

# City Council

200 North Brazil

Los Fresnos, TX 78566

## Special Meeting

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

### ~ Agenda ~

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Thursday, September 15, 2016

6:00 PM

City Hall

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**NOTICE IS HEREBY GIVEN THAT THE {MeetGroup} 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 THURSDAY, SEPTEMBER 15, 2016 AT 6:00 PM AT CITY HALL, 200 NORTH BRAZIL ST, LOS FRESNOS, TX 78566.**

### **I. CALL TO ORDER**

2. Invocation and Pledge of Allegiance

### **II. VISITOR REMARKS - TO SPEAK YOU MUST SIGN IN WITH CITY SECRETARY PRIOR TO THE MEETING AND YOU HAVE A LIMIT OF 3 MINUTES TO SPEAK.**

### **III. ACTION ITEMS**

1. Consideration and ACTION to approve a Proclamation for Firefighters Appreciation and Fire Prevention Week in the City of Los Fresnos.
2. Consideration and ACTION to approve the Bank Depository Services for the City of Los Fresnos.
3. Consideration and ACTION to approve the second and final reading of Ordinance 475 adopting the budget for the fiscal year 2016-2017.
4. Consideration and ACTION to approve the second and final reading of Ordinance 476 approving the tax roll for 2016 and levying municipal ad valorem taxes for the use, benefit and support of the municipal government; and directing the assessment and collection.
5. Discussion on Wastewater Treatment Plant.

### **IV. ADJOURNMENT**

This is to certify that I, Pam Denny, posted this agenda on the front bulletin board of the City Hall on September 12, 2016 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.

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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: 09/15/16 06:00 PM  
Department: City Secretary  
Category: Proclamation  
Prepared By: Pam Denny  
Initiator: Pam Denny  
Sponsors:

**REVIEWED**

**ACTION ITEM (ID # 1917)**

DOC ID: 1917 A

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**Consideration and ACTION to approve a Proclamation for  
Firefighters Appreciation and Fire Prevention Week in the  
City of Los Fresnos.**

I recommend approval.

## CITY OF LOS FRESNOS

### PROCLAMATION

**WHEREAS**, firefighters are engaged in one of the most hazardous occupations in the United States;

**WHEREAS**, firefighters can, at any time and during any emergency, be called on to sacrifice their lives in the performance of their lifesaving duties;

**WHEREAS**, fires cause a staggering number of personal injuries and casualties to our citizens, as well as tremendous property damage and loss; and

**WHEREAS**, teaching appropriate fire safety behaviors to children has proven to save lives; and

**WHEREAS**, the Prevention Week campaign for 2016 is “Don’t Wait – Replace Smoke Alarms Every 10 Years”; and

**WHEREAS**, said loss of life and destruction of property by fire can be reduced by focusing public attention upon facts about fires and fire prevention.

**NOW, THEREFORE**, the City of Los Fresnos City Council urges our citizens to carry the message of respect for firefighters to other citizens, and hope that the combined efforts of our fire department, public fire safety educators, school teachers, and others help to reduce the incidence of fire and thus reduce deaths, injuries, and property losses.

The City Council encourages our community to observe this week of October 9-15, 2016 as

### **FIREFIGHTERS APPRECIATION WEEK AND FIRE PREVENTION WEEK**

in the City of Los Fresnos.

Signed this 15<sup>th</sup> day of September, 2016.

\_\_\_\_\_  
Polo Narvaez, Mayor

ATTEST:

\_\_\_\_\_  
Pam Denny, City Secretary

Attachment: proclamation for fire prevention (1917 : Proclamation for Fire Prevention)

**City Council**  
200 North Brazil  
Los Fresnos, TX 78566

Meeting: 09/15/16 06:00 PM  
Department: City Secretary  
Category: Agreement  
Prepared By: Pam Denny  
Initiator: Pam Denny  
Sponsors:

**REVIEWED**

**ACTION ITEM (ID # 1914)**

DOC ID: 1914 A

## **Consideration and ACTION to approve the Bank Depository Services for the City of Los Fresnos.**

Our bank depository services agreement is up for renewal. We advertised for proposals and received responses from Texas Regional Bank (TRB) and First Community Bank (FCB). The services offered are very similar from both. Neither will charge fees for services utilized by the City. FCB currently has the contract and we have been with them for about 8 years. FCB is offering to pay a higher interest rate than TRB. FCB offers free checking for our employees. TRB offers our employees free check cashing. FCB has a branch in Los Fresnos. TRB does not have a branch in Los Fresnos so we would have to travel to Brownsville or Harlingen for all our banking needs.

I recommend approval of the Bank Depository Services with First Community Bank for 2 years with an option for an additional 2 years.

