

City Council

200 North Brazil

Los Fresnos, TX 78566

Regular Meeting

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

~ Agenda ~

Tuesday, August 12, 2014

7:00 PM

City Hall

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF LOS FRESNOS PURSUANT TO CHAPTER 551, TITLE 5 OF THE TEXAS GOVERNMENT CODE, THE TEXAS OPEN MEETINGS ACT, WILL MEET ON TUESDAY, AUGUST 12, 2014 AT 7:00 PM AT CITY HALL, 200 NORTH BRAZIL ST, LOS FRESNOS, TX 78566.

I. AGENDA

1. Call meeting to order
2. Invocation and Pledge of Allegiance
3. Consent Agenda

1. Approval or rejection of Minutes from July 8, 2014 meeting.
2. Approval or rejection on the second and final reading of Ordinance 457 approving a negotiated resolution between the City and Texas Gas Service (:TGS" or "The Company") regarding the Company's May 1, 2014 Cost of Service Adjustment ("COSA") filing; granting the Company's request for a good cause waiver of language in Section C.5 of the COSA Clause; declaring existing rates to be unreasonable; approving attached 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.
3. Approval or rejection on an amendment to the Interlocal Agreement between the City of Los Fresnos and Cameron County for the Nature Park.
4. Approval or rejection of a Proclamation in support of a constitutional amendment for increased state funding for transportation
5. Approval or rejection of a budget amendment for Ethel Whipple Memorial Library and Los Fresnos Community Development Corporation.
6. Approval or rejection of a Proclamation recognizing the top 5% of the 2014 Senior Class.
7. Approval or rejection of a Proclamation for Resaca Middle School students for developing the "Hello Navi" app.
8. Consideration and ACTION to write-off bad debt for utility bills for fiscal year 2011/2012.
9. Approval or rejection of project expenses by Los Fresnos Community Development Corporation for street lighting on Ocean Boulevard and Arroyo Boulevard.
10. Approval or rejection of the Los Fresnos Police Department Policy on Juvenile Procedures.
11. Consideration and ACTION to approve proposal for swimming pool maintenance.
4. Visitor remarks - To speak before the Council you must sign in prior to the meeting and you will have a limit of 3 minutes to speak.
5. Public Hearing

1. Public Hearing to receive comments from the public on the rezoning of Lots 3-15 Block A, Lots 1-12 Block 10, Lots 1-18 Block 11, Lots 1-12 Block 30 and Lots 1-18 Block 31 from R-2 Two Family District to R-1A Single Family District.
6. Action Items

1. Consideration and ACTION on the first reading of Ordinance 235-CC rezoning of Lots 3-15 Block A, Lots 1-12 Block 10, Lots 1-18 Block 11, Lots 1-12 Block 30, and Lots 1-18 Block 31 from R-2 Two Family District to R-1A Single Family District and amending the Official Zoning Map.
2. Consideration and ACTION on the first, second and final reading of Ordinance 458 authorizing the issuance of "City of Los Fresnos, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2014"; providing for the payment of said certificates by the levy of an ad valorem tax upon all taxable property within the City and further securing said certificates by a lien on and pledge of the Pledged Revenue of the System; providing the terms and conditions of said certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said certificates; authorizing the execution of a Paying Agent/Registrar Agreement, a Purchase and Investment Letter, and a Private Placement Agreement; complying with the requirements imposed by the Letter of Representations previously executed with the Depository Trust Company; authorizing the execution of any necessary engagement agreements with the City's Financial Advisors and/or Bond Counsel; and providing for an effective date.
3. Consideration and ACTION to approve and accept Petitions for Annexation of 10 acres and 9.960 acres into The City of Los Fresnos.
4. Consideration and ACTION to approve a Resolution setting a date, time, and place for a public hearing on the proposed annexation of certain property by the City of Los Fresnos, Texas, and authorizing and directing the City Secretary to publish notice of such public hearing.
5. Consideration and ACTION to accept or reject any or all bids received for construction on CDBG Contract 713301.
6. Consideration and ACTION to appoint a rating committee to rank audit proposals.
7. Consideration and ACTION to authorize the City Manager to negotiate engineering services with City Engineer Naismith Engineering and or appoint a rating committee to rank engineer for various city projects.
8. Consideration and ACTION on the process to select an architect for various city projects, hire an architect and or to appoint a rating committee to rank architects for various city projects.
9. Consideration and ACTION to acknowledge Cameron Appraisal District Chief Appraiser's certification of 2014 tax roll.
10. Consideration and ACTION to acknowledge Finance Director's certification of the estimated tax collection rate for the tax year 2014 and the excess debt tax collections for tax year 2013.
11. Consideration & ACTION to acknowledge the calculation of Effective & Rollback ad valorem tax rates for tax year 2014 for fiscal year 2014-2015.

12. Consideration and ACTION to propose a tax rate for 2014 tax year, take a record vote, and set dates for public hearings (if necessary).
13. Consideration and ACTION to appoint two new members to the Planning & Zoning Commission.
14. Consideration and ACTION to appoint a new member to the Housing Authority.
15. Consideration and ACTION to appoint a new member to the Los Fresnos Community Development Board.
7. Update by City Manager
 1. Update by City Manager 1. Wastewater Plant Expansion 2. Raw Water Line Upgrade, Filter Replacement, Sludge Removal System 3. Development Projects 4. Community Park Parking 5. Los Fresnos Nature Park 6. Hazardous Mitigation Plan 7. Category 7 Projects
8. Department Head Reports
 1. Finance Report 1. Monthly 2. Year-to-Date
 2. Public Works Report 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits
 3. Police Report 1. Arrests 2. Calls
 4. Municipal Court Report 1. Monthly Report
 5. Library Report 1. Monthly Report
 6. Fire Marshall Report 1. Monthly Report
9. Closed Session – Deliberation pursuant to Section 551.072, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following:
 1. Closed Session - Deliberation pursuant to Sections 551.071, 551.072 and 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following: A. Consultation with City Attorney to seek legal advice on city annexation issues. B. Purchase, exchange, lease, or value of real property. C. Appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Manager, Public Works Director, Chief of Police, Librarian, Finance Director or City Secretary.
10. Open Session – Deliberation and possible action regarding the following:

1. Open Session - Deliberation and possible action on the following: A. Consultation with City Attorney on contemplated litigation. B. Purchase, exchange, lease, or value of real property. C. Appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Manager, Public Works Director, Chief of Police, Librarian, Finance Director or City Secretary.
11. Budget Workshop
12. Budget Workshop for Fiscal Year 2014-2015.
13. Adjournment

This is to certify that I, Pam Denny, posted this agenda on the front bulletin board of the City Hall on August 6, 2014 on or before 5:30 p.m. and it shall remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Pam Denny, City Secretary

Persons with any disabilities that would like to attend meetings must notify City Secretary 24 hours in advance so that the City can make arrangements for that disabled person.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Minutes
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1075)

DOC ID: 1075 A

Approval or rejection of Minutes from July 8, 2014 meeting.

I recommend approval.

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REGULAR CITY COUNCIL MEETING
TUESDAY, JULY 8, 2014

The Los Fresnos City Council convened in a Regular Meeting on Tuesday, July 8, 2014 at 6:00 p.m. in City Hall, 200 N. Brazil Street. Present were Mayor Polo Narvaez, Mayor Pro-tem Yolanda H. Cruz, Councilmember Javier Mendez, and Councilmember Tom Jones. Also present were City Manager Mark W. Milum and City Secretary Pam Denny. Absent was Councilmember Gary Minton.

Mayor Narvaez called the meeting to order at 6:05 p.m.

Invocation and Pledge of Allegiance

Mayor Narvaez gave the invocation and led the audience in the Pledge of Allegiance.

Workshop on electronic agenda

Mike Lyons from IQM2 did the Council training on the electronic agendas via teleconference. Mr. Lyons answered question from the Council.

Consideration and ACTION of the Consent Agenda.

- A. Approval or rejection of Minutes from June 10, 2014 and June 26, 2014 meetings.
- B. Approval or rejection on the Order of Election and Notice of Election for the November 4, 2014 City Election.

Councilmember Jones made a motion to approve the consent agenda as presented, seconded by Mayor Narvaez and the vote for approval was 5-0

Visitor remarks – To speak you must sign in prior to the meeting and you will have a limit of 3 minutes to speak.

There were no comments.

Attachment: City Council Minutes (1075 : Minutes from July 8, 2014)

Consideration and ACTION on first reading of Ordinance 457 approving a negotiated resolution between the City and Texas Gas Service (“TGS” or “The Company”) regarding the Company’s May 1, 2014 Cost of Service Adjustment (“COSA) filing; granting the Company’s request for a good cause waiver of language in Section C.5 of the COSA Clause; declaring existing rates to be unreasonable; approving attached tariffs that reflect rates to be set by the attached tariffs to be just and reasonable; providing for the recovery of the City’s and TGA’ 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 and the City’s Legal Counsel.

Mr. Milum explained that Geoffrey Gay with Lloyd Gosselink Rochelle & Townsend is the Cities Legal Counsel in the rate case. They have negotiated an agreement with Texas Gas Service on the increase in rates. The residential rates will see a slight increase but the majority of the rate increase will be with commercial and industrial customers.

A representative from the Texas Gas Service was present to answer questions from the Council.

Councilmember Real made a motion to approve the first reading of Ordinance 457 that negotiates an agreement between the Cities and Texas Gas Service, seconded by Councilmember Mendez and the vote for approval was 5-0.

Presentation, consideration and ACTION on report by Rodeo Committee and approve to utilize Hotel/Motel fund tax to promote Los Fresnos Rodeo.

Mike Todd, Chairman and Wesley Milum, Chairman of Social Media, were present. Mr. Milum presented a slide show on how social media has helped the Rodeo. They thanked the Council for their support last year for marketing the Rodeo and would like for the Council to continue the marketing support again.

Mr. Mark Milum explained that there are funds available in the Hotel/Motel tax fund.

Councilmember Jones made a motion to approve \$2,500 for marketing the Rodeo, seconded by Mayor Pro-tem Cruz and the vote for approval was 5-0.

Consideration and ACTION 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.

Mr. Milum explained that this is approving to publish the Notice of Intention to issue Certificates of Obligation. This is for scenarios 7 and 8 that were approved at the last meeting which include

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Lopez lift station, purchase of land, engineering for sewer extension west, sewer extension Escalante Road, sewer extension Whipple Road, water loop, Evergreen Street, and Architect and Design for City Hall. If there is any money left over then we can do one of the other projects that we are approving in the resolution.

Mayor Narvaez made a motion to approve the Resolution 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 Councilmember Real and the vote for approval was 5-0.

Consideration and ACTION to appoint a new member to Planning and Zoning Commission.

No action was taken.

Consideration and ACTION to appoint a new member to the Housing Authority.

No action was taken.

Consideration and ACTION to appoint a member to the Los Fresnos Community Development Corporation Board.

No action was taken.

Update by City Manager

- A. **Wastewater Plant Expansion** – We are waiting approval from TCEQ. Then TWDB will be able to give us final approval to start the bidding process.
- B. **Raw Water Line Upgrade, Filter Replacement, and Sludge Removal System** – We are waiting for USDA for final approval of the bids. All contracts documents have been signed and we have held the pre-construction meetings with contractors.
- C. **Development Projects** – 1. Apartment Complex on Whipple Road is moving quickly.
2. Walmart – Ground work has begun.
- D. **Community Park Parking** – The County has begun work on the parking lot to the west side of the park. The parking area on Nogal Street and Third Street is in the approval process.
- E. **Los Fresnos Nature Park** – We are waiting on the approval of the appraisals so we can make the final deal. We have verbally agreed with one of the property owners.

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- F. **Hazardous Mitigation Plan** – We have not heard anything. I was told they are very backed up in looking at the applications. They will not give us a time line of when they might get to it.
- G. **Category 7 Projects** – Applications have been submitted for Whipple Road, Los Fresnos Loop, Hike & Bike Trails and Henderson Road. The technical committee is still reviewing all the projects. They probably will not go to the Policy Committee for approval until August.

Mr. Milum answered questions from the Council.

Department Head Reports

Mr. Milum answered questions from the Council.

Adjournment

Mayor Narvaez adjourned the meeting at 7:54 p.m.

Mayor

City Secretary

Polo Narvaez

Pam Denny

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Ordinances
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1077)

DOC ID: 1077 B

Approval or rejection on the second and final reading of Ordinance 457 approving a negotiated resolution between the City and Texas Gas Service (:TGS" or "The Company") regarding the Company's May 1, 2014 Cost of Service Adjustment ("COSA") filing; granting the Company's request for a good cause waiver of language in Section C.5 of the COSA Clause; declaring existing rates to be unreasonable; approving attached 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.

The Council approved this on the first reading at the July meeting. The agreement saves City residents from higher costs compared to the original proposal. It is recommended by the firm representing the City in this case.

I recommend approval.

ORDINANCE NO. 457

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 MAY 1, 2014 COST OF SERVICE ADJUSTMENT (“COSA”) FILING; GRANTING THE COMPANY’S REQUEST FOR A GOOD CAUSE WAIVER OF LANGUAGE IN SECTION C.5 OF THE COSA CLAUSE; DECLARING EXISTING RATES TO BE UNREASONABLE; APPROVING ATTACHED 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.

This ordinance was introduced and submitted to the City Council for passage and adoption after the second reading. After presentation and discussion of the Ordinance, a motion was made by _____ that the Ordinance be finally passed and adopted in accordance with the City’s Home Rule Charter. The motion was seconded by _____ and carried by the following vote:

Mayor Polo Narvaez	___	For	___	Against	___	Abstained
Mayor Pro-tem Yolanda H. Cruz	___	For	___	Against	___	Abstained
Councilmember Swain Real	___	For	___	Against	___	Abstained
Councilmember Javier Mendez	___	For	___	Against	___	Abstained
Councilmember Tom Jones	___	For	___	Against	___	Abstained
Councilmember Gary Minton	___	For	___	Against	___	Abstained

WHEREAS, the City of Los Fresnos, Texas (“City”) is a gas utility customer of Texas Gas Service (“TGS” or “the Company”), and a regulatory authority with an interest in the rates and charges of TGS; and

Attachment: Texas Gas Service Ordinance 457 (1077 : Ordinance on Texas Gas rate case)

WHEREAS, pursuant to the terms of the agreement settling TGS' 2009 Statement of Intent to increase rates, to which City was a signatory, the City and other municipalities within the Rio Grande Valley Service Area and TGS worked collaboratively to develop the Cost of Service Adjustment ("COSA") tariff that allows for an expedited comprehensive rate review process; and

WHEREAS, on or about May 1, 2014, TGS filed with the City a COSA tariff seeking to increase natural gas rates to all customers residing in the City; and

WHEREAS, TGS requested a good cause waiver to Section C.5 of the COSA clause to recognize a decline in revenue associated with a loss of customers during calendar year 2013; and

WHEREAS, the Company has requested a system wide increase of \$1,216,601; and

WHEREAS, the City coordinated a review of TGS' COSA filing and designated attorneys and consultants to resolve issues in the Company's COSA filing; and

WHEREAS, the Company has filed evidence that existing rates are unreasonable and should be changed; and

WHEREAS, independent analysis by the City's rate expert concluded that TGS is able to justify an increase over current rates; and

WHEREAS, the City's attorney and consultant recommend that the City approve the Good Cause Waiver, a settlement of \$936,000 on a system wide basis and a modification of cost allocation factors; and

WHEREAS, the attached tariffs implementing new rates are consistent with the negotiated resolution reached by the City and are just, reasonable, and in the public interest; and

WHEREAS, the negotiated resolution of the Company's COSA filing and the resulting rates are, as a whole, in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOS FRESNOS, TEXAS:

Section 1. That the City Council finds that the existing rates for natural gas service provided by TGS are unreasonable and the new tariffs implementing this Ordinance, which are attached hereto and incorporated herein as Attachment A, are just and reasonable and are hereby adopted.

Section 2. That the requested Good Cause Waiver is granted and a rate increase of \$936,000 on a system wide basis along with a modification to cost allocation factors is reasonable.

Section 3. Allocation factors shall be as follows:

Residential 35.04%; Commercial 42.85%; Industrial 6.56%; Public

Authority 5.61%; Transport-T1 7.03%; and Transport-T2 2.92%

Section 4. That TGS shall reimburse the reasonable ratemaking expenses of the City in processing the Company's rate application.

Section 5. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

Section 6. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 7. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining

provisions of this Ordinance and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

Section 8. That the tariffs attached to this Ordinance shall become effective for meters read on and after July 29, 2014.

Section 9. That a copy of this Ordinance shall be sent to TGS, care of Jose De Alba, Director of Operations, at 5602 East Grimes Road, Harlingen, Texas 78550-1783, and to Geoffrey Gay, Special Counsel to the City, at Lloyd Gosselink Rochelle & Townsend, P.C., P. O. Box 1725, Austin, Texas 78767-1725.

INTRODUCED and APPROVED on the first reading this ____ day of _____, 2014.

APPROVED and PASSED on the second and final reading this ____ day of _____, 2014.

Polo Narvaez, Mayor

ATTEST:

Pam Denny, City Secretary

APPROVED AS TO FORM:

Enrique C. Juarez, City Attorney

**RIO GRANDE VALLEY SERVICE AREA COST OF SERVICE ADJUSTMENT
FILED BY TEXAS GAS SERVICE COMPANY ON MAY 1, 2014**

SETTLEMENT AGREEMENT

This Settlement Agreement is entered into by and between Texas Gas Service Company ("TGS" or the "Company") and the cities of TGS' Rio Grande Valley Service Area ("RGVSA"), which includes the Cities of Alamo, Alton, Brownsville, Combes, Donna, Edcouch, Edinburg, Elsa, Harlingen, Hidalgo, La Feria, La Joya, La Villa, Laguna Vista, Los Fresnos, Lyford, McAllen, Mercedes, Mission, Palm Valley, Palmhurst, Palmview, Penitas, Pharr, Port Isabel, Primera, Progreso, Rancho Viejo, Raymondville, Rio Hondo, San Benito, San Juan, Santa Rosa, and Weslaco, Texas (collectively, "RGVSA Cities").

WHEREAS, this Settlement Agreement resolves all issues relating to the Cost of Service Adjustment ("COSA") filed with the RGVSA Cities on May 1, 2014, in a manner that TGS and the RGVSA Cities (collectively, the "Signatories") believe is consistent with the public interest, and the Signatories represent diverse interests;

WHEREAS, the Signatories believe that an appeal from municipal action on the filed COSA adjustment would be time-consuming and entail substantial additional expense for all parties and that the public interest will be served by adoption of an ordinance consistent with this Settlement Agreement;

NOW, THEREFORE, in consideration of the mutual agreements and covenants established herein, the Signatories, through their undersigned representatives, agree to and recommend for approval by the RGVSA Cities the following Settlement Terms as a means of fully resolving all issues raised in the May 1, 2014 COSA Adjustment filed by TGS with the RGVSA Cities:

Settlement Terms

1. The Signatories agree to the rates, terms and conditions reflected in the tariffs attached to this Settlement Agreement as Exhibit A. Said tariffs should allow TGS an additional \$936,000 in annual revenue as illustrated in the proof of revenues attached as part of Exhibit B to the Settlement Agreement. The Signatories agree that the \$936,000 revenue increase is a "black box" figure and is not tied to any specific expense in TGS' underlying cost of service. The Signatories further agree that the rates, terms and conditions reflected in Exhibit A to this Settlement Agreement comply with the rate-setting requirements of Chapter 104 of the Texas Utilities Code. The rates, terms and conditions established by this Settlement Agreement shall take effect with the first billing cycle of August 2014.
2. The Signatories agree that the revenue increase shall be allocated based on the following percentages:

Residential	35.04%
Commercial	42.85%
Industrial	6.56%
Public Authority	5.61%
Transport – T1	7.03%
Transport – T2	2.92%
Total	100%

3. TGS agrees to reimburse the RGVSA Cities for their previously-incurred reasonable and necessary legal and consultant expenses associated with TGS' 2014 COSA Adjustment filed with the RGVSA Cities on May 1, 2014. Such reimbursement shall be made on or before thirty (30) days from the date that the last RGVSA City has taken action to adopt or approve this Settlement Agreement and upon the Company receiving legal invoices or other documentation reflecting the City's incurred costs. The Signatories agree that TGS is entitled to recover its reasonable expenses associated with the 2014 COSA filing with the RGVSA Cities, as well as those expenses reimbursed to the RGVSA Cities in connection with this filing, through a volumetric surcharge, and that such amount shall not be included in the calculation of the 5% band limiting the amount of any future COSA Adjustment.
4. The Signatories agree that within a reasonable time period the RGVSA Cities shall adopt ordinances approving the Settlement Agreement and establish rates and services for the RGVSA Cities consistent with those set forth in Exhibit A to this Settlement Agreement. The Signatories agree to make good faith efforts to encourage each RGVSA City to timely adopt an ordinance approving the Settlement Agreement.
5. The Signatories agree that all negotiations, discussion, conferences and drafts related to the Settlement Agreement are confidential, inadmissible, and not relevant to prove any issues associated with the 2014 COSA Adjustment filed by TGS with the RGVSA Cities pursuant to Texas law.
6. The Signatories agree that neither this Settlement Agreement nor any oral or written statements made during the course of settlement negotiations may be used for any purpose other than as necessary to support the entry by the RGVSA Cities of an ordinance or resolution implementing this Settlement Agreement.
7. The Signatories agree that this Settlement Agreement is binding on each Signatory only for the purpose of settling the issues set forth herein and for no other purposes, and except to the extent the Settlement Agreement governs a Signatory's rights and obligations for future periods, this Settlement Agreement shall not be binding or precedential upon any Signatory outside this proceeding.
8. The Signatories agree that this Settlement Agreement may be executed in multiple counterparts and may be filed with facsimile signatures.

Agreed to this 24th day of June 2014.

TEXAS GAS SERVICE COMPANY

By: Kate Norman
Kate Norman
Attorney for Texas Gas Service Company

RIO GRANDE VALLEY SERVICE AREA CITIES

By: Geoffrey M. Gay
Geoffrey Gay
Attorney for the City of McAllen and certain other Rio Grande Valley Service Area
Cities

TEXAS GAS SERVICE COMPANY
Rio Grande Valley Service Area**RATE SCHEDULE 10****RESIDENTIAL SERVICE RATE**APPLICABILITY

Applicable to a residential customer in a single dwelling, or in a dwelling unit of a multiple dwelling or residential apartment, or nursing homes, for domestic purposes.

TERRITORY

All customers in the incorporated areas served by the Company in its Rio Grande Valley Service Area.

COST OF SERVICE RATE

During each monthly billing period:

A Customer Charge per meter per month of \$11.25 plus -
All Ccf @ \$ 0.50521 per Ccf

OTHER ADJUSTMENTS

In addition to the Cost of Service set forth above, each customer's bill shall include the following adjustments:

Cost of Gas Component: The basic rates for cost of service set forth above shall be increased by the amount of the Cost of Gas Component for the billing month computed in accordance with the provisions of Rate Schedule 1.

Weather Normalization Adjustment: The billing shall reflect adjustments in accordance with the provisions of the Weather Normalization Adjustment Clause, Rate Schedule WNA.

Taxes: Plus applicable taxes and fees (including franchises fees) related to above, see Rate Schedule 1B.

CONDITIONS

Subject in all respects to applicable laws, rules, and regulations from time to time in effect.

Attachment: Texas Gas Service Ordinance 457 (1077 : Ordinance on Texas Gas rate case)

TEXAS GAS SERVICE COMPANY
Rio Grande Valley Service Area**RATE SCHEDULE 20****COMMERCIAL SERVICE RATE**APPLICABILITY

Applicable to commercial consumers and to consumers not otherwise specifically provided for under any other rate schedule.

TERRITORY

All customers in the incorporated areas served by the Company in its Rio Grande Valley Service Area.

COST OF SERVICE RATE

During each monthly billing period:

A Customer Charge per meter per month of \$31.25 plus (For Commercial Service)

A Customer Charge per meter per month of \$18.75 plus (For Church Service)

All Ccf @ \$ 0.36869 per Ccf

OTHER ADJUSTMENTS

In addition to the Cost of Service set forth above, each customer's bill shall include the following adjustments:

Cost of Gas Component: The basic rates for cost of service set forth above shall be increased by the amount of the Cost of Gas Component for the billing month computed in accordance with the provisions of Rate Schedule 1.

Weather Normalization Adjustment: The billing shall reflect adjustments in accordance with the provisions of the Weather Normalization Adjustment Clause, Rate Schedule WNA.

Taxes: Plus applicable taxes and fees (including franchises fees) related to above, see Rate Schedule 1B.

CONDITIONS

1. Subject in all respects to applicable laws, rules, and regulations from time to time in effect.
2. Delivery of Gas hereunder may be interrupted or curtailed at the discretion of the Company, in case of shortage or threatened shortage of gas supply from any cause whatsoever, to conserve gas for residences, hospitals, schools, churches, and other human needs customers as prioritized in the Company's approved Curtailment Program.

Supersedes Same Sheet Dated
July 31, 2013

Meters Read On and After
July 29, 2014

Attachment: Texas Gas Service Ordinance 457 (1077 : Ordinance on Texas Gas rate case)

TEXAS GAS SERVICE COMPANY
Rio Grande Valley Service Area**RATE SCHEDULE 30****INDUSTRIAL SERVICE RATE**APPLICABILITY

Service under this rate schedule is available to any customer whose primary business activity at the location served is included in one of the following classifications of the Standard Industrial Classification Manual of the U.S. Government.

Division B	- Mining - all Major Groups
Division D	- Manufacturing - all Major Groups
Divisions E and J	- Utility and Government - facilities generating power for resale only

TERRITORY

All customers in the incorporated areas served by the Company in its Rio Grande Valley Service Area.

COST OF SERVICE RATE

During each monthly billing period:

A Customer Charge per meter per month of \$66.85 plus -
All Ccf @ \$ 0.43229 per Ccf

OTHER ADJUSTMENTS

In addition to the Cost of Service set forth above, each customer's bill shall include the following adjustments:

Cost of Gas Component: The basic rates for cost of service set forth above shall be increased by the amount of the Cost of Gas Component for the billing month computed in accordance with the provisions of Rate Schedule 1.

Taxes: Plus applicable taxes and fees (including franchises fees) related to above, see Rate Schedule 1B.

CONDITIONS

1. Subject in all respects to applicable laws, rules, and regulations from time to time in effect.
2. Delivery of gas hereunder may be interrupted or curtailed at the discretion of the Company, in case of shortage or threatened shortage of gas supply from any cause whatsoever, to conserve gas for residences, hospitals, schools, churches, and other human needs customers as prioritized in the Company's approved Curtailment Program.

Supersedes Same Sheet Dated
July 31, 2013

Meters Read On and After
July 29, 2014

Attachment: Texas Gas Service Ordinance 457 (1077 : Ordinance on Texas Gas rate case)

TEXAS GAS SERVICE COMPANY
Rio Grande Valley Service Area**RATE SCHEDULE 40****PUBLIC AUTHORITY SERVICE RATE**APPLICABILITY

Applicable to all public and parochial schools and colleges, and to all facilities operated by Governmental agencies not specifically provided for in other rate schedules or special contracts.

TERRITORY

All customers in the incorporated areas served by the Company in its Rio Grande Valley Service Area.

COST OF SERVICE RATE

During each monthly billing period:

A Customer Charge per meter per month of \$35.71 plus -
All Ccf @ \$ 0.39166 per Ccf

OTHER ADJUSTMENTS

In addition to the Cost of Service set forth above, each customer's bill shall include the following adjustments:

Cost of Gas Component: The basic rates for cost of service set forth above shall be increased by the amount of the Cost of Gas Component for the billing month computed in accordance with the provisions of Rate Schedule 1.

Weather Normalization Adjustment: The billing shall reflect adjustments in accordance with the provisions of the Weather Normalization Adjustment Clause, Rate Schedule WNA.

Taxes: Plus applicable taxes and fees (including franchises fees) related to above, see Rate Schedule 1B.

CONDITIONS

1. Subject in all respects to applicable laws, rules, and regulations from time to time in effect.
2. Delivery of gas hereunder may be interrupted or curtailed at the discretion of the Company, in case of shortage or threatened shortage of gas supply from any cause whatsoever, to conserve gas for residences, hospitals, schools, churches, and other human needs customers as prioritized in the Company's approved Curtailment Program.

TEXAS GAS SERVICE COMPANY
Rio Grande Valley Service Area**Rate Schedule T-1**TRANSPORTATION SERVICE RATEAPPLICABILITY

Service under this rate schedule is available to any customer of Texas Gas Service Company ("Company") and to Qualified Suppliers or Producers supplying natural gas to be transported, pursuant to Rate Schedule T-GEN (General Charges, Provisions and Conditions) for the transportation of customer-owned natural gas through the Company's Rio Grande Valley distribution system for use by customers within the Company's Rio Grande Valley's Service Area or delivered to connecting pipelines. The customer must arrange with its gas supplier to have the customer's gas delivered to one of the Company's existing receipt points for transportation by the Company to the customer's facilities at the customer's delivery point. The receipt points shall be specified by the Company at its reasonable discretion, taking into consideration available capacity, operational constraints, and integrity of the distribution system.

Prior to the execution of a Gas Transportation Service Agreement, customer must represent and certify that its usage shall average five hundred (500) Mcf of gas per month or six thousand (6,000) Mcf annually. The Company shall have the right at all reasonable times, upon prior notice to Customer, to enter onto Customer's premises and inspect Customer's facilities and operations to verify such capability. Customer must agree to notify the Company within a reasonable time if there is any change in Customer's usage. Should Customer's usage capability average less than five hundred (500) Mcf per month or six thousand (6,000) Mcf annually, Customer must so notify the Company and the Company may discontinue service hereunder except as provided in the Gas Transportation Service Agreement.

TERRITORY

All areas served by the Company in its Rio Grande Valley Service Area.

RATE

This rate shall be the sum of Part A, Part B, and Part C as described below.

Part A: A customer charge of \$127.82 per meter per month.

Part B: All volumes of natural gas transported during each month in accordance with this schedule shall be billed at the following Ccf charge:

All Ccf @ \$0.20284 per Ccf

Part C: "Additional Charges to Cost of Service Rate" pursuant to Rate Schedule T-GEN (General Charges, Provisions and Conditions).

CONDITIONS

See the "Special Provisions" and "Conditions" pursuant to Rate Schedule T-GEN (General Charges, Provisions and Conditions)

Supersedes Same Sheet Dated
July 31, 2013 (Incorporated only)

Meters Read On and After
July 29, 2014 (Incorporated only)

Attachment: Texas Gas Service Ordinance 457 (1077 : Ordinance on Texas Gas rate case)

Rate Schedule T-2
Page 1 of 1

TRANSPORTATION SERVICE RATE

APPLICABILITY

Service under this rate schedule is available to any customer of Texas Gas Service Company ("Company") and to Qualified Suppliers or Producers supplying natural gas to be transported, pursuant to Rate Schedule T-GEN (General Charges, Provisions and Conditions) for the transportation of customer-owned natural gas through the Company's Rio Grande Valley distribution system for use by customers within the Company's Rio Grande Valley's Service Area or delivered to connecting pipelines. This rate schedule requires a one-year commitment for transportation service. The customer must arrange with its gas supplier to have the customer's gas delivered to one of the Company's existing receipt points for transportation by the Company to the customer's facilities at the customer's delivery point. The receipt points shall be specified by the Company at its reasonable discretion, taking into consideration available capacity, operational constraints, and integrity of the distribution system.

TERRITORY

All areas served by the Company in its Rio Grande Valley Service Area.

RATE

This rate shall be the sum of Part A, Part B, and Part C as described below.

Part A: A customer charge of \$327.82 per meter per month.

Part B: All volumes of natural gas transported during each month in accordance with this schedule shall be billed at the following Ccf charge:

All Ccf @ \$0.05865 per Ccf

Part C: "Additional Charges to Cost of Service Rate" pursuant to Rate Schedule T-GEN (General Charges, Provisions and Conditions).

Minimum Monthly Bill of \$1,500 (from the sum of Part A and Part B)

CONDITIONS

See the "Special Provisions" and "Conditions" pursuant to Rate Schedule T-GEN (General Charges, Provisions and Conditions)

Supersedes Same Sheet Dated
July 31, 2013 (Incorporated only)

Meters Read On and After
July 29, 2014 (Incorporated only)

Attachment: Texas Gas Service Ordinance 457 (1077 : Ordinance on Texas Gas rate case)

TEXAS GAS SERVICE COMPANY
Rio Grande Valley SERVICE AREA
12 MONTHS ENDED 12/2013

Summary of Proposed Rate Adjustment

	Settled and Approved Rates from 2008, Plus Cumulative Prior Yr COSA Adjustments	Current Calendar Year Normalized Bills	Current Calendar Year Normalized Volumes (CCF)	Revenue at Current Rates	COSA Adjustment Per Ccf	New Rates	Current Year Revenue Impact	Avg customer Ccf usage per month (in current yr)	Average Monthly Customer Bill Impact
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)
RESIDENTIAL									
1 Customer Charge	\$ 11.25	771,000		\$ 8,673,750					
2 All Ccf	\$ 0.47124		9,654,607	4,549,637	\$ 0.03397	\$ 0.50521	\$ 327,932	12.52	0.43
3		771,000	9,654,607	13,223,387					
COMMERCIAL									
4 Customer Charge - Comm	\$ 31.25	39,348		1,229,625					
5 Customer Charge - Church	\$ 18.75	3,612		67,725					
6 All Ccf	\$ 0.34415		16,168,756	5,564,477	\$ 0.02481	\$ 0.36896	\$ 401,081	376.37	9.34
7		42,960	16,168,756	6,861,827					
INDUSTRIAL									
8 Customer Charge	\$ 66.85	636		42,517					
9 All Ccf	\$ 0.40323		2,111,346	851,358	\$ 0.02906	\$ 0.43229	\$ 61,365	3,319.73	96.49
10		636	2,111,346	893,875					
PUBLIC AUTHORITY									
11 Customer Charge	\$ 35.71	6,468		230,972					
12 All Ccf	\$ 0.36533		1,994,959	728,819	\$ 0.02633	\$ 0.39166	\$ 52,532	308.44	8.12
13		6,468	1,994,959	959,791					
Transportation									
T-1 (Regular)									
14 Customer Charge	\$ 127.82	504		64,421					
15 All Ccf	\$ 0.18920		4,824,082	912,716	\$ 0.01364	\$ 0.20284	\$ 65,788	9,571.59	130.53
16		504	4,824,082	977,138					
T-2 (Large) - Volumes in Excess of Minimum Bill									
17 Customer Charge	\$ 327.82	164		53,762					
18 All Ccf	\$ 0.05471		6,923,384	378,778	\$ 0.00394	\$ 0.05865	\$ 27,302		
19		164	6,923,384	432,541					
T-2 (Large) Minimum Bill (no volumetric charge)									
20 Customer Charge	\$ 327.82			0					
21 All Ccf	\$ -		1,338,149	0					
22 Minimum Bill	\$ 1,500.00	100		150,000					
23		100	1,338,149	150,000					
24 Total T-2		264	8,261,533	582,541			\$ 27,302	31,293.69	103.42
Other Transport									
25 Other Transport									
26 Customer Charge		132							
26 All Ccf			13,213,044						
27		132	13,213,044	320,209					
28 Transport Total		900	26,298,659	1,879,887					
29 Service Charge and Other Revenue				411,066					
30 TOTAL		821,964	56,228,327	24,229,833			\$ 936,000		

- check to Schedule A-1a

Model Staff Report in Support of TGS COSA Rate Increase Ordinance

Background

On May 1, 2014, Texas Gas Service Company (“TGS” or “Company”) filed for a rate increase pursuant to the Cost of Service Adjustment (“COSA”) tariff adopted by the Rio Grande Valley Service Area (“RGVSA”) Cities. TGS claimed an entitlement to rate relief under the tariff in the amount of \$790,772 on a system-wide basis, or \$685,936 from incorporated areas. However, the Company asked for a waiver of the language in Section C.5 of the COSA based upon cost revenues from a loss of customers in 2013. Thus, the request was for a total increase of \$1,216,601 of which \$1,055,311 is attributable to incorporated areas. TGS alleged that a failure of cities to grant the requested waiver would likely cause them to file a traditional Statement of Intent rate case. Attorney, Geoffrey Gay, and consultant, Karl Nalepa, relied upon by the City of McAllen to review the TGS filing and negotiate a settlement agreed that granting the requested waiver was appropriate. Mr. Nalepa prepared a report that recommended five adjustments to the Company’s case. After discussions with the Company, the parties reached agreement on a system-wide rate increase of \$936,000 or a \$280,000 reduction to the filed request.

Purpose of the COSA

The Texas Legislature allows gas utilities to annually adjust rates based on changes to invested capital. That statutory provision is referred to as the Gas Reliability Infrastructure Program (“GRIP”). In a GRIP proceeding, cities are not allowed to intervene at the Railroad Commission, cannot challenge the reasonableness of any investment, and may not recover rate case expenses. In 2009, RGVSA Cities negotiated a COSA tariff as a three year experimental substitute for the GRIP process. Finding the COSA process to be mutually beneficial, the COSA process was renewed at the end of the experiment.

Resolution of the 2014 Filing

Cities’ consultant Karl Nalepa recommended five adjustments to reduce the \$1,216,601 rate increase requested by TGS. The most significant corrected an overestimation of lost revenue associated with loss of customers. Additional adjustments were made for wages, short-term incentives, margin tax, and utility plant. Settlement discussions resulted in TGS agreeing to reduce their request by \$280,000. Additionally, as a concession to the City agreeing to grant the good cause waiver, the Company agreed to update customer class cost allocation factors to recognize the change in customer count and revenues associated with the need for the good cause waiver. That cost allocation adjustment shifted approximately \$45,000 away from the residential class.

Bill Impact

The proof of revenues prepared by TGS, and affirmed by Karl Nalepa, reveals that the rate increase will have the following impact on average monthly customer bills:

Residential	\$0.43
Commercial	\$9.34
Industrial	\$96.49
Public Authority	\$8.12
Transportation T-1	\$130.53
Transportation T-2	\$103.42

EXPLANATION OF “BE IT ORDAINED” PARAGRAPHS

- Section 1. When rates change, it is critical for the regulatory authority to find existing rates to be unreasonable and for the new rates to be just and reasonable. This section finds that the new rates reflected in attached tariffs for each customer class are reasonable.
- Section 2. This paragraph is necessary to grant the requested good cause waiver.
- Section 3. Since we negotiated a change to the class cost allocation factors, this paragraph sets out the specific class cost allocation factors that result in the average monthly bill impacts referenced above.
- Section 4. This paragraph requires the Company to reimburse the City for consulting and legal costs associated with the requested increase.
- Section 5. This paragraph repeals any prior City action that might be inconsistent with the new tariffs adopted by the Council.
- Section 6. This paragraph recites compliance with the Open Meetings Act.
- Section 7. This paragraph is a typical savings clause, preserving the remaining provisions of the Ordinance should any one provision be determined to be invalid.
- Section 8. Pursuant to the COSA tariff, the new rates are to become effective August 1st. This paragraph allows the Company to implement the new rates on meter reads that occur on or after July 29, 2014.
- Section 9. This paragraph requires that an adopted and signed copy of the Ordinance be sent to the Company and special counsel to the City.

RECOMMENDATION

The City staff recommends adoption of the Ordinance and tariffs establishing new rates.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Agreement
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1076)

DOC ID: 1076 A


Approval or rejection on an amendment to the Interlocal Agreement between the City of Los Fresnos and Cameron County for the Nature Park.

The only change to this existing agreement is to add a year. The new deadline is September 20, 2015. Since we finally have a good appraisal with the cell tower property removed we are moving forward to try to make the actual purchase of the property.

I recommend approval.

- f. The City will submit all paid approved invoices and deliverables to County for reimbursement;
 - g. The City will comply with the terms and grant conditions as stated in the Notice of Financial Assistance Award letter, attached hereto as Exhibit "B", Exhibit "C", Exhibit "D" and Exhibit "E" as incorporated by reference as if fully set forth herein; and
 - h. The City will contact Joe E. Vega with Cameron County Parks & Recreation, on any matters related to this award, specified conditions or reporting requirements. Please do not contact FWS.
6. TERMINATION: Cameron County may terminate this Agreement upon thirty (30) days' advance written notice of termination to the City.
 7. This Amended Interlocal Cooperation Agreement constitutes a one-time agreement between the parties and does not constitute a continuing agreement for the County or the City.
 8. The rules, regulations and orders of County shall govern this Amended Interlocal Cooperation Agreement and the parties agree that COUNTY shall supervise the performance of this Amended Interlocal Cooperation Agreement.
 9. This Amended Interlocal Cooperation Agreement supersedes the Interlocal Cooperation Agreement No. 2013C09299.
 10. This Amended Interlocal Cooperation Agreement shall have no legal force or effect until such time as it is properly adopted and approved by the CAMERON COUNTY COMMISSIONERS COURT and the CITY OF LOS FRESNOS.

