

City Council

200 North Brazil

Special Meeting

Los Fresnos, TX 78566

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

~ Agenda ~

Thursday, November 17, 2016

6:00 PM

City Hall

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, NOVEMBER 17, 2016 AT 6:00 PM AT CITY HALL, 200 NORTH BRAZIL ST, LOS FRESNOS, TX 78566.

I. CALL TO ORDER

II. PUBLIC HEARINGS

1. Second public hearing to receive comments on the proposed annexation of property.
2. Public hearing to receive comments from the public on the zoning of proposed property to be annexed.

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

IV. ACTION ITEMS

1. Consideration and ACTION to award or reject any or all bids received on Nature Park Trails.
2. Consideration and ACTION to approve the first reading of Ordinance 477 annexing territory into the city limits of the City of Los Fresnos extending the boundary limits and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolution and regulations of said city; and adopting a service plan.
3. Consideration and ACTION to approve the first reading of Ordinance 478 to zone the proposed annexed property in the City of Los Fresnos; amending the official zoning map to reflect the new zoning; and providing an effective date for implementation of the ordinance.
4. Consideration and ACTION to approve the second and final reading of Ordinance 479 amending Chapter 18, Article III, Section 18-75 through 18-79 of the Code of Ordinances concerning the sale, use and discharge of fireworks in the City of Los Fresnos.
5. Canvass of Election Returns
6. Consideration and ACTION to approve the Order Declaring Election Results for the November 8, 2016 City Election.
7. Oath of Office to the newly elected officials.

V. ADJOURNMENT

This is to certify that I, Pam Denny, posted this agenda on the front bulletin board of the City Hall on November 10, 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.

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: 11/17/16 06:00 PM
Department: City Secretary
Category: Public Hearing
Prepared By: Pam Denny

SCHEDULED

Initiator: Pam Denny
Sponsors:

ACTION ITEM (ID # 1985)

DOC ID: 1985 A

Second public hearing to receive comments on the proposed annexation of property.

This is an opportunity to listen to the public on the possibility of the areas discussed for annexation. The Council's job is to listen and take these comments into consideration when making a final vote.

CITY OF LOS FRESNOS NOTICE OF PUBLIC HEARING ON ANNEXATION

Notice is hereby given to all interested persons that the City of Los Fresnos, Texas proposes to institute annexation proceedings to enlarge and extend the boundary limits of said city to include the following described territory, to-wit:

Area A-3: 123.34 acres of land located west of city limits of Los Fresno's on West Highway 100 from FM 803 west to drainage ditch and on North FM 803 and measuring approximately 0.193 square miles. The different areas will be zoned as commercial, single family residential and Mobile Home Park.

Area C-2: 98.51 acres of land located west of city limits of Los Fresnos on Whipple Road traveling west measuring approximately 0.154 square miles. The area will be zoned single family residential, multi-family and commercial.

Area D-1: 26.84 acres of land located north of city limits of Los Fresnos on FM 1847 on the east side from Los Fresnos High School to Resaca and measuring approximately 0.042 square miles. The area will be zoned single family residential

Area D-2: 42.79 acres of land located north of city limits of Los Fresnos on FM 1847 and Henderson Road going west to the railroad tracks and measuring approximately 0.067 square miles. The area will be zoned single family residential.

Area T-1: 34.26 acres of land located east of city limits of Los Fresnos on East Ocean Boulevard traveling east and measuring approximately 0.054 square miles. The area will be zoned single family residential and commercial.

The public hearings will be held by and before the City Council of the City of Los Fresnos, Texas on the 15th day of November, 2016 and on the 17th day of November, 2016 at 6:00 p.m. in the Los Fresnos City Hall located at 200 N. Brazil Street, Los Fresnos, Texas for all persons interested in the above proposed annexation. At said time and place all such persons shall have the right to appear and be heard. Of all said matters and things, all persons interested in the things and matters herein mentioned, will take notice.

By order of the City Council of the City of Los Fresnos, Texas this the 11th day of October, 2016.

Polo Narvaez, Mayor

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 11/17/16 06:00 PM
Department: City Secretary
Category: Public Hearing
Prepared By: Pam Denny

Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1986)

DOC ID: 1986 A

Public hearing to receive comments from the public on the zoning of proposed property to be annexed.

This is an opportunity for the Council to listen to comments from the public on zoning the areas that are proposed to be annexed. The Planning & Zoning Commission will hold a public hearing and then vote on Monday November 14. The comments given will be shared along with the public in attendance.

**CITY OF LOS FRESNOS
PUBLIC HEARING ON ZONING CHANGE**

The **Planning and Zoning Commission** will hold a public hearing to receive comments from the public on the zoning of the proposed areas to be annexed into the City. The public hearing will be held on **Monday, November 14, 2016 at 6:00 p.m. in City Hall**, 200 N. Brazil Street, Los Fresnos, Texas. The **City Council** will hold a public hearing to receive comments from the public on **Thursday, November 17, 2016 at 6:00 p.m. in City Hall**.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 11/17/16 06:00 PM
Department: City Secretary
Category: Bid
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1993)

DOC ID: 1993 A

Consideration and ACTION to award or reject any or all bids received on Nature Park Trails.

