

City Council

520 E Ocean Blvd.

Regular Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

Tuesday, September 13, 2022

6:00 PM

City Hall

Agenda

A. Call meeting to order

The meeting was called to order at 6:00 PM by Mayor Alejandro Flores.

B. Invocation and Pledge of Allegiance

Luis Gonzalez gave invocation and led the audience in the Pledge of Allegiance.

Presentation

Recognition of service that our Los Fresnos community members, Nicolas Naranjo, Clarissa Longoria, and Jenibelle Leal, have done as interns at the Cameron County Courthouse with Honorable Judge David Sanchez, Judge of Texas District Court 444.No

Action

Honorable Judge David Sanchez, Judge of Texas District Court 444 recognized Nicolas Naranjo, Clarissa Longoria, and Jenibelle Leal for their service as interns at the Cameron County Courthouse and presented them with a certificate.

made a motion to approve Recognition of service that our Los Fresnos community members, Nicolas Naranjo, Clarissa Longoria, and Jenibelle Leal, have done as interns at the Cameron County Courthouse with Honorable Judge David Sanchez, Judge of Texas District Court 444., seconded by the vote was .

Recognition of service that our Los Fresnos community members, Jada Ashford, Brisaeda Guerrero, Andrew Robledo, Amber Ovalle, Alexia Gonzalez, Isabella Chavez, have done as interns at the Boys & Girls Club of Los Fresnos.No Action

Council member Luis Gonzalez recognized Jada Ashford, Brisaeda Guerrero, Andrew Robledo, Amber Ovalle, Alexia Gonzalez, and Isabella Chavez, for their service as interns at the Boys & Girls Club of Los Fresnos.

made a motion to approve Recognition of service that our Los Fresnos community members, Jada Ashford, Brisaeda Guerrero, Andrew Robledo, Amber Ovalle, Alexia Gonzalez, Isabella Chavez, have done as interns at the Boys & Girls Club of Los Fresnos., seconded by the vote was .

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.

City Attorney, Enrique Juarez spoke and presented an award he received from Texas Municipal Courts Association as prosecutor of the year.

Public Hearing

Public hearing to receive comments from the citizens concerning a request to close, vacate, and abandon Missouri Street, a 0.75 Acre Tract located within the Original Townsite of Los Fresnos in Block 167 Fresnos Land and Irrigation Company Subdivision.No Action

Public hearing opened at 6:14 p.m.

There were no comments.

Public hearing closed at 6:14 p.m.

made a motion to approve Public hearing to receive comments from the citizens concerning a request to close, vacate, and abandon Missouri Street, a 0.75 Acre Tract located within the Original Townsite of Los Fresnos in Block 167 Fresnos Land and Irrigation Company Subdivision., 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 wished to set any items in the consent agenda aside for further discussion before a vote was taken to please advise.

Council member Luis Gonzalez asked to set aside items 4,5,7 and 8.

Consideration and ACTION to approve the minutes from August 9 &17 2022.Adopted

Motion was made and seconded to approve the minutes from August 9 & 17, 2022.

Alejandro Flores made a motion to approve Consideration and ACTION to approve the minutes from August 9 &17 2022., seconded by Juan Munoz the vote was [Unanimous].

Consideration and ACTION to excuse the absence of Gabriela Fernandez from the August 17, 2022 Special City Council meeting.Adopted

Motion was made and seconded to excuse the absence of Gabriela Fernandez from the August 17, 2022 Special City Council meeting.

Alejandro Flores made a motion to approve Consideration and ACTION to excuse the absence of Gabriela Fernandez from the August 17, 2022 Special City Council meeting., seconded by Juan Munoz the vote was [Unanimous].

Consideration and ACTION to approve a Proclamation designating October 9-15, 2022 as Fire Prevention Week and Firefighters Appreciation Week.Adopted

Motion was made and seconded to approve a Proclamation designating October 9-15, 2022 as Fire Prevention Week and Firefighters Appreciation Week.

Alejandro Flores made a motion to approve Consideration and ACTION to approve a Proclamation designating October 9-15, 2022 as Fire Prevention Week and Firefighters Appreciation Week., seconded by Juan Munoz the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 542 ordinance declaring unopposed candidates in the November 8, 2022 general city election, elected to office; canceling the election; providing a severability clause; and providing an effective date.Adopted

Council member Gonzalez asked since there are candidates in place if the council waits till November for the candidates to take office. Mr. Milum responded there would be a special meeting in November where the candidates would be sworn in.

Motion was made and seconded to approve the second reading of Ordinance 542 ordinance declaring unopposed candidates in the November 8, 2022 general city election, elected to office; canceling the election; providing a severability clause; and providing an effective date.

