### **City Council**

520 E Ocean Blvd.

### **Special Meeting**

Los Fresnos, TX 78566 http://citylf.cloudaccess.net/en//

~ Agenda ~

Tuesday, January 23, 2024

6:00 PM

City Hall

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF LOS FRESNOS PURSUANT TO CHAPTER 551, TITLE 5 OF THE TEXAS GOVERNMENT CODE, THE TEXAS OPEN MEETINGS ACT, WILL MEET ON TUESDAY, JANUARY 23, 2024 AT 6:00 PM AT CITY HALL, 520 EAST OCEAN BLVD., LOS FRESNOS, TX 78566.

### Α. **CALL TO ORDER**

Invocation and Pledge of Allegiance

### В. **ACTION ITEMS**

- 1. Consideration and ACTION to accept bids and award a contract for construction services for the water line extension from Walmart-1004 W Ocean Blvd to Hands of Healing-32799 State Hwy 100.
- 2. Consideration and approval of a resolution requesting financial assistance from the Texas Water Development Board for constructing various public improvements to the city's utility system; authorizing the city's financial advisors, bond counsel, and engineers to coordinate the submission of one or more applications to the Texas Water Development Board; and other matters in connection therewith
- 3. Visitors Remarks-To speak you must sign in with City Secretary prior to the meeting and you have a limit of 5 minutes to speak.
- 4. Consideration and ACTION to approve a Proclamation honoring Mercedes Cantu as Citizen of the Year for 2023.

### C. **ADJOURNMENT**

This is to certify that I, Jacqueline Moya, posted this agenda on the front bulletin board of the City Hall on January 19, 2024 on or before 5:30 p.m. and it shall remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Jacqueline Moya, City Secretary

Persons with any disabilities that would like to attend meetings must notify City Secretary 24 hours in advance so that the City can make arrangements for that disabled person.

### **City Council**

520 E Ocean Blvd. Los Fresnos, TX 78566

### **REVIEWED**

Meeting: 01/23/24 06:00 PM
Department: City Secretary
Category: Contract
Prepared By: Jacqueline Moya
Initiator: Jacqueline Moya
Sponsors:

DOC ID: 5285 A

### **ACTION ITEM (ID # 5285)**

# Consideration and ACTION to accept bids and award a contract for construction services for the water line extension from Walmart-1004 W Ocean Blvd to Hands of Healing-32799 State Hwy 100.

The engineering was approved by the Council on July 11, 2023. The information on the project is below for your review.

The bids came in with MJA Construction being the low bid of \$134,780.25. Our portion will be \$67,390.13.

### I recommend approval.

This area is currently served with water by Olmito Water Supply. We have an agreement to convert the area to FM 1575 to our water service area over time. We don't have the money to do all of it at this time but the owner of the property that Hands of Healing is renting needs adequate supply of water and pressure that is not available with Olmito's service. The property owner is willing to pay half of the construction costs to help make this happen. It will extend our 8 inch water line including fire hydrants from Walmart to Hands of Healing on the north side of Highway 100. This will lower insurance costs for those in the area. The construction cost is estimated to be approximately \$100,000. Getting half paid is great news for us and less cost for us later when we have funds to complete the service to FM 1575 on both sides of Highway 100. This is to do the engineering for the project. It will cost about \$20,000. Guzman & Munoz will do this since they did the sewer line in that area and are already familiar with the area. This will keep the cost down.

Updated: 1/18/2024 5:59 PM by Mark Milum A

# GUZMAN & MUÑOZ ENGINEERING AND SURVEYING, INC.

Texas Registered Engineering Firm F-8017

PHONE: (956) 565-4637 FAX: (956) 565-4636

January 2, 2024

MERCEDES, TX 78570

City of Los Fresnos Mark Milum City Manager 520 East Ocean Blvd. Los Fresnos, Texas 78566

Re: P964-00 City of Los Fresnos Waterline Extension

Mr. Milum.

On Thursday December 21, 2023, bids were received and opened for the above-referenced project. A total of three bids (3) were received. The following are the contractors that submitted a bid:

M.J.A Construction LLC. Artillery LLC Broadhead Boring LLC.

