

City Council

520 E Ocean Blvd.

Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

Tuesday, August 8, 2023

6:00 PM

City Hall

Agenda

- A. Call meeting to order

Mayor Alejandro 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.

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.

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 barbershop to locate at 326 W 3rd Street, zoned R-1A Single Family District.No Action

Mayor Alejandro Flores opened the public hearing at 6:01 PM.

Martin Acuna introduced himself as the owner of the property.

Mayor Alejandro Flores closed the public hearing at 6:03 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 barbershop to locate at 326 W 3rd Street, zoned R-1A Single Family District., 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 they had any questions on the consent agenda. There were none.

Consideration and ACTION to approve the minutes from regular meeting July 11, 2023.Adopted

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

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

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

Motion was made and seconded to excuse the absence of Gabriela Fernandez from the July 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 July 11, 2023 City Council Meeting., seconded by Terry Vinson the vote was [Unanimous].

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

Motion was made and seconded to excuse the absence of Luis Gonzalez from the July 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 July 11, 2023 City Council meeting., seconded by Terry Vinson the vote was [Unanimous].

Consideration and ACTION to approve the 3rd quarter, Quarterly Investment Portfolio Report ended as of June 30, 2023Adopted

Motion was made and seconded to approve the 3rd Quarterly Investment Portfolio Report ended as of June 30, 2023.

Jose C. Macias made a motion to approve Consideration and ACTION to approve the 3rd quarter, Quarterly Investment Portfolio Report ended as of June 30, 2023, seconded by Terry Vinson the vote was [Unanimous].

Consideration and ACTION to approve an agreement for services to provide swimming lessons for the fiscal year 2023-2024.Adopted

Motion was made and seconded to approve an agreement for services to provide swimming lessons for the fiscal year 2023-2024.

Jose C. Macias made a motion to approve Consideration and ACTION to approve an agreement for services to provide swimming lessons for the fiscal year 2023-2024., seconded by Terry Vinson the vote was [Unanimous].

Consideration and ACTION to approve a resolution in support of the "One Region, One Voice" initiative.Adopted

Motion was made and seconded to approve a resolution in support of the "One Region, One Voice" initiative.

Jose C. Macias made a motion to approve Consideration and ACTION to approve a resolution in support of the "One Region, One Voice" initiative., seconded by Terry Vinson the vote was [Unanimous].

Consideration and ACTION to approve the second reading of an ordinance of the City of Los Fresnos, TX designating a geographic area within the City of Los Fresnos as a reinvestment zone for tax increment financing purposes pursuant to chapter 311 of the Texas Tax Code to be known as Tax Increment Reinvestment Zone Number Two, City of Los Fresnos; describing the boundaries of the zone; creating a board of directors for the zone; establishing a tax increment fund for the zone; containing findings and provisions related to the creation of the zone; providing a date for the termination of the zone; providing that the zone take effect immediately upon passage of the ordinance; providing a severability clause; providing for publication; and declaring an effective date.Adopted

Motion was made and seconded to approve the second reading of an ordinance of the City of Los Fresnos, TX designating a geographic area within the City of Los Fresnos as a reinvestment zone for tax increment financing purposes pursuant to chapter 311 of the Texas Tax Code to be known as Tax Increment Reinvestment Zone Number Two, City of Los Fresnos; describing the boundaries of the zone; creating a board of directors for the zone; establishing a tax increment fund for the zone; containing findings and provisions related to the creation of the zone; providing a date for the termination of the zone; providing that the zone take effect immediately upon passage of the ordinance; providing a severability clause; providing for publication; and declaring an effective date.

Jose C. Macias made a motion to approve Consideration and ACTION to approve the second reading of an ordinance of the City of Los Fresnos, TX designating a geographic area within the City of Los Fresnos as a reinvestment zone for tax increment financing purposes pursuant to chapter 311 of the Texas Tax Code to be known as Tax Increment Reinvestment Zone Number Two, City of Los Fresnos; describing the boundaries of the zone; creating a board of directors for the zone; establishing a tax increment fund for the zone; containing findings and provisions related to the creation of the zone; providing a date for the termination of the zone; providing that the zone take effect immediately upon passage of the ordinance; providing a severability clause; providing for publication; and declaring an effective date., 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 barbershop to locate at 326 W 3rd Street, zoned R-1A Single Family District.Adopted as Amended

Mayor Flores explained he was against approving the appeal because he felt the zones should be followed and the city should stay consistent. Council member Joe Macias agreed.

Motion was made and seconded NOT to appeal the Planning and Zoning Commission's denial of a request for a conditional use permit to allow a barbershop to locate at 326 W 3rd Street, zoned R1-A Single Family District.

