

# City Council

520 E Ocean Blvd.

## Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

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Tuesday, August 13, 2024

6:00 PM

City Hall

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### Agenda

- A. Call meeting to order

Mayor Flores called the meeting to order at 6:01 pm.

- B. Invocation and Pledge of Allegiance

Mark Milum gave the invocation and led the audience in the pledge of allegiance.

**Visitors remarks-To speak you must sign in with the City Secretary prior to the meeting you have a limit of 5 minutes to speak.**

There were none.

### Public Hearing

**Public hearing to discuss changes to TXCDBG project no. CDV21-0095 as part of an amendment to remove the sewer improvement work along 2nd Street between North Alamo Street and Arroyo Boulevard.No Action**

Public hearing opened at 6:02 pm

Mr. Milum explained the amendment and answered questions from the council.

There were no comments from the public.

Council member Juan Munoz arrived at 6:03 pm

Public hearing closed at 6:03 pm

made a motion to approve Public hearing to discuss changes to TXCDBG project no. CDV21-0095 as part of an amendment to remove the sewer improvement work along 2nd Street between North Alamo Street and Arroyo Boulevard., seconded by the vote was .

**Consent Agenda (All matters listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the City Council. The item may subsequently be removed from the Consent Agenda to be considered separately.)**

Mayor Flores asked the council if they had any questions on the consent agenda. There were none.

**Consideration and ACTION to approve the minutes from July 9, 2024.Adopted**

Motion was made and seconded to approve the minutes from July 9, 2024.

Alberto Escobedo made a motion to approve Consideration and ACTION to approve the minutes from July 9, 2024., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to approve a contract with Cameron County Election Administration to conduct the early voting and election day voting for November 5, 2024 City Election.Adopted**

Motion was made and seconded to approve a contract with Cameron County Elections Administration to conduct the early voting and election day for for November 5, 2024 City Election.

Alberto Escobedo made a motion to approve Consideration and ACTION to approve a contract with Cameron County Election Administration to conduct the early voting and election day voting for November 5, 2024 City Election., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to approve the second reading Ordinance 559 for the approval of an agreement by and between the City of Los Fresnos, the Tax Increment Reinvestment Zone #2, and The Woods at Los Fresnos Redevelopment Authority; authorizing the Redevelopment Authority to borrow up to \$1Millon dollars, and Authorizing the Mayor and City Secretary to execute the agreement, and related documents.Adopted**

Motion was made and seconded to approve the second reading Ordinance 559 for the approval of an agreement by and between the City of Los Fresnos, the Tax Increment Reinvestment Zone #2, and The Woods at Los Fresnos Redevelopment Authority; authorizing the Redevelopment Authority to borrow up to \$1Millon dollars, and Authorizing the Mayor and City Secretary to execute the agreement, and related documents.

Alberto Escobedo made a motion to approve Consideration and ACTION to approve the second reading Ordinance 559 for the approval of an agreement by and between the City of Los Fresnos, the Tax Increment Reinvestment Zone #2, and The Woods at Los Fresnos Redevelopment Authority; authorizing the Redevelopment Authority to borrow up to \$1Millon dollars, and Authorizing the Mayor and City Secretary to execute the agreement, and related documents., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to approve the 3rd quarter, Quarterly Investment Portfolio Report ended as of June 30, 2024.Adopted**

Motion was made and seconded to approve the 3rd quester, Quarterly Portfolio Report ended as of June 20, 2024.

Alberto Escobedo made a motion to approve Consideration and ACTION to approve the 3rd quarter, Quarterly Investment Portfolio Report ended as of June 30, 2024., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to approve Change Order No. 1 for 2020-2021 CDBG Sanitary Sewer Improvements CDV21-0095 Additive Bids No. 1 and No. 4.**Adopted

Motion was made and seconded to approve Change Order No. 1 for 2020-2021 CDBG Sanitary Sewer Improvements CDV21-0095 Additive Bids No. 1 and No. 4.