The City of Los Fresnos recently advertised for Proposals for the Performance of Depository Service. We received two responses. We recommend First Community Bank (FCB) receive the contract based on the following results:

First Community Bank

1. They hold our current contract and our familiar with the City's banking needs.
2. They do not charge fees for existing services utilized by the City.
3. FCB will pay interest paid on the collected balance at a rate equal to half the targeted fed funds rate at the beginning of the month. (ex. Fed Funds Rate is .50% we will receive interest of .25%)
4. They have a branch office in Los Fresnos.
5. Free checking for our employees.

Texas Regional Bank

1. They do not hold our current contract and are not familiar with the City's banking needs.
2. They do not charge fees for existing services utilized by the City.
3. **Interest Rate Tiers based on the following balances:**

<u>Amount</u>	<u>Rate/APY*</u>
0-\$2,499.99	0.05%
\$2,500.00 - \$24,999.99	0.05%
\$25,000.00 to \$99,999.99	0.10%
\$100,000.00 and over	0.15%

4. They do not have a branch in Los Fresnos.
5. They do not offer free checking for employees. They do offer our employees free check cashing.



SERVICE	UNIT CHARGE	COST OF SERVICE	
		First Community Bank	Texas Regional Bank
Account Maintenance	per month	NO CHARGE	NO CHARGE
Daily Balance Reporting	per month	NO CHARGE	NO CHARGE
Zero Balanced Accounts	per month	NO CHARGE	NO CHARGE
To close accounts	per transaction	NO CHARGE	NO CHARGE
Credits Posted	per transaction	NO CHARGE	NO CHARGE
Debits Posted	per transaction	NO CHARGE	NO CHARGE
Encoding charge	per transaction	NO CHARGE	NO CHARGE
ACH Processing	per month	NO CHARGE	NO CHARGE
Origination of file	per tape	NO CHARGE	NO CHARGE
ACH deletions	per transaction	NO CHARGE	NO CHARGE
ACH entities	per transaction	NO CHARGE	NO CHARGE
Returned Checks / Charge backs	per transaction	NO CHARGE	NO CHARGE
Deposits	per transaction	NO CHARGE	NO CHARGE
Stop Payments	per transaction	NO CHARGE	NO CHARGE
Incoming Wire Transfers	per transaction	NO CHARGE	NO CHARGE
Outgoing Wire Transfers	per transaction	NO CHARGE	NO CHARGE
Extra Statements	per transaction	NO CHARGE	NO CHARGE
Safe Deposit boxes	per item	NO CHARGE	NA
Direct Deposit	per month	15.00	NO CHARGE
Direct Deposit	per item	0.10	NO CHARGE
Access to CCS System	per month	25.00	NA
Lock Box	per month	35.00	NA
Lock Box	per item	0.12	NA
Pay Card Processing	per month	40.00	NA
Pay Card Processing	per card per month	1.75	NA
Positive pay	per month	25.00	50.00
Positive pay	per item	0.10	-
Remote Deposit	per month	25.00	NO CHARGE
Remote Deposit	per item	0.12	NO CHARGE
Electronic Data Interchange (EDI)	per month	25.00	NA
Research	per transaction	NO CHARGE	NO CHARGE
Special handling	per transaction	NO CHARGE	NO CHARGE
Night Depository Services	per month	NO CHARGE	NO CHARGE
Investment Safekeeping	per transaction	NO CHARGE	NO CHARGE
Transfers within accounts	per transaction	NO CHARGE	NO CHARGE
Domestic Exchange	per transaction	NO CHARGE	NO CHARGE
Monthly report of Market value of Securities Pledged	per month	NO CHARGE	NO CHARGE
Cashier's / Travler's Checks	per transaction	NO CHARGE	NO CHARGE
Deposits slips, money wrappers, envelopes	per month	NO CHARGE	CHARGE
Provide online banking services	per month	NO CHARGE	NO CHARGE
Provide money bag change daily	per month	NO CHARGE	NO CHARGE
Provide, rotate and exchange lock bags on periodic basis	per month	NO CHARGE	NA
Provide daily balance and average daily balances of each account	per month	NO CHARGE	NO CHARGE
Provide digital copies of transactions / cancelled checks (front and back) with monthly statements	per month	NO CHARGE	NO CHARGE
Provide the quantity, quality, and type of checks necessary for the City's use during the contract period	per month	NO CHARGE	NO CHARGE
To return cashed checks to the City sorted in numerical sequence with a statement of monthly balances	per month	NO CHARGE	NO CHARGE
Prepare a monthly statement showing debits, credits and balances of each separate fund	per month	NO CHARGE	NO CHARGE

Attachment: bank depository (1914 : Bank Depository)

**City Council**  
200 North Brazil  
Los Fresnos, TX 78566

Meeting: 09/15/16 06:00 PM  
Department: City Secretary  
Category: Ordinances  
Prepared By: Pam Denny  
Initiator: Pam Denny  
Sponsors:

**REVIEWED**

**ACTION ITEM (ID # 1915)**

DOC ID: 1915 A

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**Consideration and ACTION to approve the second and final reading of Ordinance 475 adopting the budget for the fiscal year 2016-2017.**

This will adopt the budget as we have discussed and reviewed over the last several months.