M.J.A Construction, LLC submitted the lowest base bid. Guzman & Munoz Engineering and Surveying Inc. (GMES) verified the contractor's qualifications. Based on the bids received and the project budget GMES recommends that the above project be awarded to M.J.A Construction, LLC in the amount of \$134,780.25 for base bid. A bid tabulation showing the bids received is attached for your review.

If you have any questions or require additional information, feel free to contact me at our office at (956) 565-4637.

Sincerely,

Jose Omar Rodriguez, PE, CFM

**Project Manager** 

Guzman & Munoz Engineering and Surveying, Inc.

cc: Project Bid Tabulation



PHONE: (956) 565-4637 FAX: (956) 565-4636

# LOS FRESNOS WATERLINE EXTENSION

P964 Bid Opening Date: December 21, 2023

Item No.	Description	Est. Qty.	Units	Unit Price	Total Price	rice	Unit Price	Total Price	Unit Price	Total Price	
I V HEIRELY				M.J.A C	M.J.A Construction, LLC	TC	Artille	Artillery L.L.C	Broadhea	Broadhead Boring LLC	
GENERAL 1	MOBILIZATION, BONDING, AND INSURANCE (NOT TO EXCEED	1.0	L.S	\$ 5,000.00	↔	5,000.00	10,000.00	\$ 10,000.00	\$ 45,000.00	\$ 45,000.00	00.0
73	REMOVE STUMP AND DISPOSE, COMPLETE AS PER PLANS AND SPECIFICATIONS	6.0	E.A	\$ 300.00	<del>∽</del>	1,800.00	500.00	\$ 3,000.00	\$ 300.00	\$ 1,800.00	0.00
8	REMOVE TREE (18-24" CALIPER) AND DISPOSE, COMPLETE AS PER PLANS AND SPECIFICATIONS	7.0	E.A	\$ 800.00	<del>∽</del>	\$,600.00	1,000.00	\$ 7,000.00	\$ 700.00	\$ 4,900.00	0.00
	GEN	GENERAL SUBTOTAL	TOTAL	\$	1	12,400.00 \$		20,000.00	*	51,700.00	0.00
WATER LINE IMPROVEMENTS	PROVEMENTS										
4	REMOVE AND REPLACE ASPHALT DRIVEWAY PAVEMENT (SAWCUT), COMPLETE IN PLACE	162.0	S.Y	\$ 27.00	↔	4,374.00	\$ 75.00	\$ 12,150.00	\$ 226.00	\$ 36,612.00	2.00
w	REMOVE AND REPLACE CONCRETE DRIVEWAY PAVEMENT (SAWCUT), COMPLETE IN PLACE	27.0	S.Y	\$ 96.75	↔	2,612.25	\$ 108.00	\$ 2,916.00	\$ 784.00	\$ 21,168.00	8.00
9	REMOVE AND REPLACE 18" CONCRETE CURB & GUTTER, COMPLETE IN PLACE	164.0	L.F	\$ 21.00	↔	3,444.00	\$ 40.00	\$ 6,560.00	\$ 212.00	\$ 34,768.00	8.00
7	8-INCH PVC WATERLINE (C-900) (DR-18), COMPLETE IN PLACE	1,053.0	L.F	\$ 47.00	€	49,491.00	\$ 70.00	\$ 73,710.00	\$ 105.00	\$ 110,565.00	5.00
<b>&amp;</b>	45 DEGREE BEND RESTRAINED JOINT, COMPLETE IN PLACE	2.0	E.A	\$ 800.00	↔	1,600.00	\$ 1,000.00	\$ 2,000.00	\$ 3,500.00	\$ 7,000.00	0.00
6	8-INCH PLUG & CLAMP WITH 2-INCH BLOW OFF VALVE IN BOX, COMPLETE IN PLACE	1.0	E.A	\$ 3,200.00	<del>∽</del>	3,200.00	\$ 2,500.00	\$ 2,500.00	\$ 4,500.00	\$ 4,500.00	0.00
10	8-INCH GATE VALVE WITH BOX AND COVER, COMPLETE IN PLACE	2.0	E.A	\$ 2,500.00	↔	5,000.000	\$ 3,000.00	\$ 6,000.00	\$ 4,353.00	\$ 8,706.00	00.9
11		1.0	E.A	\$ 2,000.00	↔	2,000.000	\$ 2,500.00	\$ 2,500.00	\$ 4,160.00	\$ 4,160.00	0.00
12	TIE-IN TO EXIST 8" WATERLINE (WET CONNECTION), COMPLETE IN PLACE	1.0	E.A	\$ 3,200.00	↔	3,200.00	\$ 5,500.00	\$ 5,500.00	\$ 4,500.00	\$ 4,500.00	0.00
13	FIRE HYDRANT ASSEMBLY, INCLUDING 6-INCH LEAD AND GATE VALVE WITH BOX AND COVER, COMPLETE IN PLACE	4.0	E.A	\$ 8,500.00	↔	34,000.00 \$	8,000.00	\$ 32,000.00	\$ 9,636.00	\$ 38,544.00	4.00
14	TRENCH SAFETY SYSTEM	1053.0	L.F	\$ 3.00	\$	3,159.00 \$	5.00	\$ 5,265.00	\$ 20.00	\$ 21,060.00	0.00
15	3/4-INCH THRU 5/8-INCH WATER SERVICE CONNECTION, COMPLETE IN PLACE	10.0	E.A	\$ 850.00	\$	8,500.00 \$	1,250.00	\$ 12,500.00	\$ 4,025.00	\$ 40,250.00	0.00

