizing the Hotel/Motel tax to promote the Rodeo in the amount of \$2,500.

Tom Jones made a motion to approve Presentation, consideration and ACTION on report by Rodeo Committee and to approve utilizing Hotel/Motel Fund Tax to promote Los Fresnos Rodeo., seconded by Gary Minton the vote was [Unanimous].

Consent Agenda

Approval or rejection of Minutes from May 12, 2015 meeting.Adopted

Motion was made and seconded to approve the Minutes from May 12, 2015.

Tom Jones made a motion to approve Approval or rejection of Minutes from May 12, 2015 meeting., seconded by Gary Minton the vote was [Unanimous].

Approval or rejection of a Resolution authorizing review of Texas Gas Service Cost of Service Adjustment Tariff; approving of a joint review of TGS application along with other Cities; hiring of legal and consulting services to negotiate with TGS; and requiring TGS to reimburse all reasonable cost associated with Cities efforts in this ratemaking effort.Adopted

Mr. Ken Jones, Lower Rio Grande Development Council, was present and he told Council that there are 34 cities involved in the rate case. The resolution approves the hiring of a firm to review Texas Gas Company's COSA filing. The expenses incurred by the cities for legal or consultant services will be reimbursed by Texas Gas Service.

Motion was made and seconded to approve the resolution as presented.

Tom Jones made a motion to approve Approval or rejection of a Resolution authorizing review of Texas Gas Service Cost of Service Adjustment Tariff; approving of a joint review of TGS application along with other Cities; hiring of legal and consulting services to negotiate with TGS; and requiring TGS to reimburse all reasonable cost associated with Cities efforts in this ratemaking effort., seconded by Gary Minton the vote was [Unanimous].

Approval or rejection of the second and final reading of Ordinance 466 to establish requirements for the proper disposal of pet solid waste so as to protect public health, safety

and welfare; to prescribe penalties for failure to comply; and to establish an effective date.Adopted

Motion was made and seconded to approve the second and final reading of Ordinance 466.

Tom Jones made a motion to approve Approval or rejection of the second and final reading of Ordinance 466 to establish requirements for the proper disposal of pet solid waste so as to protect public health, safety and welfare; to prescribe penalties for failure to comply; and to establish an effective date., seconded by Gary Minton the vote was [Unanimous].

Approval or rejection to acknowledge the financial report and cash investment report for the 2nd Quarter ending March 31, 2015.Adopted

Motion was made and seconded to approve the 2nd quarter investment report.

Tom Jones made a motion to approve Approval or rejection to acknowledge the financial report and cash investment report for the 2nd Quarter ending March 31, 2015., seconded by Gary Minton the vote was [Unanimous].

Approval or rejection to acknowledge the Planning and Zoning's approval of the preliminary plat for Pueblo Nuevo Subdivision.Adopted

Motion was made and seconded to approve the preliminary plat for Pueblo Nuevo Subdivision.

Tom Jones made a motion to approve Approval or rejection to acknowledge the Planning and Zoning's approval of the preliminary plat for Pueblo Nuevo Subdivision., seconded by Gary Minton the vote was [Unanimous].

Approval or rejection of the first reading of Ordinance 235-FF to amendment Section 26, Sub-Section 26.2(1) Paving and Drainage in the Zoning Ordinance.Adopted

Motion was made and seconded to approve the amendment to the Zoning Ordinance on Section 26.2(1) for paving and drainage.

Tom Jones made a motion to approve Approval or rejection of the first reading of Ordinance 235-FF to amendment Section 26, Sub-Section 26.2(1) Paving and Drainage in the Zoning Ordinance., seconded by Gary Minton the vote was [Unanimous].

Approval or rejection of a budget amendment for Ethel Whipple Memorial Library.Adopted

Motion was made and seconded to approve the budget amendment for Ethel Whipple Memorial Library.

Tom Jones made a motion to approve Approval or rejection of a budget amendment for Ethel Whipple Memorial Library., seconded by Gary Minton the vote was [Unanimous].

Visitor Remakrs - 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.

Action Items

Consideration and ACTION to approve a Resolution to updated priorities for the inclusion in the City of Los Fresnos Recreation & Open Space Plan.Adopted

Mr. Milum stated that these items are already in the Park Plan but Texas Parks & Wildlife would like for them listed in this manner.

Motion was made and seconded to approve the Resolution to update priorities for the inclusion in the City of Los Fresnos Recreation and Open Space Plan.

