

City Council

520 E Ocean Blvd.

Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

Tuesday, July 12, 2022

6:00 PM

City Hall

Agenda

- A. Call meeting to order

Mayor Flores called the meeting to order at 6:00 p.m.

- B. Invocation and Pledge of Allegiance

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

Public Hearing

Public Hearing to receive comments from the property owners concerning the re-zoning of Block 16, Cole Tract Subdivision from R1-A Single Family District to C1 Limited Commercial District.No Action

Public hearing opened at 6:01

There were no comments

Public hearing closed at 6:02

made a motion to approve Public Hearing to receive comments from the property owners concerning the re-zoning of Block 16, Cole Tract Subdivision from R1-A Single Family District to C1 Limited Commercial District., seconded by the vote was .

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.

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 to pull consent agenda item 3 and asked the council if there were any others that they would like to pull. There were none.

Consideration and ACTION to approve the minutes from June 14, 2022.Adopted

Motion was made and seconded to approve the minutes from July 14, 2022.

Andres Lopez made a motion to approve Consideration and ACTION to approve the minutes from June 14, 2022., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to approve the first and second reading an ordinance of the City Council of the City of Los Fresnos, Texas, (“city”) approving a negotiated resolution between the City and Texas gas service (“TGS” or “the company”) regarding the company’s April 28, 2022 cost of service adjustment (“COSA”) filing; declaring existing rates to be unreasonable; adopting new tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; providing for the recovery of the city’s and TGS’ reasonable and necessary rate case expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas open meetings act; declaring an effective date; repealing any prior ordinances inconsistent with this ordinance and requiring delivery of this ordinance to the company’s and the city’s legal counsel.Adopted

Motion was made and seconded to approve the first and second reading an ordinance of the City Council of the City of Los Fresnos, Texas, (“city”) approving a negotiated resolution between the City and Texas gas service (“TGS” or “the company”) regarding the company’s April 28, 2022 cost of service adjustment (“COSA”) filing; declaring existing rates to be unreasonable; adopting new tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; providing for the recovery of the city’s and TGS’ reasonable and necessary rate case expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas open meetings act; declaring an effective date; repealing any prior ordinances inconsistent with this ordinance and requiring delivery of this ordinance to the company’s and the city’s legal counsel.

Andres Lopez made a motion to approve Consideration and ACTION to approve the first and second reading an ordinance of the City Council of the City of Los Fresnos, Texas, (“city”) approving a negotiated resolution between the City and Texas gas service (“TGS” or “the company”) regarding the company’s April 28, 2022 cost of service adjustment (“COSA”) filing; declaring existing rates to be unreasonable; adopting new tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; providing for the recovery of the city’s and TGS’ reasonable and necessary rate case expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas open meetings act; declaring an effective date; repealing any prior ordinances inconsistent with this ordinance and requiring delivery of this ordinance to the company’s and the city’s legal counsel., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and approval of 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 explained the city was able to secure a grant in the amount of about \$850,00 and an interest free loan in the amount of \$860,000 for drainage improvement project. This would be the issuance of the \$860,000 loan.

Don Gonzalez with Estrada Hinojosa introduced himself to the council as the financial advisors for the City of Los Fresnos. He gave a brief presentation on the two funding sources that had been applied for through the Texas Water Development Board.

Motion was made and seconded 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.

Andres Lopez made a motion to approve Consideration and approval of 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 Juan Munoz the vote was [Unanimous].

Consideration and ACTION to approve a Memorandum of Understanding between the City of Los Fresnos and South Texas ISD regarding the use of the parking lot at Memorial Park.Adopted

Motion was made and seconded to approve a Memorandum of Understanding between the City of Los Fresnos and South Texas ISD regarding the use of the parking lot at Memorial Park.

Andres Lopez made a motion to approve Consideration and ACTION to approve a Memorandum of Understanding between the City of Los Fresnos and South Texas ISD regarding the use of the parking lot at Memorial Park., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to approve a service agreement between the Los Fresnos Community Development Corporation and the Los Fresnos Chamber of Commerce.Adopted

Motion was made and seconded to approve a service agreement between the Los Fresnos Community Development Corporation and the Los Fresnos Chamber of Commerce.

