

City Council

200 North Brazil

Los Fresnos, TX 78566

Regular Meeting

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

~ Minutes ~

Tuesday, August 9, 2016

6:30 PM

City Hall

Agenda

1. Call meeting to order
Mayor Narvaez called the meeting to order at 6:05 PM.
2. Invocation and Pledge of Allegiance
Mayor Narvaez gave the invocation and led the audience in the Pledge of Allegiance.

Public Hearing

Public Hearing to receive comments from the public on the exchange of boundaries between the City of Los Fresnos and the City of Brownsville.No Action

Mayor Narvaez opened the public hearing at 6:07 PM.

Mr. Milum explained the location of the area where the City of Los Fresnos and the City of Brownsville will be exchanging boundaries.

There were several property owners present and Mr. Milum answered their questions. No one was in opposition but wanted assistance with items the County or Brownsville never solved. Other items of concern was if Whipple Road was a private or public street, mailing addresses, existing zoning use and sewer.

Mayor Narvaez closed the public hearing at 6:35 PM.

Mayor Narvaez recessed the meeting at 6:36 PM.

Mayor Narvaez called the meeting back to order at 7:26 PM.

made a motion to approve Public Hearing to receive comments from the public on the exchange of boundaries between the City of Los Fresnos and the City of Brownsville., seconded by the vote was .

Consent Agenda

Approval or rejection of Minutes from July 12, 2015 and July 19, 2016 meetings.Adopted

Motion was made and seconded to approve the Minutes of July 12 and July 19, 2016 as presented.

Javier Mendez made a motion to approve Approval or rejection of Minutes from July 12, 2015 and July 19, 2016 meetings., seconded by Gary Minton the vote was [Unanimous].

Approval or rejection to acknowledge the Los Fresnos Community Development Corporation expenditure for street lights on East Ocean Boulevard.Adopted

Motion was made and seconded to acknowledge the expenditures by Los Fresnos Community Development Corporation for 7 street lights on East Ocean Boulevard.

Council Member Real abstained from voting.

Javier Mendez made a motion to approve Approval or rejection to acknowledge the Los Fresnos Community Development Corporation expenditure for street lights on East Ocean Boulevard., seconded by Gary Minton the vote was [Unanimous].

Approval or rejection of the first reading of Ordinance 474 approving a negotiated resolution between the City of Los Fresnos and Texas Gas Service ("TGS" or "The Company") regarding the Company's April 28, 2016 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 reading of Ordinance 474 approving a negotiated resolution between the City of Los Fresnos and Texas Gas Service ("TGS" or "The Company") regarding the Company's April 18, 2016 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.

Javier Mendez made a motion to approve Approval or rejection of the first reading of Ordinance 474 approving a negotiated resolution between the City of Los Fresnos and Texas Gas Service ("TGS" or "The Company") regarding the Company's April 28, 2016 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 Gary Minton the vote was [Unanimous].

Approval or rejection to write-off bad debt for utility bills for fiscal year 2013-2014.Adopted

Motion was made and seconded to approve the write-offs for bad debt for utility bills for fiscal year 2013-2014.

Javier Mendez made a motion to approve Approval or rejection to write-off bad debt for utility bills for fiscal year 2013-2014., seconded by Gary Minton the vote was [Unanimous].

Approval or rejection of a Budget Amendment for fiscal year 2015-2016.Adopted

Motion was made and seconded to approve the budget amendment for fiscal year 2015-2016.

Javier Mendez made a motion to approve Approval or rejection of a Budget Amendment for fiscal year 2015-2016., seconded by Gary Minton the vote was [Unanimous].

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.

There were no comments from the public.

Action Items

Consideration and ACTION to approve the first reading of Ordinance 473 ratifying the agreement between the cities of Los Fresnos and Brownsville, Texas adjusting their common boundary line, releasing certain tracts of land to the City of Brownsville, receiving certain tracts of land presently situated in the city limits of Brownsville into the city limits of the City of Los Fresnos; providing a saving clause; providing a severability clause, and providing for an effective date.Adopted

Mr. Milum explained that there is no regulations dealing with exchange of territory as we are doing with the City of Brownsville. TML suggested that we put the interlocal agreement language in an ordinance for approval.

Motion was made and seconded to approve the first reading of Ordinance 473 ratifying the agreement between the cities of Los Fresnos and Brownsville, Texas adjusting their common boundary line, releasing certain tracts of land to the City of Brownsville, receiving certain tracts of land presently situated in the city limits of Brownsville into the

city limits of the City of Los Fresnos; providing a saving clause; providing a severability clause, and providing for an effective date.