Alberto Escobedo made a motion to approve Consideration and ACTION to approve Change Order No. 1 for 2020-2021 CDBG Sanitary Sewer Improvements CDV21-0095 Additive Bids No. 1 and No. 4., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consider and Approve authorization to issue requests for proposal for administrative services (RFP) and requests for qualifications for engineering services (RFQ) for grant pre-application (Phase I), application (Phase II), and implementation services for Texas Community Development Grant Program for 2025/2026 Community Development Fund (and all eligible activities per the application guidance) as administered by the Texas Department of Agriculture.**Adopted

Alberto Escobedo made a motion to approve Consider and Approve authorization to issue requests for proposal for administrative services (RFP) and requests for qualifications for engineering services (RFQ) for grant pre-application (Phase I), application (Phase II), and implementation services for Texas Community Development Grant Program for 2025/2026 Community Development Fund (and all eligible activities per the application guidance) as administered by the Texas Department of Agriculture., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to approve action taken by the Los Fresnos Community Development Corporation for service agreement for the 2024 Narcisco Martinez Cultural Arts Center Conjunto Festival.**Adopted

Motion was made and seconded to approve the action taken by the Los Fresnos Community Development Corporation for service agreement for the 2024 Narcisco Martinez Cultural Arts Center Conjunto Festival.

Alberto Escobedo made a motion to approve Consideration and ACTION to approve action taken by the Los Fresnos Community Development Corporation for service agreement for the 2024 Narcisco Martinez Cultural Arts Center Conjunto Festival., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to approve an agreement for services to provide swimming lessons for the fiscal year 2024-2025.**Adopted

Motion was made and seconded to approve an agreement for services to provide lessons for the fiscal year 2024-2025.

Alberto Escobedo made a motion to approve Consideration and ACTION to approve an agreement for services to provide swimming lessons for the fiscal year 2024-2025., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to excuse the absence of Gabriela Fernandez from the July 9, 2024 City Council meeting.**Adopted

Motion was made and seconded to excuse the absence of Gabriela Fernandez from the July 9, 2024 City Council meeting.

Alberto Escobedo made a motion to approve Consideration and ACTION to excuse the absence of Gabriela Fernandez from the July 9, 2024 City Council meeting., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to excuse the absence of Claudia Villareal from the July 8, 2024 Community Development Corporation meeting.**Adopted

Motion was made and seconded to excuse the absence of Claudia Villareal from the July 8, 2024 Community Development Corporation meeting.

Alberto Escobedo made a motion to approve Consideration and ACTION to excuse the absence of Claudia Villareal from the July 8, 2024 Community Development Corporation meeting., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to excuse the absence of Pedro Maldonado from the July 8, 2024 Community Development Corporation meeting.**Adopted

Motion was made and seconded to excuse the absence of Pedro Maldonado from the July 8, 2024 Community Development Corporation meeting.

Alberto Escobedo made a motion to approve Consideration and ACTION to excuse the absence of Pedro Maldonado from the July 8, 2024 Community Development Corporation meeting., seconded by Gabriela Fernandez the vote was [Unanimous].

**Action Items**

**Discussion and action to pass Resolution 7-2024 authorizing the submission of an amendment for TxCDBG project no. CDV21-0095 to remove the sewer improvement work along 2nd Street between North Alamo Street and Arroyo Boulevard.**Adopted

Mr. Milum explained the item he was referring to in the public hearing.

There was no questions from the council.

Motion was made and seconded to pass Resolution 7-2024 authorizing the submission of an amendment for the TxCDBG project no. CDV21-0095 to remove the sewer improvement work along 2nd street between North Alamo Street and Arroyo Boulevard.

Gabriela Fernandez made a motion to approve Discussion and action to pass Resolution 7-2024 authorizing the submission of an amendment for TxCDBG project no. CDV21-0095 to remove the sewer improvement work along 2nd Street between North Alamo Street and Arroyo Boulevard., seconded by Alberto Escobedo the vote was [Unanimous].

**Discussion and action to approve Change Order No. 1 for TxCDBG project no. CDV21-0095.Adopted**

Mr. Milum explained the item he was referring to in the public hearing and the above action item.

There were no comments from the council.

Motion was made and seconded to approve Change Order No. 1 for TxCDBG project no CDV21-0095.

