

City Council

520 E Ocean Blvd.

Special Meeting

Los Fresnos, TX 78566

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

~ Agenda ~

Tuesday, September 21, 2021

6:00 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, SEPTEMBER 21, 2021 AT 6:00 PM AT CITY HALL, 520 EAST OCEAN BLVD., LOS FRESNOS, TX 78566.

A. CALL TO ORDER

Invocation and Pledge of Allegiance

B. VISITORS REMARKS-TO SPEAK YOU MUST SIGN IN WITH CITY SECRETARY PRIOR TO THE MEETING AND YOU HAVE A LIMIT OF 5 MINUTES TO SPEAK.

C. ACTION ITEMS

1. Consideration and ACTION to approve the second reading of Ordinance 528 adopting the budgets for fiscal year 2021-2022.
2. Consideration and ACTION to approve the second reading of Ordinance 527 approving the 2021 tax roll and levying municipal ad valorem taxes for the use, benefit and support of the City and directing the assessment and collection thereof.
3. Consideration and ACTION to approve the second reading of Ordinance 530 an ordinance of the City of Los Fresnos, Cameron county, Texas amending Chapter 32, Parks, Library and other city facilities, Article II. Park Use Restrictions, Section 32-22 hours of operation, Section 32-23 parking at park and pool complex.

D. ADJOURNMENT

This is to certify that I, Jacqueline Moya, posted this agenda on the front bulletin board of the City Hall on September 17, 2021 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.

Jacqueline Moya, 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
520 E Ocean Blvd.
Los Fresnos, TX 78566

Meeting: 09/21/21 06:00 PM
Department: City Secretary
Category: Ordinances
Prepared By: Jacqueline Moya
Initiator: Jacqueline Moya
Sponsors:

SCHEDULED

ORDINANCE (ID # 4112)

DOC ID: 4112 A

**Consideration and ACTION to approve the second reading of
Ordinance 528 adopting the budgets for fiscal year 2021-
2022.**

The first reading was approved on Monday September 20. All else remains the same as recommended by the Council at the workshops.

I recommend approval.

ORDINANCE NO. 528

**AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF LOS
FRESNOS, TEXAS, FOR THE FISCAL YEAR OCTOBER 1, 2021 THROUGH
SEPTEMBER 30, 2022; 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 Alejandro Flores	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> Abstained
Mayor Pro-tem Andres Lopez	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> Abstained
Councilmember Polo Narvaez	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> Abstained
Councilmember James Herrera	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> Abstained
Councilmember Ramon Ortiz	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> Abstained
Councilmember Juan Munoz	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> 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, 2021 through September 30, 2022; and

WHEREAS, workshops on said budget were called for on August 10, 2021, August 17, 2021, and a public hearing was held on September 20, 2021 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 20, 2021 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, 2021 through September 30, 2022 will increase from last year's total property tax budget by \$ 187,159.28 or 8.6%.

Attachment: ORDINANCE 528 ON ADOPTING BUDGET 2021-2022 (4112 : Budget Ordinance 528)

SECTION 2. That the budget of the City of Los Fresnos, Texas for the fiscal year October 1, 2021 through September 30, 2022 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 20th day of September, 2021.

APPROVED and PASSED on the second reading this 21st day of September, 2021 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

Alejandro Flores, Mayor

ATTEST:

Jacqueline Moya, City Secretary

City Council
520 E Ocean Blvd.
Los Fresnos, TX 78566

Meeting: 09/21/21 06:00 PM
Department: City Secretary
Category: Ordinances
Prepared By: Jacqueline Moya
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Sponsors:

SCHEDULED

ORDINANCE (ID # 4113)

DOC ID: 4113 A

Consideration and ACTION to approve the second reading of Ordinance 527 approving the 2021 tax roll and levying municipal ad valorem taxes for the use, benefit and support of the City and directing the assessment and collection thereof.

This will be considered on the first reading on Monday September 20.

This sets the tax rate at a total of \$0.715 per \$100 valuation for the 15th consecutive year. The operations tax rate is \$0.5220 per \$100 valuation and the debt tax rate is \$0.1930 per \$100 valuation.

I recommend approval.

ORDINANCE NO. 527

**AN ORDINANCE APPROVING THE TAX ROLL FOR 2021 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 Alejandro Flores	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> Abstained
Mayor Pro-tem Andres Lopez	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> Abstained
Councilmember Polo Narvaez	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> Abstained
Councilmember James Herrera	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> Abstained
Councilmember Ramon Ortiz	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> Abstained
Councilmember Juan Munoz	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> Abstained

WHEREAS, the City Council finds that the tax for the year 2021 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 2021, 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 2021 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 2021, 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 \$0.5220 on the one hundred (\$100.00) dollars valuation of such property.