I recommend approval.



**ORDINANCE NO. 475**

**AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF LOS  
FRESNOS, TEXAS, FOR THE FISCAL YEAR OCTOBER 1, 2016 THROUGH  
SEPTEMBER 30, 2017; PROVIDING FOR THE PUBLICATION AND  
ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.**

Was introduced and submitted to the City Council for passage and adoption after the second reading of the Ordinance. 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
Councilmember Yolanda H. Cruz	___ For ___ Against ___ Abstained
Councilmember Swain Real	___ For ___ Against ___ Abstained
Mayor Pro-tem Javier Mendez	___ For ___ Against ___ Abstained
Councilmember Bibi Garza	___ For ___ Against ___ Abstained
Councilmember Gary Minton	___ For ___ Against ___ Abstained

**WHEREAS**, the City Manager of the City of Los Fresnos has prepared and presented to the City Council a budget for the fiscal year October 1, 2016 through September 30, 2017; and

**WHEREAS**, workshops on said budget were called for on August 9, 2016, August 25, 2016, and a public hearing was held on September 13, 2016 at 6:00 p.m. by publication in a newspaper of general circulation at least ten days and not more than thirty days before the public hearings to be held at the City Hall in the City of Los Fresnos, Texas, where and when any and all interested persons might appear and be heard with reference to any item contained in said budget; and

**WHEREAS**, said public hearing was held on September 13, 2016 at the time and place aforesaid, and the said budget was discussed, and all interested persons were given an opportunity to be heard on any matter relative thereto, and all interested persons having appeared and been heard, and there be not other persons seeking to be heard with reference to any matter concerning said budget, the said public hearings were closed.

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

SECTION 1. That the budget of the City of Los Fresnos, Texas for the fiscal year October 1, 2016 through September 30, 2017 will increase from last year's total property tax budget by \$ 191,950 or 19%. The amount \$ 105,313 is tax revenue to be raised from new property added to the roll this year.

SECTION 2. That the budget of the City of Los Fresnos, Texas for the fiscal year October 1, 2016 through September 30, 2017 is hereby adopted by this Ordinance. A summary of the budget adopted is hereby attached and incorporated herein as Exhibit A and the complete detail budget adopted by this Ordinance is incorporated hereby reference and shall be made available for public inspection at the Office of the City Secretary during regular business hours.

SECTION 3. That the City Council is authorized to amend the budget from time to time during the fiscal year should there be changes in revenues and expenditures according to law. An unanticipated need and an emergency shall be defined by and expenditures increased only upon a majority vote of the City Council.

SECTION 4. That once a month the Director of Finance shall present the City Council a written report showing the city's financial condition to date. Such report shall include the status of all revenues and expenditures of the city by each fund and department. The Director of Finance shall also present said report to the head of each city department.

INTRODUCED and APPROVED on the first reading this \_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED and PASSED on the second reading this \_\_\_\_ day of \_\_\_\_\_, 2015 at a meeting of the City Council of the City of Los Fresnos, Texas, at which a quorum was present and which was held in accordance with the laws of the State of Texas.

CITY OF LOS FRESNOS

\_\_\_\_\_  
Polo Narvaez, Mayor

ATTEST:

\_\_\_\_\_  
Pam Denny, City Secretary

**City Council**  
200 North Brazil  
Los Fresnos, TX 78566

Meeting: 09/15/16 06:00 PM  
Department: City Secretary  
Category: Ordinances  
Prepared By: Pam Denny  
Initiator: Pam Denny  
Sponsors:

**REVIEWED**

**ACTION ITEM (ID # 1916)**

DOC ID: 1916 B

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**Consideration and ACTION to approve the second and final reading of Ordinance 476 approving the tax roll for 2016 and levying municipal ad valorem taxes for the use, benefit and support of the municipal government; and directing the assessment and collection.**

This ordinance sets the property tax rate at \$0.715 per \$100 valuation like we have discussed which is the same rate we have had for the last 9 years. The Operations tax rate will be \$0.629058 and the debt tax rate will be \$0.085942.

I recommend approval.



