

# City Council

520 E Ocean Blvd.

## Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

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Tuesday, August 10, 2021

6:00 PM

City Hall

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### Agenda

- A. Call meeting to order

Mayor Alexandro 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.**

Muhammad Kahn spoke to the council asked the council for an explanation on why a street next to his property on Hwy 100 was abandoned. He expressed his concerns on how it would affect his proposed plaza.

Mayor Flores thanked Mr. Kahn for his comments.

Manuel Abrego commented that the service agreement for the air show has been addressed at city hall within the last 30 days. He explained to the council how the Community Development Corporation funding works. He commented that the CDC has already approved funding for the stockshow and rodeo and didn't know why is done so early.

### **Public Hearing**

Council member Juan Munoz arrived at 6:07 p.m.

### **Public hearing to receive comments from the property owners concerning the re-zoning of Block 96, lots 1-14, Block 116, Lots 1-14, and Block 117, Lots 1-14 Los Fresnos Original Townsite.No Action**

Public hearing opened at 6:07 p.m.

A member of the audience asked where the property was located.

Mr. Milum explained where the property was located.

Public hearing was closed at 6:09 p.m.

made a motion to approve Public hearing to receive comments from the property owners concerning the re-zoning of Block 96, lots 1-14, Block 116, Lots 1-14, and Block 117, Lots 1-14 Los Fresnos Original Townsite., 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 if there were any comments, questions, or concerns on the consent agenda.

There was none.

**Consideration and ACTION to approve the minutes from July 13, 2021.**Adopted

Motion was made and seconded to approve minutes from July 13, 2021.

Andres Lopez made a motion to approve Consideration and ACTION to approve the minutes from July 13, 2021., seconded by James Herrera the vote was [Unanimous].

**Consideration and ACTION to approve the preliminary plat for Feather Ridge Phase IV.**Adopted

Motion was made and seconded to approve the preliminary plate for Feather Ridge Phase IV.

Andres Lopez made a motion to approve Consideration and ACTION to approve the preliminary plat for Feather Ridge Phase IV., seconded by James Herrera the vote was [Unanimous].

**Consideration and ACTION to approve the second reading of Ordinance 525 to rezone 4.79-acre tract of land from C-2 Highway Commercial District to R-1 Single Family District located east of FM 803 and west of Cameron County Housing Authority on the north side of State Highway 100.**Adopted

Motion was made and seconded to approve the second reading of Ordinance 525 to rezone 4.79 acre tract of land from C-2 Highway Commercial District to R-1 Single Family District located east of FM 803 and west of Cameron County Housing Authority on the north side of State Highway 100.

Andres Lopez made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 525 to rezone 4.79-acre tract of land from C-2 Highway Commercial District to R-1 Single Family District located east of FM 803 and west of Cameron County Housing Authority on the north side of State Highway 100., seconded by James Herrera the vote was [Unanimous].

**Consideration and ACTION to approve the 3rd Quarterly Investment Portfolio Report ended as of June 30, 2021.**Adopted

Motion was made and seconded to approve the 3rd Quarterly Investment Portfolio Report ended as of June 30, 2021.

Andres Lopez made a motion to approve Consideration and ACTION to approve the 3rd Quarterly Investment Portfolio Report ended as of June 30, 2021., seconded by James Herrera the vote was [Unanimous].

**Consideration and ACTION to excuse the absence of Leonel Casanova from the June 7, 2021 CDC meeting.**Adopted

Motion was made and seconded to excuse the absence of Leonel Casanova from the June 7, 2021 CDC meeting.

Andres Lopez made a motion to approve Consideration and ACTION to excuse the absence of Leonel Casanova from the June 7, 2021 CDC meeting., seconded by James Herrera the vote was [Unanimous].

**Consideration and ACTION to excuse the absence of Henry Bebon from the April 19, 2021 and June 21, 2021 Planning & Zoning meeting.**Adopted

Motion was made and seconded to excuse the absence of Henry Bebon from the April 19, 2021 and June 21, 2021 Planning & Zoning meeting.

Andres Lopez made a motion to approve Consideration and ACTION to excuse the absence of Henry Bebon from the April 19, 2021 and June 21, 2021 Planning & Zoning meeting., seconded by James Herrera the vote was [Unanimous].

**Consideration and ACTION to approve an agreement for services to provide swimming lessons for the fiscal year 2021/2022.**Adopted

Motion was made and seconded to approve an agreement for services to provide swimming lessons for the fiscal year 2021/2022.

Andres Lopez made a motion to approve Consideration and ACTION to approve an agreement for services to provide swimming lessons for the fiscal year 2021/2022., seconded by James Herrera the vote was [Unanimous].

