

City Council

200 North Brazil

Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

Tuesday, July 11, 2017

6:00 PM

City Hall

Agenda

1. Call meeting to order
Mayor Narvaez called the meeting to order at 6:00 PM.
2. Invocation and Pledge of Allegiance
Mayor Narvaez gave the invocation and led the audience in the Pledge of Allegiance.

Consent Agenda

Approval or rejection of Minutes from June 13, 2017 and June 20, 2017 meetings. Adopted

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

Juan Munoz made a motion to approve Approval or rejection of Minutes from June 13, 2017 and June 20, 2017 meetings., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection of the Order of Election and Notice of Election for the November 7, 2017 City Election. Adopted

Motion was made and seconded to approve the Order of Election and Notice of Election for the November 7, 2017 City Election.

Juan Munoz made a motion to approve Approval or rejection of the Order of Election and Notice of Election for the November 7, 2017 City Election., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection to contract with Cameron County Election Administration to conduct the early voting and election day voting for November 7, 2017 City Election. Adopted

Motion was made and seconded to approve contracting with Cameron County Election Administration to conduct the early voting and election day voting for the November 7, 2017 City Election.

Juan Munoz made a motion to approve Approval or rejection to contract with Cameron County Election Administration to conduct the early voting and election day voting for November 7, 2017 City Election., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection to approve a Resolution approving the Hazard Mitigation Plan. Adopted

Motion was made and seconded to approve a Resolution approving the Hazard Mitigation Plan.

Juan Munoz made a motion to approve Approval or rejection to approve a Resolution approving the Hazard Mitigation Plan., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection to approve a Resolution suspending the July 20, 2017 effective date of the statement of intent of Texas Gas Service Company to increase rates within incorporated areas of its service territory to permit the City time to study the request and to establish reasonable rates, finding that the City's reasonable rate case expenses shall be reimbursed by the Company, authorizing participation with other Rio Grande Valley Texas municipalities, hiring legal and consulting services to negotiate with the Company and direct any necessary litigation and appeals, finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and legal counsel.Adopted

Motion was made and seconded to approve a Resolution suspending the July 20, 2017 effective date of the statement of intent of Texas Gas Service Company to increase rates within incorporated areas of its service territory to permit the City time to study the request and to establish reasonable rates, finding that the City's reasonable rate case expenses shall be reimbursed by the Company, authorizing participation with other Rio Grande Valley Texas municipalities, hiring legal and consulting services to negotiate with the Company and direct any necessary litigation and appeals, finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and legal counsel.

Juan Munoz made a motion to approve Approval or rejection to approve a Resolution suspending the July 20, 2017 effective date of the statement of intent of Texas Gas Service Company to increase rates within incorporated areas of its service territory to permit the City time to study the request and to establish reasonable rates, finding that the City's reasonable rate case expenses shall be reimbursed by the Company, authorizing participation with other Rio Grande Valley Texas municipalities, hiring legal and consulting services to negotiate with the Company and direct any necessary litigation and appeals, finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and legal counsel., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection to approve a Memorandum of Understanding between the City of Los Fresnos and Los Fresnos Consolidated Independent School District for Emergency Operations Planning Response.Adopted

Mr. Milum stated that the City and the School has had a "gentleman's" agreement when dealing with emergency operations. Much of it was spelled out in our emergency management plan. We felt it was important to have an official document so there were not any questions. The School helps with transportation, shelter, pickup sites, deliveries, and etc. The City has security along with the School.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the Memorandum of Understanding between the City of Los Fresnos and Los Fresnos Consolidated Independent School District for Emergency Operations Planning Response.

Polo Narvaez made a motion to approve Approval or rejection to approve a Memorandum of Understanding between the City of Los Fresnos and Los Fresnos Consolidated Independent School District for Emergency Operations Planning Response., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection of a Resolution electing to calculate the City of Los Fresnos' extra-territorial jurisdiction pursuant to Texas Local Government Code 42.021, previous Interlocal agreements as adopted by the City of Los Fresnos and the City of Brownsville, and as permitted by recent legislation enacted by the State of Texas, and dealing with related matters.Adopted

Mr. Milum explained that the City and the City of Brownsville have two agreements on ETJ and city limits. The Texas Legislature recently amended a section in the Texas Local Government Code to allow cities in Cameron County to opt out of the restriction by enacting a resolution. By passing the resolution we are confirming these two prior agreements. This will not affect Port Isabel and Laguna Vista on the issues they have with Brownsville. The Town of Bayview and Indian Lake are also doing resolutions.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the Resolution electing to calculate the City of Los Fresnos' extra-territorial jurisdiction pursuant to Texas Local Government Code 42.021, previous Interlocal Agreements as adopted by the City of Los Fresnos and the City of Brownsville, and as permitted by recent legislation enacted by the State of Texas, and dealing with related matters.