Swain Real made a motion to approve Consideration and ACTION to approve a Resolution to updated priorities for the inclusion in the City of Los Fresnos Recreation & Open Space Plan., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve or reject and or all bids received for the Evergreen Street Extension Project.Adopted

Mr. Milum stated that the new online bidding system that Naismith Engineering used to advertise bids seems to be beneficial.

The original estimate Naismith gave the City was \$1,527,571. This is the figure we used for the Certificates of Obligation. Once field work was done we needed more drainage so the estimate increased to \$1,575,056.34.

There were 5 bids received for the Evergreen Street Extension Project. The low bid of \$1,199,892.30 was from Pederson Construction. With the engineering of \$233,019, the total for the project is \$1,432,911.30. This is \$94,659.70 less than the amount we have set aside for the project.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the low bid from Pederson Construction in the amount of \$1,199,892.30 for the Evergreen Street Extension Project.

Polo Narvaez made a motion to approve Consideration and ACTION to approve or reject and or all bids received for the Evergreen Street Extension Project., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to approve or reject any or all bids received for the Evergreen Street Waterline Improvements Project.Adopted

Mr. Milum stated that the new online system was beneficial.

The estimate Naismith gave was \$261,223 and this was the figure used for the Certificates of Obligation.

There were 8 bids received with the low bid being \$129,960 from Pederson Construction. With the engineering of \$39,847, the total amount for the project is \$169,807. This is \$91,416 less than the amount we have set aside for the project.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the low bid from Pederson Construction in the amount of \$129,960 for the Evergreen Street Waterline Improvements Project.

Swain Real made a motion to approve Consideration and ACTION to approve or reject any or all bids received for the Evergreen Street Waterline Improvements Project., seconded by Gary Minton the vote was [Unanimous].

Consideration and ACTION to approve or reject any or all bids received for the West Ocean Lift Station and Force Main Improvements Project.Adopted

Mr. Milum stated that the new online system that Naismith Engineering used was very beneficial.

The original estimate Naismith gave was \$480,503. This is the figure we used for the Certificates of Obligation. However, once they started figuring future flows it was determined we needed a force main from the lift station to the wastewater treatment plant. The rough estimate was then changed to \$685,690 but did not include engineering or the expense going along city streets. We initially thought we could place the line in a separate easement that would save a lot of money but there was not room so we had to design it to go down city streets.

There were 7 bids with the low base bid of \$888,888.88 from The 5125 Company. There were several other options that were bid to see if we could get a better deal on them. The prices were all right but nothing that was enticing and due to budget constraints Mr. Salazar and Mr. Milum felt we should only recommend to except Alternative 1 for boring all driveways and streets. By boring we can avoid problems with property owners stating that we did not fix the driveway back like it was before construction. The Alternative 1 for boring is \$16,260 so this bring the total bid to \$905,148.88 with The 5125 Company still being the low bidder.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the low bid of \$905,148.88 from The 5125 Company for the West Ocean Lift Station and Force Main Improvements Project.

Gary Minton made a motion to approve Consideration and ACTION to approve or reject any or all bids received for the West Ocean Lift Station and Force Main Improvements Project., seconded by Tom Jones the vote was [Unanimous].

Consideration and ACTION on cleaning right-of-way on the westside of North Arroyo Boulevard between Whipple Road and Memorial Park.Adopted

Mr. Milum explained that he has been trying to work with the property owners at the corner of Whipple Road and North Arroyo, the old Willms house, to clean the area on the west side of North Arroyo Boulevard from Whipple Road to Memorial Park. The City is required to keep the right-of-ways clean on state roads inside the city limits. Before I started to clean the right-of-way TxDot was contacted to get approval to assure the City did not disturb any plants, trees or animals that should not be disturbed. TxDot approved the work. Mr. Milum contacted the County to see if they could assist with the machine that they use for this type of work and they agreed to help. When the work started the owner of the property to the west claimed it was their property. Once that claim was made the City stopped working and Mr. Milum had a survey done so he would know exactly where the boundaries are. The survey shows the bank along Arroyo Boulevard is the street right-of-way. The bank along Whipple Road is the property of the home owner. We are ready to do the cleaning but Mr. Milum told the property owner he would not do any work until it was brought before the Council and the Council gave him direction. We will not disturb any plants that are protected. We will keep the palm trees and the good trees. Mr. Milum explained to the property owner that the City would continue to maintain the right-of-way.

Mr. Milum answered questions from the Council.

Motion was made and seconded to authorize the City Manager to proceed with the cleaning of the right-of-way along the west side of North Arroyo between Whipple Road and Memorial Park and to authorize TxDot to make any improvements at a later date.

