

City Council

200 North Brazil

Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

Tuesday, June 12, 2018

6:00 PM

City Hall

Agenda

1. Call meeting to order

The meeting was called to order at 6:03 PM by Mayor Narvaez.

2. Invocation and Pledge of Allegiance

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

Consent Agenda

Mayor Narvaez asked if there were any questions on the consent agenda.

Council member Munoz asked if they could tabled item number 6 on the consent agenda for the next meeting and asked if he could go all the way to action item number 3. He stated he had been trying to get the information on those items but he hadn't received them. He hadn't seen correctly the rules or specification. He was hoping to get the approval to table the items for the next meeting to have ample time to go over the specifications.

Mayor Narvaez asked Mr. Munoz what specifications in particular he was talking about or concerned about. Mr. Munoz stated he wanted to go to action item 3 the bid specification and documents he had not had time to go over the documents. Mayor Narvaez asked if there was anything in particular or if it was the whole thing. Mr. Munoz stated he had not had a chance to see the "whole" papers and that Mr. Milum had put them on the computer yesterday but he had not had a chance to review them.

Mayor Narvaez asked Mr. Milum if he could explain. Mr. Milum stated they really should not be discussing the action items since they were not on the consent agenda but since Mr. Munoz asked to pull consent item 6 the council could approve numbers 1-5 and 7-8 and discuss 6 separately. Council member Javier Mendez asked to pull 4 and 5.

Mr. Narvaez clarified which items would be pulled.

Motion was made and seconded to approve consent agenda items 1,2,3,7 & 8.

Consideration and ACTION to approve the minutes from May 8, 2018.Adopted

Motion was made and seconded to approve the Minutes from May 8, 2018.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the minutes from May 8, 2018., seconded by Javier Mendez the vote was [Unanimous].

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

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

Polo Narvaez made a motion to approve Consideration and ACTION to authorize the City Manger to dispose of surplus Items., seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION to approve Resolution 4-2018 approving cooperation with the cities served by AEP to review AEP Texas Inc' s requested approval of an adjustment to its energy efficiency cost recovery factor.Adopted

Motion was made and Seconded to approve Resolution 4-2018.

Polo Narvaez made a motion to approve Consideration and ACTION to approve Resolution 4-2018 approving cooperation with the cities served by AEP to review AEP Texas Inc' s requested approval of an adjustment to its energy efficiency cost recovery factor., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection of a budget amendment for the general fund for the 2017-2018 Fiscal Year.Adopted

Mr. Milum explained that when the original budget was set because they did not have the agreement from UT health they mirrored the 2016-2017 budget of \$85,000 and used that amount. The agreement was received showing \$45,000, which was approved on February 13, 2018 by the council. The amendment should have been done at that time.

Mr. Mendez asked if we did not approve the \$45,000 in October, Mr. Milum replied no we did not receive it till February 13. Mr. Mendez stated he thought it was a reduction. Mr. Milum explained it was a reduction from \$85,000 to \$45,000 and the budget amendment reflects that.

Mr. Mendez asked if we would be changing anything or just picking up the difference. Mr. Milum explained some of it was overhead that covered Celina Gonzales' salary to oversee the program and that was removed along with other things.

Motion was made and seconded to approve the budget amendment.

Javier Mendez made a motion to approve Approval or rejection of a budget amendment for the general fund for the 2017-2018 Fiscal Year., seconded by Swain Real the vote was [Unanimous].

Approval or rejection of a budget amendment for the General Fund for the 2017-2018 Fiscal Year.Adopted

Mr. Milum explained that after reviewing the budget as they do frequently they noticed the calculation error. Normally 1/4 goes to water fund, 1/4 sewer fund and 1/2 goes to general fund. When the budget was developed only 1/4 went to general fund. This budget amendment would resolve that error.

Motion was made and seconded to approve the Budget Amendment.

Swain Real made a motion to approve Approval or rejection of a budget amendment for the General Fund for the 2017-2018 Fiscal Year., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve a budget amendment to fund the paving of Rodeo Drive.Adopted

Mr. Milum explained that the council approved the paving of Rodeo Drive in April and this budget amendment would reflect the decision made.

Mayor Narvaez asked if there were any questions.

Mr. Munoz stated he felt they should table the item for the next meeting. Mr. Narvaez let Mr. Munoz know that if there was somebody there to answer his questions they could do it now and move on. Mr. Munoz stated it consist with action item 3 so he was "stuck" in asking questions and he could not ask any question on item number 3 till they get to it. Mr. Milum mentioned Rodeo Drive didn't have anything to do with item number 3 and that the council had already approved item number 6. This was simply a budget amendment showing where the funds would be coming from. Mr. Narvaez stated if it was already approved and there had not been any changes made.

