

City Council

200 North Brazil

Los Fresnos, TX 78566

Regular Meeting

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

~ Minutes ~

Tuesday, November 18, 2014

7:00 PM

City Hall

Agenda

1. Call meeting to order
Mayor Narvaez called the meeting to order at 7:00 p.m.
2. Invocation and Pledge of Allegiance
Mayor Narvaez gave the invocation and led the audience in the Pledge of Allegiance.

Oath of Office

Judge Carlos Cascos sworn into office Polo Narvaez as Mayor and Yolanda H. Cruz as Councilmember Place 1.

Recess Meeting

Mayor Narvaez recessed the meeting for refreshments at 7:08 p.m.

Call Meeting back to Order

Mayor Narvaez called the meeting back to order at 7:15 p.m.

Consent Agenda

Approval or rejection of Minutes from October 14, 2014 meeting.Adopted

Minutes of October 14, 2014 were approved.

Tom Jones made a motion to approve Approval or rejection of Minutes from October 14, 2014 meeting., seconded by Swain Real the vote was [Unanimous].

Approval or rejection of a Memorandum of Understanding between the City of Los Fresnos Police Department and the Los Fresnos Consolidated Independent School District Police Department.Adopted

Memorandum of Understanding between City Police Department and School Police Department was approved.

Tom Jones made a motion to approve Approval or rejection of a Memorandum of Understanding between the City of Los Fresnos Police Department and the Los Fresnos Consolidated Independent School District Police Department., seconded by Swain Real the vote was [Unanimous].

Approval or rejection of a Resolution approving the Investment Policy and Strategies for fiscal year 2014-2015.Adopted

Investment Police was approved for fiscal year 2014-2015.

Tom Jones made a motion to approve Approval or rejection of a Resolution approving the Investment Policy and Strategies for fiscal year 2014-2015., seconded by Swain Real the vote was [Unanimous].

Consideration and ACTION on the reappointment of Gene Daniels as Municipal Judge for a three year term.Adopted

Motion to appoint Gene Daniels as Municipal Judge for a 3 year term was approved.

Tom Jones made a motion to approve Consideration and ACTION on the reappointment of Gene Daniels as Municipal Judge for a three year term., seconded by Swain Real the vote was [Unanimous].

Visitor Remarks - To speak you must sign in prior to the beginning of the meeting and you will have a limits of 3 minutes to speak.

There were no comments.

Public Hearing

Public Hearing to receive comments from the public on the rezoning of 3.50 acres and 9.944 acres from R-1 Single Family District to C-2 Highway Commercial District and rezoning of 10.00 acres from R-1 Single Family District to PUD Planned Unit Development District.No Action

Mayor Narvaez opened the public hearing at 7:17 p.m.

Mr. Milum explained where the property was located. He stated that anytime property is annexed into the city it comes in as single family residential then the zoning has to be changed to fit the land use.

There were no comments from the public.

Mayor Narvaez closed the public hearing at 7:19 p.m.

made a motion to approve Public Hearing to receive comments from the public on the rezoning of 3.50 acres and 9.944 acres from R-1 Single Family District to C-2 Highway Commercial District and rezoning of 10.00 acres from R-1 Single Family District to PUD Planned Unit Development District., seconded by the vote was .

Action Items

Consideration and ACTION to approve a Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date.Adopted

Mr. Milum explained that this resolution will allow the City to start the process on the improvements prior to the closing which will be in January. This will give us a couple of month's head start.

Motion was to approve the resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditures of funds relating to constructing various city improvements from the proceeds of tax-exempt obligation to be issued by the City for authorized purposes; authorizing other matter incident and related thereto.

Swain Real made a motion to approve Consideration and ACTION to approve a Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date., seconded by Tom Jones the vote was [Unanimous].

Consideration and ACTION to approve a Resolution by the City Council of the City of Los Fresnos, Texas authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.Adopted

Mr. Milum stated that this is the Texas Water Development Board loan and loan forgiveness that was approved by the Council a few months ago. This is a required notice that must be published.

Motion was to approved a resolution authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.

Polo Narvaez made a motion to approve Consideration and ACTION to approve a Resolution by the City Council of the City of Los Fresnos, Texas authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date., seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION to approve service agreement between the City of Los Fresnos and Cameron County Fair and Livestock Show.Adopted

Mr. Milum stated that the City has utilized Hotel/Motel Tax for assisting the Cameron County Fair & Livestock show. Last year the Council approved \$3,500.