Polo Narvaez made a motion to approve Approval or rejection of a Resolution electing to calculate the City of Los Fresnos' extra-territorial jurisdiction pursuant to Texas Local Government Code 42.021, previous Interlocal agreements as adopted by the City of Los Fresnos and the City of Brownsville, and as permitted by recent legislation enacted by the State of Texas, and dealing with related matters., seconded by Swain Real the vote was [Unanimous].

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

Mr. Milum stated there were 3 old computers and 2 old printers that needed to be surplusd out.

Councilman Mendez asked how the city disposes of old computers and Mr. Milum stated that the IT person would clean out the computer before we disposed of it.

Mayor Narvaez asked if the City had a policy and Mr. Milum stated no but he would look into it.

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 Manager to dispose of surplus Items., seconded by Juan Munoz 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 to acknowledge Planning & Zoning Commission's approval of final plats for Feather Ridge Subdivision and Valle Alto East Subdivision, Phase 5. Adopted

Mr. Milum stated that the Planning and Zoning had approved the final plats for Feather Ridge Subdivision and Valle Alto East Subdivision, Phase 5 at their meeting on June 19. The City Engineer had also approved the plats.

Feather Ridge Subdivision instead of donating land for a park will put in the drainage for their subdivision plus drainage for the new City Hall and Fire Department property. The drainage ditch behind the property will be cleaned once the drainage is put in and the City can use it as a Hike & Bike Trail in the future to connect to other trails.

Councilmember Mendez asked what could be done to make sure in the future that the easement is there for a Hike & Bike Trail. Mr. Milum stated we can tell the developer that when the final plat is recorded it must state on the plat that a 15 foot easement is for a Hike & Bike Trail.

Mr. Milum explained that Valle Alto East Subdivision, Phase 5 has included in their plat a area for a pocket park which the lot will be located by a drainage ditch off of Evergreen Street.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the final plats for Feather Ridge Subdivision with the 15 foot easement for a Hike & Bike Trail be added to the plat and the final plat for Valle Alto East Subdivision, Phase 5.

Javier Mendez made a motion to approve Consideration and ACTION to acknowledge Planning & Zoning Commission's approval of final plats for Feather Ridge Subdivision and Valle Alto East Subdivision, Phase 5., seconded by Juan Munoz the vote was [Unanimous].

Discussion, consideration and ACTION on possible Legislative agenda.Adopted

Mr. Milum stated that Governor Abbott called a special legislative session that will begin on July 18th and there are 20 items on his agenda. Mr. Milum went over the items with the Council and explained each one.

Mr. Milum answered questions from the Council.

Motion was made and seconded for Mr. Milum to write a letter addressing the support of the school finance reform commission, to support the property tax reform, to oppose the caps on state and local spending, to support the preventing local governments from changing rules midway through construction projects, to support the speeding up local government permitting process, and to oppose the municipal annexation reform.

Polo Narvaez made a motion to approve Discussion, consideration and ACTION on possible Legislative agenda., seconded by Javier Mendez the vote was [Unanimous].

Discussion, consideration and ACTION to approve the grant for Nature Park and detention area.Adopted

Mr. Milum explained that this was a 2 part grant with some for the High School and some for the City. The original award was for the school to re-habilitate their parking lot and drainage area to be more environmental friendly. Since their project was quite large they were covering our match. The City would use funds for the bioswale drainage systgem that is part of the parking lot and the rain water harvesting system on the restrooms. The original amount for the City was \$67,100. However, the school could not wait to redo the parking lot and did the work before the grant was approved. In order for the grant to not be lost, we have updated it as presented and hopefully approved. Since the school's project changed, they are requesting that they just utilize \$15,000 to upgrade the area around the drainage area but since they do not have the big paving project they do not have the match and would like us to cover that. We would get an additional \$52,100 to construct additional trails (now totaling \$119,200 with the drainage and rain water harvesting system). Our total match for the entire project would be \$89,467 which they will allow us to use the grant funds from Texas Parks & Wildlife so it will cost the City zero local funds.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the grant for Nature park and detention area. Polo Narvaez made a motion to approve Discussion, consideration and ACTION to approve the grant for Nature Park and detention area., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION on the second and final reading of Ordinance 482 fixing the rates to be charged to the consumers of water and sewer.No Action

Councilwoman Garza requested a workshop to discuss this item.