Juan Munoz made a motion to approve Discussion and action to approve Change Order No. 1 for TxCDBG project no. CDV21-0095., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to approve a service agreement for the 2024 Cowboy Cook Off.Adopted**

Mr. Milum introduced Larry Cantu with the Los Fresnos Rodeo Committee.

Mr. Cantu thanked the city council and staff for there support. Mr. Cantu answered questions from the council.

Motion was made and seconded to approve a service agreement for the 2024 Cowboy Cook Off.

Alberto Escobedo made a motion to approve Consideration and ACTION to approve a service agreement for the 2024 Cowboy Cook Off., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to approve a service agreement for the 2025 Cameron County Fair & Livestock Show.Adopted**

Mr. Milum introduced Valerie Almendariz, President of the Cameron County Fair & Livestock Show.

Mrs. Almendariz introduced herself. She presented past information and future plans for the fair. She thanked the council for their continued support.

Motion was made and seconded to approve a service agreement for the 2025 Cameron County Fair & Livestock Show.

Juan Munoz made a motion to approve Consideration and ACTION to approve a service agreement for the 2025 Cameron County Fair & Livestock Show., seconded by Gabriela Fernandez the vote was [Unanimous].

**Consideration and ACTION to approve a service agreement for the 2025 Los Fresnos Rodeo.Adopted**

Larry Cantu with the Rodeo Committee thanked for the city's continued support and asked for the same support as last year.

Motion was made and seconded to approve a service agreement for the 2025 Los Fresnos Rodeo.

Juan Munoz made a motion to approve Consideration and ACTION to approve a service agreement for the 2025 Los Fresnos Rodeo., seconded by Gabriela Fernandez the vote was [Unanimous].

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

Val Champion, Director with the Chamber introduced himself and Terry Sandate. Mr. Champion reviewed the event hosted by the chamber, number of members. He requested a monthly stipend increase to assist in the recruitment of a replacement for staff when the time comes.

Mr. Campion answered questions from the council and discussed the proposed stipend increase.

Motion was made and seconded to table the approval of a service agreement with the Los Fresnos Chamber of Commerce.

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

**Consideration and ACTION to appoint or re-appoint Enrique Juarez, Place 1 and Pedro Maldonado Place 2 to the Community Development Corporation.** Adopted

Mr. Milum explained the members are normally appointed in February but these were over looked and recommended appointment.

Motion was made and seconded to re-appoint Enrique Juarez, Place 1 and Pedro Maldonado, Place 2 to the Community Development Corporation.

Alberto Escobedo made a motion to approve Consideration and ACTION to appoint or re-appoint Enrique Juarez, Place 1 and Pedro Maldonado Place 2 to the Community Development Corporation., seconded by Gabriela Fernandez the vote was [Unanimous].

**Discussion and review of applications received for upcoming vacancies and current members in the following boards and positions: 1. Planning and Zoning Commission Place 1 Robert Walsdorf, Place 2 Jacob Wasonga, Place 3 Larry Stambaugh, Place 4 Juan Sierra 2. Park Advisory Board Place 1 Gil Gomez, Place 2 Eduardo Lugo, Place 3 Natasha Taylor 3. Housing Authority Board Place 4 Alejandro Juarez, Place 5 Laura Rodriguez**  
Action

Mayor Flores read the upcoming positions and notified the council it was only a notification of the upcoming vacancies. Mr. Milum explained it the item would be brought up at the next meeting.

Mr. Milum answered questions from the board.

No action was taken.

made a motion to approve Discussion and review of applications received for upcoming vacancies and current members in the following boards and positions: 1. Planning and Zoning Commission Place 1 Robert Walsdorf, Place 2 Jacob Wasonga, Place 3 Larry Stambaugh, Place 4 Juan Sierra 2. Park Advisory Board Place 1 Gil Gomez, Place 2 Eduardo Lugo, Place 3 Natasha Taylor 3. Housing Authority Board Place 4 Alejandro Juarez, Place 5 Laura Rodriguez, seconded by the vote was .

**Consideration and ACTION to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for 2024 and the excess debt tax collections for 2024 tax year.**Adopted

Mr. Milum explained the ad valorem is an excess of 93.8%, the excess debt collected \$46,414.00.

Motion was made and seconded to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for 2024 and the excess debt collections for 2024 tax year.

