

City Council

200 North Brazil

Los Fresnos, TX 78566

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

Regular Meeting

~ Minutes ~

Tuesday, January 17, 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.

Presentation

Presentation by Chamber of CommerceNo Action

Mr. Val Champion, Executive Director of the Los Fresnos Chamber of Commerce, handed out copies of his October - December 2016 report to the Council. Mr. Champion went over the report and answered questions from the Council.

made a motion to approve Presentation by Chamber of Commerce, seconded by the vote was .

Consent Agenda

Approval or rejection of Minutes from December 13, 2016 meeting.Adopted

Motion was made and seconded to approve the Minutes from December 13, 2016 meeting as presented.

Swain Real made a motion to approve Approval or rejection of Minutes from December 13, 2016 meeting., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection to approve the Certificate of Resolution for the Section 125 Premium Only Plan.Adopted

Motion was made and seconded to approve the Section 125 Premium Only Plan.

Swain Real made a motion to approve Approval or rejection to approve the Certificate of Resolution for the Section 125 Premium Only Plan., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection to approve Amendment #7 of the Interlocal Agreement between the City of Los Fresnos and Cameron County for the Los Fresnos Nature Park.Adopted

Motion was made and seconded to approve Amendment #7 of the Interlocal Agreement between the City of Los Fresnos and Cameron County for the Los Fresnos Nature Park.

Swain Real made a motion to approve Approval or rejection to approve Amendment #7 of the Interlocal Agreement between the City of Los Fresnos and Cameron County for the Los Fresnos Nature Park., seconded by Javier Mendez 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

Discussion, consideration and ACTION on Water Rate Study.No Action

Mr. Dan Jackson, Vice President of Willdan/Economists.com, was present and he handed out the Rate Study and Financial Forecast for the City of Los Fresnos to the Council. Mr. Jackson went over the water and wastewater rate study and financial forecast for the City of Los Fresnos with the Council. Mr. Jackson and Mr. Milum answered questions from the Council.

Mr. James Keillor and Mr. Leighton Smith, residents, spoke against the water and wastewater rate study. They feel that the City's water rates are too high. Mr. Keillor stated he had called different cities and received their water rates and Los Fresnos' rates are higher than all of them.

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Mr. Milum answered the concerns of Mr. Keillor.

made a motion to approve Discussion, consideration and ACTION on Water Rate Study., seconded by the vote was .

Discussion, consideration and ACTION on Certificates of Obligation presented by Financial Advisor.Adopted

Mr. Don Gonzales, Financial Advisor, was present and he handed out copies of the Plan of Finance to the Council. Mr. Gonzales explained the Plan for the sale of \$4,800,000 Certificates of Obligation to the Council and answered questions from the Council. Mr. Gonzales stated that the funds will be used for a new City Hall and for street repairs.

Mr. Milum explained that the property values are estimated and he feels that they will come in higher and also personal property values are not included.

Mr. Gonzales and Mr. Milum answered questions from the Council.

Mr. Keillor asked what streets would be repaired. Mr. Milum stated that Whipple Road and Henderson Road and other streets in the City. On Henderson Road the two Resaca

crossings need to be done at the crossing. Mr. Keillor expressed that a sidewalk needs to be installed from FM 1847 to FM 1575.

Motion was made and seconded to authorized the Financial Advisor to move forward with the proposed Certificates of Obligation.

Swain Real made a motion to approve Discussion, consideration and ACTION on Certificates of Obligation presented by Financial Advisor., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to approve the 2016 Racial Profiling Report for the Los Fresnos Police Department.Adopted

Chief Harris reported on the 2016 Racial Profiling Report for the Los Fresnos Police Department. The Police Department has not received any racial profiling complaints.

Chief Harris and Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the 2016 Racial Profiling Report for the Los Fresnos Police Department.