**ORDINANCE NO. 476**

**AN ORDINANCE APPROVING THE TAX ROLL FOR 2016 AND LEVYING  
MUNICIPAL AD VALOREM TAXES FOR THE USE, BENEFIT AND SUPPORT  
OF THE MUNICIPAL GOVERNMENT OF THE CITY OF LOS FRESNOS,  
TEXAS; AND DIRECTING THE ASSESSMENT AND COLLECTION  
THEREOF.**

Was introduced and submitted to the City Council for passage and adoption after the second reading of the Ordinance. 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	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstained
Councilmember Yolanda H. Cruz	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstained
Councilmember Swain Real	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstained
Mayor Pro-tem Javier Mendez	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstained
Councilmember Bibi Garza	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstained
Councilmember Gary Minton	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstained

**WHEREAS**, the City Council finds that the tax for the year 2016 herein after levied for current expenses of the City and the general improvements of the City and its property, must be levied to provide the revenue requirements of the budget for the ensuing year.

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

SECTION 1. The Tax Appraisal Roll of the City of Los Fresnos for 2016, as heretofore approved and certified by the Cameron Appraisal District, is hereby approved, together with those supplemental rolls, which the Cameron Appraisal District deems necessary to complete the 2016 Certified Roll.

SECTION 2. For the current expenses of the City of Los Fresnos and for the general improvements of the City and its property, also known as maintenance and operations expenses, there is hereby levied and ordered to be assessed and collected for the year 2016, and for each year thereafter until it be otherwise provided and ordained, on all property situated within the limits of the City of Los Fresnos, and not exempt from taxation by valid laws, and ad valorem tax at the rate of \$0.629058 on the one hundred (\$100.00) dollars valuation of such property.

**THE TOTAL TAX RATE WILL REMAIN THE SAME AS PREVIOUS YEARS.**

**THE TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED 3.38% AND WILL RAISE TAXES FOR**

**MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY\$41.72.**

SECTION 3. For the purpose of paying interest and providing a sinking fund for the payment of each issue of certificates of obligation issued for various municipal purposes heretofore issued by the City of Los Fresnos, including the various installments of principal falling due during the ensuing year on certificates of obligation issued for such purposes, there is hereby levied and ordered to be assessed and collected for the year 2016 and for each year thereafter until it be otherwise provided and ordained, on all property situated within the limits of the City of Los Fresnos and not exempt from taxation by valid laws, an ad valorem tax at the rate of \$0.085942 on the one hundred (\$100.00) dollars valuation of such property.

SECTION 4. For the purpose of collecting ad valorem taxes levied and ordered to be assessed and collected for the year 2016, and for each year thereafter until it be otherwise provided and ordained, payment shall become due on the first day of October of the year for which the levy is made and may be paid up to and including the following January 31<sup>st</sup>, without penalty, and discounts shall be allowed on said taxes if paid as follows, to wit:

- (1) Three percent (3%) if payment is received in the month of October; and
- (2) Two percent (2%) if payment is received in the month of November; and
- (3) One percent (1%) if payment is received in the month of December; and
- (4) Gross amount without penalty is due in the month of January; and

If not paid before February 1, 2017 said taxes shall become delinquent and the following penalty shall be payable thereon, to wit:

	<u>PENALTY</u>	<u>INTEREST</u>	<u>TOTAL</u>
February 1	6%	1%	7%
March 1	7%	2%	9%
April 1	8%	3%	11%
May 1	9%	4%	13%
June 1	10%	5%	15%
July 1	12%	6%	18%
Each month thereafter		+1%	+1%

From February 1, 2017 delinquent tax accrues interest at a rate of one percent for each month or portion of a month the tax remains unpaid. Attorney fees may accrue as provided by law.

SECTION 5. The unpaid taxes on all years prior to 2016 shall continue to be delinquent as of February 1<sup>st</sup> of the year next succeeding the year for which such taxes were levied and assessed and shall be subject to penalty and interest as governed by Section 33.01, Texas Property Tax Laws, Annotated 1982.

SECTION 6. This Ordinance shall become effective immediately upon its passage.

INTRODUCED and APPROVED on the first reading this \_\_\_\_day of\_\_\_\_\_, 2016.

APPROVED and PASSED on the second reading this the \_\_\_\_day of\_\_\_\_\_, 2016.

CITY OF LOS FRESNOS

\_\_\_\_\_  
Polo Narvaez, Mayor

ATTEST:

\_\_\_\_\_  
Pam Denny, City Secretary

Attachment: 2016 Tax Ordinance (1916 : Tax Ordinance)

**City Council**  
200 North Brazil  
Los Fresnos, TX 78566

Meeting: 09/15/16 06:00 PM  
Department: City Secretary  
Category: Agreement  
Prepared By: Pam Denny  
Initiator: Pam Denny  
Sponsors:

**REVIEWED**

**ACTION ITEM (ID # 1918)**

DOC ID: 1918 A

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## **Discussion on Wastewater Treatment Plant.**

When we bid the upgrades and capacity increase for the wastewater plant, the low bid was \$4,128,000. The available funds were \$3,186,974 which was \$1,147,426 less than needed. We decided to see if we could cut the work down some to reduce the cost. We will discuss some options.