**Consideration and ACTION to approve the write off of bad debt for the utility accounts and garbage for the 2020-2021 fiscal year.**Adopted

Motion was made and seconded to approve the write off bad debt for the utility accounts and garbage for the 2020-2021 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 2020-2021 fiscal year., seconded by James Herrera the vote was [Unanimous].

**Action Items**

**Consideration and ACTION to approve Ordinance 529 re-zoning of Block 96, lots 1-14, Block 116, Lots 1-14, and Block 117, Lots 1-14 Los Fresnos Original Townsite from M-H Manufactured Housing to R-1 Single Family District.**Adopted

Mr. Milum explained the difference in the current zoning and the proposed zoning, he answered questions for the council.

Motion was made and seconded to approve Ordinance 529 re-zoning of Block 96 , lots 1-14, Block 116, 1-14, and Block 117, Lots 1-14 Los Fresnos Original Townsite from M-H Manufactured Housing to R-1 Single Family District.

Ray Ortiz made a motion to approve Consideration and ACTION to approve Ordinance 529 re-zoning of Block 96, lots 1-14, Block 116, Lots 1-14, and Block 117, Lots 1-14 Los Fresnos Original Townsite from M-H Manufactured Housing to R-1 Single Family District., seconded by Polo Narvaez the vote was [Unanimous].

**Consideration and ACTION to approve a Service Agreement with the Commemorative Air Force Airshow (RGV).No Action**

Mayor Flores explained it was brought to his attention there were possible legality issues bringing in up this item again. Action would not be taken until legal guidance was given.

made a motion to approve Consideration and ACTION to approve a Service Agreement with the Commemorative Air Force Airshow (RGV)., seconded by the vote was .

**Consideration and ACTION to approve City to fill in pot holes on Escalante Rd, that is considered a private road.Adopted**

Lisa Lewis a resident of Escalante Road expressed her concerns on the pot holes. She wanted to know if the street was city owned or county and why the city can not maintain it.

Mr. Milum explained when the annexation occurred county was contacted and they confirmed it was a private road. They had maintained it for a while but stopped. He advised them half of the road was county and half was city. He spoke to Cameron County and was advised they would fill in the pot holes in the county portion of the street. The city engineers have been tasked with surveying to show where the street and property boundaries are.

Mr. Milum answered question from the board and discussed options for the residents.

Motion was made and seconded to approve City to fill in pot holes on Escalante Rd. that is considered a private road not to exceed \$1,000 in funding for project.

James Herrera made a motion to approve Consideration and ACTION to approve City to fill in pot holes on Escalante Rd, that is considered a private road., seconded by Juan Munoz the vote was [Unanimous].

**Consideration and ACTION to utilize excess funds from 2020/2021 Fiscal Year for needed purchases.Adopted**

Mayor Flores asked Mr. Milum if he had any comments on the action item. He answered no unless there were questions from the council.

Mayor Flores asked the council if they had any questions.

There were none.

Motion was made and seconded to utilize excess funds from 2020/2021 Fiscal Year for needed purchases as presented.

Andres Lopez made a motion to approve Consideration and ACTION to utilize excess funds from 2020/2021 Fiscal Year for needed purchases., seconded by Alejandro Flores the vote was [Unanimous].

**Consideration and ACTION to approve to authorize the City Manager to work with the City Engineer to develop a street bid package for street repairs.Adopted**

Mr Flores asked Mr. Milum what streets would be included in the project. Mr. Milum listed the streets presented in the agenda package.

Mr .Milum answered questions for the council.

Motion was made and seconded to approve to authorize the City Manager to work with the City Engineer to develop a street bid package for street repairs.

Ray Ortiz made a motion to approve Consideration and ACTION to approve to authorize the City Manager to work with the City Engineer to develop a street bid package for street repairs., seconded by Juan Munoz the vote was [Unanimous].

**Consideration and ACTION to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for 2020 and the excess debt tax collections for 2020 tax year.Adopted**

Mr. Milum explained the estimate as valorem tax collection rate for tax year 2020 is 106.5% and estimated debt collection for 2021 is \$24,729 he answered questions for the council.

Motion was made and seconded to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for 2020 and the excess debt tax collections for 2020 tax year.

Ray Ortiz made a motion to approve Consideration and ACTION to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for 2020 and the excess debt tax collections for 2020 tax year., seconded by James Herrera the vote was [Unanimous].

**Consideration and ACTION to acknowledge the Cameron Appraisal District Chief Appraiser's certification of the 2021 tax roll.Adopted**

Motion was made and seconded to acknowledge the Cameron Appraisal District Chief Appraiser's certification of the 2021 tax roll.

Ray Ortiz made a motion to approve Consideration and ACTION to acknowledge the Cameron Appraisal District Chief Appraiser's certification of the 2021 tax roll., seconded by Polo Narvaez 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 2021 and for fiscal year 2021-2022.Adopted**

Motion was made and seconded to acknowledge the calculations of the City's no-new-revenue and voter-approval tax rate for tax year 2021 and for fiscal year 2021-2022.

