

City Council

520 E Ocean Blvd.

Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

Tuesday, April 12, 2022

6:00 PM

City Hall

Agenda

- A. Call meeting to order

The meeting was called to order at 6:00 PM by Mayor Alejandro Flores.

- B. Invocation and Pledge of Allegiance

Mark Milum gave invocation and led the audience in the Pledge of Allegiance.

Visitors remarks-To speak you must sign in with the City Secretary prior to the meeting you have a limit of 5 minutes to speak.

There were none.

Presentation

Presentation from McCreary Veselka Bragg & Alley PC, Attorneys at Law regarding Municipal Court Fines and Fees Collection.Discussed

Ivy Jay Arroyo introduced himself to the council. He handed out documents for his presentation to the council. Mr. Arroyo thanked the board for giving him the opportunity to present. He gave a brief history on the firm, explained in detail the services they provide, and how the city would benefit from hiring them.

Council member Luis Gonzalez arrived at 6:14 p.m.

The council thanked Mr. Arroyo. Council member Luis Gonzalez requested an action item be placed in the next meeting to discuss the firms services.

Consent Agenda (All matters listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the City Council. The item may subsequently be removed from the Consent Agenda to be considered separately.)

Mayor Flores asked the council if they had any questions, comments or concerns about the consent agenda. There were none.

Consideration and ACTION to approve the minutes from March 8, 2022.Adopted

Motion was made and seconded to approve the minutes from March 8, 2022.

Andres Lopez made a motion to approve Consideration and ACTION to approve the minutes from March 8, 2022., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve a Proclamation declaring May 5, 2022 as National Day of Prayer in the City of Los Fresnos.Adopted

Motion was made and seconded to approve a Proclamation declaring May 5, 2022 as National Day of Prayer in the City of Los Fresnos.

Andres Lopez made a motion to approve Consideration and ACTION to approve a Proclamation declaring May 5, 2022 as National Day of Prayer in the City of Los Fresnos., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve a Proclamation for National Hurricane Preparedness Week May 1-7, 2022.Adopted

Motion was made and seconded to approve a Proclamation for National Hurricane Preparedness Week May 1-7, 2022.

Andres Lopez made a motion to approve Consideration and ACTION to approve a Proclamation for National Hurricane Preparedness Week May 1-7, 2022., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve a Proclamation declaring the week of May 15-21, 2022 as National Emergency Medical Services Week in the City of Los Fresnos.Adopted

Motion was made and seconded to approve a Proclamation declaring the week of May 15-21, 2022 as National Emergency Medical Services Week in the City of Los Fresnos.

Andres Lopez made a motion to approve Consideration and ACTION to approve a Proclamation declaring the week of May 15-21, 2022 as National Emergency Medical Services Week in the City of Los Fresnos., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve a Proclamation declaring May 15, 2022 as Peace Officers' Memorial Day and declaring the week of May 15-21, 2022 as National Police Week in the City of Los Fresnos.Adopted

Motion was made and seconded to approve a Proclamation declaring May 15, 2022 as Peace Officers' Memorial Day and declaring the week of May 15-21, 2022 as National Police Week in the City of Los Fresnos.

Andres Lopez made a motion to approve Consideration and ACTION to approve a Proclamation declaring May 15, 2022 as Peace Officers' Memorial Day and declaring the week of May 15-21, 2022 as National Police Week in the City of Los Fresnos., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 535 to close, vacate, and abandon an alley located at 701 E Ocean Blvd between approximately 0.223 acres of land, more or less, out of Block 173, Fresnos Land and Irrigation Company Subdivision and 0.375 acres of land, more or less, out of Block 173, Fresnos Land and Irrigation Company Subdivision.Adopted

Motion was made and seconded to approve the second reading of Ordinance 535 to close, vacate, and abandon an alley located at 701 E Ocean Blvd between approximately 0.223

acres of land, more or less, out of Block 173, Fresno Land and Irrigation Company Subdivision and 0.375 acres of land, more or less, out of Block 173, Fresno Land and Irrigation Company Subdivision.

Andres Lopez made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 535 to close, vacate, and abandon an alley located at 701 E Ocean Blvd between approximately 0.223 acres of land, more or less, out of Block 173, Fresno Land and Irrigation Company Subdivision and 0.375 acres of land, more or less, out of Block 173, Fresno Land and Irrigation Company Subdivision., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 533 to disannex territory of to the City of Los Fresnos and reducing the boundary limits of said City.
Adopted

Motion was made and seconded to approve the second reading of Ordinance 533 to disannex territory of to the City of Los Fresnos and reducing boundary limits of said City.

Andres Lopez made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 533 to disannex territory of to the City of Los Fresnos and reducing the boundary limits of said City., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 534 to annex territory of to the City of Los Fresnos and extending the boundary limits of said City.
Adopted

Motion was made and seconded to approve the second reading of Ordinance 534 to annex territory of to the City of Los Fresnos and extending the boundary limits of said City.

Andres Lopez made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 534 to annex territory of to the City of Los Fresnos and extending the boundary limits of said City., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve the Final Plat of The Orchards Subdivision Phase 1.
Adopted

Motion was made and seconded to approve the Final Plat of The Orchards Subdivision Phase 1.