16	1-INCH THRU 2-INCH WATER SERVICE CONNECTION, COMPLETE IN PLACE	2.0	E.A \$	6 \$	\$ 00.006	1,800.00	2,500.00	\$ 00.000.00		5,090.00 \$	10,180.00
	WATERLINE IMPROVEMENTS SUBTOTAL \$	MENTS SUB	TOTAL	<del>\$</del>		122,380.25		168,601.00	<del>\$</del>		342,013.00
	BASE BID SUMMARY										

BASE BID SUMMARY			
GENERAL SUBTOTAL	\$ 12,400.00	\$ 20,000.00	\$ \$1,700.00
WATERLINE SUBTOTAL	\$ 122,380.25	\$ 168,601.00	\$ 342,013.00
BASE BID SUMMARY	\$ 134,780.25	\$ 188,601.00	\$ 393,713.00

M.J.A Construction, LLC	Artillery L.L.C	Broadhead Boring LLC
NO ERRORS	NO ERRORS	BID #10: Error on BID #10 total. \$200 off
		WATERLINE SUBTOTAL: Sum total error due to BID #10 error. \$200 off
		BASE BID SUMMARY: Sum total error due to BID#10 error.\$200 off

### **City Council**

520 E Ocean Blvd. Los Fresnos, TX 78566

### REVIEWED

Meeting: 01/23/24 06:00 PM Department: City Secretary Category: Resolutions Prepared By: Jacqueline Moya Initiator: Jacqueline Moya

Sponsors:

DOC ID: 5296 A

### **ACTION ITEM (ID # 5296)**

Consideration and approval of a resolution requesting financial assistance from the Texas Water Development Board for constructing various public improvements to the city's utility system; authorizing the city's financial advisors, bond counsel, and engineers to coordinate the submission of one or more applications to the Texas Water Development Board; and other matters in connection therewith

This is for the financial assistance from TWDB we have discussed for some time in making upgrades to our sewer lines and manholes and our water lines. These lines are either too small, so old we have continual leaks or have various other problems. This is part of an overall system study we did back in 2015-2017. Now we have been approved for funding to get it done.

I recommend approval.

January 18, 2024

Via E-Mail

Mr. Pablo Garza Finance Director City of Los Fresnos, Texas 520 East Ocean Boulevard Los Fresnos, Texas 78566

## NORTON ROSE FULBRIGHT

Norton Rose Fulbright US LLP 98 San Jacinto Boulevard, Suite 1100 Austin, Texas 78701-4255 United States

Stephanie Leibe
Partner
Direct line +1 512 536 2420
Stephanie.leibe@nortonrosefulbright.com

Tel +1 512 474 5201 Fax +1 512 536 4598 nortonrosefulbright.com

Re: City of Los Fresnos, Texas - Texas Water Development Board Resolution for Financial

Assistance

### Dear Pablo:

I enclose as Exhibit A to this letter the agenda item to be utilized in preparing the agenda for the January 23, 2024 special meeting of the City Council. Thank you for ensuring that this agenda item is posted in accordance with the provisions of the Texas Open Meetings Act. I also enclose as Exhibit B the suggested motion for this item.