Ms. Valerie Arizmendi, President of the CCFLS, was present and stated that last year there was over 450 animals, 100 home show entries and they gave out 5 scholarships. This will be the 35th year of the Cameron County Fair & Livestock Show.

Ms. Sherilyn Goad, Treasurer, stated the Cameron County Farm Bureau is sponsoring a program called Kids Cows and More. The program will start with 3rd graders in Cameron County and the program will teach them about agriculture.

Mr. Milum and Ms. Arizmendi answered questions from the Council.

Motion was made to approve \$4,500 service agreement with Cameron County Fair & Livestock Show.

Yolanda H. Cruz made a motion to approve Consideration and ACTION to approve service agreement between the City of Los Fresnos and Cameron County Fair and Livestock Show., seconded by Gary Minton the vote was [Unanimous].

Consideration and ACTION to approve service agreement between City of Los Fresnos and Los Fresnos Rodeo Committee.Adopted

Mr. Milum stated that the City has utilized Hotel/Motel Tax for assisting the Rodeo. Last year the Council approved \$2,500 for social media promotion and \$10,000 for sponsor.

Mr. Mike Todd, Chairman of the Rodeo Committee, was present and he handed out information to the Council. Mr. Todd explained that the Rodeo Committee is again requesting the City to be a platinum sponsor for \$10,000. Also, this year they need to have more advertising on the radio and television and the amount of that sponsor is \$1,500. Mr. Todd stated that Josh Abbott will be performing for the concert.

Mr. Todd answered questions from the Council.

Motion was to approved \$11,500 service agreement with the Los Fresnos Rodeo Committee.

Javier Mendez made a motion to approve Consideration and ACTION to approve service agreement between City of Los Fresnos and Los Fresnos Rodeo Committee., seconded by Gary Minton the vote was [Unanimous].

Consideration and ACTION to approve the first reading of Ordinance 235-EE to rezone 3.50 acres and 9.944 acres from R-1 Single Family District to C-2 Highway Commercial District and to rezone 10.00 acres from R-1 Single Family District to PUD Planned Unit Development District.Adopted

Mr. Milum stated that the public hearing was held earlier. The Planning and Zoning approved the rezoning at their meeting on Monday.

Councilmember Real stated he would not be discussing or voting on this item.

Mr. Milum stated that the City property and the Fire Department and EMS property needs to be zoned as a C-2 Highway Commercial District for our needs. The property owned by Alamo Street Development is requesting to be zoned as Planned Unit Development District which allows for a mix of commercial and residential type development.

Motion was made to approve the first reading of Ordinance 235-EE to rezone 3.50 acres and 9.944 acres to C-2 Highway Commercial District and 10.00 acres to Planned Unit Development District.

Javier Mendez made a motion to approve Consideration and ACTION to approve the first reading of Ordinance 235-EE to rezone 3.50 acres and 9.944 acres from R-1 Single Family District to C-2 Highway Commercial District and to rezone 10.00 acres from R-1 Single Family District to PUD Planned Unit Development District., seconded by Gary Minton the vote was [Unanimous].

Consideration and ACTION to appoint two new members to the Planning and Zoning Commission.No Action

made a motion to approve Consideration and ACTION to appoint two new members to the Planning and Zoning Commission., seconded by the vote was .

Consideration and ACTION to appoint a member to the Los Fresnos Housing Authority.No Action

made a motion to approve Consideration and ACTION to appoint a member to the Los Fresnos Housing Authority., seconded by the vote was .

Consideration and ACTION to appoint a new member to the Los Fresnos Community Development Corporation.Adopted

Motion was made to approve Robert Lopez as a new member to the Los Fresnos Community Development Corporation.

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

Update by City Manager

A. Wastewater Plant Expansion B. Raw Water Line Upgrade, Filter Replacement, Sludge Removal System C. Development Projects - Paseo Pointe Apartments, Walmart D. Community Park Parking E. Los Fresnos Nature Park F. Hazardous Mitigation Plan G. Transportation Alternatives Program (TAP) Projects H. CDBG Grant I. Certificate of Obligations
No Action

A. Wastewater Plant Expansion - We are still waiting on approval from TCEQ. Then TWDB will be able to give us final approval to start the bidding process.

B. Raw Water Line Upgrade - Work continues. Due to an alignment problem that has been worked out, work was delayed and of course there has been weather delays. The project should be completed by December. Filter Replacement - Work is occurring at the contractors shop. The contractor asked for an extension to the end of December which we agreed with. Sludge Removal System - Quite a bit of work has been done on site. Construction will be completed shortly after the Filter Replacement project is complete.