Executed on this 3rd day of July, 2014.


 Carlos H. Cascos, CPA
 Cameron County Judge

 Polo Narvaez, Mayor
 City of Los Fresnos

Attested By: 

 Joe G. Rivera, County Clerk

Attested By:

 Pam Denny, City Secretary

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Proclamation
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1088)

DOC ID: 1088 A

**Approval or rejection of a Proclamation in support of a
constitutional amendment for increased state funding for
transportation**

I recommend approval.

CITY OF LOS FRESNOS
PROCLAMATION

A PROCLAMATION IN SUPPORT OF A CONSTITUTIONAL AMENDMENT FOR INCREASED STATE
FUNDING FOR TRANSPORTATION.

WHEREAS, the 83rd Texas Legislature passed historic legislation proposing a constitutional amendment on the November 4, 2014 state ballot affecting the state's roads, highways, and bridges; and

WHEREAS, this is "A constitutional amendment to provide for the transfer of certain general revenue to the economic stabilization fund and to the state highway fund and for the dedication of the revenue transferred to the state highway fund;" and

WHEREAS, this proposal will allow revenue transferred to the state highway fund to be used only for developing public roadways, other than toll roads; and

WHEREAS, this would require that any funds transferred to the state highway fund be allocated by the Texas Department of Transportation consistent with existing formulas to ensure the entire state benefits from this additional funding; and

WHEREAS, the proposed amendment will aid in maintaining the current infrastructure and will ease congestion by funding new projects for added capacity without any new or increased taxes or fees; and

WHEREAS, a strong transportation system is fundamental to Texas' quality of life and economic vitality, attracting new businesses and generating new jobs; and

WHEREAS, state transportation funding over the past several years has been supplemented by bond programs and those bond programs are now exhausted and have resulted in a significant level of debt for Texas; and

WHEREAS, the current state budget includes approximately \$5 billion per year in construction funding and will, based on current revenue projections, drop to only \$2.5 billion the available funds for construction for the next biennium; and

WHEREAS, according to the latest report of the 2030 Commission, approximately \$6.1 billion per year in construction funding is needed to achieve "worst possible" conditions and \$9.5 billion per year is needed to achieve "minimally competitive" conditions; and

WHEREAS, the proposed amendment would result in an estimated \$1.4 billion per year for the state highway fund; and

WHEREAS, while the proposed amendment would not fully fund the state's overall transportation needs, it would be a key step toward securing critical funding for transportation projects in Texas.

NOW, THEREFORE, BE IT PROCLAIMED that the City of Los Fresnos supports the proposed amendment to address Texas' transportation infrastructure needs on the November 4, 2014 ballot.

Adopted this 12th day of August, 2014 by the governing body of the City of Los Fresnos.

ATTEST:

Polo Narvaez, Mayor

Pam Denny, City Secretary

Attachment: proclamation to support increased tx hwy funding (1088 : Proclamation on increased funding for state transportation)



Thank you for your interest in the Proposition 1 campaign effort. Please find enclosed an informational package on the November 4, 2014 ballot initiative that will provide an estimated \$1.4 billion for the state highway fund. If you have any questions or would like additional resources, please contact us at:

Texas Infrastructure Now
1122 Colorado, Suite 300
Austin, Texas 78701
512/478-4584
FAX 512/478-7936
texasinfrastructurenow@gmail.com

Visit our website at: www.infrastructuretexas.org

Like us on Facebook at www.facebook.com/TexasInfrastructureNow

Follow us on Twitter at <https://twitter.com/texasinfranow>



FACTS ABOUT TEXAS TRANSPORTATION

~In 2015, we will be out of money for new roads (*TTI's RPM 2014*)

~Congestion in Texas each year cost (*TTI's RPM 2014*)

- 472 million extra hours of travel time,
- \$10.1 billion in delay and wasted fuel, and
- \$2.1 billion in truck freight moving costs.

~Traffic delays cost every commuter each year (*TTI's RPM 2014*)

- Austin.....\$1,000 and 44 hours
- Dallas-Fort Worth.....\$1,000 and 45 hours
- Houston.....\$1,100 and 52 hours
- San Antonio.....\$800 and 38 hours

~Debt financing has now surpassed revenue from the state gas tax (*TTI's RPM 2014*)

~Texas ranks 44th out of 50 states in the total cost of vehicle ownership. (*TTI's RPM 2014*)

~Over the past 40 years, Texas has seen an **increase** in (*TTI's RPM 2014*)

- Population.....125%
- Vehicles.....172%
- Highway use.....238%

During the same period, highway space (capacity) has only increased 19%.

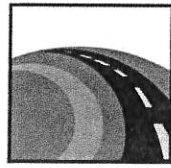
~The average Texan pays (*TTI's RPM 2014, US News and World Report, JD Power and Associates*)

- \$22 a month in gas taxes and auto fees
- \$128 a month for internet, phone, cable TV
- \$139 a month for cell phone

~The last gas tax (the primary funding source for highways) increase was in 1991.

- The percent tax rate per gallon of gas is only 35% of what it was in 1991. (*TTI's RPM 2014 with adjustments for today's price of gas.*)

~Since 1991, the cost of everyday goods has doubled, and so has the cost of constructing and maintaining the highway system. (*TTI's RPM 2014*)



**TEXAS
INFRASTRUCTURE
NOW** INVESTING IN
OUR FUTURE
INFRASTRUCTURETEXAS.ORG

~Over the next 25 years, Texas needs \$270 billion investment to keep congestion in Texas from getting worse. Only \$100 billion is available (a \$170 billion dollar funding gap). The economic cost of failing to provide the additional funding is \$1 trillion. (TTI's RPM 2014)

~At more than 80,000 miles, Texas has the largest state-maintained highway system in America, yet ranks 38th in per-capita spending on highways. (FHWA Highway Statistics 2009 and 2010 Census Report)

~The Texas Department of Transportation reports that Texas motor vehicle crashes in 2012 resulted in 3,399 fatalities, 87,087 people sustaining a serious injury, and there were 230,506 persons injured. There has not been a traffic fatality free day in Texas since November 7, 2000. (TxDOT's Web site "Crash Highlights" release Nov. 7, 2013)

~The top 100 congested roadways in Texas generate almost 24 million hours of delay per mile and over \$3 billion dollars in delay cost. (TxDOT's Top 100 Most Congested Roadways Web site (TTI data))

~Texas leads the nation with nearly 52,277 bridges, about 89% more than any other state in the nation. Of these, 1,292 are designated as structurally deficient and 7,453 are functionally obsolete. (TxDOT's Bridge Facts Report Web site)

~In 1960, one-third of the state's total budget was devoted to transportation. Today, only 9.7 of the state's budget is devoted to transportation. (LBB Texas Highway Funding Legislative Primer March 2013)



BALLOT PROPOSITION FOR TRANSPORTATION FUNDING

Texans will vote on a proposed constitutional amendment on November 4, 2014 that would provide billions more in reliable transportation funding - an estimated \$1.4 billion in the first year - without new taxes, fees or debt.

What is the proposition and what does it do?

The November 2014 statewide ballot proposition is a constitutional amendment authorized by SJR 1, which legislators approved last year. The amendment would authorize annual disbursements from the state's oil and gas production tax collections to the State Highway Fund. An estimated \$1.4 billion would be transferred in to the State Highway Fund in the first year alone. The amendment would provide a significant step toward meeting the unmet funding needs for transportation projects in Texas. The ballot language for the proposition reads: *The constitutional amendment providing for the use and dedication of certain money transferred to the state highway fund to assist in the completion of transportation construction, maintenance, and rehabilitation projects, not to include toll roads.*

How can the funds be used?

If approved by voters, the measure authorizes additional Texas transportation funding - without new taxes, tolls or fees - to be used for new construction and preservation of the state highway system. These funds cannot be used for toll roads. HB 1, a related bill that was also approved by the Texas Legislature in 2013, put these requirements in place.

Where does the money come from?

The additional transportation money would come from directing a portion of the state's annual oil and gas production tax collections to the State Highway Fund. According to estimates from the Texas Comptroller, if voters approved the Constitutional Amendment \$1.4 billion would be transferred in to the State Highway Fund in the first year alone. As oil and gas production in the state grows, the amount of funding provided by this proposition would also increase.

What else is in the legislation?

Related legislation also passed in 2013 requires TxDOT to identify \$100 million in savings, which it must use to reduce its long-term debt. These savings could come



from operational efficiencies, cost reductions, or cost savings, but could not reduce the amount of funding available for transportation projects.

The legislation also calls for the Lieutenant Governor and the Speaker of the House and to appoint five Senate members and five House members to a select committee to determine a “sufficient balance” of the ESF for a state fiscal biennium. In determining such a balance, the committee will consider the history of Fund balances; the history of transfers to the Fund; estimated Fund balances during that fiscal biennium; estimated transfers to the Fund to occur during that fiscal biennium; information available to the committee regarding state highway congestion and funding demands; and any other information requested by the committee regarding the state's financial condition.

Does this solve the transportation funding problem in Texas?

The constitutional amendment would provide significant progress in addressing the state's unmet transportation needs by providing \$1.4 billion in the first year alone. As oil and gas production in Texas continues to grow, the amount of funding dedicated to transportation will also increase. However, this amendment alone does not “solve” Texas’ transportation funding challenge. Experts say Texas has at least \$5 billion in unmet transportation needs each year. Even with the passage of this ballot proposition, the state still faces a significant funding gap for transportation infrastructure.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Amendment
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1078)

DOC ID: 1078 B

Approval or rejection of a budget amendment for Ethel Whipple Memorial Library and Los Fresnos Community Development Corporation.

The library budget amendment is for a grant to replace some computers and upgrade software for more privacy controls for patrons using the computers.

The original CDC budget was suppose to include \$1,200 under Professional Services for vehicle usage but was mistakenly left off. The CDC Board approved this at their August 4 meeting.

I recommend approval.

CITY OF LOS FRESNOS BUDGET AMENDMENT

FUND: _____

BUDGET AMENDMENT # _____

DEPARTMENT: Library

DATE POSTED: _____


Fund #	G/L Acct #		Description	Approved Budget	(Decrease)	Increase	Amended Budget
1	490	7527	Library Grant Revenue			5,000.00	5,000.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
Amendment Total				0.00	0.00	5,000.00	5,000.00

Justification/Explanation for change:

Library received grant to purchase new computer equipment. Funds need to be paid to vendor before receiving reimbursement.


 Dept Head Requesting Change
 Date 7/2/14

Approved: 
 Mark Milum, City Manager
 Date 7/7/14


 Finance Dept
 Date 7/3/14

 Polo Narvaez, Mayor
 Date _____

CITY OF LOS FRESNOS BUDGET AMENDMENT

FUND: _____

BUDGET AMENDMENT # _____



DEPARTMENT: Library

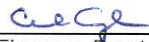
DATE POSTED: _____

Fund #	G/L Acct #	Description	Approved Budget	(Decrease)	Increase	Amended Budget
1	516 13500	Capital Outlay			5,000.00	5,000.00
						0.00
						0.00
	-					0.00
	-					0.00
	-					0.00
	-					0.00
	-					0.00
	-					0.00
	-					0.00
	-					0.00
	-					0.00
	-					0.00
	-					0.00
	-					0.00
	-					0.00
Amendment Total			0.00	0.00	5,000.00	5,000.00

Justification/Explanation for change:

Library received grant to purchase new computer equipment. Funds need to be paid to vendor before receiving reimbursement.

 7/2/14
 Dept Head Requesting Change Date
 Approved  7/7/14
 Mark Milum, City Manager Date

 7/3/14
 Finance Dept Date
 Polo Narvaez, Mayor Date



Edge Implementation Reimbursement Program

The Edge initiative helps libraries assess their operations and plan for the future. With the vision that “all people have the opportunity to improve their lives through the technology services available in public libraries,” Edge uses benchmarks to help libraries evaluate themselves. It goes a step further by offering training and tools to build capacity and improve services. (For more information see: www.libraryedge.org)

The goal of the Edge Implementation Reimbursement Program is to help public libraries meet the public access technology needs of their community. The agency will provide assistance through a *pilot reimbursement program* to public libraries that have identified areas of improvement using the Edge assessment, and who are using the training provided to Edge libraries for training and continuing education.

Who is Eligible?

Accredited public libraries that have:

- a) submitted the Edge assessment at libraryedge.org
- b) used the Action Plan tool on the Edge website to prioritize community needs
- c) have completed or will commit to completing at least one Edge webinar training session

How Much Money is Available?

Libraries are eligible for up to \$5,000 in reimbursement costs for the purchase of *equipment and supplies* that supports the improvement of public access technology identified by the Edge assessment. The program is available on a ***first-come, first-served*** basis until funds are depleted.

How Will the Pilot Reimbursement Program Work?

Libraries will submit this application to the State Library beginning now through **June 20, 2014**. The agency will review and notify applicants in writing of approval/non-approval by **June 27, 2014**. Upon approval, libraries may purchase the equipment described in their application. A **paid receipt** (not a Purchase Order or order form) for the equipment must be provided to the Texas State Library and Archives Commission by **August 15, 2014** at the very latest. It is *highly recommended* that equipment be ordered by July 15, 2014 and equipment must be received by August 1, 2014. Libraries need to be able to meet the tight deadlines for this pilot project in order to participate.

What Can I Buy?

Computer hardware such as monitors and laptops, software, servers or routers, printers, assistive equipment, presentation and multimedia equipment, computer furniture, and computer supplies related to the equipment purchase. **All purchases must relate to improving Edge indicators on your Action Plan.** (Please be aware of ADA-compliance issues relating to the purchase of e-Readers and Tablets: <http://bit.ly/1mrtgUJ>). Subscriptions (ie., Overdrive) are not authorized.

If you have questions about a proposed purchase, please contact Jennifer Peters, Community Engagement Program Administrator, at jpeters@tsl.texas.gov or 512-463-2214 before submitting this application.

APPLICATION FOR EDGE IMPLEMENTATION REIMBURSEMENT PROGRAM

Use the Action Plan you developed using your Edge assessment (www.libraryedge.org) to complete this form.

Name & Address of Library Ethel L. Whipple Memorial Library 402 W. Ocean Blvd. Los Fresnos, Texas 78566

Contact person, phone & email Angie S. Lugo, 956-233-5330, angie@los-fresnos.lib.tx.us

My Library has completed and submitted the Edge assessment at libraryedge.org. Yes ☒

1. My Library has developed an Action Plan using the Edge assessment. Yes ☒

2. At least one staff person at my library has attended an Edge webinar. Yes ☒ No ☐

3. If the answer to Q3 is "no," at least one library staff person commits to attending at least one Edge training before August 31, 2014. Yes ☐

5. What specific equipment will you purchase? Provide approximate cost estimate(s), with documentation if appropriate. Reimbursement will be provided for expenses up to \$5,000. Please be aware that all funding requests must meet federal requirements.

New Computer equipment. Replacement PAC's as funds permit. Approximate cost is \$5000.

6. Describe Edge indicator(s) that you are trying to address as described in the Edge Action Plan: (eg., 2.1: Ensure photo editing software is available in at least 50% of locations, 9.2: Increase and manage your bandwidth to optimize the speed of your connection and improve the patron's Internet experience.)

9.4 Provide equipment that ensures privacy and allows patrons to conduct sensitive transactions.

7. Describe how the equipment to be purchased will impact the indicator described above and how it will improve public access technology in your community.

Patrons at our library are often apprehensive about using public computers to conduct their financial business, providing new computers with the appropriate software will address some of their concerns.

8. I will display the following acknowledgement for this equipment in my library: *Funded by the U.S. Institute of Museum and Library Services through a grant to the Texas State Library and Archives Commission.* Yes ☒

CERTIFICATION: To the best of my knowledge and belief, data in this form are true and correct. I am responsible for ensuring that this process meets my local purchasing requirements.

Angie S. Lugo, Library Director Angie S. Lugo 6/26/14
Name & Title (Library Director) Signature Date

Other Materials Required:

- Signed Children's Internet Protection Act (CIPA) Form (attached), required for purchases of equipment that will access the Internet

Timeline: (these are rolling deadlines with a quick turnaround derived from the end of the agency fiscal year on August 31, 2014)

- Application due: now through June 20, 2014
- Written notification of approval of application from TSLAC: now through June 27, 2014
- Libraries may purchase approved equipment: beginning upon approval from TSLAC through July 15, 2014 (recommended purchase date) (A reimbursement form will be sent upon written approval of application)
- Ordered equipment should be delivered: after approval through August 1, 2014 (recommended delivery date)
- Reimbursement requests and receipts due to State Library: now through August 15, 2014
- Final Day to submit reimbursement form and paid receipt: August 15, 2014
- *Receipts and forms submitted after August 15 will not be reimbursed.*

Due to tight timeline required by agency fiscal year end, please be in touch with your appropriate contacts to be sure that deadlines can be met.

Submit this form, along with the attached signed CIPA form, to Jennifer Peters, Community Engagement Administrator, at jpeters@tsl.texas.gov or by fax to 512-936-2306.

INTERNET SAFETY CERTIFICATION

(Children's Internet Protection Act (CIPA) Form)

FOR FEDERALLY FUNDED

TEXAS STATE LIBRARY & ARCHIVES COMMISSION PROGRAMS FEDERAL PROGRAM YEAR 2013 (TEXAS STATE FISCAL YEAR 2014) EDGE IMPLEMENTATION REIMBURSEMENT PROGRAM

As the duly authorized representative of the applicant/grantee, I hereby certify that (check only one of the following boxes):

☒ The applicant/grantee public library has complied with the requirements of Section 9134(f)(1) of the Library Services and Technology Act.

☐ The applicant/grantee public library seeks a waiver of the certification required in A., above, because State or local procurement rules or regulations or competitive bidding requirements prevent the applicant/grantee library from certifying compliance with Section 9134(f)(1) of the Library Services and Technology Act. The applicant/ grantee public library certifies that the library will comply with the requirements of Section 9134(f)(1) before the start of Program Year in which funds are expended.

☐ The requirements of Section 9134(f) of the Library Services and Technology Act do not apply to the applicant/grantee library because no funds made available under the LSTA program will be used to purchase computers used to access the Internet or to pay for direct costs associated with accessing the Internet for a public library or public elementary school or secondary school library that does not receive discounted E-Rate services under the Communications Act of 1934, as amended.

☐ The applicant/grantee is not a public library.

I further certify that one of the following is true: either no LSTA funds from the award will be used by the applicant to purchase computers used to access the Internet or to pay for direct costs associated with accessing the Internet for a public library or public elementary school or secondary school library served by the applicant/grantee; or, if any part of the LSTA funds are used for such purposes, applicant will obtain the appropriate certifications from libraries receiving such purchases or payments.

Ethel L. Whipple Memorial Library

Name of Applicant Library/Program

Angie S. Lugo

Signature of Authorized Representative

Angie S. Lugo

Printed Name of Authorized Representative

Library Director

Title of Authorized Representative

June 26, 2014 Date

Attachment: Library Budget Amendment (1078 : Budget Amendment for Library and CDC.)

Attachment: CDC Budget Amendment (1078 : Budget Amendment for Library and CDC.)

BUDGET AMENDMENT # 1

DATE POSTED: _____

Justification/Explanation for change:

Failed to budget for prior approved auto allowance. Electronic agenda system is being put in place by City Council. Insurance increased more than anticipated. Decrease available in grant program due to lower requests.

Celina Gonzales, Finance Director 7/29/14
Date

Polo Narvaez, Mayor _____
Date

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Proclamation
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1089)

DOC ID: 1089 A

**Approval or rejection of a Proclamation recognizing the top
5% of the 2014 Senior Class.**

This item was requested by Javier Mendez.

CITY OF LOS FRESNOS
PROCLAMATION

WHEREAS, the City of Los Fresnos would like to recognize the top 5% of the 2014 graduating class of Los Fresnos High School; and

WHEREAS, the 2014 top 5% students have distinguished themselves as outstanding students and have set an example to the youth of our community; and

WHEREAS, the City of Los Fresnos wishes to honor all of their accomplishments they have achieved during their years in school.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF LOS FRESNOS that we urge all our citizens in our community to recognize the outstanding achievements of these students who, in distinguishing themselves has brought honor and credit to their families, friends, School District and City.

Adopted this 12th day of August, 2014.

Polo Narvaez

ATTEST:

Pam Denny, City Secretary

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Proclamation
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1090)

DOC ID: 1090 A

Approval or rejection of a Proclamation for Resaca Middle School students for developing the "Hello Navi" app.

This item was requested by Javier Mendez.

CITY OF LOS FRESNOS
PROCLAMATION

WHEREAS, Resaca Middle School students, under the direction of 6th Grade Science Teacher Maggie Bolado, entered five teams in the Verizon Innovation App Challenge in October 2013, and

WHEREAS, one of the entries submitted was later named “Hello Navi”, which integrates a variety of digital tools to assist a blind or visually impaired person to navigate within a building or school, and

WHEREAS, the “Hello Navi” app developers Cassandra Baquero, Grecia Cano, Caitlin Gonzalez, Kayleen Gonzalez, Janessa Leija and Jacquelyn Torres were awarded Best in State, Best in Region and Best in Nation awards by the Verizon Foundation.

WHEREAS, Resaca Middle School was one of four middle schools in the nation awarded a \$20,000 check from the Verizon Foundation to use for educational purposes in Science, Technology, Engineering and Mathematics (STEM); and

WHEREAS, Resaca Middle School students and other winning teams received in-person training by Massachusetts Institute of Technology’s App Inventor Training Corps to build their apps and make them available for download.

WHEREAS, Resaca Middle School, the Los Fresnos Consolidated Independent School District, and the City of Los Fresnos have received extensive area, state and national publicity in People Magazine, MSNBC, Telemundo International, CNN, and several online publications, and

WHEREAS, Resaca Middle School students were invited to exhibit their project at The White House Science Fair on May 27, 2014, in Washington D.C., where they met President Obama, presented their app at the Google I/O Developers Conference June 25, 2014, in San Francisco, California and presented the finished app at the 2014 National Technology Student Convention on June 27 – July 1, 2014 in Washington, D.C.; and

WHEREAS, Resaca Middle School students will have their names listed as developers of the app when it is available for download in the Google Play Store.

NOW, THEREFORE, BE PROCLAIMED by the City Council of the City of Los Fresnos to recognize the Resaca Middle School students for developing the “Hello Navi” app.

Adopted this 12th day of August, 2014.

ATTEST:

Polo Narvaez, Mayor

Pam Denny, City Secretary

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Bad Debt
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1099)

DOC ID: 1099 A

Consideration and ACTION to write-off bad debt for utility bills for fiscal year 2011/2012.

We stay about 2 years behind on write offs of bad debt. By this time the chances of collecting are slim. We do keep this information and if the person tries to reconnect service we will be able to collect then. We have even caught some trying to open service under a spouse's name. The write offs are as follows:

Garbage	\$1,259.42
Water	\$2,801.30
Wastewater	\$1,856.15
Total	\$5,916.87

The total amount billed for the fiscal year 2011-2012 was \$2,219,959.80. The bad debt is only 2.6 one hundredths of a percent, not even one half of one percent. Most of this is from renters that move without paying.

I recommend approval.

G/L POSTING DATE: 7/24/2014

** TRANSFER TO BAD DEBT **

PACKET: 7589

POSTING TYPE: BOTH

COMMENT CODE: BAD -BAD DEBT

FLAG ACCOUNT: NO

ACCOUNT NO	NAME	BALANCE	LAST BILL						
01-04880-04-0	HORVATH, ALIVIA L	31.37	100-WATER	15.94	200-SEWER	7.91	300-GBG-R	7.52	
** LAST PAYMENT MADE: 10/31/2011		12/30/2011							
01-05400-06-0	SOLANO, GABRIELA	176.60	100-WATER	95.23	200-SEWER	36.57	300-GBG-R	31.75	
** LAST PAYMENT MADE: 1/04/2012		2/24/2012	800-PEN-WS	10.79	801-PEN-GB	2.26			
01-06200-11-0	BARRERA, IDALIA F	126.16	100-WATER	53.02	200-SEWER	35.10	300-GBG-R	20.47	
** LAST PAYMENT MADE: 9/13/2011		10/27/2011	800-PEN-WS	14.25	801-PEN-GB	3.32			
01-07800-02-0	NUNEZ, MARIA GUADALUPE	46.53	100-WATER	11.12	200-SEWER	24.59	300-GBG-R	10.82	
** LAST PAYMENT MADE: 2/06/2012		2/24/2012							
01-14130-02-0	BECERRA, FRANK JR	341.38	100-WATER	145.01	200-SEWER	121.77	300-GBG-R	55.90	
** LAST PAYMENT MADE: 5/30/2012		7/30/2012	800-PEN-WS	15.39	801-PEN-GB	3.31			
01-18720-05-0	FOREMAN, AMANDA JAE	18.26	100-WATER	11.69	200-SEWER	3.57	300-GBG-R	3.00	
** LAST PAYMENT MADE: 8/31/2011		10/27/2011							
02-01300-03-0	CONTRERAS, DOMINGO	68.86	100-WATER	32.06	200-SEWER	23.24	300-GBG-R	13.56	
** LAST PAYMENT MADE: 10/03/2011		10/27/2011							
02-02000-12-0	COMPEAN-RUBIO, NANCY G	66.70	100-WATER	28.23	200-SEWER	21.79	300-GBG-R	14.53	
** LAST PAYMENT MADE: 6/26/2012		9/27/2012	800-PEN-WS	1.57	801-PEN-GB	0.58			
02-04085-02-0	GUTIERREZ, GILBERTO	40.69	100-WATER	19.43	200-SEWER	10.16	300-GBG-R	9.24	
** LAST PAYMENT MADE: 8/12/2013		8/28/2012	800-PEN-WS	1.44	801-PEN-GB	0.42			
02-04111-02-0	GARCIA, REYMUNDO JR	27.01	100-WATER	8.44	200-SEWER	9.71	300-GBG-R	8.86	
** LAST PAYMENT MADE: 2/07/2012		3/30/2012							
02-04136-06-0	BROCK, VERONICA	105.41	100-WATER	71.34	200-SEWER	21.32	300-GBG-R	12.75	
** LAST PAYMENT MADE: 11/28/2011		12/30/2011							
02-05470-09-0	GARZA, RONALDO JR	87.13	100-WATER	46.41	200-SEWER	20.03	300-GBG-R	20.69	
** LAST PAYMENT MADE: 1/26/2012		3/30/2012							
02-05560-11-0	MORILLON, MARIA	106.34	100-WATER	52.25	200-SEWER	32.52	300-GBG-R	21.48	
** LAST PAYMENT MADE: 8/06/2012		8/28/2012	800-PEN-WS	0.07	801-PEN-GB	0.02			
02-06800-03-0	MATAMOROS BAKERY	125.37	100-WATER	38.54	200-SEWER	25.14	301-GBG-C	56.78	
** LAST PAYMENT MADE: 4/02/2012		5/25/2012	800-PEN-WS	3.14	801-PEN-GB	1.77			
02-08420-02-0	COBB, AUTIS L	69.09	100-WATER	29.39	200-SEWER	21.28	300-GBG-R	15.86	
** LAST PAYMENT MADE: 1/31/2012		3/30/2012	800-PEN-WS	1.87	801-PEN-GB	0.69			
02-08600-01-0	DE LOS SANTOS, SAMUEL	143.86	100-WATER	59.43	200-SEWER	51.89	300-GBG-R	25.23	
** LAST PAYMENT MADE: 3/19/2012		5/25/2012	800-PEN-WS	5.92	801-PEN-GB	1.39			
02-09430-09-0	THE TORTA FACTORY	61.51	100-WATER	28.03	200-SEWER	15.53	301-GBG-C	15.07	
** LAST PAYMENT MADE: 7/13/2012		8/28/2012	800-PEN-WS	1.95	801-PEN-GB	0.93			
02-11000-00-0	CISNEROS, ROGELIO	187.33	100-WATER	70.27	200-SEWER	68.86	300-GBG-R	38.60	
** LAST PAYMENT MADE: 12/02/2011		1/26/2012	800-PEN-WS	7.39	801-PEN-GB	2.21			

Attachment: utility bad debt list (1099 : Bad debt write-off for utility bills)

G/L POSTING DATE: 7/24/2014

** TRANSFER TO BAD DEBT **

PACKET: 7589

POSTING TYPE: BOTH

COMMENT CODE: BAD -BAD DEBT

FLAG ACCOUNT: NO

ACCOUNT NO	NAME	BALANCE	LAST BILL					
02-11000-01-0	GALLEGOS, HECTOR	82.27	100-WATER	34.21	200-SEWER	26.58	300-GBG-R	17.72
** LAST PAYMENT MADE:	8/07/2012	9/27/2012	800-PEN-WS	2.89	801-PEN-GB	0.87		
02-11100-02-0	GARZA, NORMA L	97.79	100-WATER	44.47	200-SEWER	30.55	300-GBG-R	17.81
** LAST PAYMENT MADE:	11/07/2011	12/30/2011	800-PEN-WS	4.04	801-PEN-GB	0.92		
02-11930-04-0	MARTINEZ, ROLDAN A	41.95	100-WATER	21.25	200-SEWER	10.92	300-GBG-R	9.14
** LAST PAYMENT MADE:	12/12/2011	2/24/2012	800-PEN-WS	0.45	801-PEN-GB	0.19		
02-12960-11-0	VILLALOBOS, TOMAS	32.50	100-WATER	11.31	200-SEWER	12.71	300-GBG-R	8.48
** LAST PAYMENT MADE:	1/31/2012	2/24/2012						
02-13830-13-0	MAYORGA, GRACIELA C	66.84	100-WATER	32.16	200-SEWER	16.15	300-GBG-R	16.45
** LAST PAYMENT MADE:	5/30/2012	7/30/2012	800-PEN-WS	1.45	801-PEN-GB	0.63		
02-15600-02-0	TORRES, ARACELI LEE	227.57	100-WATER	87.65	200-SEWER	66.01	300-GBG-R	38.50
** LAST PAYMENT MADE:	11/02/2011	11/29/2011	800-PEN-WS	30.14	801-PEN-GB	5.27		
02-20100-09-0	WALKER, RICHARD A	18.84	100-WATER	6.87	200-SEWER	5.82	300-GBG-R	6.15
** LAST PAYMENT MADE:	2/21/2012	3/30/2012						
02-21445-01-0	MARTINEZ, MARGARITA	51.15	100-WATER	17.38	200-SEWER	22.63	300-GBG-R	11.14
** LAST PAYMENT MADE:	8/30/2012	9/27/2012						
03-02110-04-0	GARCIA, NINFA	103.80	100-WATER	40.84	200-SEWER	44.37	300-GBG-R	18.33
** LAST PAYMENT MADE:	7/17/2012	8/28/2012	800-PEN-WS	0.22	801-PEN-GB	0.04		
03-06116-03-0	LEE, KIMBERLY L	147.72	100-WATER	76.35	200-SEWER	38.94	300-GBG-R	22.71
** LAST PAYMENT MADE:	10/24/2011	12/30/2011	800-PEN-WS	8.45	801-PEN-GB	1.27		
03-06118-03-0	ALMARAZ, DIANA D	152.31	100-WATER	61.85	200-SEWER	48.42	300-GBG-R	34.21
** LAST PAYMENT MADE:	9/29/2011	11/29/2011	800-PEN-WS	5.91	801-PEN-GB	1.92		
03-06133-06-0	ACOSTA, MARI L	31.63	100-WATER	16.35	200-SEWER	7.32	300-GBG-R	7.96
** LAST PAYMENT MADE:	11/30/2011	1/26/2012						
03-06144-06-0	DEHOYOS, ISRAEL F	75.33	100-WATER	37.69	200-SEWER	21.48	300-GBG-R	13.89
** LAST PAYMENT MADE:	8/29/2012	9/27/2012	800-PEN-WS	1.89	801-PEN-GB	0.38		
03-09600-03-0	GENESIS HOME BUILDERS/ APTS	266.29	100-WATER	83.99	200-SEWER	84.76	301-GBG-C	93.11
** LAST PAYMENT MADE:	2/16/2012	3/30/2012	800-PEN-WS	2.47	801-PEN-GB	1.96		
03-13005-05-0	DELOS SANTOS, KRISTLE	33.99	100-WATER	18.19	200-SEWER	9.48	300-GBG-R	6.32
** LAST PAYMENT MADE:	11/14/2011	1/26/2012						
03-13005-06-0	FERNANDEZ, HERLINDA S	26.61	100-WATER	13.79	200-SEWER	7.69	300-GBG-R	5.13
** LAST PAYMENT MADE:	1/13/2012	3/30/2012						
03-13008-03-0	CARMONA, AMANDA	39.31	100-WATER	20.94	200-SEWER	8.57	300-GBG-R	9.32
** LAST PAYMENT MADE:	6/28/2012	8/28/2012	800-PEN-WS	0.31	801-PEN-GB	0.17		
03-14100-02-0	MAHL, MIKE	33.84	100-WATER	12.33	200-SEWER	13.69	300-GBG-R	7.82
** LAST PAYMENT MADE:	11/16/2011	12/30/2011						

Attachment: utility bad debt list (1099 : Bad debt write-off for utility bills)

G/L POSTING DATE: 7/24/2014

** TRANSFER TO BAD DEBT **

PACKET: 7589

POSTING TYPE: BOTH

COMMENT CODE: BAD -BAD DEBT

FLAG ACCOUNT: NO

ACCOUNT NO	NAME	BALANCE	LAST BILL					
03-14200-02-0	MOATES, VIVIAN	82.32	100-WATER	32.70	200-SEWER	27.91	300-GBG-R	18.61
** LAST PAYMENT MADE: 5/30/2012		7/30/2012	800-PEN-WS	2.29	801-PEN-GB	0.81		
03-15301-00-0	GUZMAN, HERIBERTA	130.92	100-WATER	57.52	200-SEWER	34.10	300-GBG-R	31.78
** LAST PAYMENT MADE: 9/12/2011		11/29/2011	800-PEN-WS	5.60	801-PEN-GB	1.92		
03-16651-00-0	MARQUEZ, LILIA M	111.27	100-WATER	61.96	200-SEWER	31.67	300-GBG-R	17.64
** LAST PAYMENT MADE: 3/22/2012		4/26/2012						
03-17100-01-0	ORTEGA, RUBEN V	108.95	100-WATER	40.93	200-SEWER	39.48	300-GBG-R	24.80
** LAST PAYMENT MADE: 11/29/2011		1/26/2012	800-PEN-WS	2.94	801-PEN-GB	0.80		
03-18840-01-0	CHAPA, FRANCISCO	325.09	100-WATER	138.61	200-SEWER	123.51	300-GBG-R	41.87
** LAST PAYMENT MADE: 2/27/2012		4/26/2012	800-PEN-WS	18.44	801-PEN-GB	2.66		
03-18850-05-0	NOYOLA, JAIME JAVIER	44.54	100-WATER	22.60	200-SEWER	10.77	300-GBG-R	10.26
** LAST PAYMENT MADE: 4/24/2012		6/29/2012	800-PEN-WS	0.62	801-PEN-GB	0.29		
03-19110-09-0	ZERMENO, JUAN G	191.94	100-WATER	78.85	200-SEWER	70.16	300-GBG-R	32.35
** LAST PAYMENT MADE: 7/02/2012		8/28/2012	800-PEN-WS	8.94	801-PEN-GB	1.64		
03-20680-05-0	VALDEZ, DELFINA G	387.43	100-WATER	173.11	200-SEWER	110.65	300-GBG-R	31.65
** LAST PAYMENT MADE: 9/01/2011		10/27/2011	800-PEN-WS	66.19	801-PEN-GB	5.83		
03-22760-08-0	VILLARREAL, ELIZABETH A	57.60	100-WATER	27.35	200-SEWER	16.53	300-GBG-R	11.89
** LAST PAYMENT MADE: 8/30/2011		10/27/2011	800-PEN-WS	1.37	801-PEN-GB	0.46		
03-22762-09-0	QUEZADA, JESSICA	34.02	100-WATER	18.99	200-SEWER	7.16	300-GBG-R	7.78
** LAST PAYMENT MADE: 3/29/2012		5/25/2012	800-PEN-WS	0.06	801-PEN-GB	0.03		
03-22982-09-0	CARRIZALES, RAY LYNN	11.01	100-WATER	3.01	200-SEWER	4.75	300-GBG-R	3.25
** LAST PAYMENT MADE: 4/02/2012		4/26/2012						
03-23770-10-0	GARZA, MARIO	229.27	100-WATER	87.39	200-SEWER	87.91	300-GBG-R	40.06
** LAST PAYMENT MADE: 7/17/2012		9/27/2012	800-PEN-WS	11.39	801-PEN-GB	2.52		
03-23900-06-0	GUTIERREZ, VICTOR M	12.15	100-WATER	3.04	200-SEWER	5.75	300-GBG-R	3.36
** LAST PAYMENT MADE: 11/29/2011		12/30/2011						
03-23900-07-0	BOLANOS, ANIBAL	62.59	100-WATER	25.18	200-SEWER	21.34	300-GBG-R	14.23
** LAST PAYMENT MADE: 6/08/2012		8/28/2012	800-PEN-WS	1.30	801-PEN-GB	0.54		
03-26440-17-0	GALVAN, TRACY A	67.23	100-WATER	28.27	200-SEWER	22.36	300-GBG-R	14.38
** LAST PAYMENT MADE: 12/29/2011		2/24/2012	800-PEN-WS	1.66	801-PEN-GB	0.56		
03-27600-06-0	AGUILAR, MARIA GUADALUPE	73.07	100-WATER	25.28	200-SEWER	31.06	300-GBG-R	16.73
** LAST PAYMENT MADE: 6/26/2012		7/30/2012						
03-28600-01-0	CADENGO, MARIA F	206.73	100-WATER	58.07	200-SEWER	55.08	300-GBG-R	59.83
** LAST PAYMENT MADE: 6/05/2012		7/30/2012	600-6.25%	0.28	602-2% CTY	0.09	700-PROC	2.87
			800-PEN-WS	21.27	801-PEN-GB	9.24		

Attachment: utility bad debt list (1099 : Bad debt write-off for utility bills)

G/L POSTING DATE: 7/24/2014

** TRANSFER TO BAD DEBT **

PACKET: 7589

POSTING TYPE: BOTH

COMMENT CODE: BAD -BAD DEBT

FLAG ACCOUNT: NO

ACCOUNT NO	NAME	BALANCE	LAST BILL
03-30048-01-0	DAVALOS, ANGIE J	42.70	100-WATER
** LAST PAYMENT MADE: 3/30/2012 4/26/2012 800-PEN-WS 0.26 801-PEN-GB 0.14			
03-30245-01-0	IBARRA, BERTHA A	254.27	100-WATER
** LAST PAYMENT MADE: 9/04/2012 9/27/2012 800-PEN-WS 7.18 801-PEN-GB 2.63			
03-30275-01-0	RODRIGUEZ, RAMON G	124.43	100-WATER
** LAST PAYMENT MADE: 5/31/2012 7/30/2012 800-PEN-WS 4.73 801-PEN-GB 1.25			
TOTALS NUMBER OF ACCOUNTS: 56 5,916.87 100-WATER 2,522.19 200-SEWER 1,856.15 300-GBG-R 1,032.25			
301-GBG-C 164.96 600-6.25% 0.28 602-2% CTY 0.09			
700-PROC 2.87 800-PEN-WS 276.24 801-PEN-GB 61.84			

ACCOUNT	SOURCE NAME	AMOUNT
01 -1320	ACCOUNTS RECEIVABLE GARBAGE	1,197.58CR
01 -1320.01	PENALTIES RECEIVABLE	61.84CR
01 -512-99115	BAD DEBT EXPENSE	1,259.42
05 -1300	WATER ACCOUNTS RECEIVABLE	2,522.19CR
05 -1301	SEWER ACCOUNTS RECEIVABLE	1,856.15CR
05 -1302	A/R Penalties W & S	276.24CR
05 -1303	A/R RECONNECTION FEES	2.87CR
05 -502-99115	BAD DEBT EXPENSE	2,801.30
05 -534-99115	BAD DEBT EXPENSE	1,856.15

WARNINGS: 0

ERRORS: 0

** END OF REPORT **

Attachment: utility bad debt list (1099 : Bad debt write-off for utility bills)

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Acknowledgments
Prepared By: Pam Denny

SCHEDULED

Initiator: Pam Denny
Sponsors:

ACTION ITEM (ID # 1103)

DOC ID: 1103 B

**Approval or rejection of project expenses by Los Fresnos
Community Development Corporation for street lighting on
Ocean Boulevard and Arroyo Boulevard.**

I have been looking at ways to improve lighting on Ocean Boulevard and Arroyo Boulevard. This will improve areas on Ocean Boulevard from Mesquite Street on the west side of town to the drainage ditch by the new storage units on the east side of town and on Arroyo Boulevard from Tenth Street on the south side of town to just past East Resaca on the north side of town. AEP will do the work with the CDC funding the project. CDC has the funds available in their current budget. The cost is \$28,224.18. The CDC board also asked that I look at the rest of Ocean Boulevard and Arroyo Boulevard inside the city limits especially the area between Whipple Road and Memorial Park.