Andres Lopez made a motion to approve Consideration and ACTION to approve a service agreement between the Los Fresnos Community Development Corporation and the Los Fresnos Chamber of Commerce., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to approve Los Fresnos Community Development Corporation agreement for sponsorship funding the 2023 Cameron County Fair & Livestock Show.Adopted

Motion was made and seconded to approve Los Fresnos Community Development Corporation agreement for sponsorship funding the 2023 Cameron County Fair & Livestock Show.

Andres Lopez made a motion to approve Consideration and ACTION to approve Los Fresnos Community Development Corporation agreement for sponsorship funding the 2023 Cameron County Fair & Livestock Show., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to approve the Los Fresnos Community Development Corporation funding for the September 2022 Cowboy Cook Off.Adopted

Motion was made and seconded to approve the Los Fresnos Community Development Corporation funding for the September 2022 Cowboy Cook Off.

Andres Lopez made a motion to approve Consideration and ACTION to approve the Los Fresnos Community Development Corporation funding for the September 2022 Cowboy Cook Off., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to approve the Los Fresnos Community Development Corporation sponsorship funding for Los Fresnos Rodeo.Adopted

Motion was made and seconded to approve the Los Fresnos Community Development Corporation sponsorship funding for Los Fresnos Rodeo.

Andres Lopez made a motion to approve Consideration and ACTION to approve the Los Fresnos Community Development Corporation sponsorship funding for Los Fresnos Rodeo., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to excuse the absence of Enrique C. Juarez from the June 6, 2022 Community Development Corporation Meeting.Adopted

Motion was made and seconded to excuse the absence of Enrique C. Juarez from the June 6, 2022 Community Development Corporation Meeting.

Andres Lopez made a motion to approve Consideration and ACTION to excuse the absence of Enrique C. Juarez from the June 6, 2022 Community Development Corporation Meeting., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to excuse the absence of Leonel Casanova from the June 6, 2022 Community Development Corporation meeting.Adopted

Motion was made seconded to excuse the absence of Leonel Casanova from the June 6, 2022 Community Development Corporation meeting.

Andres Lopez made a motion to approve Consideration and ACTION to excuse the absence of Leonel Casanova from the June 6, 2022 Community Development Corporation meeting., seconded by Gabriela Fernandez the vote was [Unanimous].

Action Items

Consideration and ACTION to approve an ordinance to rezone a 2.780 acre tract of land, more or less, out of block sixteen (16), Cole tract subdivision, city of Los Fresnos, Cameron County, Texas from R-1A Single Family district to C1 limited commercial district. amending the official zoning map to reflect the new zoning; and providing an effective date for the implementation of this ordinance.Adopted

Mayor Flores asked if there were any questions or comments.

Council member Andres Lopez asked what was being planned to be built. Mr. Milum answered an event center.

Motion was made and seconded to approve an ordinance to rezone a 2.780 acre tract of land, more or less, out of block sixteen (16), Cole tract subdivision, city of Los Fresnos, Cameron County, Texas from R-1A Single Family district to C1 limited commercial district. amending the official zoning map to reflect the new zoning; and providing an effective date for the implementation of this ordinance.

Alejandro Flores made a motion to approve Consideration and ACTION to approve an ordinance to rezone a 2.780 acre tract of land, more or less, out of block sixteen (16), Cole tract subdivision, city of Los Fresnos, Cameron County, Texas from R-1A Single Family district to C1 limited commercial district. amending the official zoning map to reflect the new zoning; and providing an effective date for the implementation of this ordinance., seconded by Andres Lopez the vote was [Unanimous].

Presentation review by MVBA Ivy Arroyo On Municipal Court fine and fees with question and answer from City Council.No Action

Ivy Arroyo with MVBA handed out documents to the council. He thanked the council for allowing them to give the presentation.

Mr. Arroyo reviewed what was handed out at the last presentation and what they could expect from MVBA. He answered questions for the council and discussed the services they would provide in comparison to the current firm.

made a motion to approve Presentation review by MVBA Ivy Arroyo On Municipal Court fine and fees with question and answer from City Council., seconded by the vote was .

Discussion and possible action terminating the services of the Linebarger group attorneys collection of fines and fees. Release the 60 day curative letter of termination as required by contract.No Action

City Attorney Enrique Juarez advised the council that item be tabled and be discussed in a closed session. Mr. Juarez explained there are ramifications that could result in the item and should be discussed in closed session.

Mayor Flores stated the item would be tabled for further discussion in closed session and at the next meeting.

Ivy Arroyo with MVBA signed up to speak during the action item.