Luis Gonzalez arrived at 6:04 PM.

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 barbershop to locate at 326 W 3rd Street, zoned R-1A Single Family District., seconded by Jose C. Macias the vote was [Unanimous].

Consideration and ACTION to approve a service agreement for the 2024 Cameron County Fair & Livestock Show.Adopted

Mr. Milum advised the council Valerie Arizmendi with the Cameron County Livestock Show was unable to attend the meeting. Mr Milum explained the council could approve the agreement or ask her to come back again.

Mr. Milum answered questions for the council.

Motion was made and seconded to approve a service agreement for the 2024 Cameron County Fair & Livestock Show in the amount of \$6,000.

Alejandro Flores made a motion to approve Consideration and ACTION to approve a service agreement for the 2024 Cameron County Fair & Livestock Show., seconded by Juan Munoz the vote was [Unanimous].

Consideration and ACTION to approve a service agreement for the 2023 Cowboy Cook Off.Adopted

Larry Cantu with the Los Fresnos Rodeo Committee introduced himself and thanked the council for their support. He explained there would be a new category for high school students and answered questions from the council.

Motion was made and seconded to approve a service agreement for the 2023 Cowboy Cook Off in the amount \$1,500.

Alejandro Flores made a motion to approve Consideration and ACTION to approve a service agreement for the 2023 Cowboy Cook Off., seconded by Luis Gonzalez the vote was [Unanimous].

Consideration and ACTION to approve a service agreement for the 2024 Los Fresnos Rodeo.Adopted

Larry Cantu with the Los Fresnos Rodeo Committee thanked the council again for their continued support. He asked the council to review the demographics information he provided that showed where in the country tickets were sold.

Council member Gabriela Ferneadez congratulated the committee for getting Los Fresnos on the map.

Motion was made and seconded to approve a service agreement for the 2024 Los Fresnos Rodeo in the amount of \$13,500.

Juan Munoz made a motion to approve Consideration and ACTION to approve a service agreement for the 2024 Los Fresnos Rodeo., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to approve a service agreement with the Los Fresnos Chamber of Commerce.Adopted

The Executive Director of the Los Fresnos Chamber of Commerce, Val Champion greeted the council. Mr. Champion reviewed the annual report he provided and requested an increase in stipend due to challenges they are facing in increase costs.

The council asked Mr. Champion question regarding the request increase and number of members.

Motion was made and seconded to approve a service agreement with the Los Fresnos Chamber of Commerce with an increase of \$500.00 per month with total amount being \$42,000 a year.

Gabriela Fernandez made a motion to approve Consideration and ACTION to approve a service agreement with the Los Fresnos Chamber of Commerce., seconded by Alejandro Flores the vote was [Unanimous].

Discussion and review of applications received for upcoming vacancies and currents members in the following boards and positions: 1. Planning and Zoning Commission Place 5 Henry Bebon, Place 6 Larry Meade, Place 7 Javier Rodriguez 2. Park Advisory Board Place 4 Adan Cruz, Place 5 Robert Garza 3. Housing Authority Board Place 1 Vacant, Place 2 Robin Garrett, Place 3 Linda Ramirez.No Action

Mr. Milum explained terms for the members listed were in October however this would allow the council time to review the members.

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

No action was taken.

made a motion to approve Discussion and review of applications received for upcoming vacancies and currents members in the following boards and positions: 1. Planning and Zoning Commission Place 5 Henry Bebon, Place 6 Larry Meade, Place 7 Javier Rodriguez 2. Park Advisory Board Place 4 Adan Cruz, Place 5 Robert Garza 3. Housing Authority Board Place 1 Vacant, Place 2 Robin Garrett, Place 3 Linda Ramirez., seconded by the vote was .

Consideration and ACTION to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for 2023 and the excess debt tax collections for 2023 tax year.Adopted

Mr. Milum explained the estimated ad valorem tax collection rate for 2023 is in excess of 97.8% and answered questions from the council.

Motion was made and seconded to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for 2023 and the excess debt tax collections for 2023 tax year.

Jose C. Macias made a motion to approve Consideration and ACTION to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for 2023 and the excess debt tax collections for 2023 tax year., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to acknowledge the Cameron Appraisal District Chief Appraiser's certification of the 2023 tax roll.Adopted

Mr. Milum explained to the council the Chief Appraiser provides the tax roll to entities to acknowledge. The value listed for 2023 is \$454,949,321 which is an increase of \$99,687,263 over last year.

Motion was made and seconded to acknowledge the Cameron County District Chief Appraiser's certification of the 2023 tax roll.