Swain Real made a motion to approve Consideration and ACTION to approve the 2016 Racial Profiling Report for the Los Fresnos Police Department., seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION to name a Street in newly annexed area.Adopted

Mr. Milum stated that this road is in the area where the City exchanged property with the City of Brownsville. The property owners came to the public hearing we held during the annexations that they could not get proper addresses due to the road not being a named public road. This was the extension of Whipple Road that technically ends at a gate east of FM 803. In the past the road continued on to the south along the irrigation canal. Some of the folks want it as a private road and some want it as a public road. We have determined that portion of the road is a private road by prescriptive easement. There has been no gifting of the easement by the landowner or landowners but since it has been utilized as a road it must remain as the access to all property. At some point in the future the landowner or landowners would have to dedicate the easement to make it an official public road, bring it up to city standards and then the City could take it over. After discussions with the County and 9-1-1 people they have advised us to name the road so they can then issue addresses. The area around there has been called Tandy Corner for numerous years Mr. Milum feels that it is fitting to name the road Tandy PR Road. The PR stands for private road and will be part of the address so it is distinguished as a private road, not a public road.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the naming of street as Tandy PR Road and for 9-1-1 to issue addresses to each property.

Polo Narvaez made a motion to approve Consideration and ACTION to name a Street in newly annexed area., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to nominate a person for the Rio Grande Valley Walk of Fame.Adopted

Mr. Milum stated that the Council had copies of the information for the RGV Walk of Fame. There was a list of people that have been inducted in prior years by the Council and by the Chamber. Also, attached is a list of people that have been given to the City as people whom the Council might want to nominate.

Motion was made and seconded to nominate Mary Townsend to the 2017 RGV Walk of Fame.

Javier Mendez made a motion to approve Consideration and ACTION to nominate a person for the Rio Grande Valley Walk of Fame., seconded by Swain Real the vote was [Unanimous].

Consideration and ACTION to approve budget amendments for 2015-2016 fiscal year.Adopted

Mr. Milum explained that the budget amendments are for the closing out of fiscal year 2015-2016. Each one indicates what they are for and most all have been previous approved by the Council at meetings but we just did not make the actual budget amendment form.

Motion was made and seconded to approve the 2015-2016 budget amendments.

Javier Mendez made a motion to approve Consideration and ACTION to approve budget amendments for 2015-2016 fiscal year., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to reappoint or appoint three persons to the Los Fresnos Community Development Corporation Board.Adopted

Mr. Milum explained that the terms of Daniel Alvarez, Luis Mascorro and Richard Robinson will expire on February 15, 2017. The terms are for 2 years. Daniel Alvarez and Luis Mascorro are willing to continue to serve and have been good Board members and attend meetings. Richard Robinson has been a good member as well but he has taken a job outside of the Valley and will not be able to serve at this time. He is interested in serving again at a later date.

Motion was made and seconded to reappoint Daniel Alvarez and Luis Mascorro for a 2 year term each.

Polo Narvaez made a motion to approve Consideration and ACTION to reappoint or appoint three persons to the Los Fresnos Community Development Corporation Board., seconded by Javier Mendez the vote was [Unanimous].

Acknowledgement of City Manager's Report

A. Wastewater Plant Upgrade B. Water Plant Issues 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. CDBG 2015-2016 Grant J. Welcome Sign K. Hazardous Mitigation Plan L. TxDot Light at Walmart Adopted

Mr. Milum reported on the following:

A. Wastewater Plant Upgrade - We met with TWDB to go over the proposed work to be done with the information Naismith-Hanson Engineering provided. WDB said they will give us a quick response in the next few days. Our goal is to begin advertising for the chlorine contact basin and the sludge drying bids in January so we can award a contract and begin work no later than April. The headworks portion will need to be designed first taking 120 days and then approval by TWDB. Once that is done we can advertise and begin construction in the summer or early fall. As of today we still have not heard from them.

B. Water Plant Issues - The sludge is being removed from the basin. This will take about 2 weeks. During this time we are getting water from SRWA. The filters have been repaired under warranty thanks to hard work by Carlos and his staff as well as Naismith-Hanson Engineering. They have begun work of upgrades on all the TECQ suggestions that we can do in house. Guzman & Munoz Engineering is working on the more expensive and 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 tremendously. We met with TWDB to go over all the issues.