Luis Gonzalez made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 542 ordinance declaring unopposed candidates in the November 8, 2022 general city election, elected to office; canceling the election; providing a severability clause; and providing an effective date., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 541 an ordinance declaring unopposed candidate in the November 8, 2022 special city election, elected to office; canceling the election; providing a severability clause; and providing an effective date.Adopted

Motion was made and seconded to approve the second reading of Ordinance 541 an ordinance declaring unopposed candidate in the November 8, 2022 special city election, elected to office; canceling the election; providing a severability clause; and providing an effective date.

Luis Gonzalez made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 541 an ordinance declaring unopposed candidate in the November 8, 2022 special city election, elected to office; canceling the election; providing a severability clause; and providing an effective date., seconded by Gabriela Fernandez the vote was [Unanimous].

Approval or rejection to approve the following Service Agreements: A. Los Fresnos Volunteer Fire Department B. Los Fresnos Ambulance Service C. Boys & Girls ClubAdopted

Motion was made and seconded to approve the following Service Agreements: A. Los Fresnos Volunteer Fire Department B. Los Fresnos Ambulance Service C.. Boys & Girls Club.

Alejandro Flores made a motion to approve Approval or rejection to approve the following Service Agreements: A. Los Fresnos Volunteer Fire Department B. Los Fresnos Ambulance Service C. Boys & Girls Club, seconded by Juan Munoz the vote was [Unanimous].

Consideration and ACTION to approve Change Order 5 & 6 for the Water Treatment Plant Expansion Project.Adopted

Council member Gonzalez asked for background on the change orders and why the amounts listed were not added at the beginning of the project. Mr. Milum explained change order 5 were maintenance items that would need to be done eventually but since the upgrade at the plant is ongoing the contractor can do the work now as opposed to the future and have to shut down the plant again. Change order 6 would set the plant up for large chemical cylinders. During design we did not feel there was adequate space, but turns out there is.

Mr. Milum answered questions for the council.

Motion was made and seconded to approve Change Order 5 & 6 for the Water Treatment Plant Expansion Project.

Gabriela Fernandez made a motion to approve Consideration and ACTION to approve Change Order 5 & 6 for the Water Treatment Plant Expansion Project., seconded by Luis Gonzalez the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 538 adopting the budgets for fiscal year 2022-2023.Adopted

Council member Gonzalez asked about the procedures on amending the budget to add an item. Mr. Milum explained publications an deadlines for approving the budget were near and prolonging it would not allow the city to meet the deadlines to still be in compliance with state law. He explained the amendment could be made later.

Council member Gonzalez explained the amendment he was proposing would help increase the budget. Mr. Milum explained at a later date Mr. Gonzalez could proposed to move money within the budget. Mr. Gonzalez explained his concern about reducing street projects due to the tax rate decrease. Council member Gabriela Fernandez did not agree with Mr. Gonzalez's proposal to amend the budget because she felt it should have been planned ahead of time.

Mr. Milum suggested to visit with council to discuss and proposed amendments.

Mayor Flores requested for copies of all transaction for the IT company the city contracts with.

Mr. Milum and the council discussed the proposed Assistant IT position. Mr. Gonzalez stated he would vote for the budget but asked the city hold of hiring process until there was a better understanding on the proposed Assistant IT position.

Mayor Flores explained to Mr. Gonzalez if he did not want to approve the budget he could vote against it.

Motion was made and seconded to approve the second reading of Ordinance 538 adopting the budgets for fiscal year 2022-2023.

Luis Gonzalez made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 538 adopting the budgets for fiscal year 2022-2023., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to approve the second reading of Ordinance 537 approving the 2022 tax roll and levying municipal ad valorem taxes for the use, benefit and support of the City and directing the assessment and collection thereof.Adopted

Motion was made and seconded to approve the second reading of Ordinance 537 approving the 2022 tax roll and levying municipal ad valorem taxes for the use, benefit and support of the City and directing the assessment and collection thereof.

Alejandro Flores made a motion to approve Consideration and ACTION to approve the second reading of Ordinance 537 approving the 2022 tax roll and levying municipal ad valorem taxes for the use, benefit and support of the City and directing the assessment and collection thereof., seconded by Juan Munoz the vote was [Unanimous].

Consideration and approval of a resolution by the City Council of the City of Los Fresnos, Texas rescheduling the sale from September 13, 2022 to November 8, 2022 of obligations to be issued and designated as “City of Los Fresnos, Texas combination tax and subordinate lien revenue Certificates of Obligation, Series 2022”; and resolving other matters in connection therewith.Adopted

Motion was made and seconded for a resolution by the City Council of the City of Los Fresnos, Texas rescheduling the sale from September 13, 2022 too November 8, 2022 of obligations to be issued and designated as "City of Los Fresnos, Texas combination tax and subordinate lien revenue Certificates of Obligation, Series 2022" and resolving other matters in connection therewith.