Mr. Arroyo stated regarding the contract the city has a 90 day out and had the ability to terminate the contract, most cases there is already a 30 day out in the contract with the current firm. The city had the right to terminate for dissatisfaction at any time. He stated he knew that because he had a copy of the contract and the city did not have to table the action item they could just terminate the firm. He felt there was nothing wrong and no fear in terminating the contract at that time. Another city, La Villa, terminated the contract and hired MVBA.

John Guevara with Linebarger Goggan Blair & Sampson signed up to speak.

Mr. Guevara thanked the council for allowing him to be there. He mentioned he was surprised the item was on the agenda, the firm had given the council detailed reports to help answer questions that were asked.

Mr. Guevara addressed a few items that were said in the meetings about their services, reports and procedures. He advised the council if they wanted to make any changes his professional advise as an attorney he encourages the city to pause and go out for a request for qualifications to allow all firms to compete on a level field.

Calixto Flores signed up to speak. He claimed to be concerned citizen and had downloaded the court report online. He reviewed the report with the council and listed his concerns.

made a motion to approve Discussion and possible action terminating the services of the Linebarger group attorneys collection of fines and fees. Release the 60 day curative letter of termination as required by contract., seconded by the vote was .

Presentation by the Los Fresnos Chamber of Commerce and consideration and ACTION to approve a service agreement between the City of Los Fresnos and the Los Fresnos Chamber of Commerce.Adopted

Val Champion, the Director with the Los Fresnos Chamber of Commerce gave a brief introduction about the chamber. Mr. Champion gave a detailed report of each event hosted for the year, information on the members and other ways they assist other entities.

Council member Gabriela Fernandez congratulated Mr. Champion on the great events because she always takes her family, and she appreciates everything the chamber does for the community. She recommend increasing the monthly amount of \$2,850 to \$3,000.

Mayor Flores stated the chamber does a great job but his concern was the low turn out at the last event. He recommend better marketing and different entertainment at the following event.

Mayor Flores asked Mr. Milum if it was possible to increase the amount. Mr. Milum explained he would include it in the budget for the next fiscal year and present it to the council at the budget meeting, but approval now would place the amount in the budget.

Consideration and ACTION to approve a service agreement between the City of Los Fresnos and the Los Fresnos Chamber of Commerce in the amount of \$3,000 monthly .

Gabriela Fernandez made a motion to approve Presentation by the Los Fresnos Chamber of Commerce and consideration and ACTION to approve a service agreement between the City of

Los Fresnos and the Los Fresnos Chamber of Commerce., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve an agreement for sponsorship funding the 2023 Cameron County Fair & Livestock Show.Adopted

Valerie Arizmendi with the Cameron County Fair & Livestock Show introduced herself to the council. She gave a brief summary about their relationship with the community, reported the number of participants in the different events and amount of scholarships given.

Motion was made and seconded to approve an agreement for sponsorship funding the 2023 Cameron County Fair & Livestock Show in the amount of \$6,000.

Alejandro Flores made a motion to approve Consideration and ACTION to approve an agreement for sponsorship funding the 2023 Cameron County Fair & Livestock Show., seconded by Luis Gonzalez the vote was [Unanimous].

Consideration and ACTION to approve funding for the September 2022 Cowboy Cook Off.Adopted

Jerry Bruce with the Los Fresnos Rodeo Committee explained the different events that would be held at the cook off. He answered questions for the council.

Motion was made and seconded to approve funding for the September 2022 Cowboy Cook Off in the amount of \$1,500.

Gabriela Fernandez made a motion to approve Consideration and ACTION to approve funding for the September 2022 Cowboy Cook Off., seconded by Andres Lopez the vote was [Unanimous].

Consideration and ACTION to approve a service agreement with Los Fresnos Rodeo Committee.Adopted

Jerry Bruce with the Los Fresnos Rodeo Committee explained the committee was asking for the city's support for next years rodeo and would also include next years cook off. He highlighted a few things that he thought were important to the community.

Mr. Bruce answered questions for the council.

Motion was made and seconded to approve a service agreement with Los Fresnos Rodeo Committee in the amount of \$15,000, \$13,500 for the Rodeo and \$1,500 to the Cook off.

Alejandro Flores made a motion to approve Consideration and ACTION to approve a service agreement with Los Fresnos Rodeo Committee., seconded by Juan Munoz the vote was [Unanimous].

