

City Council

520 E Ocean Blvd.

Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

Tuesday, July 14, 2020

6:00 PM

City Hall

Agenda

- A. Call meeting to order
Mayor Narvaez called the meeting to order at 6:00 p.m.
- B. Invocation and Pledge of Allegiance
Dale House gave the invocation and led the audience of the in the Pledge of Allegiance.

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.

There were no comments.

Presentation

Consideration and ACTION to approve a proclamation of the City of Los Fresnos, Texas recognizing the Los Fresnos Community Development Corporation for their help during the COVID-19 pandemic.Adopted

Mayor Narvaez read the proclamation out loud for the audience present.

Enrique Juarez, CDC President, was present he gave a brief history on the CDC and thanked the council for the proclamation.

James Herrera made a motion to approve Consideration and ACTION to approve a proclamation of the City of Los Fresnos, Texas recognizing the Los Fresnos Community Development Corporation for their help during the COVID-19 pandemic., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consent Agenda

Mayor Narvaez asked the Council if they had any questions or concerns on the consent agenda. There were none.

Consideration and ACTION to approve the minutes from June 9, 2020.Adopted

Motion was made and seconded to approve the minutes from June 9, 2020.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the minutes from June 9, 2020., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 511 to annex and zone territory to the City of Los Fresnos and extending the boundary limits of said City.Adopted

Motion was made and seconded to approve the second reading of Ordinance 511 to annex and zone territory 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 second reading of Ordinance 511 to annex and zone territory to the City of Los Fresnos and extending the boundary limits of said City., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve the Memorandum of Understating between LFCISD & City of Los Fresnos which calls for both authorities to establish and maintain a coordinated program for enhancing Emergency Operations Planning Response.Adopted

Polo Narvaez made a motion to approve Consideration and ACTION to approve the Memorandum of Understating between LFCISD & City of Los Fresnos which calls for both authorities to establish and maintain a coordinated program for enhancing Emergency Operations Planning Response., seconded by Andres Lopez the vote was [Unanimous].

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 a Memorandum of Understanding between the City of Los Fresnos and South Texas ISD regarding the use of the parking lot at Memorial Park.

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 Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve the first and second reading of Ordinance 512 approving a negotiated resolution between the city and Texas Gas Service (“TGS” or “the company”) regarding the company’s April 30, 2020 cost of service adjustment (“COSA”) filing; declaring existing rates to be unreasonable; adopting new tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; providing for the recovery of the city’s and TGS’ reasonable and necessary rate case expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas open meetings act; declaring an effective date; repealing any prior ordinances inconsistent with this ordinance and requiring delivery of this ordinance to the company’s and the city’s legal counsel.Adopted

Motion was made and seconded to approve the first and second reading of Ordinance 512 approving a negotiated resolution between the city and Texas Gas Service (“TGS” or “the company”) regarding the company’s April 30, 2020 cost of service adjustment (“COSA”) filing; declaring existing rates to be unreasonable; adopting new tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by

the attached tariffs to be just and reasonable; providing for the recovery of the city's and TGS' reasonable and necessary rate case expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas open meetings act; declaring an effective date; repealing any prior ordinances inconsistent with this ordinance and requiring delivery of this ordinance to the company's and the city's legal counsel.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the first and second reading of Ordinance 512 approving a negotiated resolution between the city and Texas Gas Service ("TGS" or "the company") regarding the company's April 30, 2020 cost of service adjustment ("COSA") filing; declaring existing rates to be unreasonable; adopting new tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; providing for the recovery of the city's and TGS' reasonable and necessary rate case expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas open meetings act; declaring an effective date; repealing any prior ordinances inconsistent with this ordinance and requiring delivery of this ordinance to the company's and the city's legal counsel., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve change order number 1 and change order 2 for the 2019 Disaster Relief Texas CDBG 7219037 street improvement grant.Adopted

Motion was made and seconded to approve change order number 1 and change order 2 for the 2019 Disaster Relief Texas CDBG 7219037 street improvement grant.