Mr. Munoz stated that the reason he was against it was because to him the contract should have been bid out and that was his concern and he wanted to get the proper information weather it should have been bid out or not. Council member Yolanda Cruz asked if he was talking about the paving or the building and she was confused. Mr. Munoz answered the paving because it pertained to the specifications. Mr. Milum reminded the council that the paving was done with a bid through an inter local agreement the same way it was done with the paving of Veterans Drive, through a bid that was done in an inter-local agreement that was entered with the developer that the City would pay for a portion. Mayor Narvaez asked if the contractor was Pederson

Construction and if they had already started the project. Mr. Milum answered yes and stated the city would use the same bid price with an inter-local agreement to just add more to the project than what was originally done. Council member Swain Real commented that if you bid out it would most likely be higher. We have the advantage to have the whole subdivision price.

Mrs. Cruz stated it is cheaper and it is legal. Mayor Narvaez commented he didn't think it was illegal and it had been approved already. He didn't see any reason why they could not continue with the project.

Mr. Munoz stated that like Mr. Milum said the city and the developer agreed on paving Veterans Drive and it didn't say anything on the Rodeo Drive. Mr. Milum reminded Mr. Munoz that an inter local agreement was made to add the paving of Rodeo Drive to the project and it was approved in April by the Council.

Mayor Narvaez asked if there were anymore question on the item.

A motion was made and seconded to approve the budget amendment to fund the paving of Rodeo Drive.

Polo Narvaez made a motion to approve Consideration and ACTION to approve a budget amendment to fund the paving of Rodeo Drive., seconded by Yolanda H. Cruz the vote was [4 to 1].

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 the Memorandum of Understanding between South Texas ISD and the City of Los Fresnos.

Polo Narvaez 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 Javier Mendez the vote was [Unanimous].

Consideration a ACTION to approve an Inter local Agreement between the City of Los Fresnos and the University of Texas Rio Grande Valley in which the City can participate in the Stormwater Regional Task Force.Adopted

Motion was made and seconded to approve the Inter Local Agreement between the City of Los Fresnos and the University of Texas Rio Grande Valley.

Polo Narvaez made a motion to approve Consideration a ACTION to approve an Inter local Agreement between the City of Los Fresnos and the University of Texas Rio Grande Valley in

which the City can participate in the Stormwater Regional Task Force., seconded by Javier Mendez the vote was [Unanimous].

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

Mr. Conejo signed up to speak. His concern was that the city was not spraying for the mosquitoes. His second concern was a house that was under construction in his neighborhood that has over grown grass and looked to be abandoned. He also asked if there was a council member the represents his district. Mayor Narvaez let Mr. Conejo know that if he had any concerns he could come in to speak to Mark and he did not have to wait till the council meeting to express his concerns.

Anna Smith with Hanson Engineering signed up to speak. She wanted to introduce their new summer intern, Rafael.

Action Items

Consideration and ACTION to approve the Audit Report for the 2016-2017 fiscal year.Adopted

Mr. Milum introduced Quentin Anderson and Amanda Molina with Carr Riggs & Ingram.

Mr. Anderson let the council know that he would be summarizing the packet that was given to them to review prior to the meeting. He started off by giving the council information on the Certificate of Achievement for the Excellence in Financial Reporting that was presented to the City of Los Fresnos for last years audit. He explained the Auditors Report and what it consisted of. Mr. Anderson gave a quick overview on the Summary of Net Position and changes. He discussed total revenues and expenditures and answered questions for the board.

Motion was made to approve the audit report for the 2016-2017 fiscal Year.

Javier Mendez made a motion to approve Consideration and ACTION to approve the Audit Report for the 2016-2017 fiscal year., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve waiving building permit fees, inspection fees and water and wastewater connection fees for the new city hall as well as water and wastewater usage fees during construction of the new city hall.Adopted

Mr. Milum explained to the council that BRW asked we address this prior to going out for bids. Most cities waive these fees. When bids are done contractor will usually put a

mark up on the fees and BRW suggest we exclude them up front and it shows in the bid documents. This will save the city additional funds.

Motion was made and seconded to approve waving building permit fees, inspection fees and water and wastewater connection fees for the new city hall as well as water and wastewater usage fees during construction.

Polo Narvaez made a motion to approve Consideration and ACTION to approve waiving building permit fees, inspection fees and water and wastewater connection fees for the new city hall as well as water and wastewater usage fees during construction of the new city hall., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to approve the bid specifications and bid documents for constructing the new city hall.Adopted

Mr. Milum explained that generally these types of items are not placed on action items to review. They are usually done by engineers and staff. But since council member Juan Munoz asked for them Mr. Milum, wanted to add them for the council to review and approve.

Mr. Milum stated it was a large document and he had been through it going over mainly the dates. The specification were done by engineers and architects that are familiar with the process. Mr. Milum stated that Mr. Munoz did not have time to go through them and we could postpone the approval but it would set back the time to go out for bids. Council member Swain Real asked if we were paying interest and Mr. Milum stated yes. Mrs. Cruz asked Mr. Milum if he had time to look over the documents he responded he had but the things he mainly looked at were dates and the schedule. The engineering details he does not look at because he is not an engineer and that is what they pay them for. He also stated that the engineers licensees are up for display and if they mess up we can hold them accountable.

