

City Council

520 E Ocean Blvd.

Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

Tuesday, May 9, 2023

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

Council member Gabriela Fernandez 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.

Recognition

Recognition of the Los Fresnos Earth Day Committee.Discussed

Mayor Flores and the council presented the committee members with a certificate recognizing them for their participation in the 2023 Earth Day Event.

Public Hearing

Public hearing to receive comments from the residents concerning an appeal on the Planning and Zoning Commission's denial of a request for a conditional use permit to allow a duplex to locate at 211 Canal street, zoned R-1A Single Family District.No Action

Public hearing opened at 6:09 PM.

The property owner Sara Leal, was present and explained the reason she was requesting a conditional use permit.

Public hearing closed at 6:10 PM.

made a motion to approve Public hearing to receive comments from the residents concerning an appeal on the Planning and Zoning Commission's denial of a request for a conditional use permit to allow a duplex to locate at 211 Canal street, zoned R-1A Single Family District., seconded by the vote was .

Public Hearing to disseminate information concerning the Stormwater Program and receive input from the public.No Action

Public hearing opened at 6:11 PM.

Mr. Milum explained that the city is required by law to outreach and education to citizens about storm water. Mr. Milum listed the items the city does to help distribute the information.

Public hearing closed at 6:19 PM.

made a motion to approve Public Hearing to disseminate information concerning the Stormwater Program and receive input from the public., seconded by the vote was .

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 there were any they would like to set aside for further discussion.

Consideration and ACTION to approve the minutes from regular meeting April 11, 2023 and April 26, 2023 special meeting.Adopted

Motion was made and seconded to approve the minutes from regular meeting April 11, 2023 and April 26, 2023 special meeting.

Jose C. Macias made a motion to approve Consideration and ACTION to approve the minutes from regular meeting April 11, 2023 and April 26, 2023 special meeting., seconded by Terry Vinson the vote was [Unanimous].

Consideration and ACTION to approve the Quarterly Investment Portfolio Report ended as of March 31, 2023.Adopted

Motion was made and seconded to approve the Quarterly Investment Portfolio Report ended as of March 31, 2023.

Jose C. Macias made a motion to approve Consideration and ACTION to approve the Quarterly Investment Portfolio Report ended as of March 31, 2023., seconded by Terry Vinson 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, 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.

Jose C. Macias 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 Terry Vinson the vote was [Unanimous].

Consideration and ACTION to excuse the absence of Luis Gonzalez from the April 11, 2023 City Council meeting.Adopted

Motion was made and seconded to excuse the absence of Luis Gonzalez from the April 11, 2023 City Council Meeting.

Jose C. Macias made a motion to approve Consideration and ACTION to excuse the absence of Luis Gonzalez from the April 11, 2023 City Council meeting., seconded by Terry Vinson the vote was [Unanimous].

Consideration and ACTION to excuse the absence of Gabriela Fernandez from the April 11, 2023 City Council meeting.Adopted

Motion was made and seconded to excuse the absence of Gabriela Fernandez from the April 11, 2023 City Council meeting.

Jose C. Macias made a motion to approve Consideration and ACTION to excuse the absence of Gabriela Fernandez from the April 11, 2023 City Council meeting., seconded by Terry Vinson the vote was [Unanimous].

Consideration and ACTION to approve the Los Fresnos Community Development Corporation's action to purchase Christmas decorations for the parks.Adopted

Motion was made and seconded to approve the Los Fresnos Community Development Corporation's action to purchase Christmas decorations for the parks.

Jose C. Macias made a motion to approve Consideration and ACTION to approve the Los Fresnos Community Development Corporation's action to purchase Christmas decorations for the parks., seconded by Terry Vinson the vote was [Unanimous].

Consideration and ACTION to excuse the absence of Larry Meade from the March 20, 2023 Planning and Zoning meeting.Adopted

Motion was made and seconded to excuse the absence of Larry Meade from the March 20, 2023 Planning and Zoning meeting.

Jose C. Macias made a motion to approve Consideration and ACTION to excuse the absence of Larry Meade from the March 20, 2023 Planning and Zoning meeting., seconded by Terry Vinson the vote was [Unanimous].

Consideration and ACTION to excuse the absence of Juan Sierra from the March 20, 2023 Planning and Zoning meeting.Adopted

Motion was made and seconded to excuse the absence of Juan Sierra from the March 20, 2023 Planning and Zoning meeting.

Jose C. Macias made a motion to approve Consideration and ACTION to excuse the absence of Juan Sierra from the March 20, 2023 Planning and Zoning meeting., seconded by Terry Vinson the vote was [Unanimous].

Consideration and ACTION to approve the final plat of the re-plat Jacqueline Subdivision Section Two.Adopted

Motion was made and seconded to approve the final plat of the re-plat Jacqueline Subdivision Section Two.

Jose C. Macias made a motion to approve Consideration and ACTION to approve the final plat of the re-plat Jacqueline Subdivision Section Two., seconded by Terry Vinson the vote was [Unanimous].

Consideration and ACTION to approve the Preliminary and Final Plat for K and K Subdivision.Adopted

Motion was made and seconded to approve the Preliminary and Final Plat for K and K Subdivision.

Jose C. Macias made a motion to approve Consideration and ACTION to approve the Preliminary and Final Plat for K and K Subdivision., seconded by Terry Vinson the vote was [Unanimous].