I recommend approval.

LEGEND – AEP Improvements Quote by Type and Estimated Cost per Pole.

		Total AEP Quote	\$28,224.18
4-Each	Type A Need Bracket & Light Fixture / Wire Already Exist (No Cost to Upgrade)		\$-0-
4-Each	Type B Need 14' Arm Light Fixture / Need 150' of Wire		\$200
18-Each	Type C Change Existing Fixture to 14' Arm		\$600
11-Each	Type D Need 1 Wood Pole/ 14' Fixture/ Bracket / Wire		\$1,100
1-Each	Type E Need 2 Wood Poles/ 14' Fixture/ Bracket / Wire		\$2,300
1-Each	Type F Need 3 Wood Poles/ 14' Fixture/ Bracket / Wire		\$ 3,300
1-Each	Type G Need Transformer / Arm / Light		\$ 1,100
1-Each	Type F Remove Existing Area Light & Add 14' Arm and Light		\$ 250

#		A	B	C	D	E	F	G	H	Location	COST EST.
1	Sheet 1	A								Arroyo and 2nd	-0-
2	Sheet 2		B							Arroyo and S/E 1st	\$200
3	Sheet 3	A								Arroyo and Canal	-0-
4	Sheet 4			C						Arroyo and Canal	\$600
5	Sheet 5			C						Arroyo and Resaca	\$600
6	Sheet 6a			C						Arroyo and N/W 5th	\$600
7	Sheet 6b				D					Arroyo and S/E 5th	\$1,100
8	Sheet 7a			C						Arroyo and S/E 6th	\$600
9	Sheet 7b				D					Arroyo and N/W 6th	\$1,100
10	Sheet 8				D					Arroyo and N/W 7th	\$1,100
11	Sheet 9				D					Arroyo and S/E 8th	\$1,100
12	Sheet 10				D					Arroyo and N/E 9th	\$1,100
13	Sheet 11a		B							Arroyo and S/E 10th	\$200
14	Sheet 11b			C						Arroyo and N/W 10th	\$600
15	Sheet 12a			C						Hwy 100 and N/E Alamo	\$600
16	Sheet 12b				D					Hwy 100 and S/E Alamo	\$1,100
17	Sheet 12c			C						Hwy 100 and alley (IBC ATM)	\$600
18	Sheet 13a				D					Hwy 100 and N/W Brazil	\$1,100
19	Sheet 13b			C						Hwy 100 and S/E Brazil	\$600
20	Sheet 14a				D					Hwy 100 across Olmos	\$1,100
21	Sheet 14b			C						Hwy 100 and West side of Olmos	\$600
22	Sheet 14c			C						Hwy 100 and N/E Nogal	\$600
23	Sheet 15a			C						Hwy 100 and S/W Nogal	\$600
24	Sheet 15b				D					Hwy 100	\$1,100
25	Sheet 16a	A								<div style="border: 1px solid black; padding: 5px; text-align: center;"> Highway 100 Between Mesquite & Palma </div>	-0-
26	Sheet 16b		B								\$200
27	Sheet 16c			C							\$600
28	Sheet 16d			C							\$600
29	Sheet 16e			C							\$600
30	Sheet 17a	A								Hwy 100 and N/W Pita	-0-
31	Sheet 17b		B							Hwy 100 (Pita to Arroyo Blvd)	\$200
32	Sheet 18a				D					Hwy 100 and N/E Comal	\$1,100
33	Sheet 18b			C						Hwy 100 and S/W Comal	\$600
34	Sheet 19a					E				Hwy 100 and S/W Ebano (by Church)	\$2,300
35	Sheet 19b				D					Hwy 100 and N/E Ebano	\$1,100
36	Sheet 19c			C						Hwy 100 and S/E Ebano	\$600
37	Sheet 20a						F			Hwy 100 and (Feed Supply)	\$3,300
38	Sheet 20b							G		Hwy 100 and S/W Side of Drainage Ditch	\$1,100
39	Sheet 20c			C						Hwy 100 and N/W Side of Drainage Ditch	\$600
40	Sheet 21								H	Arroyo and Hibiscus	\$250
41	Sheet 22			C						Arroyo and Resaca	\$600
		4	4	18	11	1	1	1	1		

Note: New wood poles required on Type D, E and F or 13 proposed new street lights.

(Prepared by Desi Martinez, July 2014)

Attachment: AEP New Street Lights [Revision 1] (1103 : Approval of expenses by CDC)

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Policy
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1113)

DOC ID: 1113 A

Approval or rejection of the Los Fresnos Police Department Policy on Juvenile Procedures.

The Police Department has been updating policies and procedures to meet law updates and best practices from the Texas Chief's Association. The main change here is our old policy did not specify the time allowed to detain a juvenile. This specifies a juvenile cannot be detained longer than 6 hours. This continues to assure us we have the best policies and procedures possible.

I recommend approval.

LOS FRESNOS POLICE DEPARTMENT	
Policy 7.12 Juvenile Procedures	
Effective Date:	Replaces:
Approved: _____ Chief of Police	
Reference: TBP 10.02 and 10.03	

I. POLICY

This department is committed to the development and perpetuation of programs for prevention and control of juvenile delinquency. In dealing with juveniles, officers will use the least coercive methods among available alternatives, consistent with preserving public and officer safety, order, and individual liberty. Among factors to consider in making juvenile dispositions is the nature of the offense, the offender's age, circumstances and record, availability of rehabilitation programs, and juvenile probation or court recommendation for diversion.

II. PURPOSE

To establish guidelines and procedures for handling juveniles who are in need of protection, in violation of status offenses and those charged with criminal offenses.

III. DEFINITIONS

- A. Child (Juvenile): A person who is ten years of age or older and less than seventeen years of age.
- B. Conduct in Need of Supervision: Conduct, other than a traffic offense, that violates the penal laws of the state punishable by fine only, or violations of municipal ordinances, failure to attend school, and runaway.
- C. Delinquent Conduct: Conduct, other than a traffic offense (except DWI) that violates the penal laws of this state or the United States punishable by imprisonment or confinement in jail.
- D. Delinquent child: A child who has committed a delinquent act or an adult who had committed a delinquent act prior to his or her 17th birthday.
- E. Intake officer: A juvenile probation officer who is designated by law as having the quasi-judicial authority to decide probable cause, divert the juvenile from the

criminal process, or petition the court. An intake officer is normally a juvenile probation officer.

- F. Juvenile court: The Court designated under Family Code 51.04 to exercise jurisdiction over juvenile proceedings within the county. As a result, the judge of this court decides the propriety and legality of police handling of juveniles.
 - 1. All Class B and above juvenile offenses occurring in the city of Los Fresnos are heard in Darrell B. Hester Juvenile Detention Center located at San Benito Texas.
- G. Juvenile Processing Office: The office or location within the Police Department approved by the Juvenile Court, for the temporary detention of juveniles while officers complete required activities prior to releasing the juvenile to a parent or transferring the juvenile to the Juvenile Detention Center. The approved Juvenile Processing Office for the Los Fresnos Police Department is the police officer squad room.
- H. Referral to Juvenile Court: The referral of a child's case to the official, including the intake officer, designated by the Juvenile Board to process children within the Juvenile Justice System.
- I. Responsible or Suitable Adult: In the absence of a juvenile's parents or legal guardian, a responsible adult is one who is responsible for the physical custodian of a juvenile or who is another adult acquaintance of the juvenile's parents or legal guardian who agrees and reasonably demonstrates the ability to provide supervision for the juvenile until parents, legal guardian or next of kin can assume that responsibility.
- J. Status Offender: A juvenile who is charged with an offense that would not be a crime if committed by an adult such as curfew and runaway.

IV. PROCEDURES – General (TBP: 10.02)

A. Overview

- 1. All members of the department shall cooperate with juvenile justice authorities and their support activities.
- 2. Juveniles have all the same constitutional rights as do adults and all requirements for protection of those rights apply to juveniles as well as adults. Additional rules are prescribed by the Texas Family Code. All

department personnel are responsible for following the Family Code and this order. (TBP 10.02a)

3. Officers who detain juveniles should first determine if the juvenile is alleged to have been harmed or to be in danger of harm. Those in need of immediate medical treatment will be transported to an appropriate medical facility under the same guidelines as adult prisoners. The Department of Protective and Regulatory Services is to be contacted immediately if there is an indication that the juvenile cannot safely be released to a suitable adult and the juvenile does not meet criteria for transport to the Detention Facility.
4. Children under 10 cannot be held responsible through criminal law or the juvenile justice system. If a child under 10 is found in violation:
 - a. enforcement action cannot be taken,
 - b. children under 10 cannot be detained at a police facility for criminal violations; however, children may be kept in a non-secure area of a police facility pending arrival of a suitable adult, and
 - c. the officer must document the conduct of children under 10 that would ordinarily be a criminal or juvenile code violation if they were classified as a juvenile on the appropriate report form to include any applicable identifiers.

B. Handling of juvenile offenders - general

1. A juvenile offender shall be handled with firmness and respect.
2. The juvenile justice system and laws are designed to give the child a chance to mature without bearing the stigma of a criminal record. The juvenile justice system emphasizes confidentiality of records and the privacy of an adjudicatory hearing. Where appropriate, officers shall reasonably try to keep juveniles out of the criminal justice system.
3. The taking of a juvenile into custody is not an arrest except for the purpose of determining the validity of taking the juvenile into custody or the validity of a lawful search.
4. All investigative detentions and enforcement actions involving juveniles will be documented, either by use of a written warning, citation, or incident report. If a written warning or citation is issued and the circumstances of the contact are recorded on the form, no incident report is required. If no written warning or citation was issued, an incident report will be generated to document the contact and actions taken. If possible, all contacts with juveniles will be recorded as best possible on the in-car audio/video system.

C. Authority for Taking a Child into Custody

1. A juvenile may be taken into custody in the circumstances listed in 52.01 of the Family Code, by a Directive to Apprehend as outlined by 52.015 of the Family Code, or with probable cause. 52.01 of the Family Code specifies that a child may be taken into custody by a law enforcement officer when a child engages:
 - a. In conduct that violates a penal law of this state or a penal ordinance of any political subdivision of this state,
 - b. In delinquent conduct or conduct indicating a need for supervision, or
 - c. In conduct that violates a condition of probation imposed by the Juvenile Court
2. The section also authorizes officers to release a juvenile with a warning in lieu of custody. If the child is released with a warning it is necessary to forward a copy of the warning to the parent. In making the decision to handle the juvenile either informally with a warning or formally by referral to the Juvenile Court, the officer shall consider the following:
 - a. Seriousness of offenses.
 - b. Prior record of child.
 - c. Child's age.
 - d. Cooperation and attitude of all parties (child, parent, victim) and the possibility of the offense being repeated.
 - e. Degree of wrongful intent, violence, premeditation, knowledge of violation.

D. Enforcement Alternatives

1. Officers dealing with juveniles in enforcement capacities may exercise reasonable discretion as outlined in this policy in deciding on appropriate actions. Alternatives that may be considered include the following , listed in order of severity:
 - a. release without further action, release with verbal warning, referral to parents or responsible adult, or informal counseling with contact of parents or responsible adult;
 - b. field release with written warning or citation, limited custody and station house warning, arrest under non-secure custody, and release to parents with or without referral to Juvenile Court or First offender Program; and
 - c. arrest and secure custody, with transfer to detention and referral to Juvenile Court.

2. Enforcement criteria for the use of these alternatives is provided below.
3. Even when a juvenile is being handled informally, the juvenile has all the constitutional rights that an adult would have in the same situation.
4. In all cases where a juvenile is believed to have committed a violation, regardless of the disposition, officers shall make every reasonable attempt to notify parents or guardians and inform them of the circumstances of the contact.

V. ENFORCEMENT CRITERIA

- A. The following general guidelines may be used in determining appropriate enforcement and related actions that may be taken when dealing with juvenile incidents.
 1. Release without further action, release with verbal warning, referral to parents or responsible adult, or informal counseling with contact of parents or responsible adult.
 - a. Appropriate in incidents where no violation was determined or where the violation was very minor and officers explained the law and consequences.
 - i. No property damage or personal injury was involved
 - ii. No prior record
 - iii. May include contact with parent if appropriate. Examples of these incidents include, but are not limited to curfew violations, minor liquor law violations, and disorderly conduct.
 - b. If a non-traffic citation is issued, the juvenile's parents may be contacted by telephone from the scene and advised of the offense and disposition. If the parents cannot be contacted, officers will make a copy of the citation and forward the copy to the Criminal Investigations Division for mailing to the parents. On it, the officer shall give a complete description of the circumstances of the contact.
 - c. If officers detain a juvenile for a non-traffic offense and decide not to issue a warning or citation, officers shall complete an incident report and forward it to the Criminal Investigations Division for mailing to parents.
 2. Field release with written warning or citation, or limited custody and station house warning, arrest under non-secure custody and release to parents with or without referral to Juvenile Court or First Offender Program.
 - a. Officers may elect to transport the youth home, make personal or telephone contact with the youth's parents or guardians to provide

them with information and counseling on their child's actions, or take the youth into custody and transport the youth to the Juvenile Processing Office until he is released to a parent or guardian.

- i. Appropriate when the nature of the incident is of a more serious or potentially serious nature than in section 1 above;
 - ii. there was property damage or minor injury not amounting to a felony;
 - iii. the youth involved is fully aware of the seriousness or potential seriousness of his actions and/or is acting in alliance or collusion with others to commit such acts;
 - iv. the youth fails to cooperate or to positively respond to police intervention and direction;
 - v. the youth's parents or responsible adult have apparently failed to provide appropriate control and supervision.
 - b. Officers may elect to file a referral to the Juvenile Court depending on the nature of the offense and prior history of the offender.
3. Arrest and secure custody, with transfer to detention and referral to Juvenile Court. Officers may file delinquency charges against a juvenile when the circumstances surrounding the incident meet or exceed the seriousness of those cited as examples in section 2 above.
- a. Officers should file delinquency charges against juveniles when they commit:
 - i. acts that if committed by an adult would be felonies;
 - ii. delinquent acts involving deadly weapons;
 - iii. serious gang-related offenses;
 - iv. delinquent acts involving serious assault;
 - v. delinquent acts while on probation or parole or when they have charges pending against them;
 - vi. delinquent acts as repeat offenders or when they have refused to participate in diversion or intervention programs; or
 - vii. when it has been determined that parental or other adult supervision is ineffective.
4. Status Offenses. Based on the seriousness of and circumstances surrounding the offense, the background and demeanor of the juvenile and other relevant factors, an officer may release a juvenile to his parents, guardian or other responsible adult.
- a. Juveniles taken into custody for status offenses should normally be frisked for weapons prior to being transported and may be handcuffed or otherwise restrained at any time if, in the judgment of the officer, the juvenile poses a physical risk to the officer or others.

- b. Officers shall pay particular attention to juveniles under the influence of alcohol or drugs to determine whether emergency medical services are warranted.
- c. Juveniles taken into custody for status offenses shall be held in non-secure custody as provided by state law and for the briefest time necessary to conduct identification, investigation and related processing requirements to facilitate their release to a parent or responsible adult or transfer to a juvenile facility.
- d. Transportation of a juvenile in a caged vehicle is not considered secure custody.
- e. Status offenders and other juveniles taken into temporary non-secure custody for status offenses should not be fingerprinted or photographed for purposes of record.
- f. Status offenders in temporary custody shall not be placed in a holding area with adult suspects and shall also be under constant visual supervision; afforded reasonable access to toilets and washing facilities; provided food if in need of nourishment to include any special diets necessary for health or medical purposes; provided with reasonable access to water or other beverages; and allowed reasonable access to a telephone.

VI. JUVENILE PROCESSING

A. Searching and Transportation of Juveniles (TBP 10.02 b, c, d)

- 1. No juvenile under 17 shall be transported in the same vehicle with adults suspected of or charged with criminal acts.
- 2. Juveniles are searched and transported in the same manner as adults in compliance with Los Fresnos Police Department Policy. Juveniles are typically not handcuffed unless they have been taken into custody for a violent offense, pose an escape risk, or where the officer reasonably believes handcuffing is necessary for the safety of the juvenile or officer. The utilization of handcuffs is at the discretion of the officer taking the juvenile into custody. Officers will double lock and check the handcuffs for tightness. Officers will check the handcuffs if there is a complaint that they are too tight.
- 3. An officer transporting a juvenile should notify the dispatcher that the officer will be transporting a juvenile along with the juvenile's gender. The officer should also notify the dispatcher of the officer's location and mileage on the vehicle upon initiating the transport and the officer's ending mileage and location upon arrival at the officer's destination. The officer should monitor the prisoner during the transport for any medical issues.

4. Recording and video equipment should be activated during transport.

B. Actions when taking a juvenile into Custody

1. A person taking a child into custody shall advise the juvenile of his/her constitutional rights when appropriate.
2. Without unnecessary delay and without first taking the child elsewhere, the officer does one of the following:
 - a. Release the juvenile to a parent, guardian, custodian, or other responsible adult;
 - b. Bring the juvenile before an official of the Juvenile Court;
 - c. Take the juvenile to a detention facility designated by the Juvenile Court;
 - d. Take the juvenile to a medical facility if the juvenile is believed to be suffering from a serious physical condition or illness that requires immediate treatment;
 - e. Take the juvenile to the Intoxilyzer Room if in custody for an offense requiring a breath specimen, but the juvenile must be taken to one of the above mentioned locations upon completion of the intoxilyzer;
 - f. In cases of truancy, immediately take the juvenile to the proper school official within the appropriate public or private school;
 - g. Take the juvenile into protective custody if the officer believes the juvenile is in danger of harm; or
 - h. Release the child with no further action pending.

C. Notifications:

1. The arresting officer shall promptly notify the juvenile's parents or guardians of the fact that the child has been taken into custody. In the case of protective custody, the notice must be written as prescribed by the Texas Family Code.
2. Notification of the parents or attempts at notification shall be documented in the arrest report.

D. Designated Juvenile Processing Area: (TBP 10.02 e, and 10.03)

1. A juvenile may be detained in a holding area certified by the Juvenile Court. The Los Fresnos Police Department approved Juvenile Processing Office is the Police Officer Squad Room (Alternate Patrol Commander Office).

2. Juveniles are detained under the following conditions:

- a. At no time is a juvenile placed in a jail cell designated for the holding or incarceration of an adult.
- b. At no time will a juvenile who is in custody be left unsupervised in the juvenile holding area.
- c. All juveniles held in the Juvenile Processing Office are out of sight and sound of adult prisoners.
- d. No juvenile is held in custody longer than is reasonable to conduct an investigation, prepare a case, or to await the arrival of a parent or guardian.
- e. At no time will a juvenile be held in the Juvenile Processing Office longer than six hours. If not otherwise released, the juvenile will be taken to the Juvenile Detention facility within 6 hours of an arrest.

E. Taking a Runaway into custody

When probable cause exists that a juvenile has run away from home, the officer shall perform the following:

1. Verify status as runaway
2. Take the child into custody.
3. Release the juvenile to a parent, guardian, legal custodian, or other person acting for a parent. If a parent cannot be located, take the juvenile to the juvenile processing office and make contact with the Juvenile Detention Center Intake Officer for instructions.
4. The Juvenile Processing Office may not be locked when holding status offenders. An officer will remain with the juvenile until disposition is made.
5. Notify Communications to remove the runaway report from the computer system
6. In any event, officers shall complete incident reports for any runways taken into custody.
7. Out-of-town runaways, take the child into custody and verify runaway status with the other jurisdiction. If a detention order is on file, follow the instructions for serving a detention order.

- a. Notify the intake officer of the juvenile court of the action taken. The intake officer will then determine what the next step will be. The officer shall:
 - i. Follow the intake officer's instructions for detention or child placement.
 - ii. Notify parents that the child is in custody.
 - iii. If the child is to be released and the parents cannot respond within a reasonable period of time, then either contact Child Protective Services, if appropriate in your jurisdiction, or arrange to detain the juvenile until such time that the juvenile can be picked up by an authorized person .

F. Taking a Truant into Custody

1. When custody occurs because a juvenile is a reported truant by school officials, the juvenile shall be taken into custody and delivered to the appropriate school personnel and released.
2. The officer shall complete an incident report which includes the name of the person notifying the parent of the truancy and the name of the person to whom the juvenile was released.

VII. PROTECTIVE CUSTODY

- A. A law enforcement officer may take protective custody of a child without a court order for the following reasons and no others:
 1. Upon discovery of a child in a situation of danger to the child's physical health or safety when the sole purpose is to deliver the child without unnecessary delay to the parent, managing conservator, possessory conservator, guardian, caretaker, or custodian who is presently entitled to possession of the child.
 2. Upon the voluntary delivery of the child, by the parent, managing conservator, guardian, caretaker, or custodian who is entitled to possession of the child.
 3. Upon personal knowledge of facts which would lead a person of ordinary prudence and caution to believe that there is an immediate danger to the physical health or safety of the child and that there is no time to obtain a temporary restraining order or writ.

4. Upon information furnished by another which has been corroborated by personal knowledge of facts and all of which taken together would lead a person of ordinary prudence and caution to believe that there is an immediate danger to the physical health or safety of the child and that there is no time to obtain a temporary restraining order or writ.
5. Upon personal knowledge of facts that would lead a person of ordinary prudence and caution to believe that the child has been the victim of sexual abuse and that there is no time to obtain a temporary restraining order or writ.
6. Upon information furnished by another that has been corroborated by personal knowledge of facts and all of which taken together would lead a person of ordinary prudence and caution to believe that the child has been the victim of sexual abuse and that there is no time to obtain a temporary restraining order or writ.

B. Emergency Treatment For Juveniles

1. In the absence of the responsible parent or guardian, police officers are expected to immediately take custody of any juvenile found to be in need of emergency medical care and to see that the juvenile is taken to an emergency hospital for treatment.

C. Procedures To Take Custody Of The Juvenile

1. When it is found that a juvenile has been injured or is ill to the extent that immediate emergency care is necessary to protect the physical well-being of the juvenile and no responsible parent or guardian can be found, the below listed procedures are followed to obtain the necessary medical care in an expedient manner:
 - a. The officer takes custody of the juvenile either in person or requests an ambulance and orders the juvenile taken to the nearest competent emergency hospital.
 - b. The officer utilizes all available resources to immediately contact a parent or guardian (school officials, etc).
 - c. The officer then causes the immediate notification of the Child Protective Services office of the circumstances at hand and furnishes the Child Protective Services office the following information:
 - i. Name, race, and date of birth of the juvenile,
 - ii. Parent's name and address if available,
 - iii. What hospital the juvenile has been taken,

- iv. What efforts have been made to contact the child's parents or guardian,

2. Follow-Up Investigation:

- a. The officer conducts a follow-up investigation at the receiving hospital, being sure to explain the circumstances at hand to the proper hospital representative.
- b. The Criminal Investigation Division is to take over hospital follow-up investigations when it becomes apparent that such investigations will be lengthy or complex.
- c. The Criminal Investigations Division will follow-up if it becomes apparent that the child's injury is due to criminal conduct on the part of any person.

D. Persons Who May Consent To Medical Treatment:

The Texas Family Code allows any of the following persons to consent to medical, dental, psychological, and surgical treatment of a child when the person having the right to consent as otherwise provided by law cannot be contacted and that person has not given actual notice to the contrary:

- 1. A grandparent, adult brother or sister, adult aunt or uncle of the child; an educational institution in which the child is enrolled that has received written authorization to consent from the person, an adult who has actual care, control, and possession of the child and has written authorization to consent from the person having the right to consent.
- 2. A peace officer who has lawfully taken custody of a minor, if the peace officer has reasonable grounds to believe the minor is in need of immediate medical treatment, or
- 3. Any court having jurisdiction over the child.

VIII. INVESTIGATIVE PROCEDURES

A. Custodial Interrogation Of Juveniles

- 1. Custodial interrogation of juveniles by Department employees shall adhere strictly to procedural requirements established by the Texas Family Code and relevant court rulings.

2. The custodial officer or a detective interviews the juvenile. The officer explains to the juvenile the procedures that will relate to their case. The officer or detective may, at their discretion, allow other persons to be present during the interview. An attorney representing the child is allowed if requested.
3. The interrogation of a juvenile is completed within a reasonable time or terminated if the juvenile requests the interrogation be terminated.

B. Written Confessions/Statements:

Officers will follow the procedure outlined below while taking written statements/confessions from juveniles:

1. Written confessions are taken in compliance with the Texas Family Code.
2. A magistrate, outside the presence of law enforcement officers, first warns the juvenile.
3. An officer then takes the typed or handwritten statement, but leaves the statement unsigned.
4. The officer then returns the juvenile and the statement to the magistrate.
5. The magistrate will review the statement with the juvenile outside the presence of law enforcement officers.
6. The juvenile is then allowed to sign the statement in the magistrate's presence.

C. Fingerprinting And Photographing Juveniles:

1. Fingerprints and photographs of juveniles are maintained separately from those of adults.
2. Fingerprints and photographs of juveniles are destroyed as directed by the Texas Family Code.
3. Fingerprints are taken to comply with state reporting requirements. All juveniles placed in custody for cases classified as class "B" misdemeanor or higher are fingerprinted and photographed. These records are maintained at the County Juvenile Detention Center and also in the State files.
4. If latent fingerprints are found during the investigation of a case and the law enforcement officer has probable cause to believe that they are those of a particular child, unless otherwise prohibited by law, the officer may fingerprint the child regardless of the age or case for purpose of immediate comparison with the latent fingerprints.
5. Disposition of Fingerprints Taken: If the comparison is negative the fingerprint card and other copies of the fingerprints taken are destroyed

immediately. If the comparison is positive and the child is referred to the Juvenile Court, the fingerprint card and other copies of the fingerprints are filed locally and with the State. If the child is not referred to the Court the fingerprints taken are destroyed immediately.

D. Required Notification of Schools

1. Officers that arrests or takes into custody an individual that, because of age, may be enrolled in a primary or secondary school, as provided by Chapter 52, Family Code shall;
 - a. Attempt to determine if the individual is a student.
 - i. If the individual is known to or believed to be enrolled in a school mentioned above, and
 - ii. The child's alleged offense is an offense under section: 19.02, 19.03, 19.04, 19.05, 20.02, 20.03, 20.04, 21.08, 21.11, 22.01, 22.011, 22.02, 22.021, 22.04, 22.05, 22.07, 28.02, 29.02, 29.03, 30.02, or 71.02, Penal Code, or
 - iii. The Unlawful Use, Sale or Possession of a Controlled Substance, Drug Paraphernalia, or Marijuana, as defined by Chapter 481, Health and Safety Code; or
 - iv. The Unlawful Possession of any of the Weapons or Devices listed in Section 46.01(1)-(14) or (16), Penal Code; or a Weapon listed as a Prohibited Weapon under Section 46.05, Penal Code; or
 - v. Any felony offense.
 - b. If the individual meets these requirements the officer or detective assigned shall give oral notification to the Superintendent or the designee of the public school district within 24 hours after the arrest or detention of a child, or on the next school day.
 - c. Written notification shall be mailed within seven (7) days after the date of oral notification to the appropriate afore mentioned school official, marked "Personal and Confidential" on the mailing envelope.
2. The complete text of this responsibility is found in Article 15.27 Code of Criminal Procedures.

E. Juvenile Records (TBP 10.02f)

1. The computerized Juvenile Justice Information System (JJIS) is designed to track intake, detention, prosecution, and case disposition, including probation or commitment, of a juvenile. The Family Code restricts entries into the JJIS to delinquent conduct offenses that, if committed by an adult, would be punishable by jail or imprisonment.
 - a. JJIS entries are made on Los Fresnos Police Department detentions by the Juvenile Investigation Division when a Juvenile is referred to the Juvenile Court.
 - b. JJIS records may be accessed and disseminated according to the same rules on computerized criminal histories.
 - c. JJIS entries cannot be made for juveniles who are not referred to the Juvenile Court within 10 days of the detention. Records that do not qualify for JJIS entry are to be destroyed.
2. Family Code requires local law enforcement records and files concerning a juvenile to be kept separate from adult files and records and prohibits them from being sent to a central state or federal depository except as specified in the Family Code. Juvenile detention reports will be separated from adult arrest reports as required by the statute.
 - a. Records or files that are required or authorized to be maintained under laws regulating operation of motor vehicles and records that list a juvenile as the victim of a criminal offense are specifically exempt from the file separation requirement.
 - b. Reports of missing Juveniles are specifically authorized to be entered into TCIC and NCIC.
3. Code of Criminal Procedure authorizes information on juveniles to be included in a local system for the purpose of investigating or prosecuting the criminal activities of criminal combinations. This information may be released to another criminal justice agency, a court, or a defendant in a criminal proceeding pursuant to the discovery. The record must be destroyed no later than two years after its collection if the juvenile has not been charged with criminal activity.
4. The preservation and destruction of Juvenile Records is the responsibility of the Juvenile Investigation Division. Juvenile

records will be kept under lock and key and access will be limited to Juvenile Investigators and authorized personnel.

5. **Fingerprints and Photographs.** The Family Code prohibits taking photographs or fingerprints of a juvenile without the consent of the Juvenile Court or Juvenile Probation Officer unless the juvenile is taken into custody for a felony or a misdemeanor punishable by confinement in jail. Only the procedures specified in this General Orders will be utilized.
6. **Release of Information** on juvenile offenders may only be made pursuant to:
 - A written request under the Texas Public Information Act, Government Code Chapter 552 to the Police Department as approved by the City Attorney or to the Fredericksburg Municipal Court (for fine-only offenses handled there);
 - The Sex Offender Registration Act, Code of Criminal Procedures Chapter 62. The request must be made in writing and will be responded to by the Police Department.
 - Code of Criminal Procedures Article 15.27 notice to schools of specified offenses committed by students. These notices will be made by assigned investigators.

Date Modified: June 23, 2014

Approved by Chief James Harris III

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Bid
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1112)

DOC ID: 1112 A

Consideration and ACTION to approve proposal for swimming pool maintenance.

The pool is badly in need of maintenance of the plaster. There are large areas where there is no plaster. Where there is plaster it is very rough and causes swimmers feet to be cut. They will upgrade the cool deck in some areas that need attention. They will do some other maintenance type of work as well. We have 3 quotes with the lowest one being from Palm Beach Pools for \$25,000 for the Diamond Brite finish. This is supposed to last twice as long as the regular white finish. I have discussed this with the school and they are willing to pay half of the cost. We will bill the school for \$12,500. We have also worked with the school on scheduling this work to be done. The last day the pool will be open will be August 17. The pool company is able to begin work on Monday August 18. It will take them 2 to 3 weeks to complete the work. The school is fine with that schedule. We do have available funds from the \$50,000 that was budgeted for the EOC in the shelter that will not be built.

I recommend approval.

PALM BEACH POOLS

THE POOL AND SPA PROFESSIONALS CONSTRUCTIONS AND REMODELS

This agreement made on the 25th day of July 2014, by and between Jose A. Ipina hereinafter called the contractor and City Of Los Fresnos, hereinafter called the owner.

Witnessed, that the contractor and the owner for the consideration named agreed as follows:

ARTICLE 1: SCOPE OF WORK

The contractor shall furnish all of the materials and perform all of the work as described below to be performed on property at: N. Paredes Line Rd. Los FresnosTx. 78566

#	Item	Stage	Price
<u>1</u>	POOL,DECK, AND TILE REMODEL		
<u>2</u>	<u>CHIP ENTIRE POOL OF OLD PLASTER, TAKE DOWN TO SCRATCH KOTE USING CHIPPING HAMMERS EXPOSING HOLLOW AREAS AND VOIDS</u>		
<u>3</u>	<u>PRESSURE WASH,ACID WASH</u>		
<u>4</u>	<u>APPLY BOND KOTE FOR GOOD PLASTER BASE OPEN CRACKS AND BROKEN AREAS ON POOL IF ANY AND FILL WITH HYDRAULIC CEMENT</u>		
<u>5</u>	<u>COLOR CHOICE OPTIONS PLASTER</u> <u>PLASTER WITH SGM QUARTZ FINISH BLUE WITH (5) YEAR WARRANTY ON COMMERCIAL</u> <u>WHITE MARCITE OPTIONAL,WHITE CEMENT AND MARBLE DUST</u>		
<u>6</u>	<u>UP DATE SAFETY MAINDRAIN LIDS ON POOL AND KIDDIE AREA IF NEEDED</u> <u>SEAL LIGHTS,SKIMMERS, AND AROUND EXIT DEEP END STEPS</u>		
<u>7</u>	<u>TILE REMOVAL AND EXCHANGE CUSTOMER</u>		

Attachment: pool proposals (1112 : Swimming pool maintenance)

	<p><u>CHOICES</u></p> <p><u>REMOVE AND REPLACE TILED LANE MARKERS</u></p> <p><u>COLOR BLACK</u></p> <p><u>ADD TRIM TILE ON STEPS OF POOL TO PROVIDE</u></p> <p><u>VIEW OF ENTRANCE AND DEPTH MARKERS</u></p> <p><u>TO FULLY PROVIDE OUR CUSTOMERS WITH A</u></p> <p><u>CORRECTLY FINISHED REMODEL..OUR COMPANY</u></p> <p><u>WILL HIGHLY FOCUS ON SKIMMERS AS TO OUR</u></p> <p><u>PROFESSIONAL OPPINION WE KNOW THAT</u></p> <p><u>SKIMMERS</u></p> <p><u>TEND TO BE VERY DISPOSABLE AND THE</u></p> <p><u>MATERIAL OR PLASTIC THAT ITS MADE OF WITH</u></p> <p><u>TIME ARE SUBJECT TO FAIL AND REQUIRE</u></p> <p><u>EXCHANGE AND WE PROPOSE TO INCLUDE IN</u></p> <p><u>PROJECT TO ASSURE AND PROVIDE GOOD</u></p> <p><u>WARRANTY OF OUR WORK</u></p> <p><u>IN SURFACE OF DECK TO MATCH OUR REPAIRS</u></p> <p><u>ON EXCHANGED SKIMMERS</u></p> <p><u>COOLDECK A NEWLY REMODELED FINISH AS</u></p> <p><u>OLD SUN WORN DECK CAN BE ROUGH ON FEET</u></p> <p><u>ADD COOLDECK FINISH ENTRANCE OF</u></p> <p><u>RESTROOMS (2) AND FRONT ENTRANCE</u></p> <p><u>WASH DECK AND SEAL WITH STEGMEIHER COOL</u></p> <p><u>DECK RENEW</u></p> <p><u>SEAL LIGHTS WITH SILICONE</u></p> <p><u>WHEN PLASTER IS FINISHED, CONTRACTOR WILL</u></p> <p><u>START WATER AT CUSTOMER RESPONSIBILITY</u></p> <p><u>TO TURN OFF IN THE MIDDLE OF TILE.</u></p>		
<u>8</u>	<u>START UP OF CHEMICALS AND MAINTENANCE</u> <u>TO POOL WILL BE PROVIDED</u>		
<u>9</u>	<u>WATER AND ACID START UP</u> <u>THIS STEP MAY TAKE PERIOD OF 30 TO 40 DAYS</u>		
<u>10</u>	<u>OPTIONS</u>		
<u>11</u>	<u>INSTALL 2 SETS OF STEPS LEFT AND RIGHT ON</u> <u>END WALLS OF 3 FOR POOL EXIT ON DEEP END</u> <u>INSTALL SAFETY RAIL ON ENTRANCE OF STEPS</u>		

12			
13			
14			
15			
16			
17			
18			
		<u>TOTAL</u> <u>\$ 25,000.00</u>	<u>SGM</u> <u>DIAMOND BRI</u>
		<u>\$20,800.00</u>	<u>WHITE</u> <u>MARCITE</u>

ARTICLE 2: TIME OF COMPLETION

The work to be performed under this contract shall be commenced on or before and shall be substantially completed on or before . 15 to 20 days

ARTICLE 3: WARRANTY

2 Year Warranty with Palm Beach Pools on labor and materials on replaced plumbing by palm beach pools and cool deck sealer

SGM Warranty 5 years on quartz finish plaster product

ARTICLE 4: THE CONTRACTOR PRICE

The owner shall pay the contractor for the material and labor to be performed under the contractor as delineated above and in the sum of.

ARTICLE 5. PROGRESS PAYMENTS

1. When commencing \$
2. When finished with bond kote and tile\$
- 3 On day before plaster \$
- 4 When finished with plaster and start to fill water \$

SIGNATURES:

Contractor _____

Date: _____

Owner _____

Date: _____



SOUTH TEXAS POOLS

28897 ORANGE GROVE ROAD
LA FERIA, TX 78559-6080
Tel: (956) 797-1190
Fax: (956) 797-2414

For

City of Los Fresnos POOL

ESTIMATE

Date 8/6/2014 Estimate # 48563

Project				
Description	Qty	Cost	Total	
Labor and materials to replaster pool and Wading Pool with white marble-cement plaster. Use pneumatic air hammers across entire surface as to remove all loose plaster and locate any voids. Apply "Bond Kote" sealer-bonding agent prior to applying new plaster. Install 2" tile to leading edge of all steps and benches as required by State and Federal Code. THREE (3) year warranty against Pop-Offs and Blisters.	1	23,000.00	23,000.00	
"Diamond Brite" Imperial White, exposed aggregate interior finish. (upon proper water chemistry maintenance this product will last twice as long as standard white plaster as quoted above). SOUTH TEXAS POOLS is FULLY Insured and is a member of the Better Business Bureau with an A+ Rating.	1	5,500.00	5,500.00	
		Subtotal	\$28,500.00	
		Sales Tax (8.25%)	\$0.00	
		Total	\$28,500.00	

Please sign and date for acceptance of estimate. Prices good for 30 days from date of estimate.

Accepted By _____

E-mail
Mary@southtexaspools.com
Mary@southtexaspools.com

Attachment: pool proposals (1112 : Swimming pool maintenance)



Berry Pool

3009 JCS Industrial Drive
Brownsville, TX 78526
Phone: 956-541-1309
Fax: 956-986-2746

Quote

Salesperson 1: Michael Diaz

Created: 7/21/2014 2:26:31 PM

Revenue Center: Construction

Completed: 7/29/2014 6:31:31 PM

Customer Id: 3671

Contractor Id: TICL495

Register: BPS-102

Invoice **122268**

CITY OF LOS FRESNOS
900 N. ARROYO BLVD.

Home:

Cell: 956-639-1222 Mr. Carlos Salazar

Work: 233-9200

LOS FRESNOS, TX 78566

Fax:

Qty	Part Number	Description	Discount	Amount
1	REPLASTER JOB	REPLASTER - REGULAR MARCITE PLASTER (WHITE)		*
1	INSTALL TILE	INSTALL WATER LINE / STEPS / BENCH SEAT TILE		*
1	DEPTH MARKERS	ADDITIONAL COST FOR DEPTH MARKERS		*
25	CAULKING	CAULKING - SILKA CAULKING GRAY OR SANDSTONE		*
4	979-900-110	SEALER RG SAND BUFF 5 GAL		*
2	989-900-110	DESERT DECK RG SAND BUFF 8/CS		*
2884	DECK REPAIR / PAINT	DECK REPAIR AND PAINT POOL DECK		*
1	TILE INSTALLATION	TILE INSTALLATION - UNIQUE Installation of racing tile lanes		*
* Non-Taxable Items				

CORRECT AS SHOWN

Sub Total \$57,214.92

Customer Signature _____

Total \$57,214.92

State Tax \$0.00

City/County Tax \$0.00

Amount Due \$57,214.92

Amount Paid \$0.00

Balance \$57,214.92

Special Comments: Replaster Process:

Commercial

Process:

1. Drain pool and remove hydrostatic main drain plug (if available).
2. Completely remove existing plaster down to concrete pool shell.
3. Remove all exiting tile and prepare bond beam for new tile.
4. Install new tile and depth markers on pool - as per code.
5. Install 1"x1" tiles on all steps and bench seats.
6. Apply plaster with fortified bonding agent.
7. Install VGB compliant main drain frame and grates.
8. Fill swimming pool and start curing process for 7 to 10 days.
9. Balance water and turn pool over to owner.