Mr. Munoz asked if Mr. Milum said that the council usually had nothing to do with the bid specifications and documents then it should have not been an item. Mr. Milum stated it usually the council dose not. But because Mr. Munoz had questioned the specifications he decided to place it on the agenda for the council to discuss. He did not want there to be any concerns. Usually you trust your engineers and your architects. It is up to the council to decide how they wanted to handle it.

Motion was made and seconded to approve the bid specifications and bid documents for the new city hall.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the bid specifications and bid documents for constructing the new city hall., seconded by Swain Real the vote was [4 to 1].

Acknowledgement of City Manager's Report

City Manager Report A. Wastewater Plant Update B. Water Plant Update C. Water & Wastewater Engineering Study D. Whipple Road Wastewater Extension E. Nature Park F. Hike & Bike Trails G. CDBG 2017-2018 Grant H. Henderson Road Project I. City Hall Project J. Building Inspections K. Underground Canal L. Sport Park M. Dog Park N. Development and Annexation Plans O. Update Planning & Zoning Ordinance P. Economic Development**Adopted**

Mr. Milum asked if the council had any questions. He stated he had met with four property owners in reference to getting the extra 10 ft for the Resaca crossings. There is a total of 9 owners he will have to meet with. He's had a positive response so far.

Mayor Narvaez asked where we stood on the Hike and Bike Trail. Mr. Milum stated that Texas Parks and Wildlife's deadline to approve the environmental clearance is June. Once this approval is done they will have a final approval that will take two to three weeks. Mr. Mendez asked if after the clearance they had any recommendations or comments they could address them then. Mr. Milum said yes. Mr. Mendez asked if Mr. Milum was going to meet with Judy. Mr. Milum said yes. Mr. Mendez stated that was good. We see a light at the end of the tunnel. Mr. Mendez stated he ran into Judy and she was concerned. Mr. Milum stated he has kept them up to date with everything we knew. Mr. Milum clarified that Mr. Mendez was talking about Judy with the Valley Baptist Legacy Foundation. They have the grant for \$500,000. Their goal is to spend the funds and get these projects out the door and this one has been going on for three years so they aren't happy.

Mr. Mendez asked if Mr. Milum had an update on the Dog Park. Mr. Milum said no not at this time.

Mr. Mendez asked if we were done with the trails at the Nature Park. Mr. Milum said yes just about. Mr. Mendez had heard good positive things about it. Mr. Milum stated he had as well. He did receive an email from a citizen that she loved the park, but suggested we place doggie waste bags for people who walk their dogs. They have already been ordered.

Mr. Mendez asked for the status on the Economic Development. Mr. Milum explained to council of how the firm, The Retail Coach gets their data. He had the information and would send it out to the council. Mr. Milum answered questions for the board.

Motion was made and seconded to acknowledge the City Manager's Report.

Polo Narvaez made a motion to approve City Manager Report A. Wastewater Plant Update B. Water Plant Update C. Water & Wastewater Engineering Study D. Whipple Road Wastewater

Extension E. Nature Park F. Hike & Bike Trails G. CDBG 2017-2018 Grant H. Henderson Road Project I. City Hall Project J. Building Inspections K. Underground Canal L. Sport Park M. Dog Park N. Development and Annexation Plans O. Update Planning & Zoning Ordinance P. Economic Development, seconded by Yolanda H. Cruz the vote was [Unanimous].

Acknowledgement of Department Head Reports

Mr. Milum introduced Pablo Garza, the Finance Director and thanked him for the good work he's been doing.

Financial Report 1. Monthly 2. Year-to-Date 3. Sales Tax ReportAdopted

Mr. Milum stated he had a question from Mr. Munoz in reference to a check made to Motion Pictures. He explained it was payment for movie license to show a movie 3-4 times during the summer for the citizens.

Mr. Munoz asked if Max Torres was the person that cleans the vehicles for the city. Mr. Milum stated he was.

Mr. Munoz asked about a check made to Wal-Mart. Mr. Milum explained it was the last payment of the 380 agreement with Wal-Mart.

Mr. Milum answered questions for the board.

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 Report, seconded by Javier Mendez the vote was [Unanimous].

Public Works Report 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits 4. RecyclingAdopted

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, seconded by Javier Mendez the vote was [Unanimous].

Police Department Reports 1. Arrest 2. Incidents 3. AccidentsAdopted

Motion was made and seconded to acknowledge the Police Department Report.

Polo Narvaez made a motion to approve Police Department Reports 1. Arrest 2. Incidents 3. Accidents, seconded by Javier Mendez the vote was [Unanimous].

Municipal Court Report 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge the Municipal Court Report.

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

Library Report 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge the Library Report.

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

Fire Marshal Report 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge the Fire Marshal Report.

Polo Narvaez made a motion to approve Fire Marshal Report 1. Monthly Report, seconded by Javier Mendez the vote was [Unanimous].

8. Adjournment

The meeting was closed at 7:07 p.m.

Presiding Officer of the Council

Recorder