Alejandro Flores made a motion to approve Consideration and ACTION to acknowledge the Cameron Appraisal District Chief Appraiser's certification of the 2023 tax roll., seconded by Jose C. Macias the vote was [Unanimous].

Consideration and ACTION to acknowledge the calculations of the City's no-new-revenue and voter-approval tax rate for tax year 2023 and for fiscal year 2023-2024.Adopted

Mr. Milum explained the no-new-revenue tax rate is \$0.553617 per \$100 valuation. In order to get the same revenue as last year the tax rate would be \$0.553617 instead of the actual \$0.705 per \$100 valuation. Mr. Milum answered questions from the council and discussed the tax rate.

Motion was made and seconded to acknowledge the calculations of the City's no-new-revenue and voter-approval tax rate for tax year 2023 and for fiscal year 2023-2024.

Alejandro Flores made a motion to approve Consideration and ACTION to acknowledge the calculations of the City's no-new-revenue and voter-approval tax rate for tax year 2023 and for fiscal year 2023-2024., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to propose a tax rate for tax year 2023, take a record vote, if proposed tax rate exceeds the lower of the no-new-revenue or voter-approval, and set dates for public hearings, if necessary.Adopted

Mr. Milum stated the current ad valorem tax rate is \$0.705. He explained the proposed budget was based on the \$0.02 decrease and how the tax rate would affect the budget.

A record vote for the proposed tax rate of \$0.685 was as follows:

Alejandro Flores, aye, Jose Macias, aye, Juan Munoz, aye, Gabriela Fernandez, aye, Luis Gonzalez, aye, and Terry Vinson, aye.

Motion was made and seconded to approve the proposed tax rate \$0.685 per \$100 valuation and set the public hearing for Tuesday, August 15, 2023 at 6:00 p.m.

Alejandro Flores made a motion to approve Consideration and ACTION to propose a tax rate for tax year 2023, take a record vote, if proposed tax rate exceeds the lower of the no-new-revenue or voter-approval, and set dates for public hearings, if necessary., 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. 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 MemorialAdopted

Mayor Flores asked the council if they had any questions on the City Manager's Report or if Mr. Milum would like to say anything.

Mr. Milum gave an update on the TXDOT Highway 100 project.

Luis Gonzalez 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 there was any questions on the Departments. Mr. Milum explained the Police Department Index Crimes by Zone report.

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

Motion was made and seconded to acknowledge the Financial Report.

Alejandro Flores 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 ReportAdopted

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

Alejandro Flores 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 7. Index Crimes by ZoneAdopted

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

Alejandro Flores 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 7. Index Crimes by Zone, seconded by Gabriela Fernandez the vote was [Unanimous].

Municipal Court 1. City Monthly Report-JUNE 2. Linebarger Monthly Report-JUNEAdopted

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

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

Library Report 1. Monthly ReportAdopted

Motion was made and seconded to acknowledge the Library Report.

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

Fire Marshal's Report 1. Monthly ReportAdopted

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

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

Closed Session

Closed Session - Deliberation pursuant to Section 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following: Evaluation, and duties of City Manager, Public Works Director, IT Director, Chief of Police, Librarian, Finance Director, IT Director and City Secretary.No Action

Mayor Flores closed the meeting at 6:54 p.m.

While in closed session Council member Terry Vinson had to leave. It was 7:48 p.m. made a motion to approve Closed Session - Deliberation pursuant to Section 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following: Evaluation, and duties of City Manager, Public Works Director, IT Director, Chief of Police, Librarian, Finance Director, IT Director and City Secretary., seconded by the vote was .

Open Session – Deliberation and possible action regarding the following:

Open Session - Deliberation and possible action on the following: Evaluation and duties of City Manager, Public Works Director, IT Director, Chief of Police, Librarian, Finance Director, IT Director and City Secretary.Adopted

Mayor Flores opened the meeting at 8:02 p.m.

Motion was made and seconded to approve the information discussed in closed session.

Alejandro Flores made a motion to approve Open Session - Deliberation and possible action on the following: Evaluation and duties of City Manager, Public Works Director, IT Director, Chief of Police, Librarian, Finance Director, IT Director and City Secretary., seconded by Gabriela Fernandez the vote was [Unanimous].

Budget

Budget Workshop Fiscal Year 2023-2024No Action

Mr. Milum reviewed the following proposed budgets: General Fund, Senior Citizens, Community Development Corporation, TIRZ Fund and Debt Fund. Mr. Milum answered questions from the council and discussed the proposed budgets.

made a motion to approve Budget Workshop Fiscal Year 2023-2024, seconded by the vote was .

L. Adjournment

The meeting was adjourned at 8:35 p.m.

Presiding Officer of the Council

Recorder