Gabriela Fernandez made a motion to approve Consideration and ACTION to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for 2024 and the excess debt tax collections for 2024 tax year., seconded by Juan Munoz the vote was [Unanimous].

**Consideration and ACTION to acknowledge the Cameron Appraisal District Chief Appraiser's certification of the 2024 tax roll.**Adopted

Mr. Milum explained the net taxable value of the 2024 tax roll is \$515,697,610 and increase of \$60,748.289 or 13% about 1/3 is new development.

Motion was made and seconded to acknowledge the Cameron Appraisal District Chief Appraiser's certification of the 2024 tax roll.

Alberto Escobedo made a motion to approve Consideration and ACTION to acknowledge the Cameron Appraisal District Chief Appraiser's certification of the 2024 tax roll., seconded by Juan Munoz the vote was [Unanimous].

**Consideration and ACTION to acknowledge the calculations of the City's no-new-revenue and voter-approval tax rate for tax year 2024 and for fiscal year 2024-2025.**Adopted

Mr. Milum explained the no-new-revenue tax rate is \$0.656395, to get the same revenue as last year the tax rate would need to be \$0.656395 per \$100 valuation instead of the actual rate of \$0.685 per valuation.

Motion was made and seconded to acknowledge the calculations of the City's no-new-revenue and voter-approval tax rate for tax year 2024 and for fiscal year 2024-2025 as presented.

Juan Munoz made a motion to approve Consideration and ACTION to acknowledge the calculations of the City's no-new-revenue and voter-approval tax rate for tax year 2024 and for fiscal year 2024-2025., seconded by Alberto Escobedo the vote was [Unanimous].

**Consideration and ACTION to propose a tax rate for tax year 2024, take a record vote, if proposed tax rate exceeds the lower of the no-new-revenue or voter-approval, and set dates for public hearings, if necessary.**Adopted

Mr. Milum explained the proposed budget would keep the ad valorem tax rate to \$0.685 per \$100 valuation compared to last year at \$0.685. He then reviewed the impact of the decrease in tax rate and answered questions from the council.

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

Luis Gonzalez, aye, Albert Escobedo, aye, Juan Munoz, aye, Gabriela Fernandez and Mayor Alejandro Flores, aye.

Motion was made and seconded to approve the proposed tax rate \$0.685 per \$100 valuation and set the public hearing for Tuesday, August 20, 2024 at 6:00 p.m.

made a motion to approve Consideration and ACTION to propose a tax rate for tax year 2024, take a record vote, if proposed tax rate exceeds the lower of the no-new-revenue or voter-approval, and set dates for public hearings, if necessary., seconded by the vote was [Unanimous].

**Acknowledgement of City Manager's Report**

**City Manager Report A. Waste Water Collection System & Upgrade B. Water Treatment Plant Expansion C. Street Project D. Drainage E. Whipple Road F. COVID-19 G. Veteran's Memorial H. Water Funding I. Wastewater Funding J. Boys & Girls Club K. CDC Capital Improvement Program Committee 2024**Adopted

Mayor Flores asked Mr. Milum if there were any comments on his report he would like to make.

Mr. Milum gave the council an update on the street repairs, Veteran's Memorial and reviewed the CDC Capital Improvement Committee report. Mr. Milum answered questions from the council.

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

Gabriela Fernandez made a motion to approve City Manager Report A. Waste Water Collection System & Upgrade B. Water Treatment Plant Expansion C. Street Project D. Drainage E. Whipple Road F. COVID-19 G. Veteran's Memorial H. Water Funding I. Wastewater Funding J. Boys & Girls Club K. CDC Capital Improvement Program Committee 2024, seconded by Juan Munoz the vote was [Unanimous].

**Acknowledgement of Department Head Reports**



Mayor Flores asked the council if they had any questions on the Department Head Reports. Council member Luis Gonzalez asked for an update on Chief Hector Gonzalez, Mr. Milum replied he was doing good after surgery.

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

Motion was made and seconded to acknowledge the Financial report.

Alberto Escobedo made a motion to approve Financial Report 1. Monthly 2. Year to Date 3. Sales Tax, seconded by Gabriela Fernandez the vote was [Unanimous].

