

# City Council

200 North Brazil

Los Fresnos, TX 78566

## Special Meeting

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

### ~ Agenda ~

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Tuesday, June 28, 2016

6:00 PM

City Hall

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**NOTICE IS HEREBY GIVEN THAT THE {MeetGroup} 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, JUNE 28, 2016 AT 6:00 PM AT CITY HALL, 200 NORTH BRAZIL ST, LOS FRESNOS, TX 78566.**

#### **I. CALL TO ORDER**

#### **II. 2. INVOCATION AND PLEDGE OF ALLEGIANCE**

#### **III. PUBLIC HEARINGS**

1. Second public hearing to receive comments from the public concerning the proposed annexation of Area A-2 a 127.43 acres located west city limits of Los Fresnos and measuring approximately 0.7324 miles on the south side of West Hwy 100 from Tapia's Restaurant west to existing city limits of Brownsville and on the north side of West Hwy 100 from Longhorn Lane west to the drainage ditch.
2. Public hearing to receive comments from the public on the zoning of proposed area to be annexed.

#### **IV. 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.**

#### **V. ACTION ITEMS**

1. Consideration and ACTION to approve a Resolution to apply for Texas Water Development Board Flood Protection Grant; designating City Manager as representative for City; and certifying matching share of \$60,000.
2. Consideration and ACTION to participate in funding of wastewater and street for new City Hall and Fire Department property.
3. Consideration and ACTION to approve a budget amendment to the Utility Fund for fiscal year 2015-2016.

#### **VI. ADJOURNMENT**

This is to certify that I, Pam Denny, posted this agenda on the front bulletin board of the City Hall on June 22, 2016 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.

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Pam Denny, 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**  
200 North Brazil  
Los Fresnos, TX 78566

Meeting: 06/28/16 06:00 PM  
Department: City Secretary  
Category: Public Hearing  
Prepared By: Pam Denny

**SCHEDULED**

Initiator: Pam Denny  
Sponsors:

**ACTION ITEM (ID # 1808)**

DOC ID: 1808 A

**Second public hearing to receive comments from the public concerning the proposed annexation of Area A-2 a 127.43 acres located west city limits of Los Fresnos and measuring approximately 0.7324 miles on the south side of West Hwy 100 from Tapia's Restaurant west to existing city limits of Brownsville and on the north side of West Hwy 100 from Longhorn Lane west to the drainage ditch.**

This is to hear comments from the public concerning the proposed annexation. There were no comments at the first hearing but we have received some calls so there could be some at this second hearing.

**CITY OF LOS FRESNOS  
NOTICE OF PUBLIC HEARING ON ANNEXATION**

Notice is hereby given to all interested persons that the City of Los Fresnos, Texas proposes to institute annexation proceedings to enlarge and extend the boundary limits of said city to include the following described territory, to-wit:

Area A-2: 127.43 acres located west of city limits of Los Fresnos and measuring approximately 0.7324 miles on the south side of West Hwy 100 from Tapia's Restaurant west to existing city limits of Brownsville and on the north side of West Hwy 100 from Longhorn Lane west to the drainage ditch.

The second public hearing will be held by and before the City Council of the City of Los Fresnos, Texas on the 28<sup>th</sup> day of June, 2016 at 6:00 p.m. in the Los Fresnos City Hall located at 200 N. Brazil Street, Los Fresnos, Texas for all persons interested in the above proposed annexation. At said time and place all such persons shall have the right to appear and be heard. Of all said matters and things, all persons interested in the things and matters herein mentioned, will take notice.

By order of the City Council of the City of Los Fresnos, Texas this the 10<sup>th</sup> day of May, 2016.

Polo Narvaez, Mayor

**City Council**  
200 North Brazil  
Los Fresnos, TX 78566

Meeting: 06/28/16 06:00 PM  
Department: City Secretary  
Category: Public Hearing  
Prepared By: Pam Denny

**SCHEDULED**

Initiator: Pam Denny

Sponsors:

**ACTION ITEM (ID # 1809)**

DOC ID: 1809 A

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**Public hearing to receive comments from the public on the zoning of proposed area to be annexed.**

If the new area is annexed it automatically becomes residential unless we state otherwise. The proposal is for the areas along Highway 100 to be Commercial and the area behind on the north side to be residential.

We will hear comments from the public on this.



May 31, 2016

TO: PROPERTY OWNERS ON PORTIONS OF WEST HIGHWAY 100

FROM: CITY OF LOS FRESNOS

SUBJECT: ZONING OF 127.43 ACRES OF LAND TO BE LOCATED IN CITY LIMITS OF LOS FRESNOS

The Planning and Zoning Commission will hold a public hearing on Monday, June 20, 2016 at 6:00 p.m. in City Hall to receive comments from the property owners concerning the zoning of 70.23 acres from R-1 Single Family District to C-2 Highway Commercial District and 57.20 acres will be zoned as R-1 Single Family District.