C. Development Projects - Paseo Point Apartments is scheduled to be complete by the end of the year. Wal-Mart says they will open on March 19.

D. Community Park Parking - The work is complete and the parking lot is open. However the asphalt did not meet the thickness requirements so we are working with the County to determine the solution. The parking area on Nogal Street and Third Street is in the approval process.

E. Los Fresnos Nature Park - We have finally made the purchase for the 21 acres for the Nature Park. We are now the owners. I have sent another letter concerning the other 2.1 acres giving them until December 12 to make a decision. At that time we will either purchase the property or request moving the left over money to begin design and work.

F. Hazardous Mitigation Plan - I was notified that the grant has been approved on the state level and is sent to the federal level for approval. We have not heard any more information.

G. Transportation Alternatives Program (TAP) Projects - This is funding from TxDOT through the Brownsville MPO for trails, sidewalks and similar projects. We submitted 4 projects. 1. Sidewalks on both sides of Arroyo Boulevard from Alvarez Court to Ocean Boulevard. 2. Sidewalk on the west side of Arroyo Boulevard from First Street to Henderson Road. 3. Sidewalk on the south side of Ocean Boulevard from about Church's Chicken to Tapia's Cafe. 4. Hike & Bike Trail around town utilizing the existing canals and drainage ditches. Project 1 & 3 were approved for funding. I do not know when the funding will be available yet but it should be within the next 6 months.

H. CDBG Grant - G & T Paving has completed the reconstruction of the 3 streets, Ebony, Pecan and Magnolia. They just have some driveways and clean up work to do.

They are just about complete with the drainage in the same area. They still have the lift station work to do on the South Arroyo Lift Station.

I. Certificates of Obligations - 1. Lopez Lift Station - Engineering is ongoing to be completed the end of November so we can bid the project. It looks like we will have to include replacement of the force main from the lift station to the plant because the current line is too small. 2. Water Loop - Engineering is ongoing to be completed the end of November so we can bid the project. 3. Evergreen Street - Engineering is ongoing to be completed the end of November so we can bid the project. We also need to settle the street ROW. 4. Architect & Design of City Hall - I hope to get something out in the next few weeks. 5. Engineering for Sewer Extension West, Sewer Extension Escalante Road & Sewer Extension Whipple Road - Will work on this in the spring as some might be able to be covered by existing grants. 6. Purchase of Land - Completed.

made a motion to approve A. Wastewater Plant Expansion B. Raw Water Line Upgrade, Filter Replacement, Sludge Removal System C. Development Projects - Paseo Pointe Apartments, Walmart D. Community Park Parking E. Los Fresnos Nature Park F. Hazardous Mitigation Plan G. Transportation Alternatives Program (TAP) Projects H. CDBG Grant I. Certificate of Obligations, seconded by the vote was .

Department Head Reports

October Finance ReportNo Action

Mr. Milum answered questions from the Council.

made a motion to approve October Finance Report, seconded by the vote was .

Public Works ReportNo Action

Mr. Milum answered questions from the Council.

made a motion to approve Public Works Report, seconded by the vote was .

October Police ReportNo Action

Mr. Milum answered questions from the Council.

made a motion to approve October Police Report, seconded by the vote was .

Municipal Court ReportNo Action

Mr. Milum answered questions from the Council.

made a motion to approve Municipal Court Report, seconded by the vote was .

October Librarian's ReportNo Action

Mr. Milum answered questions from the Council.

made a motion to approve October Librarian's Report, seconded by the vote was .

Fire Marshall ReportNo Action

Mr. Milum answered questions from the Council.

made a motion to approve Fire Marshall Report, seconded by the vote was .

Closed Session – Deliberation pursuant to Section 551.072, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following:**Deliberation pursuant to Section 551.072, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the purchase, exchange, lease, or value of real property.**No Action

Mayor Narvaez recessed the meeting at 8:06 p.m.

made a motion to approve Deliberation pursuant to Section 551.072, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the purchase, exchange, lease, or value of real property., seconded by the vote was .

Open Session – Deliberation and possible action regarding the following:**Deliberation and possible action regarding the purchase, exchange, lease, or value of real property.**No Action

Mayor Narvaez called the meeting back to order at 8:34 p.m.

No action was taken.

made a motion to approve Deliberation and possible action regarding the purchase, exchange, lease, or value of real property., seconded by the vote was .

14. Adjournment

Mayor Narvaez adjourned the meeting at 8:35 p.m.

Presiding Officer of the Council

Recorder