Initials _____

Tuesday, July 29, 2014 Page 1 of 5

2 year written warranty on plaster.

Payment terms: 50% upon commencing / 50% upon completion

Licensed, Insured (General Liability & Workmans Comp), Bonded.

Deck Repair Process:

1. Remove any loose kool deck topping from deck.
2. Grind out cracks on deck and fill with 2 part epoxy solution.
3. Power wash entire deck with lite acid solution.
4. Apply cement adhesive solution to areas where new kool deck is to be applied
5. Apply new layer of kool deck topping to exposed areas and allow to dry.
6. Rinse deck thoroughly and allow to dry.
7. Cover all expansion joints with tape and apply kool deck restorer to entire deck for color uniformity.
8. Allow to dry and remove tape from expansion joints.
9. Note: texture on repaired areas will differ from existing deck texture.

1 year warranty on deck repair

Quote good for 30 days.

Payment Schedule = 35% upon acceptance of quote, 30% upon chip out and deck repair, 30% upon installation of tile, depth markers, 5% Upon completion.

The above plaster materials in no way strengthen the structure of the pool or guarantee that any structural or plumbing leaks will be fixed by this process or that existing cracks may not re-appear, as a result of the new plaster job.

Plaster pop-offs or delaminating can occur to new plaster when water is removed from the vessel (pool/spa) for any duration of time, these problems generally appear after pool/spa has been refilled. Berry Pool cannot be held responsible if such action is taken by the pool owner nor does Berry Pool warranty any such occurrence.

Replaster quote does not include existing equipment repairs, light repairs and/or leak repairs which may be needed prior or after the pool is replastered and existing equipment is reactivated. Plaster is not guaranteed against discoloration, staining, mottling, streaking, shading, or spot etching. These conditions are generally the result of source water conditions, improper use of chemicals balance, improper maintenance, or negligence.

Code required items such as kill switches for spas, signs, Coast Guard approved life ring, Shepherds hook with fiberglass poles are not part of this quote an can be quoted seperately upon request.

Berry Pool carries specific business insurance coverage, including general liability, workers compensation and auto liability insurance. All quotations for purposes of quoting proposed construction work shall be based on the insurance coverage in force at time of quote request. Should client require additional coverage beyond the stated contract limits of our corporate business insurance policy, client shall pay any additional premiums to bind such additional coverage prior to additional coverage being bound.

Access to pool must be made available to the crews and to project manager.

Access must be free of be free of all obstacles which the customer desires to protect (patio

furniture, pots, etc.) and these obstacles must be moved by customer prior to starting project.

Berry Pool agrees to perform the pool remodel diligently, but Berry Pool shall not be responsible for delay or damages caused by failure to perform work or furnish materials or equipment due to acts of God, conditions created by the threat of or inclement weather, war, riot, or other civil disturbances, strike, government prohibition, delays caused by Buyer, nonissuance of all required permits affecting the pool, availability of construction material, or other reasons beyond its control. Date of completion shall be considered the date of interior surfacing.

Due to the rapid changes in the cost of labor and raw materials, the price quoted on this contract or additions thereto are only valid for thirty (30) days from the date the contract or additions are signed. If the project is not started within thirty (30) days from the date of the contract or any other phase is postponed for more than thirty (30) days beyond any previous construction phase, Customer agrees that any increase in cost of construction will increase the contract price to the extent of the additional cost of labor and materials as a result of the Customer, Customer's agent.

Requests for any changes or additions to this contract desired by the Customer shall be made in writing at a price as mutually agreed, signed by both parties and shall become part of this contract. All sums for changes or additions shall be due and payable as the work progresses, concurrently with the other progress payments. Payment in full of contract price and addendums must be received prior to scheduling plaster, and Contractor shall have the right to stop work and to keep the job idle if payments are not made when due.

Berry Pool assumes no responsibility or liability for work performed by the Customer, equipment or materials supplied by the Customer, any sub-contractor or third party for work relating to the construction of the swimming pool/spa remodel or damages to the swimming pool/spa resulting from work performed by the Customer, equipment or materials supplied by the Customer, any subcontractor or third party, even though Berry Pool or his agents may have recommended to Customer said equipment, materials, sub-contractor or third party.

Although Berry Pool or its agents may refer certain contractors or installers to Customer, Contractor does not warranty the reputation of quality of workmanship or materials and hereby disclaims any expressed or implied warranties.

In the event that any action or proceeding shall be brought by the Customer for the purpose or determining or enforcing his rights under this agreement, and in the event that Contractor shall prevail in such action or proceeding. Contractor shall be entitled to recover from Customer all costs and expenses incurred by the Contractor in defending such action or proceeding, including a reasonable attorney's fee in the event Contractor shall be required to employ an attorney to enforce collection of any payment required to be made by Customer to Contractor under this agreement. Buyer agrees to pay to Contractor a reasonable amount as and for attorney's fees although legal action either was not instituted or not completed to judgment. In the event payments are herein specified are not paid, Contractor may discontinue work until entire balance has been paid and then complete its work.

All claims and demands arising out of this Contract, including claims or demands which might otherwise be raised by way of claim or counterclaim in a court of law, shall be submitted to and decided by arbitration in accordance with the Better Business Bureau Rules of Arbitration unless the parties mutually agree otherwise. The Board of Arbitrators shall have jurisdiction to decide in the matter submitted and such decision shall be final, binding and conclusive upon all parties for all purposes, and judgment may be entered thereon in accordance with applicable law in any court having jurisdiction thereof.

Notice of the demand for arbitration shall be made by Owner, in writing, within a reasonable time after the dispute has arisen. Such notice shall be filed with Better Business Bureau Rules of Arbitration. In no event, shall demand for arbitration be made on or after the date on which the

filing of legal or equitable proceedings alleging such claim or dispute or other matter, becomes barred by the applicable statute of limitations.

Berry Pool or owner hereby reserves the right to initiate legal action in a court of competent jurisdiction for the enforcement of any claim or claims for monies due under this Contract. Questions relating to monies due hereunder from Owner to Berry Pool may, however, be submitted to arbitration in the manner set forth hereinabove if Contractor shall hereafter agree in writing so to do.

LIMITATIONS

No warranty extends to any part of the swimming pool, its equipment or appurtenances thereto which are caused by any of the following conditions or events:

DEFECTS OR FAILURES CAUSED BY ABUSE, LACK OF REASONABLE CARE, LACK OF NECESSARY MAINTENANCE, IMPROPER OPERATION, VANDALISM, ACTS OF GOD, OR NORMAL WEAR.

DAMAGES OR FAILURES TO PLUMBING LINES, FILTER, MOTORS AND PUMPS CAUSED BY FREEZING.

DAMAGES OR FAILURES CAUSED BY SUBSTITUTION OR ADDITION OF EQUIPMENT OR SERVICE NOT EXPRESSLY AUTHORIZED WHICH AFFECT THE OPERATION OR DESIGNED USE OF THE POOL/SPA.

DAMAGES OR FAILURES TO MOTORS CAUSED BY WATER, OR ELECTRICAL SURGE.

DISCOLORATION, STAINING, CHECK CRACKS, AND IMPERFECTIONS INHERENT IN POOL DECK AND PLASTER, AND CONCRETE PRODUCTS. ONLY CRACKS EXCEEDING IN WIDTH THE THICKNESS OF A DIME WILL BE REPAIRED BY BERRY POOL & SUPPLY AT NO COST TO THE ORIGINAL CONSUMER WITHIN THE LIMITED WARRANTY PERIOD.

DAMAGES OR FAILURES CAUSED BY SURFACE OR SUBTERRANEAN DRAINAGE UNDER OR AROUND SAID POOL OR EARTH FILL MOVEMENT, EXPLOSIONS, WRECKING, EXPANSIVE SOIL, AND THE LIKE, AND NOT OCCASIONED BY BERRY POOL & SUPPLY.

IN SOME LOCATIONS, EXPANSIVE SOIL MAY EXIST, DAMAGE CAUSED TO THE POOL OR DECKING AS A RESULT OF EXPANSIVE SOIL WILL BE AT THE CUSTOMERS EXPENSE. BUYER MAY SECURE AT HIS EXPENSE AN INDEPENDENT SOIL ANALYSIS TO DETERMINE WHETHER EXPANSIVE SOIL EXISTS IN THE POOL LOCATION BEFORE REMODELING OF POOL/SPA. WITHOUT A SOIL ANALYSIS, BERRY POOL & SUPPLY ASSUMES NO LIABILITY REGARDING DETERMINATION OF EXISTENCE OF EXPANSIVE SOIL.

BERRY POOL & SUPPLY EXPRESSLY DENIES ANY RESPONSIBILITY OR LIABILITY FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES ARISING OUT OF OR AS A RESULT OF THE USE OR OWNERSHIP OF YOUR SWIMMING POOL.

DAMAGE BY THE ELEMENTS OR ACTS OF GOD, WAR, CIVIL DISTURBANCES, UNUSUAL ABUSE/NEGLECT, INCORRECT OPERATION OR LACK OF CARE OF THE POOL OR EQUIPMENT INCLUDING THE USE OF MANUALLY FED GASEOUS CHLORINE FROM PORABLE TANKS AS A SANITIZER.

IN THE EVENT OF DEFECT IN MATERIALS OR WORKMANSHIP WITHIN THE ABOVE STATED WARRANTY PERIODS, AND UPON WRITTEN NOTE TO BERRY POOL AT 3009 JCS INDUSTRIAL DRIVE, BROWNSVILLE, TEXAS, 78526, BY THE ORIGINAL CONSUMER,

BERRY POOL & SUPPLY WILL REMEDY ANY DEFECT IN MATERIAL OR WORKMANSHIP WITHOUT CHARGE TO THE ORIGINAL CONSUMER WITH EXCEPTIONS LISTED HEREWITHIN, WITHIN A REASONABLE TIME, PROVIDED THE ORIGINAL CONSUMER HAS COMPLIED WITH ALL TERMS OF THIS CONTRACT, INCLUDING PAYMENT IN FULL AND HAS EXECUTED ALL COMPLETION CERTIFICATES REQUIRED BY ANY GOVERNMENT AUTHORITY OR FINANCING INSTITUTION.

Berry Pool & Supply shall not be responsible to the replacement of water in the pool or chemicals used in treating said water or energy used to heat said water as a result of performing any repair under this Limited Warranty.

In the event Berry Pool & Supply performs repair work to pool/spa deck or plaster under the Limited Warranty, it is expressly understood that no Warranty is extended in regards to the repairs matching the existing pool deck or plaster in color, shade, or texture.

I have read the agreement of sale and agree to the above terms and conditions

Customer Signature	Print Name	Date
Customer Signature	Print Name	Date

Attachment: pool proposals (1112 : Swimming pool maintenance)

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Public Hearing
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1079)

DOC ID: 1079 D

Public Hearing to receive comments from the public on the rezoning of Lots 3-15 Block A, Lots 1-12 Block 10, Lots 1-18 Block 11, Lots 1-12 Block 30 and Lots 1-18 Block 31 from R-2 Two Family District to R-1A Single Family District.

The hearing offers a chance for residents to voice their opinions on this topic. Listen to their comments. You will have opportunity to discuss during the next agenda item for action.

This area has been zoned as a 2 family district for a long while. This area has all single family homes. There is only one duplex in this area. The Planning & Zoning Commission approved the change at their meeting in July. There were 2 residents that showed up for the meeting but just wanted clarification in Spanish. They are in favor of the action. Another resident called me on the phone for clarification. Once I explained what we were proposing, she was in favor. Multi-family and two-family zones are more suited in the north east area of town.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Ordinances
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1080)

DOC ID: 1080 B

Consideration and ACTION on the first reading of Ordinance 235-CC rezoning of Lots 3-15 Block A, Lots 1-12 Block 10, Lots 1-18 Block 11, Lots 1-12 Block 30, and Lots 1-18 Block 31 from R-2 Two Family District to R-1A Single Family District and amending the Official Zoning Map.

This area has been zoned as a 2 family district for a long while. This area has all single family homes. There is only one duplex in this area. The Planning & Zoning Commission approved this change at their meeting in July. There were 2 residents that showed up for the meeting but just wanted clarification in Spanish. They are in favor of the action. Another resident called me on the phone for clarification. Once I explained what we were proposing she was in favor. Multi-family and two-family zones are more suited in the north east area of town.

I recommend approval.

ORDINANCE NO. 235-CC

AN ORDINANCE TO REZONE LOTS 3-15 BLOCK A, LOTS 1-12 BLOCK 10, LOTS 1-18 BLOCK 11, LOTS 1-12 BLOCK 30 AND LOTS 1-18 BLOCK 31 IN THE CITY OF LOS FRESNOS, TEXAS FROM R-2 TWO FAMILY DISTRICT TO R-1A SINGLE FAMILY DISTRICT; AMENDING THE OFFICIAL ZONING MAP TO REFLECT THE NEW ZONING; AND PROVIDING AN EFFECTIVE DATE FOR THE IMPLEMENTATION OF THIS ORDINANCE.

This ordinance was introduced and submitted to the City Council for passage and adoption after the second reading. After presentation and discussion of the Ordinance, a motion was made by _____ that the Ordinance be finally passed and adopted in accordance with the City’s Home Rule Charter. The motion was seconded by _____ and carried by the following vote:

Mayor Polo Narvaez	___	For	___	Against	___	Abstained
Mayor Pro-tem Yolanda H. Cruz	___	For	___	Against	___	Abstained
Councilmember Swain Real	___	For	___	Against	___	Abstained
Councilmember Javier Mendez	___	For	___	Against	___	Abstained
Councilmember Tom Jones	___	For	___	Against	___	Abstained
Councilmember Gary Minton	___	For	___	Against	___	Abstained

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOS FRESNOS, TEXAS:

SECTION 1. In accordance with Ordinance 235, Section 3, sub-section 3.0 Official Zoning Map, the area set forth and described as Lots 3-15 Block, Lots 1-12 Block 10, Lots 1-18 Block 11, Lots 1-12 Block 30 and Lots 1-18 Block 31, from R-2 Two Family District to R-1A Single Family District and incorporated into the Official Zoning Map.

SECTION 2. The Official Zoning Map is amended to reflect the zoning as described and shown on attached Exhibit “A”.

SECTION 3. This ordinance shall take effect immediately upon approval.

INTRODUCED and APPROVED on the first reading this ____ day of _____, 2014.

APPROVED and PASSED on the second and final reading this ____ day of _____, 2014.

ATTEST: _____ Polo Narvaez, Mayor

Pam Denny, City Secretary

Attachment: Ordinance on re-zoning of property (1080 : Ordinance 235-CC on rezoning)

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Ordinances
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1101)

DOC ID: 1101 A

Consideration and ACTION on the first, second and final reading of Ordinance 458 authorizing the issuance of "City of Los Fresnos, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2014"; providing for the payment of said certificates by the levy of an ad valorem tax upon all taxable property within the City and further securing said certificates by a lien on and pledge of the Pledged Revenue of the System; providing the terms and conditions of said certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said certificates; authorizing the execution of a Paying Agent/Registrar Agreement, a Purchase and Investment Letter, and a Private Placement Agreement; complying with the requirements imposed by the Letter of Representations previously executed with the Depository Trust Company; authorizing the execution of any necessary engagement agreements with the City's Financial Advisors and/or Bond Counsel; and providing for an effective date.

This is action to fund the projects we have discussed for that last several months. They include the purchase of land for City Hall, upgrading Lopez lift station, installing a water line loop from Ocean Boulevard to Whipple Road in the are around WalMart, constructing Evergreen Street, engineering services for sewer to the west along Highway 100, Escalante Road and Whipple Road and design for a City Hall.

I recommend approval.

DRAFT 8/2/14

AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF LOS FRESNOS, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014”; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING SAID CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SAID CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE AND INVESTMENT LETTER, AND A PRIVATE PLACEMENT AGREEMENT; COMPLYING WITH THE REQUIREMENTS IMPOSED BY THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AUTHORIZING THE EXECUTION OF ANY NECESSARY ENGAGEMENT AGREEMENTS WITH THE CITY’S FINANCIAL ADVISORS AND/OR BOND COUNSEL; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council (the *Council*) of the City of Los Fresnos, Texas (the *City*) has caused notice to be given of its intention to issue certificates of obligation in the maximum principal amount of \$3,100,000 for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) constructing street improvements (including utilities repair, replacement, and relocation), curb, gutters, hike and bike trails, and sidewalk improvements and drainage incidental thereto, (2) constructing, acquiring, purchasing, renovating, enlarging, and improving the City’s utility system, (3) acquiring, designing, constructing, purchasing, renovating, equipping, enlarging, and improving the City’s parks and recreation facilities, including hike and bike trails; (4) architectural and design professional services for the City’s to be constructed City Hall Complex, (5) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (6) the payment of professional services related to the design, construction, project management, and financing of the aforementioned projects. This notice has been duly published in a newspaper hereby found and determined to be of general circulation in the City, once a week for two (2) consecutive weeks, the date of the first publication of such notice being not less than thirty (30) days prior to the tentative date stated therein for the passage of the ordinance authorizing the issuance of such certificates of obligation; and

WHEREAS, no petition protesting the issuance of the certificates of obligation described in this notice, signed by at least 5% of the qualified electors of the City, has been presented to or filed with the City Secretary prior to the date tentatively set in such notice for the passage of this ordinance; and

WHEREAS, the City Council hereby finds and determines that the issuance of the certificates of obligation, under the terms herein specified, is in the best interests of the City and its residents; and

WHEREAS, the City Council hereby finds and determines that certificates of obligation in the principal amount of \$3,100,000 described in such notice should be issued and sold at this time; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOS FRESNOS, TEXAS THAT:

SECTION 1. Authorization - Designation - Principal Amount - Purpose. The certificates of obligation of the City shall be and are hereby authorized to be issued in the aggregate principal amount of THREE MILLION ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$3,100,000), to be designated and bear the title of "CITY OF LOS FRESNOS, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014" (the *Certificates*), for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) constructing street improvements (including utilities repair, replacement, and relocation), curb, gutters, hike and bike trails, and sidewalk improvements and drainage incidental thereto, (2) constructing, acquiring, purchasing, renovating, enlarging, and improving the City's utility system, (3) acquiring, designing, constructing, purchasing, renovating, equipping, enlarging, and improving the City's parks and recreation facilities, including hike and bike trails; (4) architectural and design professional services for the City's to be constructed City Hall Complex, (5) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (6) the payment of professional services related to the design, construction, project management, and financing of the aforementioned projects, pursuant to the authority conferred by and in conformity with the laws of the State of Texas, particularly the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code Section 271.041 through Section 271.064, Chapter 1502, as amended, Texas Government Code, and the City's Home Rule Charter.

SECTION 2. Fully Registered Obligations - Authorized Denominations - Stated Maturities - Interest Rates - Certificate Date. The Certificates are issuable in fully registered form only; shall be dated August 1, 2014 (the *Certificate Date*) and shall generally be issued in denominations of \$100,000 or any integral multiple of \$5,000 in excess thereof (within a Stated Maturity), and the Certificates shall become due and payable on February 1 in each of the years and in principal amounts (the *Stated Maturities*) and bear interest on the unpaid principal amounts from the Closing Date, or from the most recent Interest Payment Date (hereinafter defined) to which interest has been paid or duly provided for, to the earlier of redemption or Stated Maturity, at the per annum rates, while Outstanding, in accordance with the following schedule:

<u>Years of Stated Maturity</u>	<u>Principal Amounts (\$)</u>	<u>Interest Rates (%)</u>
2016	25,000	

<u>Years of Stated Maturity</u>	<u>Principal Amounts (\$)</u>	<u>Interest Rates (%)</u>
2017	25,000	
2018	125,000	
2019	130,000	
2020	135,000	
2021	140,000	
2022	145,000	
2023	155,000	
2024	160,000	
2025	165,000	
2026	175,000	
2027	180,000	
2028	185,000	
2029	195,000	
2030	205,000	
2031	210,000	
2032	220,000	
2033	230,000	
2034	240,000	

The Certificates shall bear interest on the unpaid principal amounts from the Closing Date, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, to Stated Maturity or prior redemption, while Outstanding, at the rates per annum shown in the above schedule (calculated on the basis of a 360-day year of twelve 30-day months). Interest on the Certificates shall be payable on February 1 and August 1 in each year, commencing February 1, 2015 (the *Interest Payment Date*), while the Certificates are Outstanding.

SECTION 3. Payment of Certificates - Paying Agent/Registrar. The principal of, premium, if any, and interest on the Certificates, due and payable by reason of Stated Maturity, redemption, or otherwise, shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, and such payment of principal of, premium if any, and interest on the Certificates shall be without exchange or collection charges to the Holder (hereinafter defined) of the Certificates.

The selection and appointment of _____, _____, _____ to serve as the initial Paying Agent/Registrar (the *Paying Agent/Registrar*), for the Certificates is hereby approved and confirmed, and the City agrees and covenants to cause to be kept and maintained at the corporate trust office of the Paying Agent/Registrar books and records (the *Security Register*) for the registration, payment and transfer of the Certificates, all as provided herein, in accordance with the terms and provisions of a Paying Agent/Registrar Agreement, attached, in substantially final form, as Exhibit A hereto, and such reasonable rules and regulations as the Paying Agent/Registrar and City may prescribe. The City covenants to

maintain and provide a Paying Agent/Registrar at all times while the Certificates are Outstanding, and any successor Paying Agent/Registrar shall be (i) a national or state banking institution or (ii) an association or a corporation organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers. Such Paying Agent/Registrar shall be subject to supervision or examination by federal or state authority and authorized by law to serve as a Paying Agent/Registrar.

The City reserves the right to appoint a successor Paying Agent/Registrar upon providing the previous Paying Agent/Registrar with a certified copy of a resolution or ordinance terminating such agency. Additionally, the City agrees to promptly cause a written notice of this substitution to be sent to each Holder of the Certificates by United States mail, first-class postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar.

Principal of, premium, if any, and interest on the Certificates, due and payable by reason of Stated Maturity, redemption, or otherwise, shall be payable only to the registered owner of the Certificates appearing on the Security Register (the *Holder* or *Holders*) maintained on behalf of the City by the Paying Agent/Registrar as hereinafter provided (i) on the Record Date (hereinafter defined) for purposes of payment of interest thereon, (ii) on the date of surrender of the Certificates for purposes of receiving payment of principal thereof upon redemption of the Certificates or at the Certificates' Stated Maturity or upon redemption of the Certificates, and (iii) on any other date for any other purpose. The City and the Paying Agent/Registrar, and any agent of either, shall treat the Holder as the owner of a Certificate for purposes of receiving payment and all other purposes whatsoever, and neither the City nor the Paying Agent/Registrar, or any agent of either, shall be affected by notice to the contrary.

Principal of and premium, if any, on the Certificates shall be payable only upon presentation and surrender of the Certificates to the Paying Agent/Registrar at its corporate trust office (provided, however, with respect to principal payments prior to the final Stated Maturity, the Certificates need not be surrendered to the Paying Agent/Registrar, who will merely document this payment on an internal ledger maintained by the Paying Agent/Registrar). Interest on the Certificates shall be paid to the Holder whose name appears in the Security Register at the close of business on the fifteenth day of the month next preceding an Interest Payment Date for the Certificates (the *Record Date*) and shall be paid (i) by check sent on or prior to the appropriate date of payment by United States mail, first-class postage prepaid, by the Paying Agent/Registrar, to the address of the Holder appearing in the Security Register or (ii) by such other method, acceptable to the Paying Agent/Registrar, requested in writing by the Holder at the Holder's risk and expense.

If the date for the payment of the principal of, premium, if any, or interest on the Certificates shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a day. The payment on such date shall have the same force and effect as if made on the original date any such payment on the Certificates was due.

In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a Special Record Date) will be

established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the *Special Payment Date* - which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Holder of a Certificate appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

SECTION 4. Redemption.

A. Optional Redemption. The Certificates having Stated Maturities on and after February 1, 2025 shall be subject to redemption prior to Stated Maturity, at the option of the City, on February 1, 2024, or on any date thereafter, as a whole or in part, in principal amounts of \$5,000 or any integral multiple thereof (and if within a Stated Maturity selected at random and by lot by the Paying Agent/Registrar), at the redemption price of par plus accrued interest to the date of redemption.

B. Exercise of Redemption Option. At least forty-five (45) days prior to a date set for the redemption of Certificates (unless a shorter notification period shall be satisfactory to the Paying Agent/Registrar), the City shall notify the Paying Agent/Registrar of its decision to exercise the right to redeem Certificates, the principal amount of each Stated Maturity to be redeemed, and the date set for the redemption thereof. The decision of the City to exercise the right to redeem Certificates shall be entered in the minutes of the governing body of the City.

C. Selection of Certificates for Redemption. If less than all Outstanding Certificates of the same Stated Maturity are to be redeemed on a redemption date, the Paying Agent/Registrar shall select at random and by lot the Certificates to be redeemed, provided that if less than the entire principal amount of a Certificate is to be redeemed, the Paying Agent/Registrar shall treat such Certificate then subject to redemption as representing the number of Certificates Outstanding which is obtained by dividing the principal amount of such Certificate by \$5,000.

D. Notice of Redemption. If the Purchasers are not the Holder of all of the Certificates, not less than thirty (30) days prior to a redemption date for the Certificates, a notice of redemption shall be sent by United States mail, first-class postage prepaid, in the name of the City and at the City's expense, by the Paying Agent/Registrar to each Holder of a Certificate to be redeemed, in whole or in part, at the address of the Holder appearing on the Security Register at the close of business on the business day next preceding the date of mailing such notice, and any notice of redemption so mailed shall be conclusively presumed to have been duly given irrespective of whether received by the Holder.

All notices of redemption shall (i) specify the date of redemption for the Certificates, (ii) identify the Certificates to be redeemed and, in the case of a portion of the principal amount to be redeemed, the principal amount thereof to be redeemed, (iii) state the redemption price, (iv) state that the Certificates, or the portion of the principal amount thereof to be redeemed, shall become due and payable on the redemption date specified, and the interest thereon, or on the portion of the principal amount thereof to be redeemed, shall cease to accrue from and after the redemption date, and (v) specify that payment of the redemption price for the Certificates, or the

principal amount thereof to be redeemed, shall be made at the corporate trust office of the Paying Agent/Registrar only upon presentation and surrender thereof by the Holder.

If a Certificate is subject by its terms to redemption and has been called for redemption and notice of redemption thereof has been duly given or waived as herein provided, such Certificate (or the principal amount thereof to be redeemed) so called for redemption shall become due and payable, and if money sufficient for the payment of such Certificates (or of the principal amount thereof to be redeemed) at the then applicable redemption price is held for the purpose of such payment by the Paying Agent/Registrar, then on the redemption date designated in such notice, interest on the Certificates (or the principal amount thereof to be redeemed) called for redemption shall cease to accrue and such Certificates shall not be deemed to be Outstanding in accordance with the provisions of this Ordinance. This notice may also be published once in a financial publication, journal, or reporter of general circulation among securities dealers in the City of New York, New York (including, but not limited to, The Bond Buyer and The Wall Street Journal), or in the State of Texas (including, but not limited to, The Texas Bond Reporter).

E. Transfer/Exchange of Certificates. Neither the City nor the Paying Agent/Registrar shall be required (1) to transfer or exchange any Certificate during a period beginning forty-five (45) days prior to the date fixed for redemption of the Certificates or (2) to transfer or exchange any Certificate selected for redemption, provided, however, such limitation of transfer shall not be applicable to an exchange by the Holder of the unredeemed balance of a Certificate which is subject to redemption in part.

SECTION 5. Execution - Registration. The Certificates shall be executed on behalf of the City by its Mayor or Mayor Pro Tem under the seal of the City reproduced or impressed thereon and attested by its City Secretary. The signature of either of said officers on the Certificates may be manual or facsimile. Certificates bearing the manual or facsimile signatures of individuals who were, at the time of the Certificate Date, the proper officers of the City shall bind the City, notwithstanding that such individuals or either of them shall cease to hold such offices prior to the delivery of the Certificates to the Purchasers (hereinafter defined), all as authorized and provided in Chapter 1201, as amended, Texas Government Code.

No Certificate shall be entitled to any right or benefit under this Ordinance, or be valid or obligatory for any purpose, unless there appears on such Certificate either a certificate of registration substantially in the form provided in Section 8C, executed by the Comptroller of Public Accounts of the State of Texas or his duly authorized agent by manual signature, or a certificate of registration substantially in the form provided in Section 8D, executed by the Paying Agent/Registrar by manual signature, and either such certificate upon any Certificate shall be conclusive evidence, and the only evidence, that such Certificate has been duly certified or registered and delivered.

SECTION 6. Registration - Transfer - Exchange of Certificates - Predecessor Certificates. The Paying Agent/Registrar shall obtain, record, and maintain in the Security Register the name and address of every owner of the Certificates, or if appropriate, the nominee thereof. Any Certificate may, in accordance with its terms and the terms hereof, be transferred or exchanged for Certificates of other authorized denominations upon the Security Register by the Holder, in person or by his duly authorized agent, upon surrender of such Certificate to the

Paying Agent/Registrar for cancellation, accompanied by a written instrument of transfer or request for exchange duly executed by the Holder or by his duly authorized agent, in form satisfactory to the Paying Agent/Registrar.

Upon surrender for transfer of any Certificate at the corporate trust office of the Paying Agent/Registrar, the City shall execute and the Paying Agent/Registrar shall register and deliver, in the name of the designated transferee or transferees, one or more new Certificates of authorized denomination and having the same Stated Maturity and of a like interest rate and aggregate principal amount as the Certificate or Certificates surrendered for transfer.

At the option of the Holder, Certificates may be exchanged for other Certificates of authorized denominations and having the same Stated Maturity, bearing the same rate of interest and of like aggregate principal amount as the Certificates surrendered for exchange upon surrender of the Certificates to be exchanged at the corporate trust office of the Paying Agent/Registrar. Whenever any Certificates are so surrendered for exchange, the City shall execute, and the Paying Agent/Registrar shall register and deliver, the Certificates to the Holder requesting the exchange.

All Certificates issued upon any transfer or exchange of Certificates shall be delivered at the corporate trust office of the Paying Agent/Registrar, or be sent by registered mail to the Holder at his request, risk, and expense, and upon the delivery thereof, the same shall be the valid and binding obligations of the City, evidencing the same obligation to pay, and entitled to the same benefits under this Ordinance, as the Certificates surrendered upon such transfer or exchange.

All transfers or exchanges of Certificates pursuant to this Section shall be made without expense or service charge to the Holder, except as otherwise herein provided, and except that the Paying Agent/Registrar shall require payment by the Holder requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange.

Certificates canceled by reason of an exchange or transfer pursuant to the provisions hereof are hereby defined to be Predecessor Certificates, evidencing all or a portion, as the case may be, of the same debt evidenced by the new Certificate or Certificates registered and delivered in the exchange or transfer therefor. Additionally, the term Predecessor Certificates shall include any Certificate registered and delivered pursuant to Section 25 in lieu of a mutilated, lost, destroyed, or stolen Certificate which shall be deemed to evidence the same obligation as the mutilated, lost, destroyed, or stolen Certificate.

SECTION 7. Initial Certificate(s). The Certificates herein authorized shall be issued initially either (i) as a single fully registered Certificate in the total principal amount of \$3,100,000 with principal installments to become due and payable as provided in Section 2 and numbered T-1, or (ii) as one (1) fully registered Certificate for each year of Stated Maturity in the applicable principal amount and denomination and to be numbered consecutively from T-1 and upward (the *Initial Certificate(s)*) and, in either case, the Initial Certificate(s) shall be registered in the name of the Purchasers or the designee thereof. The Initial Certificate(s) shall be the Certificates submitted to the Office of the Attorney General of the State of Texas for

approval, certified and registered by the Office of the Comptroller of Public Accounts of the State of Texas and delivered to the Purchasers. Any time after the delivery of the Initial Certificate(s) to the Purchasers, the Paying Agent/Registrar, pursuant to written instructions from the Purchasers or their designee, shall cancel the Initial Certificate(s) delivered hereunder and exchange therefor definitive Certificates of authorized denominations, Stated Maturities, principal amounts and bearing applicable interest rates, on the unpaid principal amounts from the Closing Date, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, to Stated Maturity, and shall be lettered "R" and numbered consecutively from one (1) upward for transfer and delivery to the Holders named at the addresses identified therefor; all pursuant to and in accordance with such written instructions from the Purchasers, or the designee thereof, and such other information and documentation as the Paying Agent/Registrar may reasonably require.

SECTION 8. Forms.

A. Forms Generally. The Certificates, the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the Registration Certificate of Paying Agent/Registrar, and the form of Assignment to be printed on each of the Certificates shall be substantially in the forms set forth in this Section with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance and may have such letters, numbers, or other marks of identification (including insurance legends in the event the Certificates, or any Stated Maturities thereof, are insured and identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including any reproduction of an opinion of counsel) thereon as may, consistent herewith, be established by the City or determined by the officers executing the Certificates as evidenced by their execution thereof. Any portion of the text of any Certificate may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Certificate.

The definitive Certificates shall be printed, lithographed, or engraved, produced by any combination of these methods, or produced in any other similar manner, all as determined by the officers executing the Certificates as evidenced by their execution thereof, but the Initial Certificate(s) submitted to the Attorney General of the State of Texas may be typewritten or photocopied or otherwise reproduced.

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B. Form of Definitive Certificate.REGISTERED
NO. _____REGISTERED
PRINCIPAL AMOUNT
\$ _____

United States of America
State of Texas
County of Cameron
CITY OF LOS FRESNOS, TEXAS
COMBINATION TAX AND LIMITED PLEDGE REVENUE
CERTIFICATE OF OBLIGATION, SERIES 2014

Certificate Date: August 1, 2014 Interest Rate: Stated Maturity: CUSIP No.

REGISTERED OWNER: _____

PRINCIPAL AMOUNT: _____

The City of Los Fresnos, Texas (the *City*), a body corporate and municipal corporation in the County of Cameron, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay to the order of the Registered Owner specified above, or the registered assigns thereof, on the Stated Maturity date specified above, the Principal Amount specified above (or so much thereof as shall not have been paid upon prior redemption) and to pay interest on the unpaid Principal Amount hereof from the Closing Date, or from the most recent interest payment date to which interest has been paid or duly provided for until such Principal Amount has become due and payment thereof has been made or duly provided for, to the earlier of redemption or Stated Maturity, while Outstanding, at the per annum rate of interest specified above computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 1 and August 1 of each year commencing February 1, 2015.

Principal and premium, if any, of this Certificate shall be payable to the Registered Owner hereof (the *Holder*), upon presentation and surrender, at the corporate trust office of the Paying Agent/Registrar executing the registration certificate appearing hereon or a successor thereof (provided, however, with respect to principal payments prior to the final Stated Maturity, the Certificates need not be surrendered to the Paying Agent/Registrar, who will merely document this payment on an internal ledger maintained by the Paying Agent/Registrar). Interest shall be payable to the Holder of this Certificate (or one or more Predecessor Certificates, as defined in the Ordinance hereinafter referenced) whose name appears on the Security Register maintained by the Paying Agent/Registrar at the close of business on the Record Date, which is the fifteenth day of the month next preceding each Interest Payment Date. All payments of principal of and interest on this Certificate shall be in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. Interest shall be paid by the Paying Agent/Registrar by check sent on or prior to the appropriate date of payment by United States mail, first-class postage prepaid, to the Holder

hereof at the address appearing in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by the Holder hereof at the Holder's risk and expense.

This Certificate is one of the series specified in its title issued in the aggregate principal amount of \$3,100,000 (the *Certificates*) pursuant to an Ordinance adopted by the governing body of the City (the *Ordinance*), for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) constructing street improvements (including utilities repair, replacement, and relocation), curb, gutters, hike and bike trails, and sidewalk improvements and drainage incidental thereto, (2) constructing, acquiring, purchasing, renovating, enlarging, and improving the City's utility system, (3) acquiring, designing, constructing, purchasing, renovating, equipping, enlarging, and improving the City's parks and recreation facilities, including hike and bike trails; (4) architectural and design professional services for the City's to be constructed City Hall Complex, (5) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (6) the payment of professional services related to the design, construction, project management, and financing of the aforementioned projects, under and in strict conformity with the laws of the State of Texas, particularly the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through 271.064, Chapter 1502, as amended, Texas Government Code, and the City's Home Rule Charter.

As provided in the Ordinance, the Certificates having Stated Maturities on and after February 1, 2025 shall be subject to redemption prior to Stated Maturity, at the option of the City, on February 1, 2024, or on any date thereafter, as a whole or in part, in principal amounts of \$5,000 or any integral multiple thereof (and if within a Stated Maturity selected at random and by lot by the Paying Agent/Registrar), at the redemption price of par plus accrued interest to the date of redemption and upon thirty (30) days prior written notice being given by United States mail, first-class postage prepaid, to Holders of the Certificates to be redeemed, and subject to the terms and provisions relating thereto contained in the Ordinance. If this Certificate is subject to redemption prior to Stated Maturity and is in a denomination in excess of \$5,000, portions of the principal sum hereof in installments of \$5,000 or any integral multiple thereof may be redeemed, and, if less than all of the principal sum hereof is to be redeemed, there shall be issued, without charge therefor, to the Holder hereof, upon the surrender of this Certificate to the Paying Agent/Registrar at its corporate trust office, a new Certificate or Certificates of like Stated Maturity and interest rate in any authorized denominations provided in the Ordinance for the then unredeemed balance of the principal sum hereof.

If this Certificate (or any portion of the principal sum hereof) shall have been duly called for redemption and notice of such redemption has been duly given, then upon such redemption date this Certificate (or the portion of the principal sum hereof to be redeemed) shall become due and payable, and, if the money for the payment of the redemption price, and the interest accrued on the principal amount to be redeemed to the date of redemption is held for the purpose of such payment by the Paying Agent/Registrar, interest shall cease to accrue and be payable hereon from and after the redemption date on the principal amount hereof to be redeemed. If this Certificate is called for redemption, in whole or in part, the City or the Paying Agent/Registrar shall not be required to issue, transfer, or exchange this Certificate within forty-five (45) days of the date fixed for redemption; provided, however, such limitation of transfer shall not be

applicable to an exchange by the Holder of the unredeemed balance hereof in the event of its redemption in part.

The Certificates of this series are payable from the proceeds of an ad valorem tax levied upon all taxable property within the City, within the limitations prescribed by law, and are further payable from and secured by a lien on and pledge of the Pledged Revenues (identified and defined in the Ordinance), being a limited amount of the Net Revenues derived from the operation of the City's combined utility system (the *System*), such lien on and pledge of the limited amount of Net Revenues being subordinate and inferior to the lien on and pledge of such Net Revenues securing payment of the currently outstanding Prior Lien Obligations and Subordinate Lien Obligations, and any Additional Prior Lien Obligations, Junior Lien Obligations, or Additional Subordinate Lien Obligations hereafter issued by the City. The City has previously authorized the issuance of the currently outstanding Limited Pledge Obligations (identified and defined in the Ordinance) that are payable, in part, from and secured by a lien on and pledge of a limited amount of the Net Revenues of the System in the manner and as described in the ordinances authorizing the issuance of the currently outstanding Limited Pledge Obligations. In the Ordinance, the City reserves and retains the right to issue Additional Prior Lien Obligations, Junior Lien Obligations, Additional Subordinate Lien Obligations, and Additional Limited Pledge Obligations (all as identified and defined in the Ordinance), while the Certificates are Outstanding, without limitation as to principal amount but subject to any terms, conditions or restrictions as may be applicable thereto under law or otherwise.

Reference is hereby made to the Ordinance, a copy of which is on file in the corporate trust office of the Paying Agent/Registrar, and to all of the provisions of which the Holder by his acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied and the revenues pledged for the payment of the Certificates; the terms and conditions under which the City may issue Additional Prior Lien Obligations, Junior Lien Obligations, Additional Subordinate Lien Obligations, and Additional Limited Pledge Obligations; the terms and conditions relating to the transfer or exchange of the Certificates; the conditions upon which the Ordinance may be amended or supplemented with or without the consent of the Holder; the rights, duties, and obligations of the City and the Paying Agent/Registrar; the terms and provisions upon which this Certificate may be redeemed or discharged at or prior to the Stated Maturity thereof, and deemed to be no longer Outstanding thereunder; and for the other terms and provisions specified in the Ordinance. Capitalized terms used herein have the same meanings assigned in the Ordinance.