Alejandro Flores made a motion to approve Consideration and approval of a resolution by the City Council of the City of Los Fresnos, Texas rescheduling the sale from September 13, 2022 to November 8, 2022 of obligations to be issued and designated as “City of Los Fresnos, Texas combination tax and subordinate lien revenue Certificates of Obligation, Series 2022”; and resolving other matters in connection therewith., seconded by Juan Munoz the vote was [Unanimous].

Action Items

Consideration and ACTION to approve the first reading ordinance 540 of the City Council of the City of Los Fresnos, Texas, authorizing the Mayor to close, vacate and abandon Missouri street a 0.75 acre tract located within the Original Townsite of Los Fresnos in block 167 Fresnos Land and Irrigation Company Subdivision.Adopted

Mr. Milum explained where the area was located. The city was proposing to abandon the street, exchange the property with the school district for property along Harvey Escalante Road so that the city could extend sewer and the city would have right of way on a portion of Harvey Escalante Rd.

Mr. Milum answered questions for the council and discussed the proposed agreement.

Motion was made and seconded to approve the first reading ordinance 540 of the City Council of the city of Los Fresnos, Texas, authorizing the Mayor to close, vacate and abandon Missouri street a 0.75 acre tract located within the Original Townsite of Los Fresnos in block 167 Fresnos Land and Irrigation Company Subdivision.

Luis Gonzalez made a motion to approve Consideration and ACTION to approve the first reading ordinance 540 of the City Council of the City of Los Fresnos, Texas, authorizing the Mayor to close, vacate and abandon Missouri street a 0.75 acre tract located within the Original Townsite of Los Fresnos in block 167 Fresnos Land and Irrigation Company Subdivision., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to approve plans, funding and solicit bids for the Veteran's Memorial.Adopted

Mr. Milum presented the council with printouts of the proposed memorial options. He explained the Community Development Corporation approved the plans with the six pedestals of each military branch but removing the video screen and dropping the height of the wall to the original proposed height.

Mr. Milum and the council discussed the plans.

Motion was made and seconded to approve plans, funding and solicit bids for the Veteran's Memorial.

Luis Gonzalez made a motion to approve Consideration and ACTION to approve plans, funding and solicit bids for the Veteran's Memorial., seconded by Juan Munoz the vote was [Unanimous].

Consideration and ACTION to approve the bids received for the following: A. Pest Control B. Official Newspaper C. Lot Mowing D. Vehicle Maintenance/Oil Change E. Cleaning Supplies F. Vehicle Tire Maintenance G. ChemicalsAdopted

Mayor Flores asked Mr. Milum if he had any comments. Mr. Milum said he recommended approval.

Motion was made and seconded to approve the bids received for the following: A. Pest Control B. Official Newspaper C. Lot Mowing D. Vehicle Maintenance/Oil Change E. Cleaning Supplies F. Vehicle Tire Maintenance G. Chemicals

Luis Gonzalez made a motion to approve Consideration and ACTION to approve the bids received for the following: A. Pest Control B. Official Newspaper C. Lot Mowing D. Vehicle Maintenance/Oil Change E. Cleaning Supplies F. Vehicle Tire Maintenance G. Chemicals, seconded by Juan Munoz the vote was [Unanimous].

Consideration and ACTION to approve the bids received for the following: A. Vehicle Washing Adopted

Mr. Milum explained no bids were received and in talking to the current company they agreed to leaving the price as is for the 2022-2023 fiscal year.

Motion was made and seconded to approve the bids received for the following: A. Vehicle Washing

Luis Gonzalez made a motion to approve Consideration and ACTION to approve the bids received for the following: A. Vehicle Washing, seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to purchase 2 patrol vehicles for the Police Department. Adopted

Mr. Milum explained due to delays in production and delivery he is requesting 2 patrol vehicles be approved for purchase now. Dealerships are estimating they will be delivered in October 2024 which is the next new budget year of 2023-2024.

Motion was made and seconded to purchase 2 patrol vehicles for the Police Department.

Luis Gonzalez made a motion to approve Consideration and ACTION to purchase 2 patrol vehicles for the Police Department., seconded by Gabriela Fernandez the vote was [Unanimous].

Consideration and ACTION to appoint or re-appoint members to the Planning & Zoning Commission. Adopted

Motion was made and seconded to re-appoint members Robby Walsdorf, Gordon Cappon, Larry Stambaugh and Juan Sierra to the Planning & Zoning Commission.