C. Water & Wastewater Engineering Study - Guzman & Munoz Engineering continues to work on design, surveying, easements on 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 entry for possible easements.

D. Whipple Road Wastewater Extension - Naismith-Hanson Engineering is working on that project.

E. Nature Park - The parking lot, restroom, and trail work is complete. We are just finalizing the paperwork. I will work with the Chamber and County to have a ribbon cutting ceremony. Naismith-Hanson Engineering is now working to finalize the Master Plan.

F. Hike & Bike Trails - We are waiting for Half Associates to give us the area that is needed for the easement. Once the easement work is done we can finalize plans and begin construction. Half Associates has agreed to include the easement work as part of the project and not charge extra.

G. Montes-Castro Park - The Master Plan has been approved. The bids and specifications are being developed. Once they are done we will be able to go out for bids and then start construction.

H. TxDot Sidewalk Projects - The sidewalks on Arroyo Boulevard from Ocean Boulevard to Alvarez Court on both sides of the road and on Ocean Boulevard from Church's Chicken to Tapia's Cafe have been bid and the low bidder is Armando Brothers Construction out of Houston. They have not submitted a work schedule yet pending approval from TxDot in Austin.

I. CDGB 2015-2016 Grant - The design for the street work has begun by Naismith-Hanson Engineering for East Sixth Street from Pita Street to Coma Street and East Ninth Street from Arroyo Boulevard to Coma Street. This will take a few months before we can get the specifications finalized for bids. We have a conference call on January 18 with all the players so we will have a better understanding of the schedule at that time.

J. Welcome Sign - We are waiting for the owner of the property to sign the easement form. Once that is done construction will begin.

K. Hazardous Mitigation Plan- H2O Partners are finalizing some changes required by FEMA. Once that is complete the plan will be brought to each city for approval. That will occur in the first quarter of the year.

L. TxDot Light at Walmart - TxDot has begun design on the light to be installed at Ocean Boulevard and Evergreen Street. They have not indicated what the schedule will be yet.

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

Polo Narvaez made a motion to approve A. Wastewater Plant Upgrade B. Water Plant Issues 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. CDBG 2015-2016 Grant J. Welcome Sign K. Hazardous Mitigation Plan L. TxDot Light at Walmart, seconded by Yolanda H. Cruz the vote was [Unanimous].

Acknowledgement of Department Head Reports

Financial Report 1. Monthly 2. Year-to-DateAdopted

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, seconded by Bibi Garza 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 Bibi Garza the vote was [Unanimous].

Police Department Report 1. Arrests 2. Incidents 3. AccidentsAdopted

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 Bibi Garza 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 Bibi Garza 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 Bibi Garza 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 Bibi Garza the vote was [Unanimous].

EMS Report 1. Quarterly ReportAdopted

Motion was made and seconded to acknowledge the EMS quarterly report.

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

Closed Session – Deliberation pursuant to Section 551.072, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following:

To deliberate pursuant to Sections 551.071 and 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following: A. 551.071 - Pending or contemplated litigation B. 551.074 - Evaluation of the City ManagerNo Action

Mayor Narvaez recessed the meeting at 8:50 PM for closed session.

made a motion to approve To deliberate pursuant to Sections 551.071 and 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following: A. 551.071 - Pending or contemplated litigation B. 551.074 - Evaluation of the City Manager, seconded by the vote was .

Open Session – Deliberation and possible action regarding the following:

Deliberation and possible action regarding the following: A. 551.071 - Pending or contemplated litigation B. 551.074 - Evaluation of the City ManagerNo Action

Mayor Narvaez called the meeting back to order at 9:40 PM.

No Action was taken.

made a motion to approve Deliberation and possible action regarding the following: A. 551.071 - Pending or contemplated litigation B. 551.074 - Evaluation of the City Manager, seconded by the vote was .

Adjournment

The meeting was closed at 9:41 PM

Presiding Officer of the Council

Recorder