This Certificate, subject to certain limitations contained in the Ordinance, may be transferred on the Security Register upon presentation and surrender at the corporate trust office of the Paying Agent/Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar duly executed by the Holder hereof, or his duly authorized agent, and thereupon one or more new fully registered Certificates of the same Stated Maturity, of authorized denominations, bearing the same rate of interest, and of the same aggregate principal amount will be issued to the designated transferee or transferees.

The City and the Paying Agent/Registrar, and any agent of either, shall treat the Holder hereof whose name appears on the Security Register (i) on the Record Date as the owner hereof for purposes of receiving payment of interest hereon, (ii) on the date of surrender of this

Certificate as the owner hereof for purposes of receiving payment of principal hereof at its Stated Maturity or its redemption, in whole or in part, and (iii) on any other date as the owner hereof for all other purposes, and neither the City nor the Paying Agent/Registrar, or any such agent of either, shall be affected by notice to the contrary. In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a Special Record Date) will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the *Special Payment Date* - which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Holder appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

It is hereby certified, covenanted, and represented that all acts, conditions, and things required to be performed, exist, and be done precedent to the issuance of this Certificate in order to render the same a legal, valid, and binding obligation of the City have been performed, exist, and have been done, in regular and due time, form, and manner, as required by the laws of the State of Texas and the Ordinance, and that issuance of the Certificates does not exceed any constitutional or statutory limitation; and that due provision has been made for the payment of the principal of, premium if any, and interest on the Certificates by the levy of a tax and collection of Pledged Revenues as aforestated. In case any provision in this Certificate or any application thereof shall be deemed invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions and applications shall not in any way be affected or impaired thereby. The terms and provisions of this Certificate and the Ordinance shall be construed in accordance with and shall be governed by the laws of the State of Texas.

[The remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, the City has caused this Certificate to be duly executed under its official seal.

CITY OF LOS FRESNOS, TEXAS

By _____
Mayor

ATTEST:

City Secretary

(CITY SEAL)

Attachment: co series 2014 ordinance (1101 : Ordinance on 2014 Certificates of Obligation)

C. *Form of Registration Certificate of Comptroller of Public Accounts to Appear on Initial Certificate(s) Only.

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE COMPTROLLER OF	§	
PUBLIC ACCOUNTS	§	
	§	REGISTER NO. _____
THE STATE OF TEXAS	§	

I HEREBY CERTIFY that this Certificate has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and duly registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS my signature and seal of office this _____

Comptroller of Public Accounts
of the State of Texas

(SEAL)

*NOTE TO PRINTER: Not to appear on printed Certificates.

D. Form of Certificate of Paying Agent/Registrar to Appear on Definitive Certificates Only.

REGISTRATION CERTIFICATE OF PAYING AGENT/REGISTRAR

This Certificate has been duly issued under the provisions of the within-mentioned Ordinance; the Certificate or Certificates of the above-entitled and designated series originally delivered having been approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts, as shown by the records of the Paying Agent/Registrar.

Registered this date:

_____, _____, _____,
as Paying Agent/Registrar

By: _____
Authorized Signature

*NOTE TO PRINTER: Print on Definitive Certificates.

Attachment: co series 2014 ordinance (1101 : Ordinance on 2014 Certificates of Obligation)

E. Form of Assignment.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns, and transfers unto
(Print or typewrite name, address, and zip code of transferee): _____

(Social Security or other identifying number): _____
the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints
_____ attorney to transfer the within Certificate on the books kept for
registration thereof, with full power of substitution in the premises.

DATED: _____

NOTICE: The signature on this assignment must
correspond with the name of the registered owner as it
appears on the face of the within Certificate in every
particular.

Signature guaranteed:

F. The Initial Certificate(s) shall be in the form set forth in paragraph B of this
Section, except that the form of a single fully registered Initial Certificate shall be modified as
follows:

(i) immediately under the name of the Certificate(s) the headings "Interest Rate and
"Stated Maturity shall both be completed "as shown below";

(ii) the first two paragraphs shall read as follows:

Registered Owner: _____

Principal Amount: _____

The City of Los Fresnos, Texas (the *City*), a body corporate and municipal corporation in
the County of Cameron, State of Texas, for value received, acknowledges itself indebted to and
hereby promises to pay to the order of the Registered Owner named above, or the registered
assigns thereof, the Principal Amount specified above stated to mature on the first day of
February in each of the years and in principal amounts and bearing interest at per annum rates in
accordance with the following schedule:

Years of
Stated Maturity

Principal
Amounts (\$)

Interest
Rates (%)

(Information to be inserted
from schedule in Section 2 hereof)

(or so much thereof as shall not have been paid upon prior redemption) and to pay interest on the unpaid Principal Amounts hereof from the Closing Date (anticipated to occur on September 11, 2014), or from the most recent interest payment date to which interest has been paid or duly provided for until the Principal Amount has become due and payment thereof has been made or duly provided for, to the earlier of redemption or Stated Maturity, at the per annum rates of interest specified above, computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 1 and August 1 of each year, commencing February 1, 2015.

Principal of this Certificate shall be payable to the Registered Owner hereof (the *Holder*), upon its presentation and surrender, to Stated Maturity or prior redemption, while Outstanding, at the corporate trust office of _____, _____, _____ (the *Paying Agent/Registrar*) (provided, however, with respect to principal payments prior to the final Stated Maturity, the Certificates need not be surrendered to the Paying Agent/Registrar, who will merely document this payment on an internal ledger maintained by the Paying Agent/Registrar). Interest shall be payable to the Holder of this Certificate whose name appears on the Security Register maintained by the Paying Agent/Registrar at the close of business on the Record Date, which is the fifteenth day of the month next preceding each Interest Payment Date. All payments of principal of and interest on this Certificate shall be in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. Interest shall be paid by the Paying Agent/Registrar by check sent on or prior to the appropriate date of payment by United States mail, first-class postage prepaid, to the Holder hereof at the address appearing in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Holder hereof.

G. Insurance Legend. If bond insurance is obtained by the City or the Purchasers for the Certificates, the Definitive Certificates and the Initial Certificate(s) shall bear an appropriate legend as provided by the insurer.

SECTION 9. Definitions. For all purposes of this Ordinance (as defined below), except as otherwise expressly provided or unless the context otherwise requires: (i) the terms defined in this Section have the meanings assigned to them in this Section, and certain terms used in Sections 27 and 44 of this Ordinance have the meanings assigned to them in Sections 27 and 44 of this Ordinance, and all such terms, include the plural as well as the singular; (ii) all references in this Ordinance to designated "Sections" and other subdivisions are to the designated Sections and other subdivisions of this Ordinance as originally adopted; and (iii) the words "herein", "hereof", and "hereunder" and other words of similar import refer to this Ordinance as a whole and not to any particular Section or other subdivision.

A. The term *Additional Limited Pledge Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or other evidences of indebtedness hereafter issued by the

City payable wholly or in part from a pledge of and lien on Net Revenues of the System which pledge of revenues is limited pursuant to Section 1502.052, as amended, Texas Government Code, all as further provided in Section 20 of this Ordinance, and (ii) any obligations issued to refund the foregoing as determined by the City Council in accordance with any applicable law.

B. The term *Additional Prior Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or any similar obligations hereafter issued by the City that are payable wholly or in part from and equally and ratably secured by a prior and first lien on and pledge of the Net Revenues of the System, all as further provided in Section 20 of this Ordinance, and (ii) any obligations issued to refund the foregoing that are payable from and secured by a prior and first lien on and pledge of the Net Revenues of the System as determined by the City Council in accordance with any applicable law.

C. The term *Additional Subordinate Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or any similar obligations hereafter issued by the City that are payable wholly or in part from and equally and ratably secured by a subordinate and inferior lien on and pledge of the Net Revenues of the System, all as further provided in Section 20 of this Ordinance, and (ii) any obligations issued to refund the foregoing that are payable from and equally and ratably secured by a subordinate and inferior lien on and pledge of the Net Revenues of the System as determined by the City Council in accordance with any applicable law.

D. The term *Authorized Officials* shall mean the Mayor, the Mayor Pro Tem, the City Manager, the Director of Finance, and/or the City Secretary.

E. The term *Certificates* shall mean the \$ _____ "CITY OF LOS FRESNOS, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014" authorized by this Ordinance.

F. The term *Certificate Fund* shall mean the special Fund created and established by the provisions of Section 10 of this Ordinance.

G. The term *City* shall mean the City of Los Fresnos, located in Cameron County, Texas and, where appropriate, the City Council of the City.

H. The term *Closing Date* shall mean the date of physical delivery of the Initial Certificates in exchange for the payment of the agreed purchase price for the Certificates.

I. The term *Collection Date* shall mean, when reference is being made to the levy and collection of annual ad valorem taxes, the date the annual ad valorem taxes levied each year by the City become delinquent.

J. The term *Debt Service Requirements* shall mean, as of any particular date of computation, with respect to any obligations and with respect to any period, the aggregate of the amounts to be paid or set aside by the City as of such date or in such period for the payment of the principal of, premium, if any, and interest (to the extent not capitalized) on such obligations; assuming, in the case of obligations without a fixed numerical rate, that such obligations bear interest at the maximum rate permitted by the terms thereof and further assuming in the case of

obligations required to be redeemed or prepaid as to principal prior to Stated Maturity, the principal amounts thereof will be redeemed prior to Stated Maturity in accordance with the mandatory redemption provisions applicable thereto.

K. The term *Depository* shall mean an official depository bank of the City.

L. The term *Fiscal Year* shall mean the annual financial accounting period for the System now ending on September 30th of each year; provided, however, the City Council may change such annual financial accounting period to end on another date if such change is found and determined to be necessary for accounting purposes or is required by applicable law.

M. The term *Government Securities*, as used herein, shall mean (i) direct noncallable obligations of the United States, including obligations that are unconditionally guaranteed by, the United States of America; (ii) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the issuer adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than "AAA" or its equivalent; (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the issuer adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than "AAA" or its equivalent, or (iv) any additional securities and obligations hereafter authorized by the laws of the State of Texas as eligible for use to accomplish the discharge of obligations such as the Certificates.

N. The term *Gross Revenues* for any period shall mean all revenue during such period in respect or on account of the operation or ownership of the System, excluding refundable meter deposits, restricted gifts, and grants in aid of construction, but including earnings and income derived from the investment or deposit of money in any special fund or account (except the Certificate Fund) created and established for the payment or security of the Certificates.

O. The term *Holder* or *Holder*s shall mean the registered owner, whose name appears in the Security Register, for any Certificate.

P. The term *Interest Payment Date* shall mean the date interest is payable on the Certificates, being February 1 and August 1 of each year, commencing February 1, 2015, while any of the Certificates remain Outstanding.

Q. The term *Junior Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or any similar obligations hereafter issued by the City that are payable wholly or in part from and equally and ratably secured by a junior and inferior lien on and pledge of the Net Revenues of the System that is junior and inferior to the lien on and pledge thereof securing the payment of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations hereafter issued by the City, all as further provided in Section 20 of this Ordinance, and (ii) any obligations issued to refund the foregoing that are payable from and

equally and ratably secured by a junior and inferior lien on and pledge of the Net Revenues of the System as determined by the City Council in accordance with any applicable law.

R. The term *Limited Pledge Obligations* shall mean (i) the Certificates and any outstanding and unpaid obligations of the City that are payable, in part, from and secured by a subordinate and inferior lien on and pledge of a limited amount of the Net Revenues of the System and designated as follows:

(1) “City of Los Fresnos, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 1994”, dated January 15, 1994, in the original principal amount of \$1,100,000; and

(2) “City of Los Fresnos, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2005”, dated September 15, 2005, in the original principal amount of \$2,100,000;

and (ii) any obligations issued to refund any of the foregoing as determined by the City Council in accordance with any applicable law.

S. The term *Maintenance and Operating Expenses* shall mean all current expenses of operating and maintaining the System not paid from the proceeds of the Certificates, including (1) the cost of all salaries, labor, materials, repairs, and extensions necessary to render efficient service, but only if, in the case of repairs and extensions, they are, in the judgment of the City Council (reasonably and fairly exercised), necessary to maintain operation of the System and render adequate service to the City and the inhabitants thereof, or are necessary to meet some physical accident or condition which would otherwise impair obligations payable from Net Revenues, (2) payments to pension, retirement, health, hospitalization, and other employee benefit funds for employees of the City engaged in the operation or maintenance of the System, (3) payments under contracts for the purchase of water supply, treatment of sewage, or other materials, goods, or services for the System to the extent authorized by law and the provisions of such contract, (4) payments to auditors, attorneys, and other consultants incurred in complying with the obligations of the City hereunder, and (5) any legal liability of the City arising out of the operation, maintenance, or condition of the System, but excluding any allowance for depreciation, property retirement, depletion, obsolescence, and other items not requiring an outlay of cash and any interest on the Certificates or other bonds, notes, warrants, or similar obligations of the City payable from Net Revenues.

T. The term *Net Revenues* for any period shall mean the Gross Revenues of the System less the Maintenance and Operating Expenses of the System.

U. The term *Ordinance* shall mean this ordinance as finally passed and adopted by the City Council of the City.

V. The term *Outstanding* when used in this Ordinance with respect to Certificates shall mean, as of the date of determination, all Certificates issued and delivered under this Ordinance, except:

(1) those Certificates canceled by the Paying Agent/Registrar or delivered to the Paying Agent/Registrar for cancellation;

(2) those Certificates for which payment has been duly provided by the City in accordance with the provisions of Section 29 of this Ordinance; and

(3) those Certificates that have been mutilated, destroyed, lost, or stolen and replacement Certificates have been registered and delivered in lieu thereof as provided in Section 25 of this Ordinance.

W. The term *Pledged Revenues* shall mean, while the Certificates remain Outstanding, an amount of Net Revenues not in excess of \$1,000. The Pledged Revenues shall be deposited, allocated, and expended in accordance with Section 10 of this Ordinance.

X. The term *Pledged Revenue Amount* shall mean the total amount, not to exceed \$1,000 while the Certificates are Outstanding, of Net Revenues that may be transferred in whole or in part by the City in any given Fiscal Year (however, any amounts transferred prior to the final maturity date of the Certificates may not exceed the total amount of \$1,000) to the Certificate Fund.

Y. The term *Prior Lien Obligations* shall mean (i) the currently outstanding and unpaid obligations of the City that are payable wholly or in part from and equally and ratably secured by a prior and first lien on and pledge of the Net Revenues of the System as determined by the City Council in accordance with any applicable law and designated as follows:

(1) "City of Los Fresnos, Texas Waterworks and Sewer System Revenue Bonds, Series 1984", dated January 1, 1984, in the original principal amount of \$590,000;

(2) "City of Los Fresnos, Texas Waterworks and Sewer System Revenue Bonds, Series 1984-A", dated January 1, 1984, in the original principal amount of \$39,000; and

(3) "City of Los Fresnos, Texas Waterworks and Sewer System Revenue Bonds, Series 1985", dated January 1, 1985, in the original principal amount of \$81,000;

Z. The term *Purchasers* shall mean the initial purchaser or purchasers of the Certificates named in Section 26 of this Ordinance.

AA. The term *Stated Maturity* shall mean the annual principal payments of the Certificates payable on February 1 of each year the Certificates are Outstanding as set forth in Section 2 of this Ordinance.

BB. The term *Subordinate Lien Obligations* shall mean (i) the outstanding and unpaid obligations of the City that are payable, in whole or in part, from and equally and secured by a subordinate and inferior lien on and pledge of the Net Revenues of the System and designated as follows:

(1) “City of Los Fresnos, Texas Combination Tax and Subordinate Lien Revenue Certificates of Obligation, Series 2002”, dated February 1, 2002, in the original principal amount of \$360,000;

(2) “City of Los Fresnos, Texas Combination Tax and Subordinate Lien Revenue Certificates of Obligation, Series 2008”, dated August 1, 2008, in the original principal amount of \$2,200,000;

(3) “City of Los Fresnos, Texas Combination Tax and Subordinate Lien Revenue Certificates of Obligation, Series 2009”, dated February 1, 2009, in the original principal amount of \$4,975,000;

(4) “City of Los Fresnos, Texas Combination Tax and Subordinate Lien Revenue Certificates of Obligation, Series 2009A”, dated September 1, 2009, in the original principal amount of \$391,000; and

(ii) obligations hereafter issued to refund any of the foregoing that are payable from and equally and ratably secured by a subordinate and inferior lien on and pledge of the Net Revenues of the System as determined by the City Council in accordance with any applicable law.

CC. The term *System* shall mean all properties, facilities, and plants currently owned, operated, and maintained by the City for the supply, treatment, transmission, and distribution of treated potable water and the collection, treatment, and disposal of waterborne wastes together with all future extensions, improvements, and additions thereto and replacements thereof, *excluding* from the foregoing, however, to the extent now or hereafter authorized or permitted by law, facilities of any kind which are declared by the City Council, prior to the acquisition or construction thereof by the City, not to be a part of the System and which are not acquired or constructed by or on behalf of the City with Net Revenues of the System or any part thereof or with proceeds from the issuance of obligations of the City which are payable from Net Revenues of the System or any part thereof.

SECTION 10. Certificate Fund – Investments. For the purpose of paying the interest on and to provide a sinking fund for the payment, redemption, and retirement of the Certificates, there shall be and is hereby created a special fund to be designated “COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014, INTEREST AND SINKING FUND” (the *Certificate Fund*), which fund shall be kept and maintained at the Depository, and money deposited in the Certificate Fund shall be used for no other purpose and shall be maintained as provided in Section 27. Authorized Officials of the City are hereby authorized and directed to make withdrawals from the Certificate Fund sufficient to pay the purchase price or the amount of principal of, premium, if any, and interest on the Certificates as the same become due and payable and shall cause to be transferred to the Paying Agent/Registrar from money on deposit in the Certificate Fund an amount sufficient to pay the amount of principal and/or interest stated to mature on the Certificates, such transfer of funds to the Paying Agent/Registrar to be made in such manner as will cause immediately available funds to be deposited with the Paying Agent/Registrar on or before the business day next preceding each interest and principal payment date for the Certificates.

The City, at its sole discretion, may deposit the Pledged Revenue Amount to the Certificate Fund. The Pledged Revenue Amount, if deposited, shall be expended annually to pay principal of and interest on the Certificates as the same become due and payable. This Pledged Revenue Amount shall be accounted for and transferred to the Paying Agent/Registrar in accordance with the provisions of the previous paragraph of this Section.

Pending the transfer of funds to the Paying Agent/Registrar, money deposited in any fund created and established by this Ordinance may, at the option of the City, be placed in time deposits, certificates of deposit, guaranteed investment contracts, or similar contractual agreements, as permitted by the provisions of the Public Funds Investment Act, as amended, Chapter 2256, Texas Government Code, secured (to the extent not insured by the Federal Deposit Insurance Corporation) by obligations of the type hereinafter described, or be invested, as authorized by any law, including investments held in book-entry form, in securities, including, but not limited to, direct obligations of the United States of America, obligations guaranteed or insured by the United States of America, which, in the opinion of the Attorney General of the United States, are backed by its full faith and credit or represent its general obligations, or invested in indirect obligations of the United States of America, including, but not limited to, evidences of indebtedness issued, insured or guaranteed by such governmental agencies as the Federal Land Banks, Federal Intermediate Credit Banks, Banks for Cooperatives, Federal Home Loan Banks, Government National Mortgage Association, Farmers Home Administration, Federal Home Loan Mortgage Association, Small Business Administration, or Federal Housing Association; provided that all such deposits and investments shall be made in such a manner that the money required to be expended from such fund will be available at the proper time or times. All interest and income derived from deposits and investments in any fund established pursuant to the provisions of this Ordinance shall be credited to, and any losses debited to, such fund. All such investments shall be sold promptly when necessary to prevent any default in connection with the Certificates.

SECTION 11. Tax Levy. To provide for the payment of the Debt Service Requirements on the Certificates being (i) the interest on the Certificates and (ii) a sinking fund for their redemption at Stated Maturity or a sinking fund of 2% (whichever amount shall be the greater), there shall be and there is hereby levied for the current year and each succeeding year thereafter while the Certificates or any interest thereon shall remain Outstanding, a sufficient tax, within the limitations prescribed by law, on each one hundred dollars valuation of taxable property in the City, adequate to pay such Debt Service Requirements, full allowance being made for delinquencies and costs of collection; said tax shall be assessed and collected each year and applied to the payment of the Debt Service Requirements, and the same shall not be diverted to any other purpose. The taxes so levied and collected shall be paid into the Certificate Fund and are thereafter pledged to the payment of the Certificates. The City Council hereby declares its purpose and intent to provide and levy a tax legally and fully sufficient to pay such Debt Service Requirements, it having been determined that the existing and available taxing authority of the City for such purpose is adequate to permit a legally sufficient tax in consideration of all other outstanding indebtedness.

The amount of taxes to be provided annually for the payment of the principal of and interest on the Certificates shall be determined and accomplished in the following manner:

A. Prior to the date the City Council establishes the annual tax rate and passes an ordinance levying ad valorem taxes each year, the City Council shall determine:

(1) the amount of Debt Service Requirements to become due and payable on the Certificates between the Collection Date for the taxes then to be levied and the Collection Date for the taxes to be levied during the next succeeding calendar year;

(2) the amount on deposit in the Certificate Fund after (a) deducting therefrom the total amount of Debt Service Requirements to become due on Certificates prior to the Collection Date for the ad valorem taxes to be levied and (b) adding thereto the amount of the Pledged Revenues, if any, to be appropriated and allocated during such year to pay such Debt Service Requirements, if any, prior to the Collection Date for the ad valorem taxes to be levied; and

(3) the amount of Pledged Revenues, if any, to be appropriated and to be set aside for the payment of the Debt Service Requirements on the Certificates between the Collection Date for the taxes then to be levied and the Collection Date for the taxes to be levied during the next succeeding Fiscal Year.

B. The amount of taxes to be levied annually each year to pay the Debt Service Requirements on the Certificates shall be the amount established in paragraph (1) above less the sum total of the amounts established in paragraphs (2) and (3), after taking into consideration delinquencies and costs of collecting such annual taxes.

SECTION 12. Pledge of Revenues. The City hereby covenants and agrees that, subject to (i) any prior lien on and pledge of the Net Revenues of the System to the payment and security of the currently outstanding Prior Lien Obligations, Subordinate Lien Obligations, and any Prior Lien Obligations, Junior Lien Obligations, or Additional Subordinate Lien Obligations hereafter issued by the City and (ii) the lien on and pledge of a limited amount of the Net Revenues to the payment and security of the currently outstanding Limited Pledge Obligations, the Pledged Revenues are hereby irrevocably pledged to the payment of the principal of and interest on the Certificates and the pledge of Pledged Revenues herein made for the payment of the Certificates shall constitute a lien on the Pledged Revenues in accordance with the terms and provisions hereof and be valid and binding without any physical delivery thereof or further act by the City.

SECTION 13. System Fund. The City hereby covenants and agrees that all Gross Revenues derived from the operation of the System shall be kept separate and apart from all other funds, accounts and money of the City and shall be deposited as collected into the "CITY OF LOS FRESNOS, TEXAS UTILITY SYSTEM FUND" (the *System Fund*). All money deposited in the System Fund shall be pledged and appropriated to the extent required for the following purposes and in the order of priority shown:

- First: to the payment of the reasonable and proper Maintenance and Operating Expenses of the System required by statute or ordinances authorizing the issuance of any indebtedness of the City to be a first charge on and claim against the Gross Revenues of the System;

- Second: To the payment of the amounts that must be deposited in the special funds and accounts created and established for the payment, security, and benefit of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinance authorizing their issuance;
- Third: To the payment of the amounts that must be deposited in the special funds and accounts created and established for the payment, security, and benefit of any Junior Lien Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinance authorizing their issuance;
- Fourth: To the payment of the amounts that must be deposited in the special funds and accounts created and established for the payment, security, and benefit of the currently outstanding Subordinate Lien Obligations and any Additional Subordinate Lien Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinances authorizing their issuance; and
- Fifth: To the payment of the amounts that may be deposited in the special funds and accounts established for the payment of the currently outstanding Limited Pledge Obligations, including the Certificates, and any Additional Limited Pledge Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinances authorizing their issuance.

Any Net Revenues remaining in the System Fund after satisfying the foregoing payments, or making adequate and sufficient provision for the payment, security and benefit thereof, may be appropriated and used for any other City purpose now or hereafter permitted by law.

SECTION 14. Deposits to Certificate Fund – Excess Certificate Proceeds. The City hereby covenants and agrees to cause to be deposited in the Certificate Fund prior to a principal and interest payment date for the Certificates, from the Pledged Revenues in the System Fund, after the deduction of all payments required to be made to the special funds or accounts created for the payment, security, and benefit of (i) the currently outstanding Prior Lien Obligations, Subordinate Lien Obligations, and any Additional Prior Lien Obligations, Junior Lien Obligations, or Additional Subordinate Lien Obligations hereafter issued by the City and (ii) the currently outstanding Limited Pledge Obligations, any amounts budgeted to be paid therefrom in such Fiscal Year.

Accrued interest, if any, received from the Purchasers of the Certificates shall be deposited to the Certificate Fund and ad valorem taxes levied and collected for the benefit of the Certificates shall be deposited to the Certificate Fund. In addition, any surplus proceeds, including investment income therefrom, from the sale of the Certificates not expended for authorized purposes shall be deposited in the Certificate Fund, and such amounts so deposited shall reduce the sums otherwise required to be deposited in said fund from ad valorem taxes.

SECTION 15. Security of Funds. All money on deposit in the funds for which this Ordinance makes provision (except any portion thereof as may be at any time properly invested

as provided herein) shall be secured in the manner and to the fullest extent required by the laws of the State of Texas for the security of public funds, and money on deposit in such funds shall be used only for the purposes permitted by this Ordinance.

SECTION 16. Maintenance of System - Insurance. The City covenants and agrees that while the Certificates remain Outstanding it will maintain and operate the System with all possible efficiency and maintain casualty and other insurance (including a system of self-insurance) on the properties of the System and its operations of a kind and in such amounts customarily carried by municipal corporations in the State of Texas engaged in a similar type of business and that it will faithfully and punctually perform all duties with reference to the System required by the laws of the State of Texas. All money received from losses under such insurance policies, other than public liability policies, are held for the benefit of the holders of the Certificates until and unless the proceeds are paid out in making good the loss or damage in respect of which such proceeds are received, either by replacing the property destroyed or repairing the property damaged, and adequate provision for making good such loss or damage must be made within ninety (90) days after the date of loss. The payment of premiums for all insurance policies required under the provisions hereof shall be considered Maintenance and Operating Expenses. Nothing in this Ordinance shall be construed as requiring the City to expend any funds which are derived from sources other than the operation of the System but nothing herein shall be construed as preventing the City from doing so.

SECTION 17. Rates and Charges. The City hereby covenants and agrees with the Holders of the Certificates that rates and charges for utility services afforded by the System will be established and maintained to provide Gross Revenues sufficient at all times:

A. to pay, together with any other lawfully available funds, all operating, maintenance, depreciation, replacement, betterment, and other costs incurred in the maintenance and operation of the System, including, but not limited to, Maintenance and Operating Expenses; provided, however, that the City expressly reserves the right to utilize other lawfully available funds to pay the Maintenance and Operating Expenses;

B. to produce Net Revenues sufficient, together with any other lawfully available funds, to pay (i) the interest on and principal of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations hereafter issued by the City as the same becomes due and payable and the amounts required to be deposited in any special fund created and established for the payment, security, and benefit thereof, (ii) the interest on and principal of any Junior Lien Obligations hereafter issued by the City as the same becomes due and payable and the amounts required to be deposited in any special fund created and established for the payment, security, and benefit thereof, (iii) the interest on and principal of the currently outstanding Subordinate Lien Obligations and any Additional Subordinate Lien Obligations hereafter issued by the City as the same becomes due and payable and the amounts required to be deposited in any special fund created and established for the payment, security, and benefit thereof, and (iv) the amounts that may be deposited in the special funds established for the payment of the currently outstanding Limited Pledge Obligations, the Certificates, or any Additional Limited Pledge Obligations hereafter issued by the City; and

C. to pay other legally incurred indebtedness payable from the Net Revenues of the System and/or secured by a lien on the System or the Net Revenues thereof.

SECTION 18. Records and Accounts - Annual Audit. The City further covenants and agrees that so long as any of the Certificates remain Outstanding it will keep and maintain separate and complete records and accounts pertaining to the operations of the System in which complete and correct entries shall be made of all transactions relating thereto, as provided by Chapter 1502, as amended, Texas Government Code, or other applicable law. The Holders of the Certificates or any duly authorized agent or agents of the Holders shall have the right to inspect the System and all properties comprising the same. The City further agrees that, following the close of each Fiscal Year, it will cause an audit of such books and accounts to be made by an independent firm of Certified Public Accountants. Expenses incurred in making the annual audit of the operations of the System are to be regarded as Maintenance and Operating Expenses.

SECTION 19. Remedies in Event of Default. In addition to all the rights and remedies provided by the laws of the State of Texas, the City covenants and agrees particularly that in the event the City (a) defaults in the payments to be made to the Certificate Fund, or (b) defaults in the observance or performance of any other of the covenants, conditions, or obligations set forth in this Ordinance, the Holders of any of the Certificates shall be entitled to seek a writ of mandamus issued by a court of proper jurisdiction compelling and requiring the governing body of the City and other officers of the City to observe and perform any covenant, condition, or obligation prescribed in this Ordinance.

No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised from time to time and as often as may be deemed expedient. The specific remedies herein provided shall be cumulative of all other existing remedies and the specification of such remedies shall not be deemed to be exclusive.

SECTION 20. Issuance of Additional Prior Lien Obligations, Junior Lien Obligations, Additional Subordinate Lien Obligations, and Additional Limited Pledge Obligations. The City hereby expressly reserves the right to hereafter issue bonds, notes, warrants, certificates of obligation, or similar obligations, payable, wholly or in part, as appropriate, from and secured by a pledge of and lien on the Net Revenues of the System with the following priorities, without limitation as to principal amount, but subject to any terms, conditions, or restrictions applicable thereto under existing ordinances, laws, or otherwise:

A. Additional Prior Lien Obligations payable from and equally and ratably secured by a first and prior lien on and pledge of the Net Revenues of the System;

B. Junior Lien Obligations payable from and equally and ratably secured by a lien on and pledge of the Net Revenues that is junior and inferior to the lien on and pledge thereof securing the payment of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge of the Net Revenues securing the payment of the currently outstanding Subordinate Lien

Obligations, the Limited Pledge Obligations, and the Certificates, and any Additional Subordinate Lien Obligations or Additional Limited Pledge Obligations hereafter issued by the City;

C. Additional Subordinate Lien Obligations payable from and equally and ratably secured, together with the currently outstanding Subordinate Lien Obligations, by a lien on and pledge of the Net Revenues that is subordinate and inferior to the lien on and pledge thereof securing the payment of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations or Junior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge of the Net Revenues securing, in part, the payment of the currently outstanding Limited Pledge Obligations, the Certificates, and any Additional Limited Pledge Obligations hereafter issued by the City; and

D. Additional Limited Pledge Obligations secured by a lien on and pledge of a limited amount of the Net Revenues in accordance with the provisions of the following paragraph.

Additional Prior Lien Obligations, Junior Lien Obligations, or Additional Subordinate Lien Obligations, if issued, may be payable, in whole or in part, from Net Revenues (without impairment of the obligation of contract with the holders of the currently outstanding Limited Pledge Obligations and the Certificates) upon such terms and conditions as the City Council may determine. Additional Limited Pledge Obligations, if issued and payable, in whole or in part, from Pledged Revenues (defined in the same or similar terms as provided in Section 9 of this Ordinance or in the ordinances authorizing the issuance of the currently outstanding Limited Pledge Obligations), shall not in any event be construed to be payable from the Pledged Revenues authorized by this Ordinance or in the ordinances authorizing the issuance of the currently outstanding Limited Pledge Obligations to be budgeted and appropriated for the payment of the Certificates or the ordinances authorizing the issuance of the currently outstanding Limited Pledge Obligations. However, the lien on and pledge of the limited amount of Net Revenues securing, in part, the payment of the Certificates, the Limited Pledge Obligations, and any Additional Limited Pledge Obligations shall be subordinate and inferior to the pledge of and lien on the Net Revenues securing the payment of the currently outstanding Prior Lien Obligations and Subordinate Lien Obligations, and any Additional Prior Lien Obligations, Junior Lien Obligations, or Additional Subordinate Lien Obligations hereafter issued by the City.

SECTION 21. Special Covenants. The City hereby further covenants that:

A. it has the lawful power to pledge the Pledged Revenues supporting the Certificates and has lawfully exercised said powers under the laws of the State of Texas, including power existing under the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through Section 271.064, Chapter 1502, as amended, Texas Government Code, and the City's Home Rule Charter;

B. other than for the payment of the currently outstanding Prior Lien Obligations and Subordinate Lien Obligations, the Limited Pledge Obligations, and the Certificates, the Net

Revenues of the System have not in any manner been pledged to the payment of any debt or obligation of the City or of the System;

C. as long as any Certificates or any interest thereon remain Outstanding, the City will not sell, lease or encumber (except in the manner provided in Section 20 of this Ordinance) the System or any substantial part thereof, provided that this covenant shall not be construed to prohibit the sale of such machinery, or other properties or equipment which has become obsolete or otherwise unsuited to the efficient operation of the System;

D. to the extent that it legally may, the City further covenants and agrees that, so long as any of the Certificates, or any interest thereon, are Outstanding, no franchise shall be granted for the installation or operation of any competing utility systems other than those owned by the City, and the operation of any such systems by anyone other than the City is hereby prohibited; and

E. no free service of the System shall be allowed, and should the City or any of its agents or instrumentalities make use of the services and facilities of the System, payment of the reasonable value thereof shall be made by the City out of funds from sources other than the revenues and income of the System.

SECTION 22. Application of the Covenants and Agreements of the Additional Prior Lien Obligations, Junior Lien Obligations, or Additional Subordinate Lien Obligations. It is the intention of the City Council and accordingly hereby recognized and stipulated that the provisions, agreements, and covenants contained herein bearing upon the management and operations of the System, and the administration and application of Gross Revenues derived from the operation thereof, shall to the extent possible be harmonized with like provisions, agreements, and covenants contained in the ordinances authorizing the issuance of the currently outstanding Prior Lien Obligations and Subordinate Lien Obligations, and any Additional Prior Lien Obligations, Junior Lien Obligations, or Additional Subordinate Lien Obligations hereafter issued by the City, and to the extent of any irreconcilable conflict between the provisions contained herein and in the ordinances authorizing the issuance of the currently outstanding Prior Lien Obligations and Subordinate Lien Obligations, any Additional Prior Lien Obligations, Junior Lien Obligations, or Additional Subordinate Lien Obligations hereafter issued by the City, the provisions, agreements and covenants contained therein shall prevail to the extent of such conflict and be applicable to this Ordinance, especially the priority of rights and benefits conferred thereby to the holders of the currently outstanding Prior Lien Obligations, Subordinate Lien Obligations, or any Additional Prior Lien Obligations, Junior Lien Obligations, or Additional Subordinate Lien Obligations hereafter issued by the City. It is expressly recognized that prior to the issuance of any Additional Prior Lien Obligations, Junior Lien Obligations, or Additional Subordinate Lien Obligations, the City must comply with each of the conditions precedent contained in the ordinances authorizing the issuance of the currently outstanding Prior Lien Obligations and Subordinate Lien Obligations, Limited Pledge Obligations, and the Certificates, as appropriate.

SECTION 23. Notices to Holders – Waiver. Wherever this Ordinance provides for notice to Holders of any event, such notice shall be sufficiently given (unless otherwise herein

expressly provided) if in writing and sent by United States mail, first-class postage prepaid, to the address of each Holder as it appears in the Security Register.

In any case where notice to Holders is given by mail, neither the failure to mail such notice to any particular Holders, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Holders. Where this Ordinance provides for notice in any manner, such notice may be waived in writing by the Holder entitled to receive such notice, either before or after the event with respect to which such notice is given, and such waiver shall be the equivalent of such notice. Waivers of notice by Holders shall be filed with the Paying Agent/Registrar, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 24. Cancellation. All Certificates surrendered for payment, redemption, transfer, exchange, or replacement, if surrendered to the Paying Agent/Registrar, shall be promptly canceled by it and, if surrendered to the City, shall be delivered to the Paying Agent/Registrar and, if not already canceled, shall be promptly canceled by the Paying Agent/Registrar. The City may at any time deliver to the Paying Agent/Registrar for cancellation any Certificates previously certified or registered and delivered which the City may have acquired in any manner whatsoever, and all Certificates so delivered shall be promptly canceled by the Paying Agent/Registrar. All canceled Certificates held by the Paying Agent/Registrar shall be destroyed as directed by the City.

SECTION 25. Mutilated, Destroyed, Lost, and Stolen Certificates. If (1) any mutilated Certificate is surrendered to the Paying Agent/Registrar, or the City and the Paying Agent/Registrar receive evidence to their satisfaction of the destruction, loss, or theft of any Certificate, and (2) there is delivered to the City and the Paying Agent/Registrar such security or indemnity as may be required to save each of them harmless, then, in the absence of notice to the City or the Paying Agent/Registrar that such Certificate has been acquired by a bona fide purchaser, the City shall execute and, upon its request, the Paying Agent/Registrar shall register and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost, or stolen Certificate, a new Certificate of the same Stated Maturity and interest rate and of like tenor and principal amount, bearing a number not contemporaneously Outstanding.

In case any such mutilated, destroyed, lost, or stolen Certificate has become or is about to become due and payable, the City in its discretion may, instead of issuing a new Certificate, pay such Certificate.

Upon the issuance of any new Certificate or payment in lieu thereof, under this Section, the City may require payment by the Holder of a sum sufficient to cover any tax or other governmental charge imposed in relation thereto and any other expenses and charges (including attorney's fees and the fees and expenses of the Paying Agent/Registrar) connected therewith.

Every new Certificate issued pursuant to this Section in lieu of any mutilated, destroyed, lost, or stolen Certificate shall constitute a replacement of the prior obligation of the City, whether or not the mutilated, destroyed, lost, or stolen Certificate shall be at any time enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Certificates.

The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost, or stolen Certificates.

SECTION 26. Sale of the Certificates - Approval of Purchase and Investment Letter – Use of Certificate Proceeds. The Certificates authorized by this Ordinance are hereby sold by the City to _____ (the *Purchasers*, having all the rights, benefits, and obligations of a Holder) in accordance with the provisions of a Purchase and Investment Letter dated August 12, 2014 (the *Purchase Contract*), attached hereto as Exhibit B and incorporated herein by reference as a part of this Ordinance for all purposes. The Initial Certificate shall be registered in the name of _____. The pricing and terms of the sale of the Certificates are hereby found and determined to be the most advantageous reasonably obtainable by the City. The Mayor or Mayor Pro Tem of the City is hereby authorized and directed to execute the Purchase Contract for and on behalf of the City and as the act and deed of the City Council, and in regard to the approval and execution of the Purchase Contract, the City Council hereby finds, determines and declares that the representations, warranties, and agreements of the City contained in the Purchase Contract are true and correct in all material respects and shall be honored and performed by the City. Delivery of the Certificates to the Purchasers shall occur as soon as practicable after the adoption of this Ordinance, upon payment therefor in accordance with the terms of the Purchase Contract.

Proceeds from the sale of the Certificates shall be applied as follows:

(1) Accrued interest, if any, received from the Purchasers shall be deposited into the Certificate Fund.

(2) The balance of the proceeds derived from the sale of the Certificates (after paying costs of issuance) shall be deposited into the special construction account or accounts created for the projects to be constructed with the proceeds of the Certificates and used to pay costs of such projects. This special construction account shall be established and maintained at the Depository and shall be invested in accordance with the provisions of Section 10 of this Ordinance. Interest earned on the proceeds of the Certificates pending completion of construction of the projects financed with such proceeds shall be accounted for, maintained, deposited, and expended as permitted by the provisions of Chapter 1201, as amended, Texas Government Code, or as required by any other applicable law. Thereafter, such amounts shall be expended in accordance with Section 14 of this Ordinance.

SECTION 27. Covenants to Maintain Tax-Exempt Status.

A. Definitions. When used in this Section, the following terms have the following meanings:

“*Closing Date*” means the date on which the Certificates are first authenticated and delivered to the initial purchasers against payment therefor.

“*Code*” means the Internal Revenue Code of 1986, as amended by all legislation, if any, effective on or before the Closing Date.

“*Computation Date*” has the meaning set forth in Section 1.148-1(b) of the Regulations.

