

# City Council

200 North Brazil

## Regular Meeting

Los Fresnos, TX 78566

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

### ~ Minutes ~

**Tuesday, November 14, 2017**

**6:00 PM**

**Community Center**

#### Agenda

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

#### Election Returns

##### Canvass of Election ReturnsNo Action

Mayor Narvaez read the results as follows:

For Mayor:

Polo Narvaez	198 early votes 104 election day votes 6 mail in votes for a total of 308 votes
Joe Trevino, III	44 early votes 35 election day votes 0 mail in votes for a total of 79 votes
Tom Jones	46 early votes 34 election day votes 1 mail in vote for a total of 81 votes

For Member of Council, Place 1

Yolanda H. Cruz	222 early votes 124 election day votes 7 mail in votes for a total of 353 votes
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made a motion to approve Canvass of Election Returns, seconded by the vote was .

##### Consideration and ACTION to approve a Resolution Declaring Results of Election.Adopted

Motion was made and seconded to approve the canvass of election results and the order declaring results of election.

Swain Real made a motion to approve Consideration and ACTION to approve a Resolution Declaring Results of Election., seconded by Javier Mendez the vote was [Unanimous].

##### Oath of OfficeNo Action

Mr. Carlos Cascos gave the Oath of Office to Polo Narvaez as elected Mayor and Yolanda H. Cruz as elected Member of Council Place 1.

Mayor Narvaez thanked everyone for their support and help in getting him re-elected. Special thanks to James Keillor, Manuel Abrego, his wife and family for all their support. He also thanked Mr. Milum and all city employees for their continued work with the City.

Councilmember Cruz also thanked everyone for their help especially her husband, family and friends.

made a motion to approve Oath of Office, seconded by the vote was .

### **Consent Agenda**

#### **Approval or rejection to approve Minutes from October 10, 2017 meeting.**Adopted

Motion was made and seconded to approve the Minutes from October 10, 2017 meetings as presented.

Juan Munoz made a motion to approve Approval or rejection to approve Minutes from October 10, 2017 meeting., seconded by Javier Mendez the vote was [Unanimous].

#### **Consideration and ACTION to approve a Resolution voting for a person to serve on Cameron Appraisal District Board of Directors Position 9.**Adopted

Motion was made and seconded to approve a Resolution vote for Ricardo Morado to serve on Cameron Appraisal District Board of Directors Position 9.

Juan Munoz made a motion to approve Consideration and ACTION to approve a Resolution voting for a person to serve on Cameron Appraisal District Board of Directors Position 9., seconded by Javier Mendez the vote was [Unanimous].

#### **Consideration and ACTION to approve a Resolution to approve the proposal by the Cameron Appraisal District for renovations of Appraisal District Headquarters.**Adopted

Motion was made and seconded to approve a Resolution approving the proposed renovations to the Cameron Appraisal District Headquarters.

Juan Munoz made a motion to approve Consideration and ACTION to approve a Resolution to approve the proposal by the Cameron Appraisal District for renovations of Appraisal District Headquarters., seconded by Javier Mendez the vote was [Unanimous].

#### **Consideration and ACTION to approve an agreement between the City of Los Fresnos and Cameron County Drainage District #1 for Hike & Bike Trails.**Adopted

Motion was made and seconded to approve the agreement between the City of Los Fresnos and Cameron County Drainage District #1 for Hike & Bike Trails.

Juan Munoz made a motion to approve Consideration and ACTION to approve an agreement between the City of Los Fresnos and Cameron County Drainage District #1 for Hike & Bike Trails., seconded by Javier Mendez the vote was [Unanimous].

**Consideration and ACTION to approve an agreement between the City of Los Fresnos and Bayview Irrigation District #11 for Hike & Bike Trails.**Adopted

Motion was made and seconded to approve the agreement between the City of Los Fresnos and Bayview Irrigation District #11 for the Hike & Bike Trails.

Juan Munoz made a motion to approve Consideration and ACTION to approve an agreement between the City of Los Fresnos and Bayview Irrigation District #11 for Hike & Bike Trails., seconded by Javier Mendez the vote was [Unanimous].

**Consideration and ACTION to approve the renewal of a Memorandum of Understanding between the Los Fresnos Police Department and the Los Fresnos Consolidated Independent School District Police Department.**Adopted

Motion was made and seconded to approve the renewal of a Memorandum of Understanding between the Los Fresnos Police Department and the Los Fresnos Consolidated Independent School District Police Department.

Juan Munoz made a motion to approve Consideration and ACTION to approve the renewal of a Memorandum of Understanding between the Los Fresnos Police Department and the Los Fresnos Consolidated Independent School District Police Department., 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.**

Ms. Janie Camero spoke requesting the Council pass a Resolution opposing the border wall.

Mr. Manuel Abrego spoke in support of the Cameron County Fair & Livestock Show.