**Public Works Report 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits 4. Recycling 5. Waste Water Treatment Plant Discharge Monitoring** ReportAdopted

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

Alberto Escobedo made a motion to approve Public Works Report 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits 4. Recycling 5. Waste Water Treatment Plant Discharge Monitoring Report, seconded by Gabriela Fernandez the vote was [Unanimous].

**Police Department July 2024 1. Calls-By Type 2. Calls-By Date & Time 3. Incidents-By Violation 4. Arrests-By Type 5. Accidents-By Streets & Intersection June 2024 1. Magistrates 2. Index Crimes by Zone**Adopted

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

Alberto Escobedo made a motion to approve Police Department July 2024 1. Calls-By Type 2. Calls-By Date & Time 3. Incidents-By Violation 4. Arrests-By Type 5. Accidents-By Streets & Intersection June 2024 1. Magistrates 2. Index Crimes by Zone, seconded by Gabriela Fernandez the vote was [Unanimous].

**Municipal Court 1. City Monthly Report- June 2. Linebarger Monthly Report - June**Adopted

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

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

**Library Report 1. Monthly Report**Adopted

Motion was made and seconded to acknowledge the Library report.

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

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

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

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

**Closed Session Mayor Flores recessed the meeting at 6:44 pm.**

Mayor Flores recessed the meeting at 6:44 pm.

**Closed Session in accordance to Section 551.071, the Texas Open Meetings Act Consultation with Attorney - to deliberate pending or contemplated litigation regarding the annexation of the City's ETJ.No Action**

made a motion to approve Closed Session in accordance to Section 551.071, the Texas Open Meetings Act Consultation with Attorney - to deliberate pending or contemplated litigation regarding the annexation of the City's ETJ., seconded by the vote was .

**Closed Session - To deliberate pursuant to Section 551.072, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following: To deliberate the purchase, exchange, lease, or value of real property.No Action**

made a motion to approve Closed Session - To deliberate pursuant to Section 551.072, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following: To deliberate the purchase, exchange, lease, or value of real property., seconded by the vote was .

**Closed Session - Deliberation pursuant to Sections 551.087, Title 5 of the Texas Government code, the Texas Open Meetings Act regarding the following: (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.No Action**

made a motion to approve Closed Session - Deliberation pursuant to Sections 551.087, Title 5 of the Texas Government code, the Texas Open Meetings Act regarding the following: (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision., seconded by the vote was .

**Open Session – Deliberation and possible action regarding the following:**

Mayor Flores opened the meeting at 7:33 pm

**Open Session in accordance to Section 551.071, the Texas Open Meetings Act. Deliberation and possible ACTION regarding consultation with Attorney on pending or contemplated litigation regarding the annexation of the City's ETJ.No Action**

made a motion to approve Open Session in accordance to Section 551.071, the Texas Open Meetings Act. Deliberation and possible ACTION regarding consultation with Attorney on pending or contemplated litigation regarding the annexation of the City's ETJ., seconded by the vote was .

**Open Session - Deliberation and possible action regarding the following: 551.072 To deliberate the purchase, exchange, lease, or value of real property.No Action**

made a motion to approve Open Session - Deliberation and possible action regarding the following: 551.072 To deliberate the purchase, exchange, lease, or value of real property., seconded by the vote was .

**Open Session - Deliberation and possible action regarding the following: Sections 551.087, Title 5 of the Texas Government code, the Texas Open Meetings Act regarding the following: (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.No Action**

made a motion to approve Open Session - Deliberation and possible action regarding the following: Sections 551.087, Title 5 of the Texas Government code, the Texas Open Meetings Act regarding the following: (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision., seconded by the vote was .

**Budget**

**Budget Workshop Fiscal Year 2024-2025No Action**

Mr. Milum reviewed the reviewed the proposed positions, increases for staff and the revenue portion of the General Fund Budget. He then reviewed the CDC, Debt, TIRZ and Senior Citizen Budget. Mr. Milum answered questions from the council and discussed the proposed budgets.

made a motion to approve Budget Workshop Fiscal Year 2024-2025, seconded by the vote was .

**Adjournment**

The meeting was closed at 8:11 PM

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Presiding Officer of the Council

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Recorder