Consideration and ACTION to support and approve CDC funding for the 2022 Narcisco Martinez Cultural Arts Center Conjunto Festival.Adopted

Rogelio Nunez the Director for the Narcisco Martinez Cultural Arts Center introduced himself to the council and gave a summary on the event.

Mr. Nunez answered questions for the council.

Motion was made and seconded to support and approve CDC funding for the 2022 Narcisco Martinez Cultural Arts Center Conjunto Festival.

Andres Lopez made a motion to approve Consideration and ACTION to support and approve CDC funding for the 2022 Narcisco Martinez Cultural Arts Center Conjunto Festival., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to excuse the absence of Polo Narvaez from the June 14, 2022 City Council meeting.Adopted

Motion was made and seconded to excuse the absence of Polo Narvaez from the June 14, 2022 City Council meeting.

Andres Lopez made a motion to approve Consideration and ACTION to excuse the absence of Polo Narvaez from the June 14, 2022 City Council meeting., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to approve the Order of Election and Notice of Election for the November 8, 2022 City Election and authorize the City Secretary to make any necessary changes in locations, days, dates, and times that may be ordered by the Governor or the Cameron County Elections Office.Adopted

Motion was made and seconded to approve the Order of Election and Notice of Election for the November 8, 2022 City Election and authorize the City Secretary to make any necessary changes in locations, days, dates, and times that may be ordered by the Governor or the Cameron County Elections Office.

Andres Lopez made a motion to approve Consideration and ACTION to approve the Order of Election and Notice of Election for the November 8, 2022 City Election and authorize the City Secretary to make any necessary changes in locations, days, dates, and times that may be ordered by the Governor or the Cameron County Elections Office., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve a contract with Cameron County Election Administration to conduct the early voting and election day voting for November 8, 2022 City Election.Adopted

Motion was made and seconded to approve a contract with Cameron County Election Administration to conduct the early voting and election day voting for November 8, 2022 City Election.

Juan Munoz made a motion to approve Consideration and ACTION to approve a contract with Cameron County Election Administration to conduct the early voting and election day voting for November 8, 2022 City Election., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to excuse the absence of Andres Lopez from the June 14, 2022 City Council meeting.Adopted

Motion was made and seconded to excuse the absence of Andres Lopez from the June 14, 2022 City Council meeting.

Juan Munoz made a motion to approve Consideration and ACTION to excuse the absence of Andres Lopez from the June 14, 2022 City Council meeting., seconded by Gabriela Fernandez the vote was [Unanimous].

Acknowledgement of City Manager's Report

City Manager Report A. Waste Water Collection System & Upgrade B. Water Treatment Plant Expansion C. Hike & Bike Trails 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. Street Repairs K. Budget Meetings L. Boys & Girls Club Quarterly ReportAdopted

Mayor Flores asked the council if they had any questions or comments on the City Manager Report. Mr. Milum gave an update on the Highway 100 TXDOT project. He answered questions from the council.

He asked the council look at the budget meetings schedule provided.

Andres Lopez made a motion to approve City Manager Report A. Waste Water Collection System & Upgrade B. Water Treatment Plant Expansion C. Hike & Bike Trails 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. Street Repairs K. Budget Meetings L. Boys & Girls Club Quarterly Report, seconded by Alejandro Flores the vote was [Unanimous].

Acknowledgement of Department Head Reports

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

Motion was made and seconded to approve the Financial Report.

Andres Lopez 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 MonitoringReportAdopted

Motion was made and seconded to approve 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 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**Adopted**

Motion was made and seconded to approve 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 Gabriela Fernandez the vote was [Unanimous].

Municipal Court 1. City Monthly Report 2. Linebarger Monthly Report**Adopted**

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

Andres Lopez made a motion to approve Municipal Court 1. City Monthly Report 2. Linebarger Monthly Report, seconded by Gabriela Fernandez the vote was [Unanimous].

Library Report 1. Monthly Report**Adopted**

Motion was made and seconded to approve the Library Report.

Andres Lopez 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 approve the Fire Marshal's Report.

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

EMS Report 1. Quarterly Report APRIL MAY JUNE**Adopted**

Motion was made and seconded to approve the LFEMS 3rd Quarter Report 2022.

Andres Lopez made a motion to approve EMS Report 1. Quarterly Report APRIL MAY JUNE, seconded by Gabriela Fernandez the vote was [Unanimous].

I. Adjournment

Mayor Flores adjourned the meeting at 7:25 p.m.

Presiding Officer of the Council

Recorder