Polo Narvaez made a motion to approve Consideration and ACTION to approve the first reading of Ordinance 473 ratifying the agreement between the cities of Los Fresnos and Brownsville, Texas adjusting their common boundary line, releasing certain tracts of land to the City of Brownsville, receiving certain tracts of land presently situated in the city limits of Brownsville into the city limits of the City of Los Fresnos; providing a saving clause; providing a severability clause, and providing for an effective date., seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION to approve the design concept plans for the Nature Park.Adopted

Ms. Smith, Naismith Engineering, went over the design concept with the Council. She explained that at the present time all that will be done is the parking lot and restrooms. The design concept is for the entire nature park and can be changed around. Discussed was having both pavilion areas closer to the parking area and the bike trail connecting with the Hike & Bike trails.

Ms. Smith and Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the parking lot and restrooms with changes. Javier Mendez made a motion to approve Consideration and ACTION to approve the design concept plans for the Nature Park., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION on an increase in engineering fees for the Hike & Bike Trail.Adopted

Mr. Milum explained that Halff Associates stated that since TxDot and the Drainage District have change locations of the trail in several areas.. Due to this Halff Associates says they will need to increase the fees by \$11,500.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the increase of \$11,500 to Halff Associates for engineering fees.

Swain Real made a motion to approve Consideration and ACTION on an increase in engineering fees for the Hike & Bike Trail., seconded by Polo Narvaez the vote was [Unanimous].

Consideration and ACTION to acknowledge Cameron Appraisal District Chief Appraiser's certification of the 2016 tax roll.Adopted

Mr. Milum stated that the Cameron Appraisal District has certified the 2016 Tax Roll. The net taxable value for 2016 is \$205,250,499, an increase of 11.93%. There are no properties under protest. There were 33 new properties added to the tax roll with a value of \$14,729,067. The total increase in values of \$21,877,677 which includes new properties and improvements to existing properties. The amount of increase for the TIRZ is \$18,522,213.

Motion was made and seconded to acknowledge Cameron Appraisal District Chief Appraiser's certification of the 2016 tax roll.

Javier Mendez made a motion to approve Consideration and ACTION to acknowledge Cameron Appraisal District Chief Appraiser's certification of the 2016 tax roll., seconded by Swain Real the vote was [Unanimous].

Consideration and ACTION to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for the tax year 2015 and the excess debt tax collections for 2015 tax year.Adopted

Mr. Milum explained that the estimated ad valorem tax collection rate for tax year 2015 is in excess of 100%. This is due to prior year debt collections. The estimated debt collection for 2015 is \$216,635 with \$7,157 in excess debt tax collection.

Motion was made and seconded to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for the tax year 2015 and the excess debt tax collections for 2015 tax year.

Polo Narvaez made a motion to approve Consideration and ACTION to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for the tax year 2015 and the excess debt tax collections for 2015 tax year., seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION to acknowledge the calculations of the City's Effective and Rollback Ad Valorem Tax Rate for tax year 2016 and for fiscal year 2016-2017.Adopted

Mr. Milum explained the effective tax rate would impose the same total taxes as last year if you compare properties taxed in both years. The effective tax rate is \$0.691639 per \$100 valuation. The rollback tax rate is the highest tax rate the City could have before taxpayers would be able to start rollback procedures. The rollback tax rate is \$0.7773417

The City is proposing to have the tax rate stay the same as it has been for the last 9 years, \$0.715 per \$100 valuation.

Motion was made and seconded to acknowledge the calculations of the City's Effective and Rollback Ad Valorem Tax Rate for tax year 2016 and for fiscal year 2016-2017.

Polo Narvaez made a motion to approve Consideration and ACTION to acknowledge the calculations of the City's Effective and Rollback Ad Valorem Tax Rate for tax year 2016 and for fiscal year 2016-2017., seconded by Gary Minton the vote was [Unanimous].

Consideration and ACTION to propose a tax rate for tax year 2016, take a record vote, and set dates for public hearing (if necessary).Adopted

Mr. Milum stated that the proposed 2016-2017 fiscal year budget will keep the ad valorem tax rate at \$0.715 per \$100 valuation just as it has been for the last 9 years. Due to the proposed tax rate being higher than the effective tax rate of \$0.691639 the Council will have to hold 2 public hearings as we will receive more in revenue in the new budget year than we currently are getting when comparing the same properties.

Mr. Milum answered questions from the Council.

A record vote for the proposed tax rate of \$0.715 was as follows:

| | |
|----------------------|--------|
| Councilmember Minton | Yes |
| Councilmember Garza | Yes |
| Mayor Narvaez | Yes |
| Mayor Pro-tem Mendez | Yes |
| Councilmember Real | Yes |
| Councilmember Cruz | Absent |

Mayor Narvaez announced that there will be two public hearings held to receive comments from the public. The first public hearing will be held on Thursday, August 25 at 6:00 p.m. in City Hall and the second public hearing will be held on Tuesday, August 30, 2016 at 6:00 p.m. in City Hall.