**Action Items**

**Consideration and ACTION to approve a service agreement with Los Fresnos Rodeo Committee.**Adopted

Mr. Mike Todd, Chairman of the Los Fresnos Rodeo Committee, was present and he thanked the Council for the continued support for the Rodeo. This year they have replaced the bucking chutes and the bleachers boards on the south side have been replaced with aluminum seats. They gave out \$9,000 in scholarships. They are talking about constructing skyboxes on the north side and each box will have 10 seats. The cost will be \$1,500 and the City and CDC will have first choice. If they do not want them then they will start down a list of sponsors.

Mr. Todd answered questions from the Council.

Motion was made and seconded to approve \$12,000 service agreement plus \$2,500 for social media.

Polo Narvaez made a motion to approve Consideration and ACTION to approve a service agreement with Los Fresnos Rodeo Committee., seconded by Yolanda H. Cruz the vote was [Unanimous].

**Consideration and ACTION to approve a service agreement with Cameron County Fair & Livestock Show.**Adopted

Ms. Valerie Arizmendi, President of the Cameron County Fair & Livestock Show was present. She stated that there were over 450 animals entered in 2017 and over 100 home show entries. Also, they built a 100 x 100 cattle barn but there is still some work that needs to be done. They would like to build an office building since they have outgrown the little one they currently have. They gave out \$5,000 in scholarships. This year they will have a sewing project , canning project, painting/sketching and farm and ranch categories.

Ms. Arizmendi answered questions from the Council.

Motion was made and seconded to approve a \$5,500 service agreement with the Cameron County Fair & Livestock Show.

Yolanda H. Cruz made a motion to approve Consideration and ACTION to approve a service agreement with Cameron County Fair & Livestock Show., seconded by Polo Narvaez the vote was [Unanimous].

**Consideration and ACTION for the City Council appointing Estrada Hinojosa & Company, Inc. as the City's Financial Advisor and Norton Rose Fulbright US LLP as Bond Counsel; delegating the authority to the Mayor or City Manager of the City to execute certain documents relating to the engagement of Estrada Hinojosa & Company, Inc. and Norton Rose Fulbright US LLP; and other matters in connection therewith.**Adopted

Mr. Milum stated that this is for \$1.5 million wastewater improvement project. Since Norton Rose Fulbright as our Bond Counsel and Estrada Hinojosa as our Financial Advisors were approved by TWDB to handle the design engineering portion of this project a few years ago where we received a low interest and some loan forgiveness, they are allowing us to continue with them since this is the same project for construction. The maximum cap for Norton Rose Fulbright will be \$25,650. The estimated amount for Estrada Hinojosa depends on the exact amount borrowed is estimated at \$26,000 to \$28,400.

Councilmember Munoz ask if we have to have these firms by law and Mr. Milum stated yes. The City cannot do the work.

Motion was made and seconded to approve the engagement agreements for Financial Advisor and Bond Counsel services.

Javier Mendez made a motion to approve Consideration and ACTION for the City Council appointing Estrada Hinojosa & Company, Inc. as the City's Financial Advisor and Norton Rose Fulbright US LLP as Bond Counsel; delegating the authority to the Mayor or City Manager of the City to execute certain documents relating to the engagement of Estrada Hinojosa & Company, Inc. and Norton Rose Fulbright US LLP; and other matters in connection therewith., seconded by Swain Real the vote was [Unanimous].

**Consideration and ACTION to approve replacing radio tower at City Hall and to enter into a communication agreement.**Adopted

Mr. Milum explained that the radio tower on top of City Hall building was installed when the building was built in 1986. The life of a tower is usually much less than 31 years especially along the coast. Our tower is very rusted and is no longer safe. We need to replace it as soon as possible. VEA Communication Services does our contracted work on cameras, repeaters, radios and specialized IT work as needed throughout the year. They have offered to take down the tower, replace it and equipment for \$15,467. Since they do our work they have offered this as well as they will maintain our cameras at the parks, all city buildings, water plant as well as a few around town in some areas where we have trouble with illegal dumping and they will maintain all of our point to point communications throughout the City free of charge as long as we allow them to put their repeaters/radios on our towers.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve replacing radio tower at City Hall and to enter into a communication agreement with VEA Communication Services.

Juan Munoz made a motion to approve Consideration and ACTION to approve replacing radio tower at City Hall and to enter into a communication agreement., seconded by Javier Mendez the vote was [Unanimous].

**Consideration and ACTION to approve to extend City Attorney contract with Enrique Juarez. (as per City Charter)**Adopted

Mr. Milum stated this was discussed at the last meeting. Since there was a tie vote the City Charter states "In the event of a tie vote on any matter, the Mayor shall place the matter on the next Council agenda for reconsideration. If any such matter receives a second tie vote then it shall not be considered approved or passed."

Mayor Narvaez stated he would read a statement from Mr. James Keillor since he had a prior meeting to attend. Mr. Keillor stated he urged the City Council to extend the contract of City Attorney, Enrique Juarez. Attorney Juarez has served the City for several years and fulfilled our needs admirably, all for an extremely modest fee. Attorney Juarez has truly been a public servant in this regard.