Action Items

Consideration and ACTION to appeal the Planing and Zoning Commission's denial of a request for a conditional use permit to allow a duplex to locate at 211 Canal street, zoned R-1A Single Family District.Adopted as Amended

Mayor Flores asked where the property was located, Mr. Milum answered.

Mayor Flores and Council member Macias explained why they were against approving the appeal to allow a duplex to locate at 211 Canal Street..

Motion was made and seconded to deny the request for a conditional use permit to allow a duplex to locate at 211 Canal street, zoned R-1A Single Family District.

Alejandro Flores made a motion to approve Consideration and ACTION to appeal the Planning and Zoning Commission's denial of a request for a conditional use permit to allow a duplex to locate at 211 Canal street, zoned R-1A Single Family District., seconded by Jose C. Macias the vote was [4 to 1].

Consideration and ACTION to approve a Memorandum of Agreement between the City of Los Fresnos and The Lower Rio Grande Valley TPDES Stormwater Task Force Partnership, Inc. for preparation of a Regional Texas Pollutant Discharge Elimination System (TPDES) Stormwater Permit Application and Stormwater Program Plan For the Lower Rio Grande Valley TPDES Stormwater Task Force**Adopted**

Mr. Milum explained the city has been part of the task force along with a group of other cities, he gave a brief summary about the agreement, and the task force. Mr. Milum answered questions from the council.

Motion was made and seconded to approve a Memorandum of Agreement between the City of Los Fresnos and The Lower Rio Grande Valley TPDES Stormwater Task Force Partnership, Inc. for preparation of a Regional Texas Pollutant Discharge Elimination System (TPDES) Stormwater Permit Application and Stormwater Program Plan for the Lower Rio Grande Valley TPDES Stormwater Task Force.

Luis Gonzalez made a motion to approve Consideration and ACTION to approve a Memorandum of Agreement between the City of Los Fresnos and The Lower Rio Grande Valley TPDES Stormwater Task Force Partnership, Inc. for preparation of a Regional Texas Pollutant Discharge Elimination System (TPDES) Stormwater Permit Application and Stormwater Program Plan For the Lower Rio Grande Valley TPDES Stormwater Task Force, seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to approve and authorize the publication of the required notice of public hearing on the creation of reinvestment zone number two, City of Los Fresnos, Texas, pursuant to Chapter 311, Texas Tax Code.**Discussed**

Mr. Milum gave a brief summary proposed TIRZ and how it would benefit the city.

Bill Calderon, with Calderon Economic Development Strategies LLC introduced the developers and explained details about the proposed TIRZ.

Mr. Calderon and Mr. Milum answered questions for the council.

Motion was made and seconded to approve and authorize the publication of the required notice of public hearing on the creation of reinvestment zone number two, City of Los Fresnos, Texas, pursuant to Chapter 311, Texas Tax Code.

Adopted

Acknowledgement of City Manager's Report

City Manager Report A. Waste Water Collection System & Upgrade B. Water Treatment Plant Expansion C. Street Project D. Drainage E. Whipple Road F. COVID-19 G. TxDot

Highway 100 H. East 10th & East 5th Street Sewer I. Projects Discussed But Not Funded J. Veteran's Memorial Adopted

Mr. Milum gave an update on the Hwy 100 TXDOT Project, Whipple Road, Veteran's Memorial and mosquito spraying.

Motion was made and seconded to acknowledge the City Manager's report.

Gabriela Fernandez made a motion to approve City Manager Report A. Waste Water Collection System & Upgrade B. Water Treatment Plant Expansion C. Street Project D. Drainage E. Whipple Road F. COVID-19 G. TxDot Highway 100 H. East 10th & East 5th Street Sewer I. Projects Discussed But Not Funded J. Veteran's Memorial, seconded by Terry Vinson the vote was [Unanimous].

Acknowledgement of Department Head Reports

Mayor Flores asked the council if they had any questions or comments on the Department Head Reports.

Financial Report 1. Monthly 2. Year to Date 3. Sales Tax Adopted

Motion was made and seconded to acknowledge the Financial Report.

Jose C. Macias made a motion to approve Financial Report 1. Monthly 2. Year to Date 3. Sales Tax, seconded by Gabriela Fernandez 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 Report Adopted

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

Jose C. Macias 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 Gabriela Fernandez 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 & Intersection 6. Magistrates Adopted

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

Jose C. Macias 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 6. Magistrates, seconded by Gabriela Fernandez the vote was [Unanimous].

Municipal Court 1. City Monthly Report-March 2. Linebarger Monthly Report-March Adopted

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

Jose C. Macias made a motion to approve Municipal Court 1. City Monthly Report-March 2. Linebarger Monthly Report-March, seconded by Gabriela Fernandez the vote was [Unanimous].

Library Report 1. Monthly Report Adopted

Motion was made and seconded to acknowledge the Library Report.

Jose C. Macias made a motion to approve Library Report 1. Monthly Report, seconded by Gabriela Fernandez the vote was [Unanimous].

Fire Marshal's Report 1. Monthly Report Adopted

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

Jose C. Macias made a motion to approve Fire Marshal's Report 1. Monthly Report, seconded by Gabriela Fernandez the vote was [Unanimous].

J. Adjournment

The meeting was closed at 6:58 PM.

Presiding Officer of the Council

Recorder