

# City Council

520 E Ocean Blvd.

Los Fresnos, TX 78566

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

## Regular Meeting

~ Minutes ~

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Tuesday, August 9, 2022

6:00 PM

City Hall

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### 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

Luis Gonzalez 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 no comments during the visitors remarks.

**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 if the council had any question or would like to pull any items on the consent agenda for further discussion.

Council member Any Lopez asked Mr. Milum for clarification on the renewal of the swimming lessons agreement.

Council member Juan Munoz request items 1 & 7 be pulled.

**Consideration and ACTION to approve the minutes from July 12 & 25, 2022.**Adopted

Council member Juan Munoz explained he did want to approve the minutes because on one of the action items it stated no action but should have read tabled. Council member Luis Gonzalez asked if the wording could be changed. Mr. Milum explained the wording was in accordance to what was said in the audio.

Council member Gabriela Fernandez arrived.

Motion was made and seconded to approve the minutes from July 12 & 25, 2022.

Andres Lopez made a motion to approve Consideration and ACTION to approve the minutes from July 12 & 25, 2022., seconded by Gabriela Fernandez the vote was [4 to 1].

**Consideration and ACTION to approve the 3rd quarter, Quarterly Investment Portfolio Report ended as of June 30, 2022.**Adopted

Motion was made and seconded to approve the 3rd quarter, Quarterly Investment Portfolio Report ended as of June 30, 2022.

Luis Gonzalez made a motion to approve Consideration and ACTION to approve the 3rd quarter, Quarterly Investment Portfolio Report ended as of June 30, 2022., seconded by Andres Lopez the vote was [Unanimous].

**Consideration and ACTION to approve the Los Fresnos Community Development Corporation funding for concrete pads for the exercise stations along the walking trail and mulch for the swing and zip line areas at Memorial Park.**Adopted

Motion was made and seconded to approve the Los Fresnos Community Development Corporation funding for concrete pads for the exercise stations along the walking trail and mulch for the swing and zip line areas at Memorial Park.

Luis Gonzalez made a motion to approve Consideration and ACTION to approve the Los Fresnos Community Development Corporation funding for concrete pads for the exercise stations along the walking trail and mulch for the swing and zip line areas at Memorial Park., seconded by Andres Lopez the vote was [Unanimous].

**Consideration and ACTION to excuse the absence of Javier Rodriguez from the June 20, 2022 Planning and Zoning meeting.**Adopted

Motion was made and seconded to excuse the absence of Javier Rodriguez from the June 20, 2022 Planning and Zoning meeting.

Luis Gonzalez made a motion to approve Consideration and ACTION to excuse the absence of Javier Rodriguez from the June 20, 2022 Planning and Zoning meeting., seconded by Andres Lopez the vote was [Unanimous].

**Consideration and ACTION to approve the second reading of 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

Motion was made and seconded to approve the second reading of 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.

Luis Gonzalez made a motion to approve Consideration and ACTION to approve the second reading of 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].

**Consideration and ACTION to approve an agreement for services to provide swimming lessons for the fiscal year 2022-2023. Adopted**

Motion was made and seconded to approve an agreement for services to provide swimming lessons for the fiscal year 2022-2023.

Luis Gonzalez made a motion to approve Consideration and ACTION to approve an agreement for services to provide swimming lessons for the fiscal year 2022-2023., seconded by Andres Lopez the vote was [Unanimous].

**Consideration and ACTION to approve the write off of bad debt for the utility accounts and garbage for the 2021-2022 fiscal year. Adopted**

Mr. Munoz asked if the business on the list were no longer in the city. Mr. Milum explained they were not but were still tagged in the system in case they tried to re-open services or request a permit.

Motion was made and seconded to approve the write off of bad debt for the utility accounts and garbage for the 2021-2022 fiscal year.

Andres Lopez made a motion to approve Consideration and ACTION to approve the write off of bad debt for the utility accounts and garbage for the 2021-2022 fiscal year., seconded by Alejandro Flores the vote was [Unanimous].

**Action Items****Discussion and review of applications received for upcoming vacancies and currents members in the following boards and positions: 1. Planning and Zoning Commission Place 1-Robby Walsdorf, Place 2-Gordon Cappon, Place 3-Larry Stambaugh, Place 4-Juan Sierra 2. Park Advisory Board Place 1-Gil Gomez, Place 2-Eduardo Lugo, Place 3-Natasha Taylor 3. Housing Authority Board Place 4-Alejandro Juarez, Place 5-Alma Nora Varney No Action**

Mr. Milum commented last year the council discussed a policy to try to not make the appointment or reappointment in one meeting. These members would come up at the next meeting as an action item but would give the council 30 days to have the opportunity to reach out to the members in case they did not know them.

There were no comments from the council.

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 1-Robby Walsdorf, Place 2-Gordon Cappon, Place 3-Larry Stambaugh, Place 4-Juan Sierra 2. Park Advisory Board Place 1-Gil Gomez, Place 2-Eduardo Lugo, Place 3-Natasha Taylor 3. Housing Authority Board Place 4-Alejandro Juarez, Place 5-Alma Nora Varney, seconded by the vote was .

**Consideration and ACTION to approve the renewal contract for City Attorney Enrique Juarez. Adopted**

Mayor Flores commented he has reached out to Mr. Juarez in the past and always answers his phone and he appreciated it.