Andres Lopez made a motion to approve Consideration and ACTION to approve the Final Plat of The Orchards Subdivision Phase 1., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve the Los Fresnos Community Development Corporation's action to fund the 2022 Easter Festival in the amount of \$1,000.
Adopted

Motion was made and seconded to approve the Los Fresnos Community Development Corporation's action to fund the 2022 Easter Festival in the amount of \$1,000.

Andres Lopez made a motion to approve Consideration and ACTION to approve the Los Fresnos Community Development Corporation's action to fund the 2022 Easter Festival in the amount of \$1,000., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve the absence of Javier Rodriguez from the February 28, 2022 Planning and Zoning meeting.Adopted

Motion was made and seconded to approve the absence of Javier Rodriguez from the February 28, 2022 Planning and Zoning meeting.

Andres Lopez made a motion to approve Consideration and ACTION to approve the absence of Javier Rodriguez from the February 28, 2022 Planning and Zoning meeting., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve a resolution of the City of Los Fresnos, Texas finding that AEP Texas INC.'s application to amend its distribution cost recovery factors to increase distribution rates within the city should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the city's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.Adopted

Motion was made and seconded to approve a resolution of the City of Los Fresnos, Texas finding that AEP Teas INC.'s application to amend its distribution cost recovery factors to increase distribution rates within the city should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the city's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.

Andres Lopez made a motion to approve Consideration and ACTION to approve a resolution of the City of Los Fresnos, Texas finding that AEP Texas INC.'s application to amend its distribution cost recovery factors to increase distribution rates within the city should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the city's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel., seconded by Alejandro Flores the vote was [Unanimous].

Action Items

Consideration and ACTION to approve bids for the Wastewater Collection System Improvements Project for services on west Highway 100 and Escalante Road areas, award low bid and authorize mayor to sign documents.Adopted

Council Member Gonzalez asked Mr. Milum if the survey being conducted around town was part of this project. Mr. Milum explained it was not.

Motion was made and seconded to approve bids for the Wastewater Collection System Improvements Project for services on west Highway 100 and Escalante Road areas, award low bid to Cornett Construction Co. and authorize mayor to sign documents.

Andres Lopez made a motion to approve Consideration and ACTION to approve bids for the Wastewater Collection System Improvements Project for services on west Highway 100 and Escalante Road areas, award low bid and authorize mayor to sign documents., seconded by Luis Gonzalez the vote was [Unanimous].

Consideration and ACTION to approve a proposal from Alexander Business Development to assist the City of Los Fresnos to develop a grant application to The Meadows Foundation to cross a drainage ditch as the final element of the trail from Los Fresnos to Brownsville.Adopted

Mayor Flores asked verified with Mr. Milum the location of the drainage ditch, responsibilities City of Los Fresnos would have and the estimated time of completion. Council member Gonzalez asked about the drainage.

Mr. Milum answered the questions from the council and discussed the proposal.

Motion was made and seconded to approve a proposal from Alexander Business Development in the amount of \$6,500 to assist the City of Los Fresnos to develop a grant application to The Meadows Foundation to cross a drainage ditch as the final element of the trail from Los Fresnos to Brownsville.

Andres Lopez made a motion to approve Consideration and ACTION to approve a proposal from Alexander Business Development to assist the City of Los Fresnos to develop a grant application to The Meadows Foundation to cross a drainage ditch as the final element of the trail from Los Fresnos to Brownsville., seconded by Luis Gonzalez the vote was [Unanimous].

Consideration and ACTION to approve funding for the 2022 Easter Festival.Adopted

Motion was made and seconded to approve funding for the 2022 Easter Festival in the amount of \$1,500.

Luis Gonzalez made a motion to approve Consideration and ACTION to approve funding for the 2022 Easter Festival., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to extend the Sale Tax Compliance Agreement with MuniServices, LLC.Adopted

Council member Gabriela Fernandez asked for more information on the agreement because she was not familiar with the process. Mr. Milum explained.

Motion was made and seconded to extend the Sale Tax Compliance Agreement with MuniServices, LLC.

Juan Munoz made a motion to approve Consideration and ACTION to extend the Sale Tax Compliance Agreement with MuniServices, LLC., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to update and approve a Paid Quarantine Leave Policy to include all City Employees.Adopted as Amended

Mr. Milum gave information to the council about the paid quarantine leave for law enforcement as required by state law. He provided and explained to the council the information requested on the potential cost if the policy was approved.

Mr. Milum answered questions for the council and discussed the policy.

Motion was made and seconded **not** to approve a Paid Quarantine Leave Policy to include all City Employees.

Alejandro Flores made a motion to approve Consideration and ACTION to update and approve a Paid Quarantine Leave Policy to include all City Employees., seconded by Gabriela Fernandez the vote was [4 to 1].

Consideration and ACTION to appoint a new member to the Planning & Zoning Commission Place 4.No Action

Mayor Flores advised the board their had not been any applications submitted.