Polo Narvaez 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 2021 and for fiscal year 2021-2022., seconded by Ray Ortiz the vote was [Unanimous].

**Consideration and ACTION to propose a tax rate for tax year 2021 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**

All council members voted aye to set the tax rate at \$0.715 for tax year 2021 and the dates for the public hearings were set for Tuesday, August 17, 2021 at 6:00 pm at city hall.

made a motion to approve Consideration and ACTION to propose a tax rate for tax year 2021 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 [Unanimous].

**Acknowledgement of City Manager's Report**

**City Manager Report A. Wastewater Update B. Water Update C. Nature Park D. Hike & Bike Trails E. Henderson Road Project F. Drainage Update G. Whipple Road H. CDBG 9th Street Lift Station Relocation I. COVID-19 J. TxDot Highway 100 Project K. Pallet Company L. Stanford Road & FM 1575 Drainage & Sewer Adopted**

Mayor Flores asked the council if they had any questions with regards to the City Manager report.

Council member Andres Lopez commented that in the past agendas Mr. Milum has reported updates on water & sewer for newly annexed areas. He requested Mr. Milum give an update for the next meeting.

Council member Munoz asked for an update on Stanford R. and FM 1575. Mr. Milum explained they city pumped water out in the ditches. He was advised by TXDOT and Cameron County they would start mowing and grading ditches as soon as all was dry.

Mayor Flores asked for an update on the Henderson Road project. Mr. Milum explained crew was suppose to be out working but due to a member testing positive to COVID they would have a partial crew.

Council member James Herrera explained he had not seen any one working on the Hike & Bike Trail and asked if the crew would ever work on it. Mr. Milum explained they were working on the irrigation canal crossing.

Mayor Flores asked for more information on the park bench donation. Mr. Milum explained.

Motion was made and seconded to acknowledge City Manager Report.

Andres Lopez made a motion to approve City Manager Report A. Wastewater Update B. Water Update C. Nature Park D. Hike & Bike Trails E. Henderson Road Project F. Drainage Update G. Whipple Road H. CDBG 9th Street Lift Station Relocation I. COVID-19 J. TxDot Highway 100 Project K. Pallet Company L. Stanford Road & FM 1575 Drainage & Sewer, seconded by James Herrera the vote was [Unanimous].

**Acknowledgement of Department Head Reports**

Mayor Flores asked the council if they had any questions of 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 Financial Report.

Andres Lopez made a motion to approve Financial Report 1. Monthly 2. Year to Date 3. Sales Tax, seconded by Polo Narvaez 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 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 Polo Narvaez the vote was [Unanimous].

**Police Department 1. Arrests 2. Incidents 3. Accidents Adopted**

Motion was made and seconded to acknowledge Police Department Report.

Andres Lopez made a motion to approve Police Department 1. Arrests 2. Incidents 3. Accidents, seconded by Polo Narvaez the vote was [Unanimous].

**Municipal Court 1. Monthly Report Adopted**

Motion was made and seconded to acknowledge Municipal Court Report.

Andres Lopez made a motion to approve Municipal Court 1. Monthly Report, seconded by Polo Narvaez the vote was [Unanimous].

**Library Report 1. Monthly Report Adopted**

Motion was made and seconded to acknowledge Monthly Library Report.

Andres Lopez made a motion to approve Library Report 1. Monthly Report, seconded by Polo Narvaez the vote was [Unanimous].

**Fire Marshal's Report 1. Monthly Report Adopted**

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

Andres Lopez made a motion to approve Fire Marshal's Report 1. Monthly Report, seconded by Polo Narvaez 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, Police Commander, Assistant Chief of Police, Chief of Police, Librarian, Finance Director and City Secretary.No Action**

Mayor Flores recessed the meeting for closed session at 6:39 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, Police Commander, Assistant Chief of Police, Chief of Police, Librarian, Finance 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, Police Commander, Assistant Chief of Police, Chief of Police, Librarian, Finance Director and City Secretary.No Action**

Mayor Flores called the meeting back to order at 7:40 p.m.

No action was taken.

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, Police Commander, Assistant Chief of Police, Chief of Police, Librarian, Finance Director and City Secretary., seconded by the vote was .

### **Budget Workshop**

**Budget WorkshopNo Action**

Mr. Milum reviewed revenue with the council. He reported in \$4,325,389 total revenue 2019-2020, \$3,971,717 budgeted for 2020-2021 and projecting \$4,770,773. The proposed budget for 2021-2022 will be \$4,388,333. He listed each line item and answered questions for the council.

No action was taken.

made a motion to approve Budget Workshop, seconded by the vote was .

### **Adjournment**

The meeting was closed at 8:04 PM

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Presiding Officer of the Council

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Recorder