Workshop was scheduled for Tuesday, August 1, 2017 at 6:00 pm.
made a motion to approve Consideration and ACTION on the second and final reading of Ordinance 482 fixing the rates to be charged to the consumers of water and sewer., seconded by the vote was .

Consideration and ACTION to approve the second and final reading of Ordinance 483 regulating solid waste services.No Action

Councilwoman Garza requested a workshop on this item.

Workshop will be held on Tuesday, August 1, 2017 at 6:00 pm.
made a motion to approve Consideration and ACTION to approve the second and final reading of Ordinance 483 regulating solid waste services., seconded by the vote was .

Acknowledgement of City Manager's 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. Montes-Castro Park H. TxDot Sidewalk Projects I. Welcome Sign J. Hazardous Mitigation Plan K. TxDot Light at Walmart L. CDBG 2015 - 2016 Grant M. Community Park N. Memorial ParkAdopted

A. Wastewater Plant Update - We are working to get bid documents ready to begin advertising for the chlorine contact basin and the sludge drying beds. Hopefully we can award a contract in July. The headworks portion will need to be designed first taking about 120 days and then approved by TWDB. Once that is done we can advertise and begin construction in the late summer or early fall.

B. Water Plant Update - Guzman & Munoz Engineering is working on the detailed items that need to be done by a contractor to include as part of the study he is doing so we can hopefully get funding through TWDB. They are also looking to see if there is a less

expensive way to install a bypass now that will help. They have been doing some water testing this week to be able to design the plant to meet new requirement and testing that will be in place in the near future.

C. Water & Wastewater Engineering Study - Guzman & Munoz Engineering continues to work on design, surveying, easements or property required for east and west Highway 100 as well as north on FM 1575. They are also studying all the existing water and wastewater lines in the city to determine which need to be replaced for various reasons. City staff is trying to get all the right of entires for possible easements.

D. Whipple Road Wastewater Extension - Naismith/Hanson Engineering is working on that project and will hopefully have some preliminary plans to review soon.

E. Nature Park - Naismith/Hanson Engineering has the Master Plan complete. Now they will begin working on the specific details so we can convert that to a bid package.

F. Hike & Bike Trails - The easement has been signed. Halff Associates is working on the final design, the timeline and a construction estimate. They will be providing plans so we can get final approval from Cameron County Drainage District #1, Bayview Irrigation District #11 and TxDot. We also were awarded \$200,000 trails grant through Texas Parks & Wildlife so we will have \$700,000 to work with.

G. Montes-Castro Park - Final documents are done. Bid opening will be on August 1 and will be on the August 8 Council agend for your approval. Construction can begin after that.

H. TxDot Sidewalk Projects - The sidewalk project is almost complete. Looks good.

I. Welcome Sign - The foundation is poured. They will start constructing the blocks and the stone in the next couple of weeks. It is really big and I am sure will look very good.

J. Hazardous Mitigation Plan - The plan has been approved by the State of Texas and FEMA. The resolution for approval by Council is on the agend.

K. TxDot Light at Walmart - Most of the work is complete. We should have operational lights in a few weeks.

L. CDBG 2015/2016 Grant - This is to repave East Sixth and East Ninth Streets, a total of 3 blocks. We will have the pre-construction meeting on July 19. Construction will begin within a couple of weeks after that.

M. Community Park - The lighting work is complete. We will take a few weeks to analyze to determine if we can remove some of the old AEP lights. The lighting looks great. There are folks staying at the park later and they can actually see.

N. Memorial Park - The exercise equipment should arrive in the next few weeks to be installed. The lighting work is complete and looks great. There are folks staying at the park later and they can actually see.

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

Polo Narvaez made a motion to approve 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. Montes-Castro Park H. TxDot Sidewalk Projects I. Welcome Sign J. Hazardous Mitigation Plan K. TxDot Light at Walmart L. CDBG 2015 - 2016 Grant M. Community Park N. Memorial Park, seconded by Javier Mendez the vote was [Unanimous].

Acknowledgement of Department Head Reports

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

Motion was made and seconded to acknowledge the financial report.

Polo Narvaez made a motion to approve Finance Report 1. Monthly 2. Year-to-Date, seconded by Swain Real the vote was [Unanimous].

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

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 Swain Real the vote was [Unanimous].

Police Department Report 1. Arrests 2. Incidents 3. Accidents Adopted

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

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

Municipal Court Report 1. Monthly Report Adopted

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 Swain Real 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 Swain Real the vote was [Unanimous].

Fire Marshal's Report 1. Monthly ReportAdopted

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

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

8. Adjournment

Mayor Narvaez adjourned the meeting at 7:25 pm.

Presiding Officer of the Council

Recorder