“*Gross Proceeds*” means any proceeds as defined in Section 1.148-1(b) of the Regulations, and any replacement proceeds as defined in Section 1.148-1(c) of the Regulations, of the Certificates.

“*Investment*” has the meaning set forth in Section 1.148-1(b) of the Regulations.

“*Nonpurpose Investment*” means any investment property, as defined in section 148(b) of the Code, in which Gross Proceeds of the Certificates are invested and which is not acquired to carry out the governmental purposes of the Certificates.

“*Rebate Amount*” has the meaning set forth in Section 1.148-1(b) of the Regulations.

“*Regulations*” means any proposed, temporary, or final Income Tax Regulations issued pursuant to sections 103 and 141 through 150 of the Code, and 103 of the Internal Revenue Code of 1954, which are applicable to the Certificates. Any reference to any specific Regulation shall also mean, as appropriate, any proposed, temporary or final Income Tax Regulation designed to supplement, amend or replace the specific Regulation referenced.

“*Yield*” of

(1) any Investment has the meaning set forth in Section 1.148-5 of the Regulations; and

(2) the Certificates has the meaning set forth in Section 1.148-4 of the Regulations.

B. Not to Cause Interest to Become Taxable. The City shall not use, permit the use of, or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds) in a manner which if made or omitted, respectively, would cause the interest on any Certificate to become includable in the gross income, as defined in section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the City receives a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Certificate, the City shall comply with each of the specific covenants in this Section.

C. No Private Use or Private Payments. Except to the extent that it will not cause the Certificates to become “private activity bonds” within the meaning of section 141 of the Code and the Regulations and rulings thereunder, the City shall at all times prior to the last Stated Maturity of Certificates:

(1) exclusively own, operate and possess all property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds of the Certificates, and not use or permit the use of such Gross Proceeds (including all contractual arrangements with terms different than those applicable to the general public) or any property acquired, constructed or improved with such Gross Proceeds in any activity carried on by any person or entity (including the United States or any agency, department and instrumentality thereof) other than a state or local government, unless such use is solely as a member of the general public; and

(2) not directly or indirectly impose or accept any charge or other payment by any person or entity who is treated as using Gross Proceeds of the Certificates or any property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with such Gross Proceeds, other than taxes of general application within the City or interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

D. No Private Loan. Except as would not cause the Certificates to become “private activity bonds” within the meaning of section 141 of the Code and the Regulations and rulings thereunder, the City shall not use Gross Proceeds of the Certificates to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, such Gross Proceeds are considered to be “loaned” to a person or entity if- (1) property acquired, constructed or improved with such Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes; (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output or similar contract or arrangement; or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or any property acquired, constructed or improved with such Gross Proceeds are otherwise transferred in a transaction which is the economic equivalent of a loan.

E. Not to Invest at Higher Yield. Except as would not cause the Certificates to become “arbitrage bonds” within the meaning of section 148 of the Code and the Regulations and rulings thereunder, the City shall not at any time prior to the final Stated Maturity of the Certificates directly or indirectly invest Gross Proceeds in any Investment, if as a result of such investment the Yield of any Investment acquired with Gross Proceeds, whether then held or previously disposed of, materially exceeds the Yield of the Certificates.

F. Not Federally Guaranteed. Except to the extent permitted by section 149(b) of the Code and the Regulations and rulings thereunder, the City shall not take or omit to take any action which would cause the Certificates to be federally guaranteed within the meaning of section 149(b) of the Code and the Regulations and rulings thereunder.

G. Information Report. The City shall timely file the information required by section 149(e) of the Code with the Secretary of the Treasury on Form 8038-G or such other form and in such place as the Secretary may prescribe.

H. Rebate of Arbitrage Profits. Except to the extent otherwise provided in section 148(f) of the Code and the Regulations and rulings thereunder or except to the extent the City complies with Subsection J of this Section:

(1) The City shall account for all Gross Proceeds (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures and investments thereof) and shall retain all records of accounting for at least six years after the day on which the last Outstanding Certificate is discharged. However, to the extent permitted by law, the City may commingle Gross Proceeds of the Certificates with other money of the City, provided that the City separately accounts for each receipt and expenditure of Gross Proceeds and the obligations acquired therewith.

(2) Not less frequently than each Computation Date, the City shall calculate the Rebate Amount in accordance with rules set forth in section 148(f) of the Code and the Regulations and rulings thereunder. The City shall maintain such calculations with its official transcript of proceedings relating to the issuance of the Certificates until six years after the final Computation Date.

(3) As additional consideration for the purchase of the Certificates by the Purchasers and the loan of the money represented thereby and in order to induce such purchase by measures designed to insure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, the City shall pay to the United States out of the Certificate Fund or its general fund, as permitted by applicable Texas statute, regulation or opinion of the Attorney General of the State of Texas, the amount that when added to the future value of previous rebate payments made for the Certificates equals (i) in the case of a Final Computation Date as defined in Section 1.148-3(e)(2) of the Regulations, one hundred percent (100%) of the Rebate Amount on such date; and (ii) in the case of any other Computation Date, ninety percent (90%) of the Rebate Amount on such date. In all cases, the rebate payments shall be made at the times, in the installments, to the place and in the manner as is or may be required by section 148(f) of the Code and the Regulations and rulings thereunder, and shall be accompanied by Form 8038-T or such other forms and information as is or may be required by section 148(f) of the Code and the Regulations and rulings thereunder.

(4) The City shall exercise reasonable diligence to assure that no errors are made in the calculations and payments required by paragraphs (2) and (3), and if an error is made, to discover and promptly correct such error within a reasonable amount of time thereafter (and in all events within one hundred eighty (180) days after discovery of the error), including payment to the United States of any additional Rebate Amount owed to it, interest thereon, and any penalty imposed under Section 1.148-3(h) of the Regulations.

I. Not to Divert Arbitrage Profits. Except to the extent permitted by section 148 of the Code and the Regulations and rulings thereunder, the City shall not, at any time prior to the earlier of the Stated Maturity or final payment of the Certificates, enter into any transaction that reduces the amount required to be paid to the United States pursuant to Subsection H of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Certificates not been relevant to either party.

J. No Rebate Required. The City need not comply with the covenants and duties imposed by the provisions of Subsection H. of this Section if:

- (1) the City is a governmental unit with general taxing powers;
- (2) 95% of the Net Proceeds of the Certificates and all income from the investment thereof will be used for the governmental activities of the City;
- (3) the aggregate face amount, within the meaning of Section 1.148-8(c)(1) of the Regulations, of all debt obligations (other than private activity bonds) issued or expected to be issued by the City or any subordinate entity in the calendar year in which the Certificates are issued is not reasonably expected to exceed \$5,000,000; and

K. the City otherwise satisfies the requirements of paragraph (4)(c) of section 148(f) of the Code and Section 1.148-8 of the Regulations and rulings thereunder.

L. Certificates Not Hedge Bonds.

- (1) The City reasonably expects to spend at least 85% of the spendable proceeds of the Certificates within three years after such Certificates are issued.
- (2) Not more than 50% of the proceeds of the Certificates will be invested in Nonpurpose Investments having a substantially guaranteed Yield for a period of 4 years or more.

M. Elections. The City hereby directs and authorizes any Authorized Official, either individually or any combination of them, to make elections permitted or required pursuant to the provisions of the Code or the Regulations, as they deem necessary or appropriate in connection with the Certificates, in the Certificate as to Tax Exemption or similar or other appropriate certificate, form or document. Such elections shall be deemed to be made on the Closing Date.

N. Qualified Tax-Exempt Obligations. The City hereby designates the Certificates as qualified tax-exempt obligations for purposes of section 265(b) of the Code. In furtherance of such designation, the City represents, covenants and warrants the following: (a) during the calendar year in which the Certificates are issued, the City (including any subordinate entities) has not designated nor will designate obligations, which when aggregated with the Certificates, will result in more than \$10,000,000 of "qualified tax-exempt obligations" being issued; (b) the City reasonably anticipates that the amount of tax-exempt obligations issued during the calendar year 2014 by the City (including any subordinate entities) will not exceed \$10,000,000; and the City will take such action or refrain from such action as is necessary in order that the Certificates will not be considered "private activity bonds" within the meaning of section 141 of the Code.

SECTION 28. Control and Custody of Certificates. The Mayor of the City shall be and is hereby authorized to take and have charge of all necessary orders and records pending investigation by the Attorney General of the State of Texas and shall take and have charge and control of the Certificates pending their approval by the Attorney General of the State of Texas,

the registration thereof by the Comptroller of Public Accounts of the State of Texas and the delivery of the Certificates to the Purchasers.

Furthermore, any Authorized Official, either individually or any combination of them, are hereby authorized and directed to furnish and execute such documents relating to the City and its financial affairs as may be necessary for the issuance of the Certificates, the approval of the Attorney General of the State of Texas and their registration by the Comptroller of Public Accounts of the State of Texas and, together with the City's financial advisors, Bond Counsel, and the Paying Agent/Registrar, make the necessary arrangements for the delivery of the Initial Certificate to the Purchasers and, when requested in writing by the Purchasers, the initial exchange thereof for definitive Certificates.

SECTION 29. Satisfaction of Obligation of City. If the City shall pay or cause to be paid, or there shall otherwise be paid to the Holders, the principal of, premium, if any, and interest on the Certificates, at the times and in the manner stipulated in this Ordinance, then the pledge of taxes levied and the lien on and pledge of the Pledged Revenues under this Ordinance and all covenants, agreements, and other obligations of the City to the Holders shall thereupon cease, terminate, and be discharged and satisfied.

Certificates, or any principal amount(s) thereof, shall be deemed to have been paid within the meaning and with the effect expressed above in this Section when (i) money sufficient to pay in full such Certificates or the principal amount(s) thereof at Stated Maturity or to the redemption date therefor, together with all interest due thereon, shall have been irrevocably deposited with and held in trust by the Paying Agent/Registrar, or an authorized escrow agent, and/or (ii) Government Securities shall have been irrevocably deposited in trust with the Paying Agent/Registrar, or an authorized escrow agent, which Government Securities have, in the case of a net defeasance, been certified by an independent accounting firm to mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money, together with any money deposited therewith, if any, to pay when due the principal of and interest on such Certificates, or the principal amount(s) thereof, on and prior to the Stated Maturity thereof or (if notice of redemption has been duly given or waived or if irrevocable arrangements therefor acceptable to the Paying Agent/Registrar have been made) the redemption date thereof for the Certificates. In the event of a gross defeasance of the Certificates, the City shall deliver a certificate from its financial advisor, the Paying Agent/Registrar, or another qualified third party concerning the deposit of cash and/or Government Securities to pay, when due, the principal of, redemption premium (if any), and interest due on any defeased Certificate. The City covenants that no deposit of money or Government Securities will be made under this Section and no use made of any such deposit which would cause the Certificates to be treated as arbitrage bonds within the meaning of section 148 of the Code (as defined in Section 27 hereof).

Any money so deposited with the Paying Agent/Registrar, and all income from Government Securities held in trust by the Paying Agent/Registrar, or an authorized escrow agent, pursuant to this Section which is not required for the payment of the Certificates, or any principal amount(s) thereof, or interest thereon with respect to which such money has been so deposited shall be remitted to the City or deposited as directed by the City. Furthermore, any money held by the Paying Agent/Registrar for the payment of the principal of and interest on the

Certificates and remaining unclaimed for a period of three (3) years after the Stated Maturity of the Certificates, or applicable redemption date of the Certificates, such money was deposited and is held in trust to pay shall upon the request of the City be remitted to the City against a written receipt therefor, subject to the unclaimed property laws of the State of Texas.

Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem defeased Certificates that is made in conjunction with the payment arrangements specified in subsection (i) or (ii) above shall not be irrevocable, provided that: (1) in the proceedings providing for such defeasance, the City expressly reserves the right to call the defeased Certificates for redemption; (2) gives notice of the reservation of that right to the owners of the defeased Certificates immediately following the defeasance; (3) directs that notice of the reservation be included in any redemption notices that it authorizes; and (4) at the time of the redemption, satisfies the conditions of (i) or (ii) above with respect to such defeased debt as though it was being defeased at the time of the exercise of the option to redeem the defeased Certificates, after taking the redemption into account in determining the sufficiency of the provisions made for the payment of the defeased Certificates.

SECTION 30. Printed Opinion. The Purchasers' obligation to accept delivery of the Certificates is subject to their being furnished a final opinion of Fulbright & Jaworski LLP, San Antonio, Texas, as Bond Counsel, approving certain legal matters as to the Certificates, this opinion to be dated and delivered as of the date of initial delivery and payment for such Certificates. Printing of a true and correct copy of this opinion on the reverse side of each of the Certificates, with appropriate certificate pertaining thereto executed by facsimile signature of the City Secretary of the City is hereby approved and authorized.

SECTION 31. CUSIP Numbers. CUSIP numbers may be printed or typed on the definitive Certificates. It is expressly provided, however, that the presence or absence of CUSIP numbers on the definitive Certificates shall be of no significance or effect as regards the legality thereof, and neither the City nor bond counsel are to be held responsible for CUSIP numbers incorrectly printed or typed on the definitive Certificates.

SECTION 32. Effect of Headings. The Section headings herein are for convenience only and shall not affect the construction hereof.

SECTION 33. Ordinance a Contract, Amendments - Outstanding Certificates. The City acknowledges that the covenants and obligations of the City herein contained are a material inducement to the purchase of the Certificates. This Ordinance shall constitute a contract with the Holders from time to time, binding on the City and its successors and assigns, and it shall not be amended or repealed by the City so long as any Certificate remains Outstanding except as permitted in this Section. The City may, without the consent of or notice to any Holders, from time to time and at any time, amend this Ordinance in any manner not detrimental to the interests of the Holders, including the curing of any ambiguity, inconsistency, or formal defect or omission herein. In addition, the City may, with the written consent of Holders holding a majority in aggregate principal amount of the Certificates then Outstanding affected thereby, amend, add to, or rescind any of the provisions of this Ordinance; provided, however, that, without the consent of all Holders of Outstanding Certificates, no such amendment, addition, or rescission shall (1) extend the time or times of payment of the principal of and interest on the

Certificates, reduce the principal amount thereof or the rate of interest thereon, or in any other way modify the terms of payment of the principal of, the redemption price therefor, or interest on the Certificates, (2) give any preference to any Certificate over any other Certificate, or (3) reduce the aggregate principal amount of Certificates required for consent to any such amendment, addition, or rescission.

SECTION 34. Benefits of Ordinance. Nothing in this Ordinance, expressed or implied, is intended or shall be construed to confer upon any person other than the City, Bond Counsel, Paying Agent/Registrar, and the Holders, any right, remedy, or claim, legal or equitable, under or by reason of this Ordinance or any provision hereof, this Ordinance and all its provisions being intended to be and being for the sole and exclusive benefit of the City, Bond Counsel, the Paying Agent/Registrar, and the Holders.

SECTION 35. Inconsistent Provisions. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 36. Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 37. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 38. Construction of Terms. If appropriate in the context of this Ordinance, words of the singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine or neuter gender shall be considered to include the other genders.

SECTION 39. Incorporation of Preamble Recitals. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council of the City.

SECTION 40. Authorization of Paying Agent/Registrar Agreement and Private Placement Agreement. The City Council of the City hereby finds and determines that it is in the best interest of the City to authorize the execution of a Paying Agent/Registrar Agreement concerning the payment, exchange, registration, and transferability of the Certificates. A copy of the Paying Agent/Registrar Agreement is attached hereto, in substantially final form, as Exhibit A and is incorporated by reference to the provisions of this Ordinance. In addition, the City Council of the City hereby finds and determines that it is in the best interest of the City to authorize the execution of a Private Placement Agreement, in the form attached hereto as Exhibit C, concerning certain aspects of the delivery of the Certificates and the purchase thereof. In addition, the City Council of the City hereby ratifies in all respects any and all action heretofor

taken thereunder, or obligations incurred thereunder by any City representative as the act and deed of the City for all purposes.

SECTION 41. Public Meeting. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 42. Unavailability of Authorized Publication. If, because of the temporary or permanent suspension of any newspaper, journal, or other publication, or, for any reason, publication of notice cannot be made meeting any requirements herein established, any notice required to be published by the provisions of this Ordinance shall be given in such other manner and at such time or times as in the judgment of the City or of the Paying Agent/Registrar shall most effectively approximate such required publication and the giving of such notice in such manner shall for all purposes of this Ordinance be deemed to be in compliance with the requirements for publication thereof.

SECTION 43. No Recourse Against City Officials. No recourse shall be had for the payment of principal of, premium, if any, or interest on any Certificate or for any claim based thereon or on this Ordinance against any official of the City or any person executing any Certificate.

SECTION 44. Continuing Disclosure Undertaking.

A. Definitions.

As used in this Section, the following terms have the meanings ascribed to such terms below:

Rule means SEC Rule 15c2-12, as amended from time to time.

SEC means the United States Securities and Exchange Commission.

The Certificates are being sold pursuant to a private placement with the Purchasers, in denominations of generally \$100,000 or any integral multiple of \$5,000 in excess thereof, to less than thirty-five sophisticated investors, and therefore the Rule is not applicable to the offering of the Certificates. Accordingly, no contract to provide continuing disclosure information after the issuance of the Certificates has been made by the City with investors.

SECTION 45. Book-Entry Only System.

The Certificates may initially be registered so as to participate in a securities depository system (the *DTC System*) with the Depository Trust Company, New York, New York, or any successor entity thereto (*DTC*), as set forth herein. Each Stated Maturity of the Certificates shall be issued (following cancellation of the Initial Certificates described in Section 7) in the form of a single definitive Certificate. Upon issuance to a Holder other than the initial Purchasers, the ownership of each such Certificate shall be registered in the name of Cede & Co., as the nominee of DTC, and all of the Outstanding Certificates shall be registered in the name of Cede & Co., as

the nominee of DTC. The City and the Paying Agent/Registrar are authorized to execute, deliver, and take the actions set forth in such letters to or agreements with DTC as shall be necessary to effectuate the DTC System, including the Letter of Representations attached hereto as Exhibit D (the *Representation Letter*).

With respect to the Certificates registered in the name of Cede & Co., as nominee of DTC, the City and the Paying Agent/Registrar shall have no responsibility or obligation to any broker-dealer, bank, or other financial institution for which DTC holds the Certificates from time to time as securities depository (a *Depository Participant*) or to any person on behalf of whom such a Depository Participant holds an interest in the Certificates (an *Indirect Participant*). Without limiting the immediately preceding sentence, the City and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co., or any Depository Participant with respect to any ownership interest in the Certificates, (ii) the delivery to any Depository Participant or any other person, other than a registered owner of the Certificates, as shown on the Security Register, of any notice with respect to the Certificates, including any notice of redemption, or (iii) the delivery to any Depository Participant or any Indirect Participant or any other Person, other than a Holder of a Certificate, of any amount with respect to principal of, premium, if any, or interest on the Certificates. While in the DTC System, no person other than Cede & Co., or any successor thereto, as nominee for DTC, shall receive a bond certificate evidencing the obligation of the City to make payments of principal, premium, if any, and interest pursuant to this Ordinance. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks or drafts being mailed to the Holder, the word "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

In the event that (a) the City determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, (b) the Representation Letter shall be terminated for any reason, or (c) DTC or the City determines that it is in the best interest of the beneficial owners of the Certificates that they be able to obtain certificated Certificates, the City shall notify the Paying Agent/Registrar, DTC, and the Depository Participants of the availability within a reasonable period of time through DTC of bond certificates, and the Certificates shall no longer be restricted to being registered in the name of Cede & Co., as nominee of DTC. At that time, the City may determine that the Certificates shall be registered in the name of and deposited with a successor depository operating a securities depository system, as may be acceptable to the City, or such depository's agent or designee, and if the City and the Paying Agent/Registrar do not select such alternate securities depository system then the Certificates may be registered in whatever name or names the Holders of Certificates transferring or exchanging the Certificates shall designate, in accordance with the provisions hereof.

Notwithstanding any other provision of this Ordinance to the contrary, so long as any Certificate is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Certificate and all notices with respect to such Certificate shall be made and given, respectively, in the manner provided in the Representation Letter.

SECTION 46. Further Procedures. The officers and employees of the City are hereby authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the City all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the initial sale and delivery of the Certificates, the Purchase Contract, the Paying Agent/Registrar Agreement, and the Private Placement Agreement. In addition, prior to the initial delivery of the Certificates, any Authorized Official and Bond Counsel are hereby authorized and directed to approve any technical changes or corrections to this Ordinance or to any of the instruments authorized and approved by this Ordinance necessary in order to (i) correct any ambiguity or mistake or properly or more completely document the transactions contemplated and approved by this Ordinance, (ii) obtain a rating from any of the national bond rating agencies, or (iii) obtain the approval of the Certificates by the Texas Attorney General's office. In case any officer of the City whose signature shall appear on any certificate shall cease to be such officer before the delivery of such certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 47. Contracts with Financial Advisor and/or Bond Counsel. The City Council authorizes the Mayor and/or the City Manager, or their designees, to take all actions necessary to execute any necessary financial advisory contracts with Estrada Hinojosa & Company, Inc., as the financial advisor to the City (the *Financial Advisor*). The City understands that under applicable federal securities laws and regulations that the City must have a contractual arrangement with its Financial Advisor relating to the sale, issuance, and delivery of the Certificates. In addition, the City Council also authorizes the Mayor and/or the City Manager, or their designees, to take all actions necessary to execute any necessary engagement agreement with Fulbright & Jaworski LLP, as the Bond Counsel to the City.

SECTION 48. Accounting Reports. The City shall provide annually to the Purchasers, for so long as it is the holder of the Certificates, within 210 days after the end of each fiscal year ending in or after 2014, financial information and operating data with respect to the City; provided that such financial statements so to be provided shall be (1) prepared in accordance with the generally accepted accounting principles, or such other accounting principles as the City may be required to employ from time to time pursuant to Texas law or regulations, and (2) audited, if the City commissions an audit of such statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within such period, then the City shall provide (1) unaudited financial statements for the applicable fiscal year within six months after the end of such fiscal year, and (2) audited financial statements for the applicable fiscal year to the Purchasers when and if the audit report on such statements become available.

SECTION 49. Effective Date. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption, notwithstanding any provision in the City's Home Rule Charter to the contrary concerning a multiple reading requirement for the adoption of ordinances.

[The remainder of this page intentionally left blank.]

PASSED, APPROVED, AND ADOPTED on the 12th day of August, 2014.

CITY OF LOS FRESNOS, TEXAS

Mayor

ATTEST:

City Secretary

(CITY SEAL)

Attachment: co series 2014 ordinance (1101 : Ordinance on 2014 Certificates of Obligation)

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Petitions
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1107)

DOC ID: 1107 B

**Consideration and ACTION to approve and accept Petitions
for Annexation of 10 acres and 9.960 acres into The City of
Los Fresnos.**

Alamo Street Development has requested the City annex approximately 10 acres of land into the City Limits of Los Fresnos. The property is located just to the west of the lift station and drainage ditch where the trailer house is on. It is part of the greater amount of property owned by Mr. Galansky and Mr. Holland. Water is available at the front of the property. Wastewater is available at the lift station just to the east of the property. Infrastructure costs that are needed are usually paid for by the developer.

The Fire Department has requested the City annex approximately 7.968 acres and 1.992 acres for a total of 9.960 acres of land into the City Limits of Los Fresnos. The property is located just to the south and east of the property the City purchased. Water is available at the front of the City property. The Fire Department will have to run water to their property from the front. Wastewater is available at the lift station to the east. The Fire Department and City can work together since it will be quite a lengthy line and pretty expensive to run a gravity line from our properties back to the lift station.

We will include the City property in the annexation process but we don't have to petition for it to be annexed since it is out property.

We will have to prepare a service plan, hold public hearings and follow state law. This will not be the final approval. That will come in a month or so after we have held the public hearings and complied with the law.

I recommend approval.

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERSTO THE MAYOR OF THE GOVERNING BODY OF Los Fresnos, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby [if applicable: waive the requirement to be offered a development agreement pursuant to Section 43.035, and] petition your honorable Body to extend the present city limits so as to include as part of the City of Los Fresnos, Texas, the following described territory, to wit:

See Attached Exhibit "A"

(Here describe the territory covered by the petition by metes and bounds)

We certify that the above described tract of land is contiguous and adjacent to the City of Los Fresnos, Texas, is not more than one-half mile in width, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: Alamo Street Development LLCSigned: [Signature]

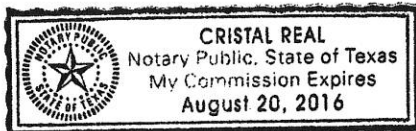
Signed: _____

THE STATE OF TEXAS

COUNTY OF Cameron

BEFORE ME, the undersigned authority, on this day personally appeared Swain Real, _____, and _____, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 5th day of August, 2014



Cristal Real
Notary Public in and for
Cameron County, Texas.

Attachment: petition for annexation (1107 : Petition for annexation)

LOS FRESNOS PROPERTY IS DEFINED HEREIN AS FOLLOWS:

Being a 10.000 acres tract of land in Tract 45 of the Paredes Partition of Share 19 of the Espiritu Santo Grant, Cameron County, Texas; said 10.000 acres tract being more particularly described by metes and bounds as follows:

Beginning at a ½" iron pin at the intersection of the East line of Tract 45 and the South right-of-way of SH-100 for the Northwest corner of 10.00 acres tract of land described in deed recorded in Volume 14060, Page 92, Official Records, Cameron county, Texas;

Thence, South 4 Degrees 23 Minutes 38 Seconds West, along the East line of said Tract 45 and the West line of said 10.00 acres tract, a distance of 871.70 feet for a corner;

Thence, North 85 Degrees 36 Minutes 22 Seconds West, a distance of 500.00 feet to a point on the East right-of-way of a proposed 60.00 feet wide road right-of-way for a corner;

Thence, North 4 Degrees 23 Minutes 38 Seconds East, along said East right-of-way, a distance of 825.68 feet for a corner;

Thence, North 49 Degrees 37 Minutes 19 Seconds East, a distance of 70.43 feet to a point of the South right-of-way of SH-100 for a corner;

Thence, South 85 Degrees 09 Minutes 00 Seconds East, along the South right-of-way, a distance of 450.02 feet to the Place of Beginning.

Said tract contains 10.000 acres, more or less.

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERSTO THE MAYOR OF THE GOVERNING BODY OF Los Fresnos, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby [if applicable: waive the requirement to be offered a development agreement pursuant to Section 43.035, and] petition your honorable Body to extend the present city limits so as to include as part of the City of Los Fresnos, Texas, the following described territory, to wit:

SEE ATTACHED

(Here describe the territory covered by the petition by metes and bounds)

We certify that the above described tract of land is contiguous and adjacent to the City of Los Fresnos, Texas, is not more than one-half mile in width, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: Gene Daniels

Signed: _____

Signed: _____

THE STATE OF TEXAS

COUNTY OF Cameron

BEFORE ME, the undersigned authority, on this day personally appeared Gene Daniels, _____, and _____, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 6th day of August, 2014.



Pamela Denny
Notary Public in and for
Cameron County, Texas.

Attachment: annexation petition for fire dept (1107 : Petition for annexation)



City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Resolutions
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1110)

DOC ID: 1110 A

Consideration and ACTION to approve a Resolution setting a date, time, and place for a public hearing on the proposed annexation of certain property by the City of Los Fresnos, Texas, and authorizing and directing the City Secretary to publish notice of such public hearing.

With the request from Alamo Street Development to annex 10 acres east of Los Fresnos we have added the property the City has purchased in that same area just east of the Rodeo Grounds for it all to be annexed at the same time. With this approval it sets in motion to the City to hold two public hearings. August 28th will be the first public hearing that will be in conjunction with our budget meeting. September 9th will be the second public hearing and first reading of the annexation ordinance that will be in conjunction with our regular September meeting. September 25 will be the second reading and final approval of the annexation ordinance that will be in conjunction with our meeting to be held to approve the budget and tax rate. If there is a need to have the second reading and final approval of the annexation ordinance prior to September 25th the Council can decide to call a special meeting any time after September 9th.

I recommend approval.

RESOLUTION NO. 11-2014**A RESOLUTION SETTING A DATE, TIME, AND PLACE FOR A PUBLIC HEARING
ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF
LOS FRESNOS, TEXAS, AND AUTHORIZING AND DIRECTING THE CITY
SECRETARY TO PUBLISH NOTICE OF SUCH PUBLIC HEARING.**

This Resolution was introduced and submitted to the City Council for passage and adoption. After presentation and discussion of the Resolution, a motion was made by _____ that the Resolution be finally passed and adopted in accordance with the City's Home Rule Charter. The motion was seconded by _____ and carried by the following vote:

Mayor Polo Narvaez	___ For	___ Against	___ Abstained
Mayor Pro-tem Yolanda H. Cruz	___ For	___ Against	___ Abstained
Councilmember Swain Real	___ For	___ Against	___ Abstained
Councilmember Javier Mendez	___ For	___ Against	___ Abstained
Councilmember Tom Jones	___ For	___ Against	___ Abstained
Councilmember Gary Minton	___ For	___ Against	___ Abstained

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOS FRESNOS,
TEXAS:**

SECTION 1. On the _____ day of _____, 2014, at _____ o'clock in the City Council Chamber of the City Hall of the City of Los Fresnos, Texas, the City Council will hold a public hearing giving all interested persons the right to appear and be heard on the proposed annexation by the City of Los Fresnos, Texas of the following described property, to-wit:

METES AND BOUNDS**(See Attached)**

SECTION 2. The Mayor of the City of Los Fresnos authorizes and directs the City Secretary to cause notice of such public hearing to be published in a newspaper having general circulation in the city and in the above described territory not more than twenty days nor less than ten days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.

PASSED AND APPROVED this the _____ day of _____, 2014.

Polo Narvaez, Mayor

ATTEST:

Pam Denny, City Secretary

Attachment: resolution setting public hearing for annexation (1110 : Resolution on annexation public hearing)

Exhibit ATRACT I**Metes and Bounds Description
of a 3.000 acres Tract of land in Tract 45**

Being a 3.000 acres tract of land in Tract 45, Subdivision "F", Paredes Partition of Share 19. Said Paredes Partition of Share 19 recorded in Volume 11, Pages 57 through 109 of the Deed Records of Cameron County, Texas. Said 3.000 acres being out of a 747.744 acres tract surveyed by "Mejia & Rose, Incorporated" (TBPE Reg. No. F-2670) for Los Fresnos Ventures 747, LLC, March 12, 2012, (job No. 18588). Said 3.000 acres tract more particularly located and described as follows:

1. Commencing at an iron pin found for the southwest corner of said Tract 45, thence, North 4 degrees 22 minutes East, along the east line of said 747.744 acres tract a distance of 1,134.99 feet for a corner, thence, South 84 degrees 53 minutes 17 seconds East, a distance of 1,259.11 feet to an iron pin with a yellow plastic cap stamped "M&R Inc." for a corner, thence North 5 degrees 58 minutes 19 seconds East, a distance of 1,425.26 feet to an iron pin with a yellow plastic cap stamped "M&R Inc." set in the south right-of-way line of SH-100 for a corner, thence, South 84 degrees 55 minutes 00 seconds East a distance 50.00 to the PLACE OF BEGINNING;
2. Thence, South 84 degrees 55 minutes West, along the north line of said 747.744 acres tract and south right-of-way line of SH-100 a distance of 300.00 feet for a corner;
3. Thence, South 5 degrees 58 minutes 19 seconds West, a distance of 435.60 feet for a corner;
4. Thence, North 84 degrees 55 minutes 00 seconds West, a distance of 300.00 feet for a corner;
5. Thence, North 5 degrees 58 minutes 19 seconds East, parallel to and 50.00 feet from the west line of said 747.744 acres a distance of 435.60 feet to the PLACE OF BEGINNING.

Said tract containing 3.000 Acres (130,664 square feet) more or less.

Exhibit B**TRACT II****Metes and Bounds Description
of a 0.500 acres Tract of land in Tract 45**

Being a 0.500 acres tract of land in Tract 45, Subdivision "F", Paredes Partition of Share 19. Said Paredes Partition of Share 19 recorded in Volume 11, Pages 57 through 109 of the Deed Records of Cameron County, Texas. Said 0.500 acres being out of a 747.744 acres tract surveyed by "Mejia & Rose, Incorporated" (TBPE Reg. No. F-2670) for Los Fresnos Ventures 747, LLC, March 12, 2012, (job No. 18588). Said 0.500 acres tract more particularly located and described as follows:

1. Commencing at an iron pin found for the southwest corner of said Tract 45, thence, North 4 degrees 22 minutes East, along the east line of said 747.744 acres tract a distance of 1,134.99 feet for a corner, thence, South 84 degrees 53 minutes 17 seconds East, a distance of 1,259.11 feet to an iron pin with a yellow plastic cap stamped "M&R Inc." for a corner, thence North 5 degrees 58 minutes 19 seconds East, a distance of 1,425.26 feet to an iron pin with a yellow plastic cap stamped "M&R Inc." set in the south right-of-way line of SH-100 for a corner and the PLACE OF BEGINNING;
2. Thence, South 84 degrees 55 minutes West, along the north line of said 747.744 acres tract and south right-of-way line of SH-100 a distance of 50.00 feet for a corner;
3. Thence, South 5 degrees 58 minutes 19 seconds West, a distance of 435.60 feet for a corner;
4. Thence, North 84 degrees 55 minutes 00 seconds West, a distance of 50.00 feet to a point in the west line of said 747.744 acres tract for a corner;
5. Thence, North 5 degrees 58 minutes 19 seconds East, along the west line of said 747.744 acres a distance of 435.60 feet to the PLACE OF BEGINNING.

Said tract containing 0.500 Acres (21,777 square feet) more or less.

EXHIBIT C

LOS FRESNOS PROPERTY IS DEFINED HEREIN AS FOLLOWS:

Being a 10.000 acres tract of land in Tract 45 of the Paredes Partition of Share 19 of the Espiritu Santo Grant, Cameron County, Texas; said 10.000 acres tract being more particularly described by metes and bounds as follows:

Beginning at a ½" iron pin at the intersection of the East line of Tract 45 and the South right-of-way of SH-100 for the Northwest corner of 10.00 acres tract of land described in deed recorded in Volume 14060, Page 92, Official Records, Cameron county, Texas;

Thence, South 4 Degrees 23 Minutes 38 Seconds West, along the East line of said Tract 45 and the West line of said 10.00 acres tract, a distance of 871.70 feet for a corner;

Thence, North 85 Degrees 36 Minutes 22 Seconds West, a distance of 500.00 feet to a point on the East right-of-way of a proposed 60.00 feet wide road right-of-way for a corner;

Thence, North 4 Degrees 23 Minutes 38 Seconds East, along said East right-of-way, a distance of 825.68 feet for a corner;

Thence, North 49 Degrees 37 Minutes 19 Seconds East, a distance of 70.43 feet to a point of the South right-of-way of SH-100 for a corner;

Thence, South 85 Degrees 09 Minutes 00 Seconds East, along the South right-of-way, a distance of 450.02 feet to the Place of Beginning.

Said tract contains 10.000 acres, more or less.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Bid
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1100)

DOC ID: 1100 A

Consideration and ACTION to accept or reject any or all bids received for construction on CDBG Contract 713301.

The bids were received for the CDBG grant. The construction funds that are available from the grant are \$444,732.00. We bid the projects with a base bid and different additives to be sure we can maximize the available funds. We knew that the bids would be more than the available funds but we wanted that rather than only include a few things and then have to sent money back that we didn't spend. The low bidder was G & T Paving.

The Base Bid is for the total reconstruction of Ebony Street, Pecan Street and Magnolia Street. The bid is \$446,649.12.

The Additive Bid No. 1 is for the total reconstruction of Sixth Street between Pita and Coma Street. The bid is \$86,653.79.

The Additive Bid No. 2 is for drainage improvements along Magnolia Street, Pine Street and Huisache Street. The bid is \$45,838.00.

The Additive Bid No. 3 is for lift station improvements to the South Parades Lift Station. The bid is \$83,000.00.

As part of the requirements of the grant we have to have each of the elements of street, lift station and drainage addressed to a certain point or we have to start the process over. In order to avoid that the following is my recommendation.

Accept the Base Bid (streets) for \$446,649.12. Accept the Additive Bid No. 2 (drainage) for \$45,838.00. Accept the Additive Bid No. 3 (lift station) for \$83,000.00. We have negotiated with G & T Paving to reduce Item 3 (Flexible Base) in the Base Bid in the amount of \$7,919.10. Eliminate Item 8 (sidewalks) in the amount of \$62,025.70. On Additive Bid No. 3 eliminate Item 3 (Remove and Replace Electrical Box, Controls, Posts and Rails for Pumps and Floats) in the amount of \$37,000.00 and eliminate Item 4 (manual transfer switch and plug) in the amount of \$7,000.00. This would make the new total of the project \$461,542.32 with available grant funds of \$444,732.00 and \$16,810.32 for the City to pay. The City budgeted \$50,000 for the EOC for the shelter that will not utilized. We will still have excess fund left over at the end of the year.

I recommend approval.



NaismithEngineering, Inc
ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING

...
ESTABLISHED 1949

Beginning 60 years of Engineering Excellence

August 6, 2014

Mark Milum
200 N. Brazil
Los Fresnos, Texas 78566

**RE: 2014 Sewer, Street & Drainage Improvements TCDP #713301
Award Recommendation**

Mr. Milum:

Bids were opened for the above referenced project on Thursday, July 24, 2014, at the Los Fresnos City Hall in Los Fresnos, Texas. Two (2) bids were received with G&T Paving Construction out of Brownsville, Texas, being the apparent low bidder with a base bid amount of \$446,649.12.

We have reviewed the bids for accuracy and find that all the documentation is in order. Attached for your review and record is a copy of the project bid tabulation which summarizes the bids received.

NEI has reviewed the information submitted by all bidders and has verified the experience references provided by the low bidder. It is our opinion that the low bid is a fair and reasonable cost for the value of the work to be constructed, and that G&T Paving Company is qualified to perform the required work.

Therefore, we hereby recommend award of the Contract to G&T Paving Construction Company in the amount of \$575,487.12 (Base Bid + Additive Bid No. 2+ Additive Bid No. 3). We would then execute a deductive change order in the amount of \$113,944.80; which would adjust the Base Bid unit prices for Item No. 3, eliminate Base Bid Item No. 8, and eliminate Additive Bid No. 2 Items No. 3 & 4. This would make the contract price \$461,542.32. The grant budget for construction is \$444,732.00. The City would be responsible for the difference of \$16,810.32. It is our understanding that there is potential revenue available to fund the difference from the City's General Fund. Should you have any questions or require any additional information, please do not hesitate to contact us.

Sincerely,

NAISMITH ENGINEERING, INC.

Paolina Vega, P.E.
Project Engineer

Encl.