The City Council of the City of Los Fresnos will hold a public hearing on Tuesday, June 28, 2016 at 6:00 p.m. in City Hall to receive comments from the property owners concerning the zoning of 70.23 acres from R-1 Single Family District to C-2 Highway Commercial District and 57.20 acres will be zoned as R-1 Single Family District.

If you have any questions concerning the above, please contact Pam Denny, City Secretary or Mark Milum, City Manager at (956) 233-5768.

Attachment: Public Hearing on Zoning of Annexed Area (1809 : Public Hearing on Rezoning)

**City Council**  
200 North Brazil  
Los Fresnos, TX 78566

Meeting: 06/28/16 06:00 PM  
Department: City Secretary  
Category: Resolutions  
Prepared By: Pam Denny  
Initiator: Pam Denny  
Sponsors:

**SCHEDULED**

**ACTION ITEM (ID # 1810)**

DOC ID: 1810 A

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**Consideration and ACTION to approve a Resolution to apply for Texas Water Development Board Flood Protection Grant; designating City Manager as representative for City; and certifying matching share of \$60,000.**

We would like to apply for a grant that would pay for the emergency notification siren system throughout the City. There would be sirens at the following locations enable all residents to hear the emergency notifications. City Hall, East Ocean Lift Station, City Water Plant, Cuates Lift Station, LFCISD Board Room, Los Fresnos United Campus. It is at 75% grant so with the total estimated price of \$240,000 the City would be responsible for \$60,000 and the grant would pay \$180,000.

I recommend approval.



**RESOLUTION NO. 12-2016**

**A RESOLUTION OF THE CITY OF LOS FRESNOS, TEXAS, HEREINAFTER REFERRED TO AS “APPLICANT”, DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS WATER DEVELOPMENT BOARD, HEREINAFTER REFERRED TO AS “DEPARTMENT”, FOR THE PURPOSE OF PARTICIPATING IN THE FLOOD PROTECTION GRANT, HEREINAFTER REFERRED TO AS THE “GRANT”; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT MATCHING SHARE IS \$60,000.00.**

This Resolution was introduced and submitted to the City Council for passage and adoption after the reading. After presentation and discussion of the Resolution, a motion was made by \_\_\_\_\_ that the Resolution be finally passed and adopted in accordance with the City’s Home Rule Charter. The motion was seconded by \_\_\_\_\_ and carried by the following vote:

Mayor Polo Narvaez	___	For	___	Against	___	Abstained
Councilmember Yolanda H. Cruz	___	For	___	Against	___	Abstained
Councilmember Swain Real	___	For	___	Against	___	Abstained
Mayor Pro-tem Javier Mendez	___	For	___	Against	___	Abstained
Councilmember Bibi Garza	___	For	___	Against	___	Abstained
Councilmember Gary Minton	___	For	___	Against	___	Abstained

**WHEREAS**, the Applicant is fully eligible to receive assistance under the Program; and

**WHEREAS**, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Grant;

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOS FRESNOS, TEXAS:**

**SECTION 1:** That the Applicant hereby certifies that they are eligible to receive assistance under the Grant.

**SECTION 2:** That the Applicant hereby certifies that the matching share for this application is \$60,000.00.

**SECTION 3:** That the Applicant hereby authorizes and directs the City Manager to act for the Applicant in dealing with the Department for the purposes of the Grant, and that Mark W. Milum is hereby officially designated as the representative in this regard.

**SECTION 4:** The Applicant hereby specifically authorizes the official to make application to the Department concerning the installation of sirens in the City of Los Fresnos for use as emergency notification to inform the public of pending dangerous events and with advance notification it will reduce the loss of life and property.



Introduced, read and passed on this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Polo Narvaez, Mayor

ATTEST:

\_\_\_\_\_  
Pam Denny, City Secretary

Attachment: Flood Protection Grant (1810 : Resolution for TWDB Grant)

**City Council**  
200 North Brazil  
Los Fresnos, TX 78566

Meeting: 06/28/16 06:00 PM  
Department: City Secretary  
Category: Agreement  
Prepared By: Pam Denny  
Initiator: Pam Denny  
Sponsors:

**SCHEDULED**

**ACTION ITEM (ID # 1814)**

DOC ID: 1814 A

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**Consideration and ACTION to participate in funding of  
wastewater and street for new City Hall and Fire Department  
property.**

Developers with the Lakes Property (Galansky & Holland) are ready to develop a residential development to the southeast of the City Hall property. They would like to share the cost of the road on the east side of the City property and the extension of sewer services at 50% each. We will have to do this at some point in the future as we build the City Hall so this is good to share the cost and get it started. We will save some funds and get a much needed development started. There is a large need for a development like Wincrest and Village East Subdivisions (since both only have a few lots left) that have a little larger lots and will accommodate homes in the range from \$150,000 to \$250,000. Jim Rose is working on costs estimates so we can include the funding in with the City Hall.