Motion was made and seconded to stay with the one year contract.

Juan Munoz made a motion to approve Consideration and ACTION to approve to extend City Attorney contract with Enrique Juarez. (as per City Charter), seconded by Javier Mendez the vote was [4 to 1].

### **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. CDBG 2015-2016 Grant K. Henderson Road Project L. City Hall Project** Adopted

Mr. Milum reported on the following:

A. Wastewater Plant Update - We held a pre-bid meeting on the sludge drying beds and the bid opening will be next week and then the bids will be brought to the Council for approval at their December meeting. The headworks portion will need to be designed first taking about 120 days and then approval by TWDB. Once that is done we can advertise and begin construction on that portion.

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. It is included in the study under item C.

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. The water portion is not complete yet. They have completed the study for wastewater. We will be asking for about \$1,500,000 to fix 3 lift stations, run sewer service to the new annexed areas on West Highway 100, replace some old manholes and replace some old sewer lines. There are no grants available for this but we can probably get a low interest loan. The intent will to do this with no increase in sewer rates. The amounts we can save on repairs can go towards the loan payment. We are working with engineers, financial advisors and bond counsel on needed documents for TWDB. This should take a couple of months.

D. Whipple Road Wastewater Extension - Naismith-Hanson Engineering has the documents ready for us to advertise, bid, award contract and begin construction. The City has to acquire the easements prior to that. We are working with the property owners to get these.

E. Nature Park - We had the pre-bid meeting for the Nature Park. The construction bids are due next week and then they will be brought to the Council for approval at their December meeting. The construction is for continued trails, benches, playground area and amphitheater.

F. Hike & Bike Trails - Halff Associates is working on the final design, the timeline and a construction estimate. We received final approval from Cameron County Drainage #1 and have an agreement signed and in place by their Board. We received final approval from Bayview Irrigation District #11 and have an agreement signed and in place by their Board. Each of these were on the agenda at tonight's meeting. We are still waiting on TxDot to get final approval. We also were awarded \$200,000 trails grant through TPW so we will have \$700,000 to work with. However, this will cause a delay since additional environmental clearance will have to be done according to TPW regulations.

G. Montes-Castro Park - The project is under construction. The sidewalks are poured and equipment has been ordered. It should be complete in about 60 days.

H. TxDot Sidewalk Projects - The contractor has finally started working on these areas. They should be done by the end of November.

I. Welcome Sign - Work is almost complete. We did not like the LED sign so they are going to change it out.

J. CDBG 2015-2016 Grant - This is to re-pave East Sixth and East Ninth Streets, a total of 3 blocks. Construction is complete. We had enough funds left in the grant added with budget funds to re-pave Pita Street from Highway 100 to Fifth Street. Construction is complete.

K. Henderson Road Project - Ambiotec is working on exhibits so I can utilize them to meet with each property owner to work out an agreement with them if possible.

L. City Hall Project - We continue to work on details of the building and each individual room.

Mr. Milum answered questions from the Council.

Motion was made and seconded to acknowledge the City Manger'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. CDBG 2015-2016 Grant K. Henderson Road Project L. City Hall Project, seconded by Javier Mendez the vote was [Unanimous].

### **Acknowledgement of Department Head Reports**

#### **Financial Report A. Monthly 2. Year-to-Date**Adopted

Motion was made and seconded to acknowledge the financial report.

Polo Narvaez made a motion to approve Financial Report A. 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 Report**Adopted

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 Report**Adopted



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].

### **Closed Session**

**Closed Session - Deliberation pursuant to Section 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act, regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Manager, Finance Director, Public Works Director, Librarian, Chief of Police or City Secretary.No Action**

Mayor Narvaez stated he would recess the meeting so cake could be served. Meeting was recessed at 6:54 PM

Mayor Narvaez called the meeting back to order at 7:17 PM

Mayor Narvaez recessed the meeting for Closed Session at 7:19 PM.

made a motion to approve Closed Session - Deliberation pursuant to Section 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act, regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Manager, Finance Director, Public Works Director, Librarian, Chief of Police or City Secretary., seconded by the vote was .

### **Open Session – Deliberation and possible action regarding the following:**

**Open Session - Deliberation and possible action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Manager, Finance Director, Public Works Director, Librarian, Chief of Police or City Secretary.Adopted**

Mayor Narvaez called the meeting back to order at 7:44 PM.

Motion was made and seconded to approve Celina Gonzales a consultant contract for \$500 per month up to 6 months and an hourly rate not to exceed \$50.

Polo Narvaez made a motion to approve Open Session - Deliberation and possible action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Manager, Finance Director, Public Works Director, Librarian, Chief of Police or City Secretary., seconded by Swain Real the vote was [Unanimous].

11. Adjournment

Mayor Narvaez adjourned the meeting at 7:45 PM.

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Presiding Officer of the Council

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Recorder