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

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 2021 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 \$0.1930 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 2021, 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 31st, 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, 2022 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, 2022 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 2021 shall continue to be delinquent as of February 1st 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 20th day of September, 2021.

APPROVED and PASSED on the second reading this the 21st day of September, 2021.

CITY OF LOS FRESNOS

Alejandro Flores, Mayor

ATTEST:

Jacqueline Moya, City Secretary

Attachment: ORDINANCE 527 ON ADOPTING TAX RATE 2021 (4113 : Tax Rate Ordinance 527)

City Council
520 E Ocean Blvd.
Los Fresnos, TX 78566

Meeting: 09/21/21 06:00 PM
Department: City Secretary
Category: Ordinances
Prepared By: Jacqueline Moya
Initiator: Jacqueline Moya
Sponsors:

SCHEDULED

ACTION ITEM (ID # 4115)

DOC ID: 4115 A

Consideration and ACTION to approve the second reading of Ordinance 530 an ordinance of the City of Los Fresnos, Cameron county, Texas amending Chapter 32, Parks, Library and other city facilities, Article II. Park Use Restrictions, Section 32-22 hours of operation, Section 32-23 parking at park and pool complex.

This will be voted on the first reading during the meeting on Monday September 20.

Parking occurs frequently in our parks with folks using them as parking areas for all day and some overnight. Additionally, students from the High School try to use the parks as well so they don't have to purchase a parking permit, sometime due to having no insurance or license, or want to be able to get out ahead of the traffic jam that occurs daily in the student parking lot. We don't have enough room for that and the school doesn't want them to do this either. Upon reviewing the ordinance, it only indicated Memorial Park. We have added language to include all parks. Additionally the park hours for events was 8:00 am to 10:00 pm Sunday through Thursday and 8:00 am to 11:00 pm Friday and Saturday. Many individuals get confused on the times and with our society moving more and more to varied schedules, we feel it would be easier to monitor and enforce if the times were 8:00 am to 11:00 pm Daily. This does not affect those that are walking or running on the trails. We have folks that regularly walk or run at all hours of the day and night. They can continue to do that as the hours only affects events or groups of people hanging out...usually looking for trouble.

I recommend approval.

ORDINANCE NO. 530

**AN ORDINANCE OF THE CITY OF LOS FRESNOS, CAMERON COUNTY, TEXAS
AMENDING CHAPTER 32, PARKS, LIBRARY AND OTHER CITY FACILITIES, ARTICLE
II. PARK USE RESTRICTIONS, SECTION 32-22 HOURS OF OPERATION, SECTION 32-23
PARKING AT PARK AND POOL COMPLEX AND REPEALING ALL ORDINANCES AND
PARTS OF ORDINANCES IN CONFLICT THEREWITH.**

This ordinance 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 voted:

Mayor Alejandro Flores	___ For ___ Against ___ Abstained
Mayor Pro-tem Andres Lopez	___ For ___ Against ___ Abstained
Councilmember Polo Narvaez	___ For ___ Against ___ Abstained
Councilmember James Herrera	___ For ___ Against ___ Abstained
Councilmember Ray Ortiz	___ For ___ Against ___ Abstained
Councilmember Juan Munoz	___ For ___ Against ___ Abstained

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

SECTION 1. That Chapter 32 of the Code of Ordinance, City of Los Fresnos, Texas is hereby amended to read as follow:

SEC. 32-22. HOURS OF OPERATION

City parks shall be open to the public for organized activities and functions from **8:00 a.m. -11:00 p.m. daily** ~~8:00 a.m. to 10:00 p.m. on Sunday through Thursday and from 8:00 a.m. to 11:00 p.m. on Friday and Saturday.~~ This section does not restrict the time of jogging, running, walking, use of exercise wellness stations, swim team practice, or conduct of special events authorized by the city.

SEC. 32-23. PARKING AT PARK AND POOL COMPLEX

Vehicular traffic and parking in **City Parks**, ~~the Los Fresnos Memorial Park and swimming pool complex~~ is restricted to those persons who are actually using the park or ~~swimming pool~~ facilities. Violation of this section is a Class C misdemeanor, punishable by a fine not to exceed \$500.00.

SECTION 2. All Ordinances and parts of Ordinances in conflict herewith are hereby expressly repealed.

SECTION 3. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as required by City Charter.

INTRODUCED AND APPROVED on the first reading this ____ day of _____, 2021.

APPROVED AND PASSED on the second reading this ____ day of _____, 2021.

Mayor, Alejandro Flores

ATTEST:

City Secretary, Jacqueline Moya