Exhibits A and B are included in Word format for your convenience. I also enclose a draft copy of the Resolution for inclusion in the City Council's agenda packet. Please send any comments to these documents to me as soon as possible so that it may be finalized.

Thank you, in advance, for your prompt attention to this matter. If I can provide any additional assistance concerning this matter, please do not hesitate to contact me.

Very truly yours,

Stephanie V. Leibe

SVL/Ic

**Enclosures** 

cc: Mr. Mark Milum (City of Los Fresnos, Texas)

Ms. Jacqueline Moya (City of Los Fresnos, Texas)

Mr. Donald J. Gonzales (Estrada Hinojosa & Company, Inc.)

Mr. Bobby Villarreal (Estrada Hinojosa & Company, Inc.)
Mr. Matthew Lujan (Estrada Hinojosa & Company, Inc.)

ivii. Watthew Eujan (Estrada Hillojosa & Company, Inc.)

Ms. Elda Valdez Gonzalez (Estrada Hinojosa & Company, Inc.)

Mr. Matthew A. Lee (Firm) Mr. Chris Guevara (Firm)

135051934.1

### **EXHIBIT A**

CONSIDERATION AND APPROVAL OF A RESOLUTION REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD FOR CONSTRUCTING VARIOUS PUBLIC IMPROVEMENTS TO THE CITY'S UTILITY SYSTEM; AUTHORIZING THE CITY'S FINANCIAL ADVISORS, BOND COUNSEL, AND ENGINEERS TO COORDINATE THE SUBMISSION OF ONE OR MORE APPLICATIONS TO THE TEXAS WATER DEVELOPMENT BOARD; AND OTHER MATTERS IN CONNECTION THEREWITH

135051934.1 A-1

### **EXHIBIT B**

I MOVE TO ADOPT A TEXAS WATER DEVELOPMENT BOARD RESOLUTION

135051934.1 B-1

### RESOLUTION

A RESOLUTION REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD FOR CONSTRUCTING VARIOUS PUBLIC IMPROVEMENTS TO THE CITY'S UTILITY SYSTEM; AUTHORIZING THE CITY'S FINANCIAL ADVISORS, BOND COUNSEL, AND ENGINEERS TO COORDINATE THE SUBMISSION OF THE APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Los Fresnos, Texas (the *City*) deems it necessary to apply to the Texas Water Development Board (the *Board*) for financial assistance; and

WHEREAS, in accordance with the rules and regulations of the Board, which govern the procedures in making such an application, the governing body of the City is required to pass a resolution to accompany such application; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOS FRESNOS, TEXAS THAT:

- 1. It is hereby found and determined that the City cannot reasonably finance the proposed project without the financial assistance of the Board in the amount requested.
- 2. The City hereby requests that the Board grant financial assistance to the City in the amount not to exceed \$4,500,000.00 from the Clean Water State Revolving Fund and \$14,000,000.00 from the Drinking Water State Revolving Fund (as a loan or by the purchase of obligations of the City and the receipt of the largest amount of grant funds lawfully available from the Board) for constructing improvements to the City's utility system, as designed by the City's consulting engineer, and the purchase of the necessary land and rights-of-way relating to this project. These obligations may be issued by the City in one or more series.
- 3. The Mayor or City Manager of the City is hereby authorized to execute and submit to the Board the application for such financial assistance, and the Mayor or City Manager of the City, together with the bond counsel, financial advisors and consulting engineers named in such application, are authorized to appear before the Board in support of such application.
- 4. The Mayor of the City is further specifically authorized to make the required assurances to the Board in accordance with the rules, regulations, and policies of the Board.
- 5. A certified copy of this resolution (the *Resolution*) shall be attached to the application for financial assistance herein authorized to be prepared and submitted to the Board, and the City Secretary of the City is authorized and directed to prepare and certify such number of copies of this Resolution as may be required for purposes of supporting the submission of such application to the Board.
- 6. The City Council authorizes the Mayor or Mayor Pro Tem of the City Council, the City Manager, or the City Secretary of the City, or the designee of any of the foregoing, to take all actions necessary to execute any necessary financial advisory contract with Estrada Hinojosa &