Polo Narvaez made a motion to approve Consideration and ACTION to propose a tax rate for tax year 2016, take a record vote, and set dates for public hearing (if necessary)., seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION to appoint a person to the Los Fresnos Housing Authority.Adopted

Mr. Milum stated that Dr. Eliseo Ruiz's name was turned in and he has stated he would serve if appointed. Mr. Milum stated that the position he would be filling will expire at the end of September he request that the Council appoint him for 2 years and 2 months.

Motion was made and seconded to appoint Dr. Eliseo Ruiz to the Los Fresnos Housing Authority for 2 years and 2 months.

Polo Narvaez made a motion to approve Consideration and ACTION to appoint a person to the Los Fresnos Housing Authority., seconded by Javier Mendez the vote was [Unanimous].

Update by City Manager

A. Wastewater Plant Expansion B. Los Fresnos Nature Park C. Hike & Bike Trails D. Hazardous Mitigation Plan E. Certificates of Obligation F. Montes-Castro Park G. New City Hall H. Welcome Sign
No Action

A. Wastewater Plant Expansion - With vacations and budget meetings we have not progressed on this. We will address as soon as we can.

B. Nature Park - The design was presented by Naismith earlier in the agenda.

C. Hike & Bike Trails - Halff has the preliminary drawings done but the drainage district will not allow the trails in some areas. This was addressed in the agenda earlier.

D. Hazardous Mitigation Plan - We are waiting for them to finish the draft report. That will be on the agenda for you to consider once it is complete. They are purposefully delaying for the Cities to get out their budgets.

E. Certificates of Obligation - There is no change from last month. Work on the Whipple Road wastewater design project is continuing. We should have something in October.

F. Montes-Castro Park - Naismith should have a layout for the park for the September meeting.

G. New City Hall - Now that we had our meeting and the information on the TIRZ we can proceed with hopefully street repairs through the TIRZ. We will get the Financial Advisor's to look at the impact of the new city hall. We'll work out a time for them to present in the next 2 months.

H. Welcome Sign - The location of the sign on the IES property on West Highway 100 has been determined. Gomez Mendez & Saenz is getting the bid documents ready so we can go out for bids.

Mr. Milum answered questions from the Council.

made a motion to approve A. Wastewater Plant Expansion B. Los Fresnos Nature Park C. Hike & Bike Trails D. Hazardous Mitigation Plan E. Certificates of Obligation F. Montes-Castro Park G. New City Hall H. Welcome Sign, seconded by the vote was .

Department Head Reports

Financial Report 1. Monthly Report 2. Year-to-DateNo Action

Mr. Milum answered questions from the Council.

made a motion to approve Financial Report 1. Monthly Report 2. Year-to-Date, seconded by the vote was .

Public Works Report 1. Water and Wastewater Citivity 2. Calls for Service 3. building Permits 4. RecyclingNo Action

Mr. Milum answered questions from the Council

made a motion to approve Public Works Report 1. Water and Wastewater Citivity 2. Calls for Service 3. building Permits 4. Recycling, seconded by the vote was .

Police Department Report 1. Arrests 2. Incidents 3. AccidentsNo Action

Mr. Milum answered questions from the Council

made a motion to approve Police Department Report 1. Arrests 2. Incidents 3. Accidents, seconded by the vote was .

Municipal Court Report 1. Monthly ReportNo Action

Mr. Milum answered questions from the Council

made a motion to approve Municipal Court Report 1. Monthly Report, seconded by the vote was .

Library Report 1. Monthly ReportNo Action

Mr. Milum answered questions from the Council

made a motion to approve Library Report 1. Monthly Report, seconded by the vote was .

Fire Marshall's Report 1. Monthly ReportNo Action

Mr. Milum answered questions from the Council

made a motion to approve Fire Marshall's Report 1. Monthly Report, seconded by the vote was .

Budget Workshop

Budget Workshop for fiscal year 2016-2017No Action

Mr. Milum handed out papers to the Council on proposed salaries for city employees. Due to federal government changing the requirements on salaried employees. There is one detective that is salaried and is under the new salary cap. If we raise him to the new salary cap then we need to raise 2 of the higher police personnel. Then the IT person is salaried but the new cap is above what we would pay. He will put on a contract and work when needed. One Code Enforcement employee, increase of Accountant Clerk increase, 3% increase pay of all employees and change retirement match from 1 1/2 to 1 to 2 to 1.

Mr. Milum answered questions from the Council.

The next budget workshop will be held on Thursday, August 25 at 6:00 pm.
made a motion to approve Budget Workshop for fiscal year 2016-2017., seconded by the vote was .

10. Adjournment

Mayor Narvaez adjourned the meeting at 9:06 PM.

Presiding Officer of the Council

Recorder