City Attorney Enrique Juarez signed up to speak. Mr. Juarez spoke to the council about his time with the city and his future plans to retire.

Motion was made and seconded to approve the renewal contract for City Attorney Enrique Juarez.

Andres Lopez made a motion to approve Consideration and ACTION to approve the renewal contract for City Attorney Enrique Juarez., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to approve a budget amendment to the General Fund.**Adopted

Mr. Milum explained each budget amendment to the council.

Motion was made and seconded to approve a budget amendment to the General Fund.

Andres Lopez made a motion to approve Consideration and ACTION to approve a budget amendment to the General Fund., seconded by Luis Gonzalez the vote was [Unanimous].

**Consideration and ACTION to utilize excess funds from 2021-2022 Fiscal Year for needed purchases.**Adopted

Mr. Milum explained what department had excess funds and how they would be used. Mr. Milum answered questions for the council.

Motion was made and seconded to utilize excess funds from 2021-2022 Fiscal Year for needed purchases.

Andres Lopez made a motion to approve Consideration and ACTION to utilize excess funds from 2021-2022 Fiscal Year for needed purchases., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for 2022 and the excess debt tax collections for 2021 tax year.**Adopted

Mayor Flores asked if the action item was in regards to the property value increasing and the city keeping the same property tax rate.

Mr. Milum explained the estimated tax collection for the current 2022 year is an excess of 97.8% and will be collecting an excess from last year of \$45,296.

Motion was made and seconded to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for 2022 and the excess debt tax collections for 2021 tax year.

Andres Lopez made a motion to approve Consideration and ACTION to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for 2022 and the

excess debt tax collections for 2021 tax year., seconded by Alejandro Flores the vote was [Unanimous].

**Consideration and ACTION to acknowledge the Cameron Appraisal District Chief Appraiser's certification of the 2022 tax roll.**Adopted

Mr. Milum explained the net taxable value for 2022 is \$355,262.058 an increase of \$36,911, and new properties added this year with a value of \$10,125,697.

Motion was made and seconded to acknowledge the Cameron Appraisal District Chief Appraiser's certification of the 2022 tax roll.

Andres Lopez made a motion to approve Consideration and ACTION to acknowledge the Cameron Appraisal District Chief Appraiser's certification of the 2022 tax roll., seconded by Juan Munoz 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 2022 and for fiscal year 2022-2023.**Adopted

Mr. Milum explained the non new revenue tax rate is \$0.673087 per \$100 valuation which meant to get the same revenue as last year the tax rate would be \$0.673087 per \$100 valuation instead of our actual rate of \$0.715 per \$100 valuation. The voter approval value \$1.013516 per \$100 valuation is the highest tax rate the City can adopt without holding an election and he was not prospering it be changed. Mayor commented with the current inflation he didn't think it would be good to raise the taxes. Mr. Milum agreed.

Mr. Milum answered questions for the council.

Motion was made and seconded to acknowledge the calculations of the City's no-new-revenue and voter-approval tax rate for tax year 2022 and for fiscal year 2022-2023.

Andres Lopez 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 2022 and for fiscal year 2022-2023., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to propose a tax rate for tax year 2022, 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

Mayor Alejandro Flores, Council member Andres Lopez, Council member Gabriela Fernandez and Council member Juan Munoz voted aye to set the tax rate \$0.715 for tax year 2022, and set the public hearings for September 6, 2022 at 6:00 pm at city hall. Council member Luis Gonzalez voted nay.

made a motion to approve Consideration and ACTION to propose a tax rate for tax year 2022, 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 the vote was [4 to 1].

**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. Drought Contingency Plan & Rio Grande River Water Levels Adopted**

Mr. Milum gave the council an update on the Highway 100 TXDOT project, and the Drought Contingency Plan.

Mr. Milum answered questions for the council about the East 10th & East 5th street sewer, Waste Water Collection System & Upgrade and drainage.

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

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. Drought Contingency Plan & Rio Grande River Water Levels, seconded by Gabriela Fernandez the vote was [Unanimous].

**Acknowledgement of Department Head Reports**

Mayor Flores asked if there are any questions or comments on the reports.

Council member Andres Lopez commented the reports were cut off and needed to be fixed before sending out the packets because it looked sloppy.

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

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 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 Report Adopted**

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

Motion was made and seconded to approve 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. City Monthly Report-June 2. Linebarger Monthly Report-June 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-June 2. Linebarger Monthly Report-June, seconded by Luis Gonzalez 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 Luis Gonzalez 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 Luis Gonzalez the vote was [Unanimous].

**Budget**

**Budget Workshop Fiscal Year 2022-2023 No Action**

Mr. Milum explained to the council the proposed pay rate increase information for the different city positions lifeguards, communications officers, and police officers.

Assistant Chief Juan Rodriguez was present and answered questions for the council.

Mr. Milum continued with the Finance, Utilities and Public Works Departments proposed pay rate increase, he answered questions for the council.

Dale House, IT Director was present. He spoke to the council about what he does for the city and the proposed IT Tech assistant full time position and answered questions.

Mr. Milum reviewed the CDC, Debt Fund, Senior Citizen and TIRZ fund budget with the council and answered questions for the council.

made a motion to approve Budget Workshop Fiscal Year 2022-2023, seconded by the vote was .

**I. Adjournment**

The meeting was adjourned at 8:39 pm.

Presiding Officer of the Council

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Recorder