Attachment: cdbg 713301 bids (1100 : Bids on CDBG Contract 713301)

NAISMITH ENGINEERING, INC. BID TABULATION		Project Title:		2014 Sewer, Street & Drainage Improvements TCDP No. 713301			
Thursday, July 24, 2014 @ 2:00 PM		Owner:		City of Los Fresnos		NEI Project No. 9267	
BIDDERS				RM Walsdorf		G & T Paving	
LOCATION				Brownsville, Texas		Brownsville, Texas	
Proposal				X		X	
Bid Security (Bond)				X		X	
Statement of Qualifications				X		X	
Non-Collusion Affidavit				X		X	
Addendum Acknowledgemen (1-3)				X		X	
Contractor's Certifications				X		X	
Item No.	Description	Apprx Qty	Unit	Unit Price	Total Amount	Unit Price	Total Amount
BASE BID							
1	2" HMAC Type "D"	6,285	SY	\$13.20	\$82,962.00	\$13.50	\$84,847.50
2	Prime Coat (MC-30)	1,257	GAL	\$8.00	\$10,056.00	\$5.00	\$6,285.00
3	Flexible Base – Limestone, 6"	7,542	SY	\$11.00	\$82,962.00	\$12.00	\$90,504.00
4	Subgrade, Lime Treated (6%), 6"	7,542	SY	\$6.00	\$45,252.00	\$4.99	\$37,634.58
5	Remove Existing Asphalt, Flexible Base Pavement	6,285	SY	\$2.50	\$15,712.50	\$1.50	\$9,427.50
6	Clearing and Grubbing	1	LS	\$8,500.00	\$8,500.00	\$1,000.00	\$1,000.00
7	2' Curb & Gutter	3,405	LF	\$12.00	\$40,860.00	\$10.99	\$37,420.95
8	New Sidewalk, 4' Wide	12,430	SF	\$4.85	\$60,285.50	\$4.99	\$62,025.70
9	Remove Existing Sidewalk	4,635	SF	\$2.25	\$10,428.75	\$1.00	\$4,635.00
10	Existing Concrete Driveway Repair	11,911	SF	\$5.95	\$70,870.45	\$5.99	\$71,346.89
11	Type A Inlet	3	EA	\$2,400.00	\$7,200.00	\$3,750.00	\$11,250.00
12	Reconnect Existing Pipes to Inlet/Storm Sewer	1	LS	\$250.00	\$250.00	\$800.00	\$800.00
13	Storm Sewer Manhole	2	EA	\$3,350.00	\$6,700.00	\$3,500.00	\$7,000.00
14	18" RCP Storm Sewer	388	LF	\$35.00	\$13,580.00	\$25.00	\$9,700.00
15	Remove Existing RCP	311	LF	\$14.00	\$4,354.00	\$2.00	\$622.00
16	Concrete flume	10	LF	\$18.00	\$180.00	\$20.00	\$200.00
17	Remove Existing Concrete flume	1	LS	\$250.00	\$250.00	\$250.00	\$250.00
18	ADA Curb Ramp (Type 1)	12	EA	\$665.00	\$7,980.00	\$650.00	\$7,800.00
19	Traffic Control Plan	1	LS	\$4,500.00	\$4,500.00	\$3,000.00	\$3,000.00
20	Storm Water Pollution Prevention Plan	1	LS	\$5,300.00	\$5,300.00	\$400.00	\$400.00
21	Project Sign	1	LS	\$1,200.00	\$1,200.00	\$500.00	\$500.00
TOTAL BASE BID (ITEMS 1-21)				\$479,383.20		\$446,649.12	
BASE BID TOTAL WORKING DAYS				75		75	

INDICATES VALUE CORRECTED DUE TO MULTIPLICATION ERROR

	NAISMITH ENGINEERING, INC. BID TABULATION		Project Title:		2014 Sewer, Street & Drainage Improvements TCDP No. 713301			
Thursday, July 24, 2014 @ 2:00 PM			Owner:		City of Los Fresnos		NEI Project No. 9267	
BIDDERS					RM Walsdorf		G & T Paving	
LOCATION					Brownsville, Texas		Brownsville, Texas	
Item No.	Description	Apprx Qty	Unit	Unit Price	Total Amount	Unit Price	Total Amount	
	ADDITIVE BID No. 2 - Huisache & Pine St. Drainage Improvements							
1	Type A Inlet	2	EA	\$2,400.00	\$4,800.00	\$3,800.00	\$7,600.00	
2	Remove and Replace Inlet with Storm Sewer Manhole	2	EA	\$4,800.00	\$9,600.00	\$5,500.00	\$11,000.00	
3	Storm Sewer Manhole	1	EA	\$3,350.00	\$3,350.00	\$3,500.00	\$3,500.00	
4	18" RCP Storm Sewer	512	LF	\$35.00	\$17,920.00	\$34.00	\$17,408.00	
5	Remove Existing RCP	330	LF	\$14.00	\$4,620.00	\$1.00	\$330.00	
6	Connect Existing 30" RCP to Proposed Storm Sewer Manhole and Flush	1	LS	\$450.00	\$450.00	\$3,000.00	\$3,000.00	
7	Clearing and Grubbing	1	LS	\$600.00	\$600.00	\$1,500.00	\$1,500.00	
8	Storm Water Pollution Prevention Plan	1	LS	\$500.00	\$500.00	\$1,500.00	\$1,500.00	
	ADDITIVE BID No. 3 - South Paredes Lift Station Improvements							
1	Remove and Replace Submersible Pumps, Model FLYGT CP-3085 or approved equal	2	EA	\$6,789.40	\$13,578.80	\$9,000.00	\$18,000.00	
2	Remove and Replace Pump Accessories	1	LS	\$12,969.80	\$12,969.80	\$10,000.00	\$10,000.00	
3	Remove and Replace Electrical Box, Controls, Posts, and Rails for Pumps and Floats	1	LS	\$27,000.00	\$27,000.00	\$37,000.00	\$37,000.00	
4	Manual Transfer Switch and Plug (30Amps)	1	LS	\$4,025.00	\$4,025.00	\$7,000.00	\$7,000.00	
5	Bypass Pumping for Lift Station	1	LS	\$11,158.30	\$11,158.30	\$3,500.00	\$3,500.00	
6	Remove and Replace 4" D.I. Discharge Piping	45	LF	\$55.00	\$2,475.00	\$100.00	\$4,500.00	
7	Remove and Replace 4" D.I. 90° Elbow - Flanged (Discharge Piping)	4	EA	\$350.00	\$1,400.00	\$750.00	\$3,000.00	
			</					

INDICATES VALUE CORRECTED DUE TO MULTIPLICATION ERROR

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Appointment
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1096)

DOC ID: 1096 A

Consideration and ACTION to appoint a rating committee to rank audit proposals.

The 3 year agreement for the City audit has expired. We have solicited proposals. A rating committee needs to be formed so a recommendation will be ready for the Council in September. I recommend Celina Gonzales as the Finance Director and myself be on the committee along with one or two individuals from the Council.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Appointment
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1097)

DOC ID: 1097 B

Consideration and ACTION to authorize the City Manager to negotiate engineering services with City Engineer Naismith Engineering and or appoint a rating committee to rank engineer for various city projects.

The projects that are approved with issuing the Certificates of Obligation are as follows: Lopez Lift Station, Water Line Loop, Evergreen Street, Engineering Design only for Sewer to the West, Sewer in the area of Escalante Road, and Sewer along Whipple Road.

Due to the necessity of completing the Lopez Lift Station, the Water Line Loop and Evergreen Street and since Naismith Engineering being our City Engineer has done quite a bit of preliminary work on these I recommend authorizing the City Manager to negotiate a rate at or below their standard rates to get these projects done. This way work can start immediately instead of having to advertise. If I am not able to do this it will put these projects back at least a month. We need to move quickly to have these on line by the time the Paseo Apartments and WalMart is completed. Further delays will jeopardize that.

The engineering and design projects for sewer to the west, sewer in the area of Escalante Road and sewer along Whipple Road can be advertised and a rating committee formed to rate the engineers or you can select someone to do the work.

I recommend these actions.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Appointment
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1098)

DOC ID: 1098 B

Consideration and ACTION on the process to select an architect for various city projects, hire an architect and or to appoint a rating committee to rank architects for various city projects.

A process to select an architect needs to be approved.

The City can advertise and then rate them as we do other times when grant money is involved. If a rating committee needs to be formed to rate architect's proposals to design the new City Hall, I recommend from staff Celina Gonzales, Carlos Salazar and myself along with one or two individuals from the Council.

The Council can also select a architect without advertising as it falls under the law of professional services. This is allowable under law.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Acknowledgments
Prepared By: Pam Denny

SCHEDULED

Initiator: Pam Denny

Sponsors:

ACTION ITEM (ID # 1091)

DOC ID: 1091 A

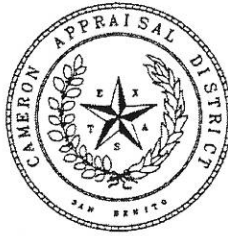
**Consideration and ACTION to acknowledge Cameron
Appraisal District Chief Appraiser's certification of 2014 tax
roll.**

The 2014 property tax market value for the City is \$185,976,031. The 2014 property tax net taxable value is \$169,902,230. This is an increase of \$7,719,369 or 4.8% from the 2013 property tax net taxable value of \$162,182, 861. There is only \$770,343 under ARB Review. The majority of the increase came from new construction.

I recommend approval.

CAMERON APPRAISAL DISTRICT

Frutoso M. Gomez, Jr., Chief Appraiser
 P.O. Box 10102021 Amistad Dr.
 San Benito, Texas 78586-1010
www.cameroncad.org
 956-399-9322
 956-541-3365
 956-428-8020
 Fax: 956-399-6969



MEMBERS OF THE BOARD
 Jose Noe Diaz, Sr., Chairman
 Vicente Mendez, Vice Chairperson
 Jesse Villarreal, Secretary
 Carlos H. Cascos
 Roberto Garcia
 Ricardo Morado
 Robert Pinkerton, Jr.
 David Argabright
 Herman Otis Powers, Jr.
 Tony Yzaguirre, Jr.

CERTIFICATION OF APPRAISAL ROLL TO ASSESSOR

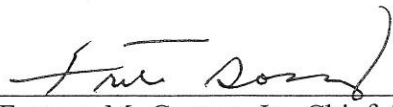
2014

RE: SECTION §26.01 PROPERTY TAX CODE

I, Frutoso M. Gomez, Jr., Chief Appraiser for the Cameron Appraisal District,
 certify that the Appraisal Review Board approved the appraisal records on July 18, 2014
 and the part of those records as presented herein constitute the 2014 appraisal roll
 for **CITY OF LOS FRESNOS**
Taxing Unit

ARB Approved Market Value:	<u>\$185,976,031</u>
ARB Approved Net Taxable Value:	<u>\$169,902,230</u>
Market Value Under ARB Review:	<u>\$770,343</u>

*Value under ARB Review has a potential loss capacity of 2% - 4%.


 Frutoso M. Gomez, Jr., Chief Appraiser

July 18, 2014
 Date

Attachment: 2014 Certification of Appraisal Roll [Revision 1] (1091 : Acknowledge Chief Appraiser's certification of 2014 tax roll)

CAMERON County

2014 CERTIFIED TOTALS

As of Certification

Property Count: 2,548

CLO - CITY OF LOS FRESNOS
ARB Approved Totals

7/21/2014

11:30:39AM

Land			Value			
Homesite:			23,428,963			
Non Homesite:			23,697,333			
Ag Market:			1,713,265			
Timber Market:			0	Total Land	(+)	48,839,561
Improvement			Value			
Homesite:			89,631,173			
Non Homesite:			34,870,887	Total Improvements	(+)	124,502,060
Non Real		Count	Value			
Personal Property:		223	12,634,410			
Mineral Property:		0	0			
Autos:		0	0	Total Non Real	(+)	12,634,410
				Market Value	=	185,976,031
Ag		Non Exempt	Exempt			
Total Productivity Market:		1,713,265	0			
Ag Use:		104,088	0	Productivity Loss	(-)	1,609,177
Timber Use:		0	0	Appraised Value	=	184,366,854
Productivity Loss:		1,609,177	0			
				Homestead Cap	(-)	996,632
				Assessed Value	=	183,370,222
				Total Exemptions Amount (Breakdown on Next Page)	(-)	13,467,992
				Net Taxable	=	169,902,230
Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count	
DP	3,468,893	3,456,893	23,215.08	24,021.61	47	
OV65	16,388,727	16,156,355	103,049.77	107,370.01	220	
Total	19,857,620	19,613,248	126,264.85	131,391.62	267	Freeze Taxable
Tax Rate	0.715000					(-) 19,613,248
						Freeze Adjusted Taxable
						= 150,288,982

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE * (TAX RATE / 100)) + ACTUAL TAX
 1,200,831.07 = 150,288,982 * (0.715000 / 100) + 126,264.85

Tax Increment Finance Value: 0
 Tax Increment Finance Levy: 0.00

Attachment: 2014 Certification of Appraisal Roll [Revision 1] (1091 : Acknowledge Chief Appraiser's certification of 2014 tax roll)

CAMERON County

2014 CERTIFIED TOTALS

As of Certification

Property Count: 4

CLO - CITY OF LOS FRESNOS
Under ARB Review Totals

7/21/2014

11:30:39AM

Land		Value			
Homesite:		21,520			
Non Homesite:		89,689			
Ag Market:		0			
Timber Market:		0	Total Land	(+)	111,209
Improvement		Value			
Homesite:		136,597			
Non Homesite:		522,537	Total Improvements	(+)	659,134
Non Real		Count	Value		
Personal Property:	0	0			
Mineral Property:	0	0			
Autos:	0	0	Total Non Real	(+)	0
			Market Value	=	770,343
Ag		Non Exempt	Exempt		
Total Productivity Market:	0	0			
Ag Use:	0	0	Productivity Loss	(-)	0
Timber Use:	0	0	Appraised Value	=	770,343
Productivity Loss:	0	0	Homestead Cap	(-)	0
			Assessed Value	=	770,343
			Total Exemptions Amount (Breakdown on Next Page)	(-)	0
			Net Taxable	=	770,343

APPROXIMATE TOTAL LEVY = NET TAXABLE * (TAX RATE / 100)

5,507.95 = 770,343 * (0.715000 / 100)

Tax Increment Finance Value:

0

Tax Increment Finance Levy:

0.00

Attachment: 2014 Certification of Appraisal Roll [Revision 1] (1091 : Acknowledge Chief Appraiser's certification of 2014 tax roll)

<==

Year	2013	2014		
Entity	CLO	CLO		
Description	CITY OF LOS FRESNOS	CITY OF LOS FRESNOS	Value Diff	% Diff
Properties	2,536	2,552	16	0.63%
Land Value	48,559,833	48,950,770	390,937	0.81%
Imp Value	117,084,657	125,161,194	8,076,537	6.90%
Personal	11,068,958	12,634,410	1,565,452	14.14%
Mineral	0	0	0	0.00%
Market	176,713,448	186,746,374	10,032,926	5.68%
Ag Loss	1,587,996	1,609,177	21,181	1.33%
Cap Loss	440,425	996,632	556,207	126.29%
Assessed	174,685,027	184,140,565	9,455,538	5.41%
Total Exemptions	12,502,166	13,467,992	965,826	7.73%
Taxable Value	162,182,861	170,672,573	8,489,712	5.23%
Tax Rate	0.715	0.715	0	0.00%
Run Date	07/18/2013	07/17/2014		
Supplement No.	19	0		

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Acknowledgments
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1092)

DOC ID: 1092 A

**Consideration and ACTION to acknowledge Finance
Director's certification of the estimated tax collection rate for
the tax year 2014 and the excess debt tax collections for tax
year 2013.**

The estimated property tax collection rate is in excess of 100%. This is due to prior year debt collections.

The estimated debt collection for 2013 is \$215,216.31 but a total excess debt collection fund balance of \$56,972.64 remains.

I recommend approval.

BALANCE SHEET

AS OF: AUGUST 31ST, 2014

10 -DEBT SERVICE

ACCOUNT# TITLE

LIABILITIES

=====

2500	DEFERRED REVENUE	20,067.38	
			20,067.38
	TOTAL LIABILITIES		20,067.38

FUND BALANCE/EQUITY

=====

3500	FUND BALANCE	87,040.86	
	TOTAL FUND BALANCE/EQUITY		87,040.86

TOTAL REVENUES	215,216.31	
TOTAL EXPENSES	(265,351.91)	
EXCESS REVENUES OVER EXPENSES	(50,135.60)	

TOTAL LIABILITIES & FUND BALANCE/EQUITY	56,972.64
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=====

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Acknowledgments
Prepared By: Pam Denny

SCHEDULED

Initiator: Pam Denny
Sponsors:

ACTION ITEM (ID # 1093)

DOC ID: 1093 A

**Consideration & ACTION to acknowledge the calculation of
Effective & Rollback ad valorem tax rates for tax year 2014
for fiscal year 2014-2015.**

The effective ad valorem tax rate would impose the same total taxes as last year if you compare properties taxed in both years. The effective ad valorem tax rate is \$0.701271 per \$100 valuation. This means that to get the same revenue as last year the tax rate would be \$0.701271 per \$100 valuation instead of our actual rate of \$0.715 per \$100 valuation.

The rollback ad valorem tax rate is the highest tax rate the City could have before taxpayers would be able to start rollback procedures. The rollback ad valorem tax rate is \$1.008060 per \$100 valuation.

I recommend approval.

2014 Effective Tax Rate Worksheet CITY OF LOS FRESNOS

Date: 07/29/2014 05:34 PM

1. 2013 total taxable value. Enter the amount of 2013 taxable value on the 2013 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-third over-appraisal corrections from these adjustments. This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (will deduct taxes in Line 14).	\$162,182,861
2. 2013 tax ceilings. Counties, cities and junior college districts. Enter 2013 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2013 or a prior year for homeowners age 65 or older or disabled, use this step.	\$19,097,907
3. Preliminary 2013 adjusted taxable value. Subtract Line 2 from Line 1.	\$143,084,954
4. 2013 total adopted tax rate.	\$0.715000/\$100
5. 2013 taxable value lost because court appeals of ARB decisions reduced 2013 appraised value.	
A. Original 2013 ARB Values.	\$0
B. 2013 values resulting from final court decisions.	\$0
C. 2013 value loss. Subtract B from A.	\$0
6. 2013 taxable value, adjusted for court-ordered reductions. Add Line 3 and Line 5C.	\$143,084,954
7. 2013 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2013. Enter the 2013 value of property in deannexed territory.	\$0
8. 2013 taxable value lost because property first qualified for an exemption in 2014. Note that lowering the amount or percentage of an existing exemption does not create a new exemption or reduce taxable value. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost to freeport or goods-in-transit exemptions.	
A. Absolute exemptions. Use 2013 market value:	\$9,077
B. Partial exemptions. 2014 exemption amount or 2014 percentage exemption times 2013 value:	\$419,110
C. Value loss. Add A and B.	\$428,187
9. 2013 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2014. Use only properties that qualified in 2014 for the first time; do not use properties that qualified in 2013.	
A. 2013 market value:	\$0
B. 2014 productivity or special appraised value:	\$0
C. Value loss. Subtract B from A.	\$0
10. Total adjustments for lost value. Add lines 7, 8C and 9C.	\$428,187

Attachment: 2014 etr worksheet and notice (1093 : Acknowledge calculation of Effective & Rollback tax rates)

11. 2013 adjusted taxable value. Subtract Line 10 from Line 6.	\$142,656,767
12. Adjusted 2013 taxes. Multiply Line 4 by line 11 and divide by \$100.	\$1,019,995
13. Taxes refunded for years preceding tax year 2013. Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2013. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2013. This line applies only to tax years preceding tax year 2013.	\$1,240
14. Taxes in tax increment financing (TIF) for tax year 2013. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2014 captured appraised value in Line 16D, enter 0.	\$0
15. Adjusted 2013 taxes with refunds and TIF adjustment. Add Lines 12 and 13, subtract Line 14.	\$1,021,235
16. Total 2014 taxable value on the 2014 certified appraisal roll today. This value includes only certified values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 18). These homesteads include homeowners age 65 or older or disabled.	
A. Certified values:	\$169,902,230
B. Counties: Include railroad rolling stock values certified by the Comptroller's office:	\$0
C. Pollution control exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control property:	\$0
D. Tax increment financing: Deduct the 2014 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2014 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 21 below.	\$0
E. Total 2014 value. Add A and B, then subtract C and D.	\$169,902,230
17. Total value of properties under protest or not included on certified appraisal roll.	
A. 2014 taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value.	\$259,647
B. 2014 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about, but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value.	\$0
C. Total value under protest or not certified: Add A and B.	\$259,647
18. 2014 tax ceilings. Counties, cities and junior colleges enter 2014 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2013 or a prior year for homeowners age 65 or older or disabled, use this step.	\$19,613,248

19. 2014 total taxable value. Add Lines 16E and 17C. Subtract Line 18.	\$150,548,629
20. Total 2014 taxable value of properties in territory annexed after Jan. 1, 2013. Include both real and personal property. Enter the 2014 value of property in territory annexed.	\$24,741
21. Total 2014 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2013. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2013, and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2014.	\$4,897,630
22. Total adjustments to the 2014 taxable value. Add Lines 20 and 21.	\$4,922,371
23. 2014 adjusted taxable value. Subtract Line 22 from Line 19.	\$145,626,258
24. 2014 effective tax rate. Divide Line 15 by Line 23 and multiply by \$100.	\$0.701271/\$100
25. COUNTIES ONLY. Add together the effective tax rates for each type of tax the county levies. The total is the 2014 county effective tax rate.	

A county, city or hospital district that adopted the additional sales tax in November 2013 or in May 2014 must adjust its effective tax rate. The Additional Sales Tax Rate Worksheet sets out this adjustment. Do not forget to complete the Additional Sales Tax Rate Worksheet if the taxing unit adopted the additional sales tax on these dates.

2014 Rollback Tax Rate Worksheet

CITY OF LOS FRESNOS

Date: 07/29/2014

26. 2013 maintenance and operations (M&O) tax rate.	\$0.591360/\$100
27. 2013 adjusted taxable value. Enter the amount from Line 11.	\$142,656,767
28. 2013 M&O taxes.	
A. Multiply Line 26 by Line 27 and divide by \$100.	\$843,615
B. Cities, counties and hospital districts with additional sales tax: Amount of additional sales tax collected and spent on M&O expenses in 2013. Enter amount from full year's sales tax revenue spent for M&O in 2013 fiscal year, if any. Other taxing units enter 0. Counties exclude any amount that was spent for economic development grants from the amount of sales tax spent.	\$340,686
C. Counties: Enter the amount for the state criminal justice mandate. If second or later year, the amount is for increased cost above last year's amount. Other taxing units enter 0.	\$0
D. Transferring function: If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in H below. The taxing unit receiving the function will add this amount in H below. Other taxing units enter 0.	\$0
E. Taxes refunded for years preceding tax year 2013: Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2013. This line applies only to tax years preceding tax year 2013.	\$1,017
F. Enhanced indigent health care expenditures: Enter the increased amount for the current year's enhanced indigent health care expenditures above the preceding tax year's enhanced indigent health care expenditures, less any state assistance.	\$0
G. Taxes in TIF: Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2014 captured appraised value in Line 16D, enter 0.	\$0
H. Adjusted M&O Taxes. Add A, B, C, E and F. For unit with D, subtract if discontinuing function and add if receiving function. Subtract G.	\$1,185,318
29. 2014 adjusted taxable value. Enter Line 23 from the Effective Tax Rate Worksheet.	\$145,626,258
30. 2014 effective maintenance and operations rate. Divide Line 28H by Line 29 and multiply by \$100.	\$0.813945/\$100
31. 2014 rollback maintenance and operation rate. Multiply Line 30 by 1.08.	\$0.879060/\$100
32. Total 2014 debt to be paid with property taxes and additional sales tax revenue. "Debt" means the interest and principal that will be paid on debts that:	

Attachment: 2014 etr worksheet and notice (1093 : Acknowledge calculation of Effective & Rollback tax rates)

(1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year and (4) are not classified in the taxing unit's budget as M&O expenses	
A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. List the debt in Schedule B: Debt Service.	\$264,208
B. Subtract unencumbered fund amount used to reduce total debt.	\$25,000
C. Subtract amount paid from other resources.	
D. Adjusted debt. Subtract B and C from A.	\$45,000
	\$194,208
33. Certified 2013 excess debt collections. Enter the amount certified by the collector.	\$0
34. Adjusted 2014 debt. Subtract Line 33 from Line 32D.	\$194,208
35. Certified 2014 anticipated collection rate. Enter the rate certified by the collector. If the rate is 100 percent or greater, enter 100 percent.	100.00%
36. 2014 debt adjusted for collections. Divide Line 34 by Line 35	\$194,208
37. 2014 total taxable value. Enter the amount on Line 19.	\$150,548,629
38. 2014 debt tax rate. Divide Line 36 by Line 37 and multiply by \$100.	\$0.129000/\$100
39. 2014 rollback tax rate. Add Lines 31 and 38.	\$1.008060/\$100
40. COUNTIES ONLY. Add together the rollback tax rates for each type of tax the county levies. The total is the 2014 county rollback tax rate.	

A taxing unit that adopted the additional sales tax must complete the lines for the Additional Sales Tax Rate. A taxing unit seeking additional rollback protection for pollution control expenses completes the Additional Rollback Protection for Pollution Control.

2014 Additional Sales Tax Rate Worksheet

CITY OF LOS FRESNOS

Date: 07/29/2014

41. Taxable Sales. For taxing units that adopted the sales tax in November 2013 or May 2014, enter the Comptroller's estimate of taxable sales for the previous four quarters. Taxing units that adopted the sales tax before November 2013, skip this line.	\$0
42. Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. Taxing units that adopted the sales tax in November 2013 or in May 2014. Multiply the amount on Line 41 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. - or - Taxing units that adopted the sales tax before November 2013. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$340,686
43. 2014 total taxable value. Enter the amount from Line 37 of the Rollback Tax Rate Worksheet.	\$150,548,629
44. Sales tax adjustment rate. Divide Line 42 by Line 43 and multiply by \$100.	\$0.226297/\$100
45. 2014 effective tax rate, unadjusted for sales tax. Enter the rate from Line 24 or 25, as applicable, on the Effective Tax Rate Worksheet.	\$0.701271/\$100
46. 2014 effective tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November 2013 or in May 2014. Subtract Line 44 from Line 45. Skip to Line 47 if you adopted the additional sales tax before November 2013.	\$0.701271/\$100
47. 2014 rollback tax rate, unadjusted for sales tax. Enter the rate from Line 39 or 40, as applicable, of the Rollback Tax Rate Worksheet.	\$1.008060/\$100
48. 2014 rollback tax rate, adjusted for sales tax. Subtract Line 44 from Line 47.	\$0.781763/\$100

Attachment: 2014 etr worksheet and notice (1093 : Acknowledge calculation of Effective & Rollback tax rates)

2014 Property Tax Rates in CITY OF LOS FRESNOS

This notice concerns the 2014 property tax rates for CITY OF LOS FRESNOS. It presents information about three tax rates. Last year's tax rate is the actual tax rate the taxing unit used to determine property taxes last year. This year's *effective* tax rate would impose the same total taxes as last year if you compare properties taxed in both years. This year's *rollback* tax rate is the highest tax rate the taxing unit can set before taxpayers start rollback procedures. In each case these rates are found by dividing the total amount of taxes by the tax base (the total value of taxable property) with adjustments as required by state law. The rates are given per \$100 of property value.

Last year's tax rate:

Last year's operating taxes	\$847,172
Last year's debt taxes	\$177,125
Last year's total taxes	\$1,024,297
Last year's tax base	\$143,258,322
Last year's total tax rate	\$0.715000/\$100

This year's effective tax rate:

Last year's adjusted taxes (after subtracting taxes on lost property)	\$1,021,235
÷ This year's adjusted tax base (after subtracting value of new property)	\$145,626,258
=This year's effective tax rate (Maximum rate unless unit publishes notices and holds hearings.)	\$0.701271/\$100

This year's rollback tax rate:

Last year's adjusted operating taxes (after subtracting taxes on lost property and adjusting for any transferred function, tax increment financing, state criminal justice mandate, and/or enhanced indigent healthcare expenditures)	\$1,185,318
÷ This year's adjusted tax base	\$145,626,258
=This year's effective operating rate	\$0.813945/\$100
x 1.08=this year's maximum operating rate	\$0.879060/\$100
+ This year's debt rate	\$0.129000/\$100
= This year's total rollback rate	\$1.008060/\$100
-Sales tax adjustment rate	\$0.226297/\$100
=Rollback tax rate	\$0.781763/\$100

Statement of Increase/Decrease

If CITY OF LOS FRESNOS adopts a 2014 tax rate equal to the effective tax rate of \$0.701271 per \$100 of value, taxes would increase compared to 2013 taxes by \$31,457.

Schedule A - Unencumbered Fund Balance

The following estimated balances will be left in the unit's property tax accounts at the end of the fiscal year. These balances are not encumbered by a corresponding debt obligation.

Type of Property Tax Fund	Balance
General Fund Unencumbered	719,437

Schedule B - 2014 Debt Service

The unit plans to pay the following amounts for long-term debts that are secured by property taxes. These amounts will be paid from property tax revenues (or additional sales tax revenues, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
Series 2005 Comb Tax C.O. 95,000		47,070	0	142,070
Series 2014 Comb Tax C.O. 0		122,138	0	122,138
Total required for 2014 debt service				\$264,208
- Amount (if any) paid from Schedule A				\$25,000
- Amount (if any) paid from other resources				\$45,000
- Excess collections last year				\$0
= Total to be paid from taxes in 2014				\$194,208
+ Amount added in anticipation that the unit will collect only 100.00% of its taxes in 2014				\$0
= Total debt levy				\$194,208

This notice contains a summary of actual effective and rollback tax rates' calculations. You can inspect a copy of the full calculations at 964 E HARRISON BROWNSVILLE TX 78520.

Name of person preparing this notice: Tony Yzaguirre Jr
Title: Cameron County Tax Assessor Collector
Date Prepared: 07/29/2014

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Tax Rate
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1094)

DOC ID: 1094 A

Consideration and ACTION to propose a tax rate for 2014 tax year, take a record vote, and set dates for public hearings (if necessary).

The proposed 2014-2015 fiscal year budget will keep the ad valorem tax rate at \$0.715 per \$100 valuation just as it has been for the last 7 years. This will be the 8th year in a row the ad valorem tax rate is at \$0.715 per \$100 valuation. The effective ad valorem tax rate for 2014-2015 is \$0.701271 per \$100 valuation. Remember, the effective ad valorem tax rate would impose the same total taxes as last year if you compare properties taxes in both years. Leaving the tax rate at \$0.715 per \$100 valuation means we will receive more in revenue in the new budget than we currently are getting when comparing the same properties. Since we are leaving the ad valorem tax rate at \$0.715 we will have to hold the 2 public hearings as we will receive more revenue than last year. The additional amount we will receive is \$23,325.88. The public hearings will be held on August 28 and September 9.

I recommend the ad valorem property tax rate of \$0.715 per \$100 valuation for the 2014-2015 fiscal year budget.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Appointment
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1082)

DOC ID: 1082 A

Consideration and ACTION to appoint two new members to the Planning & Zoning Commission.

There are 2 vacancies on the Planning & Zoning Commission due to individuals not being able to make meetings. The meetings are once a month on the third Monday of the month at 7:00 p.m. The person must be a resident of Los Fresnos.

Daniel Martinez has resigned. His term expires on October 1, 2014. Whoever takes his place, I recommend you approve the next 2 year term as well to October 1, 2016 since there are only 2 months left in the current term.

Adrian Barbosa has also resigned. His term expires on October 1, 2015.

Javier Mendez mentioned at the last meeting he might have a candidate. Please visit with folks and get some volunteers so these important positions can be filled. A volunteer form is attached for your use.

Citizen application for appointment to a City of Los Fresnos Board Seat

Please return to: City Secretary, 200 N. Brazil Street, Los Fresnos, TX 78566

ALL INFORMATION ON THIS FORM IS PUBLIC RECORD

PLEASE TYPE OR PRINT CLEARLY

NAME _____
 (Last) _____ (First) _____ (MI) _____

HOME ADDRESS _____

MAILING ADDRESS _____

CITY _____ **ZIP** _____

HOME PHONE NUMBER: _____ **CELL NUMBER:** _____

E-MAIL ADDRESS: _____

EMPLOYER _____

OCCUPATION _____

BUSINESS ADDRESS _____

BUSINESS PHONE # _____

COMMITTEES OF INTEREST TO YOU

(List no more than 3 committees - please be specific)

1. _____
2. _____
3. _____

What education or special training do you have which you feel particularly fits you for the appointment to this position? (attach a resume or bio if relevant)

What work experience or other experience do you have which will be beneficial in carrying out the responsibilities of this position?

Why are you interested in serving on this Committee? _____

Other Volunteer Commitments? _____

SIGNATURE OF APPLICANT

DATE

Attachment: Citizen Application Form (1082 : Appointment of members to Planning & Zoning)

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Appointment
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1083)

DOC ID: 1083 A

Consideration and ACTION to appoint a new member to the Housing Authority.

There is a vacant position that needs to be filled due to the death of Don Badeaux. His term expires on October 1, 2015. The person needs to be a resident of the City. The meetings are held on the third Wednesday of the month at 7:00 p.m.

Please talk to folks and find a replacement for this important position. A volunteer form is included for your use.

Citizen application for appointment to a City of Los Fresnos Board Seat

Please return to: City Secretary, 200 N. Brazil Street, Los Fresnos, TX 78566

ALL INFORMATION ON THIS FORM IS PUBLIC RECORD

PLEASE TYPE OR PRINT CLEARLY

NAME _____
 (Last) _____ (First) _____ (MI) _____

HOME ADDRESS _____

MAILING ADDRESS _____

CITY _____ **ZIP** _____

HOME PHONE NUMBER: _____ **CELL NUMBER:** _____

E-MAIL ADDRESS: _____

EMPLOYER _____

OCCUPATION _____

BUSINESS ADDRESS _____

BUSINESS PHONE # _____

COMMITTEES OF INTEREST TO YOU

(List no more than 3 committees - please be specific)

1. _____
2. _____
3. _____

What education or special training do you have which you feel particularly fits you for the appointment to this position? (attach a resume or bio if relevant)

What work experience or other experience do you have which will be beneficial in carrying out the responsibilities of this position?

Why are you interested in serving on this Committee? _____

Other Volunteer Commitments? _____

SIGNATURE OF APPLICANT

DATE

Attachment: Citizen Application Form (1083 : Appointment of member to Housing Authority)

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Appointment
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1084)

DOC ID: 1084 A

**Consideration and ACTION to appoint a new member to the
Los Fresnos Community Development Board.**

Eddie Sanchez has resigned his position on the CDC Board due to changes in his work that prevent him from attending meetings. His term expires on February 14, 2015. The CDC Board meets on the first Monday of the month at 7:00 p.m. The person does not have to live in the City but must reside in the City trade area. Please meet with folks and come up with a person to serve. A blank application is included for your use.

Citizen application for appointment to a City of Los Fresnos Board Seat

Please return to: City Secretary, 200 N. Brazil Street, Los Fresnos, TX 78566

ALL INFORMATION ON THIS FORM IS PUBLIC RECORD

PLEASE TYPE OR PRINT CLEARLY

NAME _____
(Last) _____ (First) _____ (MI) _____

HOME ADDRESS _____

MAILING ADDRESS _____

CITY _____ **ZIP** _____

HOME PHONE NUMBER: _____ **CELL NUMBER:** _____

E-MAIL ADDRESS: _____

EMPLOYER _____

OCCUPATION _____

BUSINESS ADDRESS _____

BUSINESS PHONE # _____

COMMITTEES OF INTEREST TO YOU

(List no more than 3 committees - please be specific)

1. _____
2. _____
3. _____

What education or special training do you have which you feel particularly fits you for the appointment to this position? (attach a resume or bio if relevant)

What work experience or other experience do you have which will be beneficial in carrying out the responsibilities of this position?

Why are you interested in serving on this Committee? _____

Other Volunteer Commitments? _____

SIGNATURE OF APPLICANT

DATE

Attachment: Citizen Application Form (1084 : Appointment of member to Community Development)

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1085)

DOC ID: 1085 A

Update by City Manager 1. Wastewater Plant Expansion 2. Raw Water Line Upgrade, Filter Replacement, Sludge Removal System 3. Development Projects 4. Community Park Parking 5. Los Fresnos Nature Park 6. Hazardous Mitigation Plan 7. Category 7 Projects

1. Wastewater Plant Expansion - We are still waiting on approval from TCEQ. Then TWDB will be able to give us final approval to start the bidding process.
2. Raw Water Line Upgrade - USDA requested additional information but we should have approval to start construction in a couple of weeks. Filter Replacement - We gave the notice to proceed to start construction with the end being December 6. Sludge Removal System - We gave the notice to proceed to start construction with the end being October 6.
3. Development Projects - Whipple Road Apartments and WalMart - Construction is moving on both. Neither have given us an indication of when they will be complete.
4. Community Park Parking - The work is complete and the parking lot is open. The parking area on Nogal Street and Third Street is in the approval process.
5. Los Fresnos Nature Park - We received approval to make the purchase. I am attempting to meet with the owner to make the final deal so we can start the closing process. We have verbally agreed with one of the property owners.
6. Hazardous Mitigation Plan - I was notified that the grant has been approved on the state level and is sent to the federal level for approval. They say it will be at least 30 to 60 days.
7. Category Projects Submitted to MPO - We submitted Whipple Road, Los Fresnos Loop, Hike & Bike Trails and Henderson Road. The technical committee has completed the review and ranking of all the projects. We will not be getting any construction funds. We will be recommended to be awarded funds for engineering for Whipple Road and funds for about half of the engineering for the Los Fresnos Loop. The Policy committee will make the final decision on August 13.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1109)

DOC ID: 1109 A

Finance Report 1. Monthly 2. Year-to-Date

Call with questions.