135051419.4 - 1 -

Co., Inc., San Antonio, Texas, as the financial advisor to the City (the *Financial Advisor*) and Guzman & Munoz Engineering and Surveying, Inc., as the engineer to the City (the *Engineer*). The City Council understands that under applicable federal securities laws and regulations that the City must have a contractual agreement with its Financial Advisor relating to the sale, issuance, and delivery of the Bonds. In addition, the City Council also authorizes the Mayor or Mayor Pro Tem of the City Council, the City Manager, or the City Secretary of the City, or the designee of any of the foregoing, to take all actions necessary to execute any necessary engagement agreement with the Engineer and with Norton Rose Fulbright US LLP, as the bond counsel to the City (*Bond Counsel*). Execution of such engagement agreements also constitute a prerequisite to the City's filing of its application with the Board.

- 7. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City.
- 8. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.
- 9. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- 10. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Resolution would have been enacted without such invalid provision.
- 11. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.
- 12. This Resolution shall be in force and effect from and after its passage on the date shown below.

[The remainder of this page intentionally left blank]

135051419.4 - 2 -

### PASSED, ADOPTED AND APPROVED on the 23rd day of January, 2024.

### CITY OF LOS FRESNOS, TEXAS

Attest:	Mayor
City Secretary	
(CITY SEAL)	

**B.4** 

**City Council** 

520 E Ocean Blvd. Los Fresnos, TX 78566

REVIEWED

**ACTION ITEM (ID # 5284)** 

Meeting: 01/23/24 06:00 PM Department: City Secretary Category: Proclamation Prepared By: Jacqueline Moya Initiator: Jacqueline Moya

Sponsors:

DOC ID: 5284 A

# Consideration and ACTION to approve a Proclamation honoring Mercedes Cantu as Citizen of the Year for 2023.

I recommend approval.

Updated: 1/18/2024 5:50 PM by Mark Milum A

# PROCLAMATION HONORING MERCEDES CANTU AS CITIZEN OF THE YEAR FOR 2023

WHEREAS, Mercedes Vicinaiz Cantu, born on September 24, 1930, to Inez and Anita (Rivas) Vicinaiz, is a distinguished individual whose life journey exemplifies unwavering dedication, service, and community leadership; and

WHEREAS, hailing from Los Fresnos, Texas, Mrs. Cantu's milestones reflect an enduring commitment to family, community, and public service; and

WHEREAS, graduating in May 1949 from Los Fresnos High School, Mrs. Cantu embarked on a lifelong partnership with Eduardo "Eddie" Cantu, raising six children and instilling in them the values of love, commitment, and community engagement; and

WHEREAS, as a dedicated "Room Mother," Mrs. Cantu played a vital role in supporting various school activities and actively participated in community projects, leaving an enduring impact on students' lives; and

WHEREAS, her influence extended beyond family and school, initiating the beloved "Friday Breakfast Taco Day" for Falcon Football and contributing significantly to the growth of the PRCA Rodeo in Los Fresnos; as a Chapter member in 1990 & 1991 and

WHEREAS, Mrs. Cantu's civic contributions, including serving as City of Los Fresnos Council Member from 1991-1995 and the first female mayor of Los Fresnos from 1995-1998, appointments by Governor George W. Bush, and involvement in community programs, showcase her exceptional leadership; and

WHEREAS, she served as a Board Member of the Cameron County Drainage District #1 from 1998-2022; and

WHEREAS, as a lifelong member of St. Cecilia Catholic Church, Mrs. Cantu dedicated herself to spiritual well-being, teaching CCD, serving as a eucharistic minister, and contributing to the Cursillo Movement; and

WHEREAS, her organizational skills and commitment are evident in fundraising events benefiting the parish community, including her role as the Founding Charter Member of Court 2425 of the Catholic Daughters of America;

**NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF LOS FRESNOS, TX** that Mercedes Vicinaiz Cantu is recognized as the 2023 Citizen of the Year for the City of Los Fresnos. Her life story serves as a testament to resilience, leadership, and a profound sense of community and faith, leaving an enduring legacy of service and commitment.

Given under my hand and the seal of the City of Los Fresnos, this 23rd day of January, 2024.

ATTEST:	Alejandro Flores, Mayor
Jacqueline Moya, City Secretary	LOS PRESNOS