Polo Narvaez made a motion to approve Consideration and ACTION to approve change order number 1 and change order 2 for the 2019 Disaster Relief Texas CDBG 7219037 street improvement grant., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve the Order of Election and Notice of Election for the November 3, 2020 City Election.Adopted

Motion was made and seconded to approve the Order of Election and Notice of Election for the November 3, 2020 city election and authorize the City Secretary to make any necessary changes in locations, days, dates, and times that may be ordered by the Governor of Texas or the Cameron County Elections Office due to the COVID-19 pandemic.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the Order of Election and Notice of Election for the November 3, 2020 City Election., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve Resolution 6-2020 designating the Director of Finance to calculate the no new revenue tax rate and the voter-approval tax rate for the City of Los Fresnos.Adopted

Motion was made and seconded to approve Resolution 6-2020 designating the Director of Finance to calculate the no new revenue tax rate and the voter-approval tax rate for the City of Los Fresnos.

Polo Narvaez made a motion to approve Consideration and ACTION to approve Resolution 6-2020 designating the Director of Finance to calculate the no new revenue tax rate and the voter-approval tax rate for the City of Los Fresnos., seconded by Andres Lopez the vote was [Unanimous].

Action Items

Consideration and ACTION to approve the Los Fresnos Community Development Corporation action to provide funding for the Hike & Bike Trail Project. Adopted

Mr. Milum explained during the design of the Hike & Bike Trail Project it was determined additional improvements would be needed which required additional funding a total of \$339,152.63. He contacted the Valley Baptist Legacy Foundation and they said they will provide \$75,000 in funding for the Hike and Bike Trail. The balance left would be \$264,154.63 the CDC approved to fund \$132,076.32.

Motion was made and seconded to approve the Los Fresnos Community Development Corporation action to fund the Hike & Bike Trail Project in the amount of \$132,076.32.

Andres Lopez made a motion to approve Consideration and ACTION to approve the Los Fresnos Community Development Corporation action to provide funding for the Hike & Bike Trail Project., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve additional funding for the Hike & Bike Trail project. Adopted

Mr. Milum recommended funding \$132,076.31 towards the Hike & Bike Trail. He explained the city's Fund Balance was \$1,534,267 which would still leave a balance of \$1,402,191.

Motion was made and seconded to approved funding for the Hike & Bike Trail Project in the amount of \$132,076.31.

Polo Narvaez made a motion to approve Consideration and ACTION to approve additional funding for the Hike & Bike Trail project., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to accept bids and award a contract for the Hike & Bike Trail Project. Adopted

Council member Juan Munoz connected at 6:19 pm. remotely via Zoom.

Mr. Milum explained since the additional funding was approved the council could now approve a contract the bids were discussed on detail at the last council meeting.

Motion was made and seconded to approve the bids and award the contract to Pederson Construction in the amount of \$895,152.63 for the Hike & Bike Trail Project.

James Herrera made a motion to approve Consideration and ACTION to accept bids and award a contract for the Hike & Bike Trail Project., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to repair East Sixth Street from Arroyo Boulevard to Pita Street or a portion of the street.Adopted

Mr. Milum explained an issue concerning drainage and pavement along East Sixth Street and Arroyo Blvd. was brought up at the last meeting. The City received a quote to repair half of East Sixth Street. The \$30,000 funds were available to complete the project. Mr. Milum recommended the council approve repairing the entire street which would be an additional \$35,000.

Mr. Milum answered questions from the board and discussed the proposed project.

Motion was made and seconded to approve additional funding in the amount of \$35,000 to repair and re-pave East Sixth Street from Pita Street to Arroyo Blvd in for the total of \$65,000 and use quotes instead of advertised bids.

James Herrera made a motion to approve Consideration and ACTION to repair East Sixth Street from Arroyo Boulevard to Pita Street or a portion of the street., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to approve engineering for a proposed sidewalk on Whipple Road.Adopted

Mr. Milum explained the widening of Whipple Road progress would take a few years. Mr. Milum feels there is a need for a sidewalk now due to the high use by students walking to and from school. Hanson Engineering provided a price for the engineering services of the sidewalk and have it ready to place for bids. The basic service cost \$43,800 and the special services will cost \$12,600 all capped at \$56,400.

Mr. Milum answered questions for the board and discussed the proposed project.