CITY OF LOS FRESNOS
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JULY 31ST, 2014

01 -GENERAL FUND
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
00-PROPERTY TAXES	1,013,379	16,101.48	988,175.57	0.00	25,203.43	97.51
30-NONPROPERTY TAXES	708,356	72,722.22	691,415.24	0.00	16,940.76	97.61
07-POLICE	587,180	40,062.49	399,501.01	0.00	187,678.60	68.04
10-HEALTH	7,000	402.50	3,992.50	0.00	3,007.50	57.04
12-GARBAGE	121,000	51,326.43	136,428.37	0.00 (	15,428.37)	112.75
15-PARKS	42,500	6,365.32	42,681.97	0.00 (	181.97)	100.43
16-LIBRARY	14,500	1,505.25	12,354.69	0.00	2,145.31	85.20
44-Misc Revenue	18,000	20.00	39,462.69	0.00 (	21,462.69)	219.24
90-REIMBURSABLES	64,224	9,260.41	116,847.97	0.00 (	52,623.97)	181.94
TOTAL REVENUES	2,576,139	197,766.10	2,430,860.01	0.00	145,278.60	94.36
	=====	=====	=====	=====	=====	=====

EXPENDITURE SUMMARY

02-ADMINISTRATION	227,252	8,516.98	391,189.85	389.18 (	164,327.03)	172.31
03-MUNICIPAL COURT	231,598	11,324.90	160,238.70	36,715.77	34,643.53	85.04
04-TAX ASSESSOR COLLECTOR	22,015	133.23	18,973.53	0.00	3,041.47	86.18
06-ELECTIONS	9,230	0.00	1,083.53	0.00	8,146.47	11.74
07-POLICE	1,288,082	130,294.98	1,068,054.66	3,721.38	216,305.57	83.21
08-FIRE	51,322	451.00	43,349.22	0.00	7,972.78	84.47
09-ENGINEERING	3,000	0.00	1,425.00	0.00	1,575.00	47.50
10-HEALTH	78,672	6,022.15	58,242.28	1,186.93	19,242.79	75.54
11-EMERGENCY MEDICAL SERV	117,200	0.00	100,380.45	0.00	16,819.55	85.65
12-GARBAGE	2,700	343.10	329.67	0.00	2,370.33	12.21
13-STORM WATER	0	100.00	19,632.61	0.00 (	19,632.61)	0.00
14-STREETS	84,300	420.86	79,725.41	115,544.00 (	110,969.41)	231.64
15-PARKS	167,215	7,983.86	128,225.01	7,294.90	31,695.09	81.05
16-LIBRARY	175,259	12,535.69	121,352.06	791.50	53,115.44	69.69
17-COMMUNITY CENTER	8,347	58.72	5,880.01	0.00	2,466.99	70.44
18-EMERGENCY MANAGEMENT	71,500	0.00	23,219.16	0.00	48,280.84	32.47
19-ALL DEPARTMENT EXPENS	7,000	0.00	3,233.28	0.00	3,766.72	46.19
21-CITY PROMOTION	4,500	0.00	4,500.00	0.00	0.00	100.00
23-DSRIP-COMMUNITY HEALT	0	3,311.80	28,095.50	124.90 (	28,220.40)	0.00
24-MENTAL TASK FORCE PRO	0	3,942.26	18,964.59	0.00 (	18,964.59)	0.00
28-INFORMATION TECHNOLOG	26,947	1,064.30	20,637.51	319.28	5,990.21	77.77
TOTAL EXPENDITURES	2,576,139	186,503.83	2,296,732.03	166,087.84	113,318.74	95.60
	=====	=====	=====	=====	=====	=====
REVENUE OVER/(UNDER) EXPENDITURES	0	11,262.27	134,127.98 (	166,087.84)	31,959.86	0.00
	=====	=====	=====	=====	=====	=====

Attachment: july finance report (1109 : Finance Report)

CHECKLIST FOR				JULY 2014
GENERAL FUND				
VENDOR NAME	Inv.Date	Amount	Decscription	
27077	MENTALITY SKATEBOARDING INC	06/18/14	\$ 1,439.00	CANCELLATION FEE-SKATE CAMP
27078	SUPER SWIMMING LESSONS	06/30/14	\$ 5,040.00	SWIMMING LESSONS- JUNE 2014
27079	TEXAS MUNICIPAL LEAGE	07/02/14	\$ 40.00	SEMINAR-SMALL CITIES PROBLEM SOLVING -J.MENDEZ
27080	CITY OF L.F. PAYROLL ACCT	07/02/14	\$ 58,820.76	DUE TO PAYROLL #20 7/3/14
27081	JESUS LOPEZ-CASTILLO	07/11/14	\$ 5.00	OVERPAYMENT ON TICKET-103128
27082	JONATHAN ENRIQUEZ	07/11/14	\$ 31.00	OVERPAYMENT ON TICKET-103638
27083	JOSE D RODRIGUEZ	07/11/14	\$ 23.00	OVERPAYMENT ON TICKET-102622
27084	LEOBARDO RUEDA DELA CRUZ	07/11/14	\$ 11.90	OVERPAYMENT ON TICKET-D0127611
27085	MARIA ESTER SANCHEZ	07/11/14	\$ 50.00	DEP REFUND-LF MEMORIAL PARK 6/28/14
27086	MARIA QUINTANILLA	07/11/14	\$ 50.00	DEP REFUND-LF MEMORIAL PARK 7/5/14
27087	RAMY ELFAHAM	07/11/14	\$ 5.00	OVERPAYMENT ON TICKET-103157
27088	RUBEN REYES-ORTIS	07/11/14	\$ 207.40	OVERPAYMENT ON TICKET-C0134133
27089	ALLIED WASTE SERVICES	06/30/14	\$ 37,556.93	RE:SOLID WASTE & BRUSH COLLECTION JUNE 2014
27090	AMERICA'S BEST VALUE INN	07/11/14	\$ 137.40	HOTEL-S.CONDE-EUTHANASIA TRAINING 7/16-7/18/14
27091	ARCHER BUSINESS SYSTEMS	VARIOUS	\$ 625.90	COPIER METER READINGS COURT/PD/CITY HALL/COLOR-P
27092	ARIOSTO CANO	07/03/14	\$ 250.00	LOT MOWING -ORDINANCE ENFORCEMENT
27093	AT&T	06/17/14	\$ 1,195.83	PHONE SVC-CITY HALL/PD/COURT/POOL/LIB/EMS
27094	CELINA GONZALES	VARIOUS	\$ 75.03	REIMBURSE-MILEAGECO-OP GRANT/BROWNSVILLE MPO
27095	DELL COMPUTER	05/05/14	\$ 2,346.54	SERVER FOR INCODE/DOMAIN
27095	DELL COMPUTER	11/18/13	\$ 2,554.57	SERVER FOR ICOP VIDEOS FOR POLICE DEPT
27096	ENRIQUE JUAREZ	06/30/14	\$ 1,750.00	JUNE ATTORNEY FEES
27097	F&S PAVING	05/30/14	\$ 1,085.25	ACID WASH POOL/2 MAIN DRAIN INSTALLATIONS
27098	FOUR STARS DRIVE IN	06/30/14	\$ 100.00	JUNE 2014-PRISONER MEALS
27099	GENE DANIEL	07/01/14	\$ 1,493.00	JUDGE/PHONE STIPEND JULY 2014
27100	GERONIMO SHELTON	07/01/14	\$ 451.00	FIRE MARSHAL-JULY 2014
27101	GEXA ENERGY	06/22/14	\$ 2,677.39	ELECTRICITY-CITYHALL/PD/COURT/BOYS& GIRLS CLUB
27101	GEXA ENERGY	06/22/14	\$ 8,773.34	ELECTRICITY-STREETLIGHTS/PARKS/LIBRARY
27102	GRANT WRITING USA	06/30/14	\$ 212.50	GRANT WRITING CLASS-C.GONZALES-9/18-9/19/14
27103	JESSICA PEREZ	07/11/14	\$ 14.23	MILEAGE REIMBURSE- LRGVDC RRC MEETING 7/10/14
27104	JORGE DELA GARZA	07/11/14		VOIDED CHECK-CANCELLED TRAINING
27105	JOSE DAVID RAMIREZ JR	07/11/14		VOIDED CHECK-CANCELLED TRAINING
27106	KIEFER	VARIOUS	\$ 597.05	LIFEGUARD SHIRTS/UMBRELLAS/ CPR MASKS/BOUY THRO
27107	KIEFER	VARIOUS		VOIDED CHECK- CONTINUED
27108	LAW ENFORCEMENT SYSTEMS	06/18/14	\$ 286.00	TRAFFIC TICKETS W/ WARNING
27109	LINEBARGER GOGGAN BLAIR	07/11/14	\$ 3,281.91	MAY 2014 COLLECTION FEES
27110	LONG CHILTON, LLP	VARIOUS	\$ 123.22	OUTSOURCE PAYROLL
27111	LF BOYS & GIRLS CLUB	06/30/14	\$ 500.00	3RD QUARTER PAYMENT APRIL/MAY/JUNE
27112	LOS FRESNOS CHAMBER OF COM	07/01/14	\$ 1,000.00	JULY 2014 SERVICE AGREEMENT
27113	LOS FRESNOS NEWS	VARIOUS	\$ 825.00	ADS-HELATH MATTERS/SUMMER SWIMMING/ORDINANCE T
27114	LF VOLUNTEER FIRE DEPT	06/30/14	\$ 12,200.00	3RD QUARTER PAYMENT & DONATIONS
27115	MUNICIPAL CODE CORP	06/30/14	\$ 3,375.00	CODIFICATION OF ORDINANCE
27116	O'REILLY AUTO PARTS	07/01/14	\$ 64.35	WAGNER H7635 SPOTLIGHT BULBS
27117	PETTY CASH	04/30/14	\$ 10.79	WAL-MART SOULDERING IRON-LIBRARY
27118	PRAXAIR DISTRIBUTION	06/11/14	\$ 779.70	POOL CHEMICALS
27119	QUICK LUBE	06/30/14	\$ 258.98	RESURFACE ROTORS/DISC BRAKE REPAIRS- PD UNIT D-32
27119	QUICK LUBE	06/30/14	\$ 258.00	DRIVE SHAFT COUPLER FOR PD UNIT D-64
27119	QUICK LUBE	VARIOUS	\$ 42.00	OIL CHANGE PD UNITS F-71, D-63
27120	REGION STAFFING	06/29/14	\$ 958.21	CONTRACT LABOR/ CUSTODIAN WKEND 6/29/14
27121	SAFETY VISION	06/24/14	\$ 864.00	WIRELESS DVR REPAIR AND FAN REPLACEMENT F-71
27121	SAFETY VISION	06/24/14	\$ 385.00	VIDEO SYSTEM REPAIR, REPLACE DOOR ON BOARDS C-31
27122	SELINA CONDE	VARIOUS	\$ 115.50	REIMBURSE-TRAINING- IDENTITY THEFT/RACIAL PROFILING
27122	SELINA CONDE	07/11/14	\$ 95.00	PER DIEM-S.CONDE- EUTHANSIA TRAINING 7/16-7/18/14
27123	STAPLES BUSINESS ADVANTA	06/28/14	\$ 94.68	OFFICE SUPPLIES- FILE BOXES-INK-RECEPT PAPER-WHITE
27124	STRIPES	VARIOUS	\$ 15.84	JUNE PRISONER MEALS
27125	TEEX	07/11/14	\$ 400.00	DEFENSIVE TACTICS TRAINING-7/21-7/25/14-D.RAMIREZ/J.DI
27126	TX A&M UNIVERSITY KINGSVILLE	07/11/14	\$ 100.00	STORMWATER TRAINING-C.SALAZAR/A.LOPEZ 8/18-8/20/14
27127	TEXAS FLEET FUEL	06/29/14	\$ 1,073.48	FUEL FOR PARK/POLICE/STREET DEPT VEHICLES
27127	TEXAS FLEET FUEL	06/22/14	\$ 1,321.34	FUEL FOR ENV/PARK/POLICE/STREET DEP VEHICLES
27128	TIF SERVICES OF SOUTH TX	06/23/14	\$ 5,000.00	TAX INCREMENT REINVESTMENT ZONE
27129	TIME WARNER CABLE	07/01/14	\$ 110.36	INTERNET SVC CITY HALL/PD/MCT
27130	TX ACADEMY OF ANIMAL CONTROL	07/03/14	\$ 250.00	CERTIFIED EUTHANASIA TRAINING-S.CONDE 7/21-7/18/14
27131	VEAE SERVICES	06/25/14	\$ 845.00	INCODE SETUP NEW SERVER/INSTALL NETWORK SWITCH/ 31
27132	CITY OF L.F. PAYROLL ACCT	07/17/14	\$ 61,414.09	DUE TO PAYROLL #21 7/18/14
27133	AMERICA'S BEST VALUE INN	07/18/14	\$ 130.80	HOTEL STAY-T.DAVILA UCR WORKSHOP

Attachment: july finance report (1109 : Finance Report)

[illegible]

CITY OF LOS FRESNOS
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JULY 31ST, 2014

05 - UTILITY FUND

FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
00-REVENUES	2,096,250	187,513.10	1,901,577.34	0.00	194,672.66	90.71
TOTAL REVENUES	2,096,250	187,513.10	1,901,577.34	0.00	194,672.66	90.71
<u>EXPENDITURE SUMMARY</u>						
02-WATER ADMINISTRATION	491,769	28,844.35	400,159.29	824.57	90,785.14	81.54
05-INFORMATION TECHNOLOG	13,337	532.15	9,188.55	159.63	3,988.82	70.09
26-WATER SUPPLIES	97,500	7,749.95	97,955.64	2,075.00 (	2,530.64)	102.60
27-MAINTENANCE OF WATER S	8,000	222.04	2,000.78	0.00	5,999.22	25.01
28-MAINTENANCE OF WATER E	37,100	71.25	38,554.13	2,719.38 (	4,173.51)	111.25
29-WATER PURCHASES	40,740	1,979.66	24,600.31	0.00	16,139.69	60.38
30-WATER MISCELLANEOUS EX	262,465	0.00	117,886.01	0.00	144,578.99	44.91
20-CAPITAL OUTLAY	7,500	0.00	133,355.50	0.00 (	125,855.50)	1,778.07
32-WATER BONDED INDEBTEDN	243,153	0.00	133,800.11	0.00	109,352.89	55.03
34-SEWER ADMINISTRATION	568,669	29,365.34	487,145.03	1,174.57	80,349.40	85.87
35-INFORMATION TECHNOLOG	13,337	532.15	9,188.53	159.64	3,988.83	70.09
36-SEWER SUPPLIES	61,500	435.10	58,134.69	1,244.99	2,120.32	96.55
37-MAINTENANCE OF SEWER S	7,000	0.00	3,361.36	60.00	3,578.64	48.88
38-MAINTENANCE OF SEWER E	81,923	61.25	46,328.49	10,400.92	25,193.59	69.25
39-SEWER MISC. EXPENSES	192,900	3,800.00	43,761.49	0.00	149,138.51	22.69
41-SEWER BONDED INDEBTEDN	62,207	0.00	16,694.20	0.00	45,512.80	26.84
52-TRANSFER OUT	197,419	39,865.00	192,073.75	0.00	5,345.25	97.29
TOTAL EXPENDITURES	2,386,519	113,458.24	1,814,187.86	18,818.70	553,512.44	76.81
REVENUE OVER/(UNDER) EXPENDITURES	(290,269)	74,054.86	87,389.48 (	18,818.70) (	358,839.78)	23.62-

Attachment: july finance report (1109 : Finance Report)

CHECKLIST FOR WATER & SEWER				JULY 2014
CK #	VENDOR NAME	Inv.Date	Amount	Description
144543	CITY OF L.F. PAYROLL	07/02/14	\$ 28,285.66	DUE TO PAYROLL #20 7/3/14
144544	AIM MEDIA	06/30/14	\$ 1,007.50	TCEQ NOTICE-SPANISH
144545	AT&T	06/17/14	\$ 906.33	PHONE SERVICE- WATER/SEWER
144546	CCID #6	06/27/14	\$ 589.75	WATER/PUMP USE FOR AGUA NEGRA 6/24-6/27/14
144547	CHOCO'S TIRE SHOP	07/02/14	\$ 10.00	FLAT REPAIR-WS-091
144548	CINTAS	VARIOUS	\$ 488.33	CLEANING OF W/S UNIFORMS
144549	DELL COMPUTER	05/05/14	\$ 2,346.54	SERVER FOR INCODE/DOMAIN
144550	GEXA ENERGY	06/22/14	\$ 12,273.80	ELEC-FLOODLIGHTS/SVC CENTER/WTP/LS/SEWER/WATER TOWER
144551	GRANT WRITING USA	06/30/14	\$ 212.50	GRANT WRITING CLASS-C.GONZALES-9/18-9/19/14
144552	HD SUPPLY WATERWORKS	06/23/14	\$ 563.92	7 - 4X7 1/2 CLAMPS- WATER LINE MAINTENANCE
144553	INTEGRITY TESTING	06/29/14	\$ 776.00	JUNE 2014 SEWER TESTING
144554	INTERNATIONAL CODE COUNCIL	06/13/14	\$ 18.00	SHIPPING '12 INSPECTORS COLLECTION
144555	JESSICA PEREZ	07/11/14	\$ 14.22	REIMBURSE MILAGE- LRGVDC RRC MEETING 7/10/14
144556	LINK STAFFING	06/22/14	\$ 920.00	CONTRACT LABOR WKEND 6/22/14
144557	LOS FRESNOS NEWS	06/18/14	\$ 420.00	TCEQ PUBLIC NOTICE
144558	PRAXAIR	06/20/14	\$ 237.44	CYLINDER DEMURRAGE RENTAL
144559	STAPLES BUSINESS ADVANTA	06/28/14	\$ 96.76	OFFICE SUPPLIES-RECEIPT PAPER/INK/WHITE OUT/FOLDERS
144560	TEXAS FLEET FUEL	06/29/14	\$ 402.44	FUEL FOR WATER/SEWER VEHICLES
144560	TEXAS FLEET FUEL	06/22/14	\$ 576.84	FUEL FOR WATER/SEWER VEHICLES
144561	TIME WARNER CABLE	07/01/14	\$ 73.56	INTERNET SVC W/S DEPT 7/1-7/31/14
144562	VEAE SERVICES	06/25/14	\$ 845.00	INCODE SETUP/INSTALL NETWORK SWITCH/DROPS
144563	WELLS FARGO	06/16/14	\$ 8,189.25	INTEREST PAYMENT
CHECKS 144564-144571				UTILITY DEPOSIT REFUND CHECK
144572	US POSTMASTER	07/17/14	\$ 154.70	POSTAGE-LATE NOTICE WATER BILLS
144573	CITY OF L.F. PAYROLL ACCT	07/17/14	\$ 28,737.56	DUE TO PAYROLL #21 7/18/14
144574	VDC LOS FRESNO RESERVE I HOME	03/26/14	\$ 145,600.00	WATER/SEWER LINE EXTENSION
144575	MARIA PURATA	05/20/14	\$ 600.00	REFUND WATER TAP
144576	A&V LOPEZ	VARIOUS	\$ 139.46	WATER/ICE/SUPPLIES FOR WATER/SEWER TESTING
144577	A&V LOPEZ			VOIDED CHECK-CONTINUED
144578	AGUAWORKS	06/30/14	\$ 386.50	CLAMPS FOR WATER LEAK REPAIRS
144579	ALICIA LERMA	07/25/14	\$ 122.50	CLEANING OF W/S VEHICLES- JULY 2014
144580	AMERICAN INDUSTRIAL	07/18/14	\$ 375.60	SAFETY GLASSES/GLOVES/CHILLY PADS-PUBLIC WORKS
144581	ANA-LAB CORP	06/30/14	\$ 99.00	WATER SAMPLES-JUNE 2014
144582	AQUA-ZYME DISPOSAL SYSTE	07/10/14	\$ 3,800.00	6TH MONTH RENTAL-SLUDGE BOXES AT WWTP
144583	CCID #6	07/07/14	\$ 1,979.66	RAW WATER- JUNE 2014
144584	CHEMTRADE CHEMICALS	VARIOUS	\$ 7,306.92	CHEMICALS-CLARION AND LAS
144585	DPC INDUSTRIES	06/20/14	\$ 1,242.72	12-150# CYLINDERS OF CHLORINE
144585	DPC INDUSTRIES	06/20/14	\$ 2,699.95	12-CYLINDER CHLORINE/14-CYLINDERS-SULFUR DIOXIDE
144586	GULF COAST PAPER	07/14/14	\$ 62.57	CLEANING SUPPLIES/COFFEE FOR CITY BUILDINGS
144587	JACQUELINE CHAPA	07/23/14	\$ 124.98	TRAVEL EXP-TRAINING-CUSTOMER SERVICE EXCELLENCE 7/29-7/31/14
144588	LINK STAFFING	VARIOUS	\$ 1,840.00	CONTRACT LABOR WKEND 6/29,7/13/14
144589	NAVARRO'S II	07/21/14	\$ 274.80	REPAIR 2 WATER PUMPS-IMPELLERS AND VOULTS
144590	O'REILLY AUTO PARTS	VARIOUS	\$ 215.07	SUPPLIES FOR MAINTENANCE JUNE 2014
144591	OFFICE DEPOT	06/27/14	\$ 23.58	OFFICE SUPPLIES-HANGING FILE FOLDER FRAME/CUPS
144592	PURCHASE POWER	07/07/14	\$ 26.83	MAY 2014 POSTAGE
144593	TEXAS FLEET FUEL	07/06/14	\$ 227.73	FUEL FOR WATER/SEWER VEHICLES
144594	USA BLUEBOOK	07/02/14	\$ 159.47	STENNER #7 PUMP TUBE FOR CHEMICAL FEEDER AT WTP
144595	WORLD CLASS TRAINING	07/11/14	\$ 149.00	CUSTOMER SERVICE EXCELLENCE TRAINING-J.CHAPA 7/29-7/30/14
144596	ZARSKY LUMBER	06/26/14	\$ 934.23	JUNE 2014 SUPPLIES FOR MAINTENANCE
144597	US POSTMASTER	07/25/14	\$ 524.81	POSTAGE-FIRST NOTICE WATER BILLS
144598	CAMERON COUNTY CLERK'S OFFICE	05/13/14	\$ 78.00	RECORDING FEE-WATERLINE EASEMENT
144599	CITY OF L.F. PAYROLL ACCT	07/31/14	\$ 28,742.64	DUE TO PAYROLL #22 8/1/14
TOTAL			\$ 285,882.12	
UTILITY DEPOSIT REFUND CHECK				
144564	GARZA, NORA LEE	07/11/14	\$ 19.53	ACCT #02-05480-07 UTILITY DEPOSIT REFUND
144565	GELFER, DAVID D	07/11/14	\$ 130.69	ACCT #02-14745-01 UTILITY DEPOSIT REFUND
144566	BEST, TERRI JO	07/11/14	\$ 93.83	ACCT #02-20420-13 UTILITY DEPOSIT REFUND
144567	RANGEL-VILLARREAL, BEN	07/11/14	\$ 18.62	ACCT #02-21353-05 UTILITY DEPOSIT REFUND
144568	DE LEON, MICHELLE	07/11/14	\$ 29.70	ACCT #03-03442-08 UTILITY DEPOSIT REFUND
144569	SEAGALL TRUST	07/11/14	\$ 74.68	ACCT #03-09379-00 UTILITY DEPOSIT REFUND
144570	GONZALEZ, VALERIE RUIZ	07/11/14	\$ 15.74	ACCT #03-18840-05 UTILITY DEPOSIT REFUND
144571	HEALY, LETICIA	07/11/14	\$ 53.26	ACCT #03-19020-06 UTILITY DEPOSIT REFUND
TOTAL			\$ 436.05	

CITY OF LOS FRESNOS
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JULY 31ST, 2014

09 -COMMUNITY DEVELOPMENT COR
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
52-CDC DISBURSEMENTS	<u>150,150</u>	<u>15,393.88</u>	<u>145,842.40</u>	<u>0.00</u>	<u>4,307.60</u>	<u>97.13</u>
TOTAL REVENUES	<u>150,150</u>	<u>15,393.88</u>	<u>145,842.40</u>	<u>0.00</u>	<u>4,307.60</u>	<u>97.13</u>
	=====	=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>						
52-CDC DISBURSEMENTS	<u>150,150</u>	<u>1,555.00</u>	<u>109,036.42</u>	<u>161.92</u>	<u>40,951.66</u>	<u>72.73</u>
TOTAL EXPENDITURES	<u>150,150</u>	<u>1,555.00</u>	<u>109,036.42</u>	<u>161.92</u>	<u>40,951.66</u>	<u>72.73</u>
	=====	=====	=====	=====	=====	=====
REVENUE OVER/(UNDER) EXPENDITURES	<u>0</u>	<u>13,838.88</u>	<u>36,805.98</u>	<u>(161.92)</u>	<u>(36,644.06)</u>	<u>0.00</u>
	=====	=====	=====	=====	=====	=====

[illegible]

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1104)

DOC ID: 1104 A

**Public Works Report 1. Water and Wastewater Activity 2.
Calls for Service 3. Building Permits**

Call with questions.

**City of Los Fresnos
Water Treatment Plant
And
Wastewater Treatment Plant**

Activity for the month of July 2014

Water treatment plant

Total Output: 17,861,000
Daily Average: 576,161
% of Capacity: 57.6%

Wastewater Treatment Plant

Total Output: 15,594,000
Daily Average: 503,032
% of Capacity: 50.3%

**CITY OF LOS FRESNOS
PUBLIC WORKS DEPARTMENT
MONTHLY REPORT FOR THE MONTH OF JULY 2014**

CALLS FOR SERVICE	MONTH	YEAR TO DATE	OTHER
Other: Code Enforcement	3	18	
Unstop Sewer	8	42	
Repair Leak	9	31	
Change Meter	11	58	
Water Taps	5	29	
Sewer Taps	3	18	
Service Check for Water Leak at Account	25	160	
Service Connects/Disconnects	248	1437	
Street Repairs	0	7	
Pot hole Repairs	0	160	
Drainage Complaint	1	4	
Street Sign Replacement	3	14	
Call for Sewer Stoppage	8	42	
City Sewer Lines Unstopped	3	26	
Tons of Asphalt Used	0 TONS	11.72TONS	
Tons of Gravel Used	2 TONS	20 TONS	
Fire Hydrants Flushed And Oiled	5	26	
Fire Hydrants Repaired	0	2	
Valves Repaired	0	2	
Manholes Cleaned or Repaired	0	24	



Carlos Salazar, Public Works Director

Attachment: july report for public works (1104 : Public Works Report)

**CITY OF LOS FRESNOS
BUILDING PERMITS ISSUED**

MONTH & YEAR July, 2014

	BUILDING PERMITS		PLUMBING PERMITS		ELECTRICAL PERMITS		MECHANICAL PERMITS		MOVING PERMITS		MONTH	YEAR TO DATE
	MONTH	YTD	MONTH	YTD	MONTH	YTD	MONTH	YTD	MONTH	YTD	VALUATION	VALUATION
SINGLE FAMILY	2	37	1	30	1	29		14		2	\$165,000.00	\$3,145,486.00
DUPLEXES/APARTMENTS	1	1	1	1	1	1	1	1			\$39,000.00	\$39,000.00
HOTEL/MOTEL / BANK												
OFFICES/ STORAGE								1				
STORES/RESTAURANTS		1				2		1				\$8,993,000.00
DOCTOR OFFICE/HOSPITAL												
SIGNS	1	9									\$1,020.00	\$29,669.23
CHURCHES/OTHER BUILDINGS		1				1				1		\$3,000.00
FENCE/DRIVEWAY/REROOF	1	27									\$2,000.00	\$65,050.92
SWIMMING POOLS		3				1						\$69,000.00
RESIDENTIAL ADD/REMODEL	2	13		4		4		1			\$25,200.00	\$109,950.00
COMMERCIAL ADD/REMODEL	1	3		1							\$38,000.00	\$51,000.00
STORAGE/GARAGES/CARPORTS	1	10									\$695.00	\$15,666.00
IRRIGATION				3								
TOTALS	9	105	2	39	2	38	1	18	0	3	\$270,915.00	\$12,520,822.15

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1111)

DOC ID: 1111 A

Police Report 1. Arrests 2. Calls

Call with questions.

LOS FRESNOS POLICE DEPARTMENT

Arrests - By Violation

07/01/2014
thru 07/31/2014

Violation	# of Offenses
ARREST WITHOUT WARRANT	4
ASSAULT	1
CITY ORD VIOLATION	1
DRIVING WHILE INTOXICATED	5
DRIVING WHILE INTOXICATED 3RD OR MORE	1
DRIVING WHILE INTOXICATED BAC >= 0.15	1
DRIVING WHILE INTOXICATED W/CHILD UNDER 15 YOA	1
DRIVING WHILE LICENSE DISQUALIFIED-CMV	2
DRIVING WHILE LICENSE SUSPENDED UNDER PROVISIONS OF DL LAWS	2
EXECUTION OF CAPIAS OR ARREST WARRANT	3
FAIL TO REPORT CHILD ABUSE	1
INJURY CHILD/ELDERLY/DISABLE W/INT BODILY INJ 13a	1
NO DRIVER'S LICENSE	4
ONE-WAY ALLEYS	1
PUBLIC INTOXICATION	1
PUBLIC INTOXICATION BY MINOR	1
TERRORISTIC THREAT 13b	2
THEFT	1
UNL CARRYING WEAPON	1
Total Violations	34
Total Arrests	33

Attachment: july police report (1111 : Police Report)

LOS FRESNOS POLICE DEPARTMENT

Calls - By Type

07/01/2014

thru 07/31/2014

Agency is: LOS FRESNOS POLICE DEPARTMENT

Type	Description	# Of Calls
178	ABANDONED VEHICLES - ORDINANCE 454	1
86	ACCIDENT - MOTOR VEHICLE	2
5	ALARM BUSINESS	11
6	ALL OTHER OFFENSES	1
167	ANIMAL CONTROL - ORDINANCE 410 OR 410-1	15
10	ASSIST OTHER AGENCY	3
179	BUSINESS CHECK	104
25	CITIZEN CONTACT	2
26	CIVIL MATTER	9
39	CLEAR DEBRIS	1
34	DAMAGED PROPERTY	1
94	DISCHARGE FIREARMS/FIREWORKS	1
50	EMS CALL	5
57	FIRE ALARM	1
59	FOUND-RECOVERED PROPERTY	1
170	GARAGE SALES - ORDINANCE 416	4
63	GAS LEAK	1
107	HEALTH PERMIT	1
87	HIT AND RUN	2
135	ILLEGAL DUMPING	1
74	INFORMATION	22
77	INVESTIGATION	1
78	JUNK VEHICLE	3
81	LOOSE DOMESTIC ANIMAL	14
82	LOST PROPERTY (CELL PHONE, PURSE, ETC)	1
173	LOUD NOISE - ORDINANCE 420	1
106	NOISE DISTURBANCE	2
92	OPEN DOOR/OPEN WINDOW	3
93	PARKING REGULATIONS	1
180	PATROL BY	190
120	SUSPICIOUS NOISES	2
119	SUSPICIOUS PERSON/VEHICLES	17
123	THEFT	7
125	TRAFFIC STOP	404
128	VERBAL DISTURBANCE	10
132	WAVE DOWN	3
142	WEEDED OR RUBBISH LOT - ORDINANCE 123-A	18
133	WELFARE CONCERN	6
Total		872

Attachment: july police report (1111 : Police Report)

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1108)

DOC ID: 1108 A

Municipal Court Report 1. Monthly Report

Call with questions.

OFFICIAL MUNICIPAL COURT MONTHLY REPORT

MUNICIPAL COURT OF		TRAFFIC		NON-TRAFFIC MISDEMEANORS	
CITY OF	Los Fresnos	NON-PARKING	PARKING	STATE LAW	CITY ORDINANCE
FOR MONTH	July YEAR 2014				
1. New Cases Filed During the Month		991	2	35	4
2. Dispositions Prior to Trial:					
A. Bond Forfeitures					
B. Fined <i>(Before trial only. If the defendant goes to trial, enter in Item 3.)</i>		290		11	1
C. Cases Dismissed <i>(Do not include dismissals that are to be reported in Items 3C and 4 below.)</i>		24	1	4	1
3. Dispositions at Trial:					
A. Trial by Judge (1) Finding of Guilty		134		5	2
(2) Finding of Not Guilty					
B. Trial by Jury (1) Finding of Guilty					
(2) Finding of Not Guilty					
C. Dismissed at Trial		8		3	
4. Cases Dismissed:					
A. After Driver Safety Course <i>(C.C.P., Art. 45.051)</i>		33			
B. After Deferred Disposition <i>(C.C.P., Art. 45.051)</i>		17		1	
C. After Proof of Financial Responsibility <i>(Transportation Code, Sec. 601.193)</i>		13			
D. Compliance Dismissal <i>(Proof of Inspection, License, or Registration)</i>		382			
5. Community Service Ordered <i>(For satisfaction of fine or costs only.)</i>		12			
6. Cases Appealed					
7. Juvenile / Minor Activity:					
A. Transportation Code Cases Filed		12			
B. Non-Driving Alcoholic Beverage Code Cases Filed					
C. Driving Under the Influence of Alcohol Cases Filed					
D. Health & Safety Code (Tobacco) Cases Filed					
E. Failure to Attend School Cases Filed <i>(Education Code, Sec. 25.094)</i>	DRUG PARA	1			
F. Education Code (Except Failure to Attend) Cases Filed					
G. Violation of Local Daytime Curfew Ordinance Cases Filed <i>(Loc. Govt. Code, Sec. 341.905)</i>					
H. All Other Non-Traffic Fine-Only Cases Filed					
I. Waiver of Jurisdiction of Non-Traffic Cases <i>(Family Code, Sec. 51.08(b))</i>					
J. Referred to Juvenile Court for Delinquent Conduct <i>(C.C.P., Art. 45.050 (c)(1))</i>					
K. Held in Contempt, Fined, or Denied Driving Privileges <i>(C.C.P., Art. 45.050 (c)(2))</i>					
Magistrate Warnings Given (Juvenile):					
L. Warnings Administered					
M. Statements Certified					
8. Parent Contributing to Nonattendance Cases Filed <i>(Education Code, Sec. 25.093)</i>					
9. Safety Responsibility and Driver's License Suspension Hearings Held					
10. Search Warrants Issued <i>(Do not include warrants for arrest.)</i>					
11. Arrest Warrants Issued: A. Class C Misdemeanors Only					180
B. Felonies and Class A and B Misdemeanors Only					
12. Magistrate Warnings Given: <i>(Given to defendants charged with county or district court offense.)</i> A. Class A and B Misdemeanors Only					9
B. Felonies					
13. Emergency Mental Health Hearings Held					
14. Magistrate's Orders for Emergency Protection					
15. Total Revenue \$					79,717.56
<i>(Include all revenue collected during month to be remitted to city or state.)</i>					

Citation No.	Docket No.	Violator	***** TOTAL FOR REPORT *****			
Code	Payments	Refunds	Net	G/L	Acct No.	
FINE	407	17,898.46	0	17,898.46	01	407-0240
CCC04	481	17,952.42	0	17,952.42	01	2512
AR	455	2,261.00	0	2,261.00	01	407-0240
TECH	457	1,802.00	0	1,802.00	01	407-0241
MCBS	441	1,318.00	0	1,318.00	01	407-0270
SJRF	436	1,741.00	0	1,741.00	01	2512
JFCT2	435	2,343.40	0	2,343.40	01	2512
JFCI	437	262.20	0	262.20	01	407-0240
IDF	433	866.00	0	866.00	01	2512
WRNTFE	81	3,906.60	0	3,906.60	01	407-0240
TLFTA1	83	1,630.05	0	1,630.05	01	2512
TLFTA2	82	485.00	0	485.00	01	2517
TLFTA3	84	326.31	0	326.31	01	407-0240
COLAGY	40	2,515.10	1	2,453.30	01	2513
CJFS	253	22.77	0	22.77	01	2512
CJFC	253	2.53	0	2.53	01	407-0240
TPF	373	744.00	0	744.00	01	2512
STF	394	11,250.22	0	11,250.22	01	2512
TFC	386	1,158.00	0	1,158.00	01	407-0240
TP-L	46	451.00	0	451.00	01	407-0240
TP-S	52	610.50	0	610.50	01	2512
TP-L-J	50	123.10	0	123.10	01	407-0260
DSC	49	485.10	0	485.10	01	407-0240
TXSBLT	5	75.10	0	75.10	01	2515
AF2	351	7,020.00	0	7,020.00	01	407-0240
CS2	2	50.00	0	50.00	01	407-0280
AF	6	60.00	0	60.00	01	407-0240
OP	7	489.30	0	489.30	01	2516
SPEX	26	1,610.50	0	1,610.50	01	407-0290
GR	2	5.00	0	5.00	01	2512
LEMI	2	1.00	0	1.00	01	2512
JCPT	2	2.00	0	2.00	01	2512
CVC	7	105.00	0	105.00	01	2512
CJP	2	10.00	0	10.00	01	2512
LEOA	3	3.00	0	3.00	01	2512
LEOCE	3	6.00	0	6.00	01	2512
OCL	1	35.25	0	35.25	01	2512
JCPT2	5	10.00	0	10.00	01	2512
CCC	5	85.00	0	85.00	01	2512
FA	5	25.00	0	25.00	01	2512
JCD	1	0.25	0	.25	01	2512
JCD2	4	2.00	0	2.00	01	2512
CMI	4	2.00	0	2.00	01	2512
MSB	2	18.00	0	18.00	01	2513
JFCT	3	10.20	0	10.20	01	2512
Total:	6651	79,779.36	1	61.80-	79,717.56	

Cash Payments....+ \$74,595.35
Bond Forfeited....+ \$0.00

City 35441.
Courttech 1802'
Bldg Security 1318'
Judge Ed 123'
Omnibus 485'
Childsafety 50'
overpay 489.3
coll 2471.36
state 37537'

Attachment: july court report (1108 : Municipal Court Report)

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1106)

DOC ID: 1106 A

Library Report 1. Monthly Report

Call with questions.

MONTHLY REPORT: ETHEL L. WHIPPLE MEMORIAL LIBRARY

**LOS FRESNOS CITY COUNCIL
JULY 2014**

**CITY MANAGER,
MAYOR, AND COUNCIL MEMBERS**

Attachment: July Library Report (1106 : Library Report)

**ETHEL L. WHIPPLE MEMORIAL LIBRARY
JULY 2014 MONTHLY REPORT**

1.8.5.a

Attachment: July Library Report (1106 : Library Report)

New Accounts		
Adult County	37	
Adult City	21	
Child City	3	
Child County	3	
Winter Resident	0	
Young Adult County	1	
Total	65	
Circulation by Patron Type		
Adult	1215	
Teen	34	
Child	361	
Total	1610	
Circulation by Material Type		
ADULT NONFICTION	80	
ADULT FICTION	146	
ADULT OVERS	0	
ADULT REFERENCE	2	
JUNIOR BIOGRAPHY	0	
EASY	236	
JUNIOR FICTION	363	
JUNIOR NONFICTION	102	
JUNIOR REFERENCE	0	
LANGUAGE BIOGRAPHY	3	
JUNIOR VIDEO	0	
LANGUAGE VIDEO	0	
NEW BOOK	70	
DVD	595	
DVD NONFICTION	0	
LANGUAGE EASY	7	
LANGUAGE FICTION	19	
LANGUAGE JUNIOR FICTION	8	
LANGUAGE NONFICTION	40	
LARGE PRINT	5	
LANGUAGE REFERENCE	0	

**ETHEL L. WHIPPLE MEMORIAL LIBRARY
JULY 2014 MONTHLY REPORT**

1.8.5.a

AUDIOBOOKS	2	
VHS	2	
ADULT BIOGRAPHY	6	
STORY COLLECTION	0	
LANGUAGE JUNIOR NONFICTION	11	
eBOOKS	74	
	1771	
New Material Added		
ADULT NONFICTION	25	
ADULT FICTION	19	
ADULT OVERS		
ADULT REFERENCE		
JUNIOR BIOGRAPHY		
EASY	13	
JUNIOR FICTION	60	
JUNIOR NONFICTION	11	
JUNIOR REFERENCE		
LANGUAGE BIOGRAPHY	7	
JUNIOR VIDEO		
LANGUAGE VIDEO		
NEW BOOK	19	
DVD	18	
DVD NONFICTION		
LANGUAGE EASY	7	
LANGUAGE FICTION	32	
LANGUAGE JUNIOR FICTION	5	
LANGUAGE NONFICTION	35	
LARGE PRINT		
LANGUAGE REFERENCE		
AUDIOBOOKS		
VHS		
LOST		
ADULT BIOGRAPHY	2	
STORY COLLECTION		
LANGUAGE JUNIOR NONFICTION	1	
eBOOKS	155	
TOTAL	409	
	LOGINS	TIME/HRS
WIFI USAGE	549	2470
PATRON ACCESS USAGE	1731	1227

Attachment: July Library Report (1106 : Library Report)

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1105)

DOC ID: 1105 A

Fire Marshall Report 1. Monthly Report

Call with questions.



FIRE MARSHAL'S OFFICE
200 North Brazil
Los Fresnos, Texas 78566
FIRE INSPECTION REPORT

MONTHLY INFORMATION REPORT
MONTH OF JUNE 2014

<u>FIRES</u>	<u>INSIDE CITY</u>	<u>OUTSIDE CITY</u>
Business Structures	_____	_____
Dwellings	_____	_____
Mobile Homes	_____	4
Grass	_____	1
Refuse	_____	_____
Incendiary or Suspicious Fires	_____	_____
Institutional	_____	2
Motor Vehicles	_____	14 (1 was a plane)
Rescue Calls	_____	7
Other Calls	_____	_____
		25
TOTAL ALARMS		


MONTHLY FIRE PREVENION INSPECTIONS

Commercial Businesses	<u>8</u>	Institutions	_____
Industrial Structures	_____	Homes	<u>1</u>
Public Buildings	<u>1</u>	Apartments	_____
Hotels	_____		
TOTAL INSPECTIONS	<u>10</u>		

SCHOOL, HOSPITAL, and NURSING HOME FIRE DRILLS SUPERVISED _____

LECTURES-PRESENTATIONS MADE/FILMS SHOWN _____ TOTAL AUDIENCE _____

FIRES INVESTIGATED (ACCIDENTAL) _____ (INCENDIARY) _____


 FIRE MARSHAL, CITY OF LOS FRESNOS

Attachment: june and july fire reports (1105 : Fire Marshall Report)



FIRE MARSHAL'S OFFICE
200 North Brazil.
Los Fresnos, Texas 78566
FIRE INSPECTION REPORT

MONTHLY INFORMATION REPORT
MONTH OF July 2014

<u>FIRES</u>	<u>INSIDE CITY</u>	<u>OUTSIDE CITY</u>
Business Structures	<u>1</u>	<u>1</u>
Dwellings		
Mobile Homes	<u>1</u>	<u>8</u>
Grass		<u>3</u>
Refuse		
Incendiary or Suspicious Fires		
Institutional		
Motor Vehicles		<u>8</u>
Rescue Calls		<u>4</u>
Other Calls	<u>2</u>	
		<u>28</u>
TOTAL ALARMS		

MONTHLY FIRE PREVENION INSPECTIONS

Commercial Businesses	<u>4</u>	Institutions	<u>2</u>
Industrial Structures		Homes	<u>1</u>
Public Buildings	<u>3</u>	Apartments	
Hotels			
TOTAL INSPECTIONS	<u>10</u>		

SCHOOL, HOSPITAL, and NURSING HOME FIRE DRILLS SUPERVISED _____

LECTURES-PRESENTATIONS MADE/FILMS SHOWN _____ TOTAL AUDIENCE _____

FIRES INVESTIGATED (ACCIDENTAL) 1 (INCENDIARY) _____

Gerardo Sheldon
FIRE MARSHAL, CITY OF LOS FRESNOS

Attachment: june and july fire reports (1105 : Fire Marshall Report)

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Closed Session
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1086)

DOC ID: 1086

Closed Session - Deliberation pursuant to Sections 551.071, 551.072 and 551.074, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following: A. Consultation with City Attorney to seek legal advice on city annexation issues. B. Purchase, exchange, lease, or value of real property. C. Appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Manager, Public Works Director, Chief of Police, Librarian, Finance Director or City Secretary.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Open Session
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1087)

DOC ID: 1087

Open Session - Deliberation and possible action on the following: A. Consultation with City Attorney on contemplated litigation. B. Purchase, exchange, lease, or value of real property. C. Appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Manager, Public Works Director, Chief of Police, Librarian, Finance Director or City Secretary.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 08/12/14 07:00 PM
Department: City Secretary
Category: Workshop
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1095)

DOC ID: 1095 A

Budget Workshop for Fiscal Year 2014-2015.

We will begin discussions on the budget. We will deliver hard copies Friday afternoon. Since this is a long agenda we will probably introduce the budget and cover it again on August 28 at our other budget workshop.