I recommend approval.

**City Council**  
200 North Brazil  
Los Fresnos, TX 78566

Meeting: 06/28/16 06:00 PM  
Department: City Secretary  
Category: Budget Amendment  
Prepared By: Pam Denny

**SCHEDULED**

Initiator: Pam Denny

Sponsors:

**ACTION ITEM (ID # 1820)**

DOC ID: 1820 A

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**Consideration and ACTION to approve a budget amendment  
to the Utility Fund for fiscal year 2015-2016.**

Attached are budget amendments needed to complete the year. We projected conservative revenues so there is plenty of funds to cover the expenditures. On each paper I have listed on the bottom the reason for the amendments.

I recommend approval.

DEPARTMENT: \_\_\_\_\_ Utility \_\_\_\_\_ DATE POSTED: \_\_\_\_\_

[illegible]

Justification/Explanation for change:

Adjustments to higher revenues due to increased water usage during dry times and high amounts of new housing and retail construction.

Dept Head Requesting Change	Date
Mark W. Milum, City Manager	Date

Approved:

Celina Gonzales, Finance Director	Date
Polo Narvaez, Mayor	Date

# CITY OF LOS FRESNOS BUDGET AMENDMENT

FUND: 05 - Utility Fund BUDGET AMENDMENT #                     

DEPARTMENT: Water DATE POSTED:                     

Fund #	G/L Acct #	Description	Approved Budget	(Decrease)	Increase	Amended Budget
05	502 - 05120	Telephone	1,000.00		2,000.00	3,000.00
05	502 - 99100	Miscellaneous	50.00		450.00	500.00
05	505 - 14000	Hardware	6,750.00		3,365.00	10,115.00
05	520 - 13500	Water Meters	10,000.00		10,000.00	20,000.00
05	526 - 04110	Supplies, Tools & Equipment	2,500.00		1,500.00	4,000.00
05	526 - 04130	Water Connections	4,000.00		2,000.00	6,000.00
05	526 - 07100	Fuel	6,500.00		5,000.00	11,500.00
05	528 - 11200	Water Plant Equipment	15,000.00		30,000.00	45,000.00
05	529 - 04100	CCID #6	23,000.00		5,000.00	28,000.00
05	530 - 30100	Agent Fee on Water Bonds	0.00		1,100.00	1,100.00
05	530 - 30170	Sludge Removal	0.00		20,000.00	20,000.00
		<b>Amendment Total</b>	<b>68,800.00</b>	<b>0.00</b>	<b>80,415.00</b>	<b>149,215.00</b>

Justification/Explanation for change:

Delay in getting main water connection installed, IT budget written down wrong, more water line work than anticipated, fuel calculated wrong at budget time, TCEQ requirements changed causing purchase of equipment, more water use, building increase need more meters.

Approved: Mark W. Milum, City Manager Date                     

Celina Gonzales, Finance Director |                      Date

## CITY OF LOS FRESNOS BUDGET AMENDMENT

FUND: 05 - Utility Fund BUDGET AMENDMENT #

DEPARTMENT: Sewer DATE POSTED:

Fund #	G/L Acct #	Description	Approved Budget	(Decrease)	Increase	Amended Budget
05	534 - 03140	Collection Fees ERHWSC	3,500.00		2,500.00	6,000.00
05	534 - 04100	Suplies & Postage	8,500.00		2,000.00	10,500.00
05	534 - 05120	Telephone	1,000.00		500.00	1,500.00
05	534 - 99100	Miscellaneous	0.00		10,000.00	10,000.00
05	535 - 14000	Hardware	6,750.00		3,365.00	10,115.00
05	536 - 04110	Supplies, Tools & Equipment	3,500.00		2,500.00	6,000.00
05	536 - 07100	Fuel	6,500.00		5,000.00	11,500.00
05	538 - 11200	Sewer Plant Equipment	19,000.00		61,000.00	80,000.00
05	538 - 11210	Sewer Line Maintenance	14,350.00		5,000.00	19,350.00
05	538 - 11230	Lift Station Equipment	25,000.00		47,420.00	72,420.00
		<b>Amendment Total</b>	<b>88,100.00</b>	<b>0.00</b>	<b>139,285.00</b>	<b>227,385.00</b>

Justification/Explanation for change:

ERHWSC changed the fees, TCEQ penalty, IT budget written down wrong, increased line maintenance work, fuel calculated wrong at budget time, upgrades needed at sewer plant due to old equipment, replacement of pumps not expected to go bad at lift stations.

Dept Head Requesting Change \_\_\_\_\_ Date \_\_\_\_\_  
 Celina Gonzales, Finance Director | Date \_\_\_\_\_

Approved: \_\_\_\_\_ Date \_\_\_\_\_  
 Mark W. Milum, City Manager | Date \_\_\_\_\_  
 Polo Narvaez, Mayor