No action was taken.

made a motion to approve Consideration and ACTION to appoint a new member to the Planning & Zoning Commission Place 4., seconded by the vote was .

Consideration and ACTION to appoint a member of the council to the Southmost Regional Water Authority Board temporarily or permanently.Adopted

Mr. Milum gave the council information about the board. He explained Council Member Polo Narvaez currently is appointed but is unable to attend due to his illness.

Council member Gabriela Fernandez volunteered. The council suggested rotating a member. Mr. Milum explained they would need a steady person to learn the process and he did not feel it would be accepted according to the SRWA board by-laws.

Motion was made and seconded to appoint Council Member Gabriela Fernandez to the Southmost Regional Water Authority Board until further notice.

Alejandro Flores made a motion to approve Consideration and ACTION to appoint a member of the council to the Southmost Regional Water Authority Board temporarily or permanently., seconded by Andres Lopez the vote was [3 to 2].

Acknowledgement of City Manager's Report

City Manager Report A. WWTP Headworks B. WW Collection System & Upgrade C. WTP Expansion D. Hike & Bike Trails E. Henderson Road Resaca Crossings F. Drainage

G. Whipple Road H. COVID-19 I. TxDot Highway 100 J. Stanford Road & FM 1575 Drainage K. East 10th & East 5th Street Sewer L. Projects Discussed But Not Funded M. Street Repairs N. Boys & Girls ClubAdopted

Council member Andres Lopez commented Henderson Road looked like it was almost complete. Mayor Flores asked for an update on Whipple Road drainage easements. Mr. Milum explained that was part of the loan grant package and Water Development Board has not released the project to allow the engineers to go out for bids and had nothing to do with easements. The easements the Mayor was referring to had to do with widening the road and possible sewer on the north side of Whipple Road. Mayor Flores asked for an update on the drainage at 10th and 5th Street. Mr. Milum reminded the council that those improvements would be funded by the COVID funds and gave an update on the project. Mayor Flores asked about the Boys & Girls Club report. Mr. Mium explained it was the quarterly report. Council member Fernandez asked for an update on the HWY 100 project. Mr. Milum and the council discussed streets.

Motion was made and seconded to acknowledge the City Manager Report.

Andres Lopez made a motion to approve City Manager Report A. WWTP Headworks B. WW Collection System & Upgrade C. WTP Expansion D. Hike & Bike Trails E. Henderson Road Resaca Crossings F. Drainage G. Whipple Road H. COVID-19 I. TxDot Highway 100 J. Stanford Road & FM 1575 Drainage K. East 10th & East 5th Street Sewer L. Projects Discussed But Not Funded M. Street Repairs N. Boys & Girls Club, seconded by Gabriela Fernandez the vote was [Unanimous].

Acknowledgement of Department Head Reports

Mayor Flores commented there had been a few incidents recently, a homicide and a missing juvenile. He was not sure if the cases were something that could be discussed. Mr. Milum explained any information on the reports can be discussed but as far as information on the cases it could not be discussed as some were still under investigation.

Financial Report 1. Monthly 2. Year to Date 3. Sales TaxAdopted

Motion was made and seconded to acknowledge the Financial Report.

Andres Lopez made a motion to approve Financial Report 1. Monthly 2. Year to Date 3. Sales Tax, seconded by Luis Gonzalez the vote was [Unanimous].

Public Works Report 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits 4. Recycling 5. Waste Water Treatment Plant Discharge Monitoring ReportAdopted

Motion was made and seconded to acknowledge the Public Works Report.

Andres Lopez made a motion to approve Public Works Report 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits 4. Recycling 5. Waste Water Treatment Plant Discharge Monitoring Report, seconded by Luis Gonzalez the vote was [Unanimous].

Police Department 1. Calls-By Type 2. Calls-By Date & Time 3. Incidents-By Violation 4. Arrests-By Type 5. Accidents-By Streets & IntersectionAdopted

Motion was made and seconded to acknowledge the Police Department Report.

Andres Lopez made a motion to approve Police Department 1. Calls-By Type 2. Calls-By Date & Time 3. Incidents-By Violation 4. Arrests-By Type 5. Accidents-By Streets & Intersection, seconded by Luis Gonzalez the vote was [Unanimous].

Municipal Court 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge the Municipal Court Report.

Andres Lopez made a motion to approve Municipal Court 1. Monthly Report, seconded by Luis Gonzalez the vote was [Unanimous].

Library Report 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge the Library Report.

Andres Lopez made a motion to approve Library Report 1. Monthly Report, seconded by Luis Gonzalez the vote was [Unanimous].

Fire Marshal's Report 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge the Fire Marshal's Report

Andres Lopez made a motion to approve Fire Marshal's Report 1. Monthly Report, seconded by Luis Gonzalez the vote was [Unanimous].

EMS Report 1. Quarterly report JAN FEB MARAdopted

Motion was made and seconded to acknowledge the EMS Report.

Andres Lopez made a motion to approve EMS Report 1. Quarterly report JAN FEB MAR, seconded by Luis Gonzalez the vote was [Unanimous].

I. Adjournment

The meeting was closed at 7:03 PM.

Presiding Officer of the Council

Recorder