Motion was made and seconded to approve engineering for a proposed sidewalk on Whipple Road

James Herrera made a motion to approve Consideration and ACTION to approve engineering for a proposed sidewalk on Whipple Road., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to appoint a member to the Planning & Zoning Commission.Adopted

Mayor Narvaez asked if any citizens had applied for the position. There was one Gordon Cappon.

Motion was made and seconded to appoint Gordon Cappon to the Planning & Zoning Commission.

Polo Narvaez made a motion to approve Consideration and ACTION to appoint a member to the Planning & Zoning Commission., seconded by James Herrera the vote was [Unanimous].

Consideration and ACTION to update the Employee Policy concerning COVID-19.Adopted

Mr. Milum explained the policy to council. He answered questions from the council and discussed the policy update.

Motion was made and seconded to update the Employee Policy concerning COVID-19.

Andres Lopez made a motion to approve Consideration and ACTION to update the Employee Policy concerning COVID-19., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION on COVID-19 response update.No Action

Mr. Milum gave the council updated information on the COVID-19 pandemic cases. Mr. Milum and the council discussed the information provided. There was no action taken.

made a motion to approve Consideration and ACTION on COVID-19 response update., seconded by the vote was .

Acknowledgement of City Manager's Report**City Manager Report A. Wastewater Update B. Water Update C. Nature Park D. Hike & Bike Trails E. CDBG Disaster Grant F. Henderson Road Project G. Census Update H. Update Planning & Zoning Ordinance I. Drainage Update J. 75 Year Anniversary Celebration K. Whipple Road L. CDBG 9th Street Lift Station Relocation M. Alley Paving Project and Sign Installation N. Audit Agreement O. Sales Tax**Adopted

Mr. Milum gave and update on the Waste Water and Water Plant improvements. Mr. Milum reported the city has 7 active projects. There were no questions from the council.

Motion was made and seconded to acknowledge the 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. CDBG Disaster Grant F. Henderson Road Project G. Census Update H. Update Planning & Zoning Ordinance I. Drainage Update J. 75 Year Anniversary Celebration K. Whipple Road L. CDBG 9th Street Lift Station Relocation M. Alley Paving Project and Sign Installation N. Audit Agreement O. Sales Tax, seconded by Yolanda H. Cruz the vote was [Unanimous].

Acknowledgement of Department Head Reports

Mayor Narvaez asked the council if there were any questions on the Department Head Report. There were none.

Financial Report June 2020 1. Monthly 2. Year to Date 3. Sales TaxAdopted

Motion was made and seconded to acknowledge the Financial report.

Polo Narvaez made a motion to approve Financial Report June 2020 1. Monthly 2. Year to Date 3. Sales Tax, seconded by James Herrera the vote was [Unanimous].

Public Works Report June 2020 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 June 2020 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits 4. Recycling, seconded by James Herrera the vote was [Unanimous].

Police Department June 2020 1. Arrests 2. Incidents 3. AccidentsAdopted

Motion was made and seconded to acknowledge the Police report.

Polo Narvaez made a motion to approve Police Department June 2020 1. Arrests 2. Incidents 3. Accidents, seconded by James Herrera the vote was [Unanimous].

Municipal Court June 2020 1. Monthly ReportAdopted

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

Polo Narvaez made a motion to approve Municipal Court June 2020 1. Monthly Report, seconded by James Herrera the vote was [Unanimous].

Library Report June 2020 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge the Library report.

Polo Narvaez made a motion to approve Library Report June 2020 1. Monthly Report, seconded by James Herrera the vote was [Unanimous].

Fire Marshal's Report June 2020 1. Monthly ReportAdopted

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

Polo Narvaez made a motion to approve Fire Marshal's Report June 2020 1. Monthly Report, seconded by James Herrera the vote was [Unanimous].

EMS Report 1. Quarterly reportAdopted

Motion was made and seconded acknowledge the LFEMS 3rd Quarter Report.

Polo Narvaez made a motion to approve EMS Report 1. Quarterly report, seconded by James Herrera the vote was [Unanimous].

I. Adjournment

Mayor Narvaez closed the meeting at 7:11 p.m.

Presiding Officer of the Council

Recorder