Juan Munoz made a motion to approve Consideration and ACTION to appoint or re-appoint members to the Planning & Zoning Commission., seconded by Alejandro Flores the vote was [Unanimous].

Consideration and ACTION to re-appoint or appoint members to the Park Advisory Board. Adopted

Mr. Milum answered questions from the council.

Motion was made and seconded to re-appoint members Gil Gomez, Eduardo Lugo and Natasha Taylor to the Park Advisory Board.

Luis Gonzalez made a motion to approve Consideration and ACTION to re-appoint or appoint members to the Park Advisory Board., seconded by Juan Munoz the vote was [Unanimous].

Consideration and ACTION to re-appoint or appoint of members to the Los Fresnos Housing Authority. Adopted

Mr. Milum answered questions from the council.

Motion was made and seconded to re-appoint members Alexandro Juarez and Alma Varney to the Los Fresnos Housing Authority.

Alejandro Flores made a motion to approve Consideration and ACTION to re-appoint or appoint of members to the Los Fresnos Housing Authority., seconded by Gabriela Fernandez 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. Hike & Bike Trails D. Drainage E. Whipple Road F. COVID-19 G. TxDot Highway 100 H. East 10th & East 5th Street Sewer I. Projects Discussed But Not Funded J. Street Repairs K. Drought Contingency Plan & Rio Grande River Water Levels Adopted

Mr. Milum answered questions from the council and gave updates on the following projects/items listed in his report: Wastewater collection system and upgrade to the west; drainage; COVID funding; TXDOT Highway 100 project; sewer manhole replacement; sewer line replacement and Drought Contingency Plan.

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

Luis Gonzalez made a motion to approve City Manager Report A. Waste Water Collection System & Upgrade B. Water Treatment Plant Expansion C. Hike & Bike Trails D. Drainage E. Whipple Road F. COVID-19 G. TxDot Highway 100 H. East 10th & East 5th Street Sewer I. Projects Discussed But Not Funded J. Street Repairs K. Drought Contingency Plan & Rio Grande River Water Levels, seconded by Gabriela Fernandez the vote was [Unanimous].

Acknowledgement of Department Head Reports

Mayor Flores asked the council if they had any questions or comments on the Department Head Reports.

Council member Luis Gonzalez asked if the police officers can have more discrepancy when issuing citations on the corner of Hwy 100 and FM 803 for rolling stops. He explained he continued to get complaints from citizens that received citations for rolling stops he would like the officers to be more cognizant when issuing citations. Mayor Flores stated he understands but he tries his best not to get involved because he knows the officers are doing their best, he too receives same calls and as City Council he does not recommend giving them any advice. Mr. Milum advised the council it is illegal for the council to request something like that and the police officers are hired to uphold the law.

Council member Luis Gonzalez recommend a stop sign be installed. Mr. Milum explained it was a stop light and it is a state highway.

Council member Juan Munoz asked Mr. Milum for information on the expense the city has on the recycling program and revenue. Mr. Milum said he would get him the information on the expense made but advised Mr. Munoz that there was no revenue from the recycling program.

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

Motion was made and seconded to approve the Financial Report.

Alejandro Flores made a motion to approve Financial Report 1. Monthly 2. Year to Date 3. Sales Tax, seconded by Luis Gonzalez the vote was [Unanimous].

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

Motion was made and seconded to approve the Public Works Report.

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

Police Department 1. Calls-By Type 2. Calls-By Date & Time 3. Incidents-By Violation 4. Arrests-By Type 5. Accidents-By Streets & Intersection Adopted

Motion was made and seconded to approve the Police Department Report.

Alejandro Flores made a motion to approve Police Department 1. Calls-By Type 2. Calls-By Date & Time 3. Incidents-By Violation 4. Arrests-By Type 5. Accidents-By Streets & Intersection, seconded by Luis Gonzalez the vote was [Unanimous].

Municipal Court 1. City Monthly Report-July 2. Linebarger Monthly Report-July Adopted

Motion was made and seconded to approve the Municipal Court Report

Alejandro Flores made a motion to approve Municipal Court 1. City Monthly Report-July 2. Linebarger Monthly Report-July, seconded by Luis Gonzalez the vote was [Unanimous].

Library Report 1. Monthly Report Adopted

Motion was made and seconded to approve the Library Report.

Alejandro Flores made a motion to approve Library Report 1. Monthly Report, seconded by Luis Gonzalez the vote was [Unanimous].

Fire Marshal's Report 1. Monthly Report Adopted

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

Alejandro Flores made a motion to approve Fire Marshal's Report 1. Monthly Report, seconded by Luis Gonzalez the vote was [Unanimous].

J. Adjournment

The meeting was closed at 7:20 PM.

Presiding Officer of the Council

Recorder