Polo Narvaez made a motion to approve Consideration and ACTION on cleaning right-of-way on the westside of North Arroyo Boulevard between Whipple Road and Memorial Park., seconded by Yolanda H. Cruz the vote was [Unanimous].

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 .

Consideration and ACTION to approve the evaluation form for City Manager.Adopted

Mr. Milum stated that during his evaluation in January the Council asked him to come up with an evaluation tool for the Council to utilize for his evaluation. He took forms from several cities and took items out of each that would fit for our City.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the evaluation form for the City Manager position.

Tom Jones made a motion to approve Consideration and ACTION to approve the evaluation form for City Manager., seconded by Gary Minton the vote was [Unanimous].

Consideration and ACTION to approve codification of ordinances and fee schedule.Adopted

Mr. Milum explained that the codification of all our ordinances since the beginning of the City is now complete. It is 494 pages long so it is too loong to put it as an attachment. Councilmembers can come by City Hall and look at the original or Ms. Denny can print one out for you if you wish. The only changes that were made to the original ordinances were updates that are no longer legal or needed wording changed due to state or federal requirements. The Council had a copy of the fee schedule that is updated. These fees were spread out over all the ordinances but now they are in one document. This way only the fee schedule has to be updated for a change not each individual ordinance. Mr. Milum suggested this be done annually at budget time. There will probably be little changes each year as most of these types of fees are constant.

Motion was made and seconded to approve the first reading of the codification of ordinances and fee schedule.

Tom Jones made a motion to approve Consideration and ACTION to approve codification of ordinances and fee schedule., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve the first reading of Ordinance 467 to remove traffice control devices at the corner of Canal Street and North Mesquite Street and at the corner of West Third Street and North Pita Street.Adopted

Mr. Milum stated that he has lots of complaints about the Police giving citations at the corner of Canal Street and North Mesquite by the Lopez Riggins Elementary School and at the corner of West Third Street and North Pita Street by McDonalds. Both of these areas are L streets and there is no need for a stop sign. Mr. Milum stated he had spoken to the School District and they do not have a problem with the removal of the stop sign.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the first reading of Ordinance 467 to remove traffic control devices at the corner of Canal Street and North Mesquite Street and at the corner of West Third Street and North Pita Street.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the first reading of Ordinance 467 to remove traffic control devices at the corner of Canal Street and North Mesquite Street and at the corner of West Third Street and North Pita Street., seconded by Swain Real the vote was [Unanimous].

Update by City Manager

A. Wastewater Plant Expansion B. Certificates of Obligation C. Mosquito Control D. Community Park Parking E. TWDB Projects F. Code Enforcement G. Finance Questions from Last Meeting H. RecyclingNo Action

A. Wastewater Plant Expansion - With the other bids completed we hope to get this project bid in June and July. It will probably be ready for the Council to review and approve in August.

B. Certificates of Obligation - We addressed this is a prior agenda items.

C. Mosquito Control - We continue spraying for mosquitos.

D. Community Park Parking - We still need another bid to complete the fence and concrete work.

E. TWDB Projects - Guzman and Munoz Engineering continues to work on these projects.

F. Code Enforcement - They are continuing to focus on high grass, abandoned vehicles, junked vehicles and loose animals.

G. Finance Questions from Last Meeting - Council has copies of information.

H. Recycling - The Memorial Park location is doing the best but that is due to that is the location Allied Waste was at for the last several years. The City Hall location is the next and the Community Park is last.

made a motion to approve A. Wastewater Plant Expansion B. Certificates of Obligation C. Mosquito Control D. Community Park Parking E. TWDB Projects F. Code Enforcement G. Finance Questions from Last Meeting H. Recycling, seconded by the vote was .

Department Head Reports**1. Monthly 2. Year-to-Date**No Action

Mr. Milum answered questions from the Council.

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

1. Water and Wastewater Activity 2. Calls for Service 3. Building PermitsNo Action

Mr. Milum answered questions from the Council.

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

1. Arrests 2. Incidents 3. AccidentsNo Action

Mr. Milum answered questions from the Council.

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

1. Monthly ReportNo Action

Mr. Milum answered questions from the Council.

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

May 2015 Library ReportNo Action

Mr. Milum answered questions from the Council.

made a motion to approve May 2015 Library Report, seconded by the vote was .

Monthly ReportNo Action

Mr. Milum answered questions from the Council.

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

10. Adjournment

Mayor Narvaez adjourned the meeting at 7:56 p.m.

Presiding Officer of the Council

Recorder