We have the \$100,000 CIAP grant for trails in the Nature Park. The bids are due on Wednesday November 16. Anna will have the bid tabulations ready for the meeting to accept the bids and approve a contractor. The work must be completed prior to December 31.

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 11/17/16 06:00 PM
Department: City Secretary
Category: Annexation
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1988)

DOC ID: 1988 A

Consideration and ACTION to approve the first reading of Ordinance 477 annexing territory into the city limits of the City of Los Fresnos extending the boundary limits and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolution and regulations of said city; and adopting a service plan.

Notices have been sent to all property owners in this area. As of today we have not had any inquiries about it. If nothing changes between now and nothing is brought up at the public hearings that would bring the need to change directions I recommend approval.

CITY OF LOS FRESNOS, TEXAS

ORDINANCE NO. 477

AN ORDINANCE ANNEXING HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LOS FRESNOS, TEXAS, CAMERON COUNTY AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN.

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, Chapter 43 of the Texas Local Government Code and Article I of the City Charter of the City of Los Fresnos, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state.

WHEREAS, the procedures prescribed by the Texas Local Government Code and City Charter of the City of Los Fresnos, Texas, and the laws of this state have been duly followed with respect to the following described territory, to wit:

(see attached legal description exhibit "A")

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

SECTION 1. That the heretofore described property is hereby annexed to the City of Los Fresnos, Cameron County, Texas, and that the boundary limits of the City of Los Fresnos be and the same are hereby extended to include the above described territory within the city limits of the City of Los Fresnos, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be

entitled to all the right and privileges of other citizens of the City of Los Fresnos and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

SECTION 2. A service plan for the area is hereby adopted and attached as exhibit "B".

SECTION 3. That the City Secretary is hereby directed to file with the County Clerk and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, certified copies of this Ordinance.

SECTION 4. This Ordinance shall become effective upon passage and publication of the caption of this ordinance as required by the City Charter and State law. Effective date shall be on December 22, 2016.

INTRODUCED and APPROVED on the first reading on this ____ day of _____, 2016.

APPROVED and PASSED on the second reading on this ____ day of _____, 2016.

Polo Narvaez, Mayor
City of Los Fresnos

ATTEST:

Pam Denny, City Secretary

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 11/17/16 06:00 PM
Department: City Secretary
Category: Ordinances
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1989)

DOC ID: 1989 A

Consideration and ACTION to approve the first reading of Ordinance 478 to zone the proposed annexed property in the City of Los Fresnos; amending the official zoning map to reflect the new zoning; and providing an effective date for implementation of the ordinance.

The proposed zoning of the different area was arrived by looking at current use and similar existing areas as well as already known planned development for the area. Unless there is a need for a change that is brought up during the public hearing I recommend approval.

CITY OF LOS FRESNOS

ORDINANCE NO. 478

**AN ORDINANCE ON ZONING OF NEWLY ANNEXED PROPERTY IN THE CITY OF
LOS FRESNOS, TEXAS; 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 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 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
Councilmember 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

**NOW THEREFORE, 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 by metes and bounds in Exhibit "A", attached hereto, and incorporated by reference as if set forth verbatim.

- Annexed Area 1A: Located on south side of East Ocean Boulevard along Highway will be zoned as C-2 Highway Commercial District.
- Annexed Area 1B: Located on south side of East Ocean Boulevard behind 1A will be zoned as R-1 Single Family District.
- Annexed Area 2A: Located on east side of North Arroyo Boulevard next to Los Fresnos High School will be zoned as R-1 Single Family District.
- Annexed Area 2B: Located on west side of North Arroyo Boulevard and north and south side of Henderson Road will be zoned R-1 Single Family District.
- Annexed Area 3A: Located on the north side of West Ocean Boulevard behind Pederson Construction will be zoned C-2 Highway Commercial District.

- Annexed Area 3B: Located on the south side of Whipple Road from Easter Lilly approximately $\frac{1}{4}$ miles will be zoned as R-1 Single Family District.
- Annexed Area 3C: Located on the south side of Whipple Road starting at the end of 3B area west to Harvey Escalante Road will be zoned R-3 Multi-Family District.
- Annexed Area 4A: Located on the south side of Highway 100 from FM 803 to the east side of drainage ditch continuing south to the south property line of Los Fresnos United with the exclusion of Palm Dale Park. Northside of Highway 100 from FM 803 north to the southern edge of property 151535 and from FM 803 west to the western edge of property 151534 will be zoned C-2 Highway Commercial District.
- Annexed Area 4B: Palmdale Park will be zoned as MH Mobile Home District.

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 _____ 2016.

APPROVED AND PASSED on the second reading this ____ day of _____, 2016.

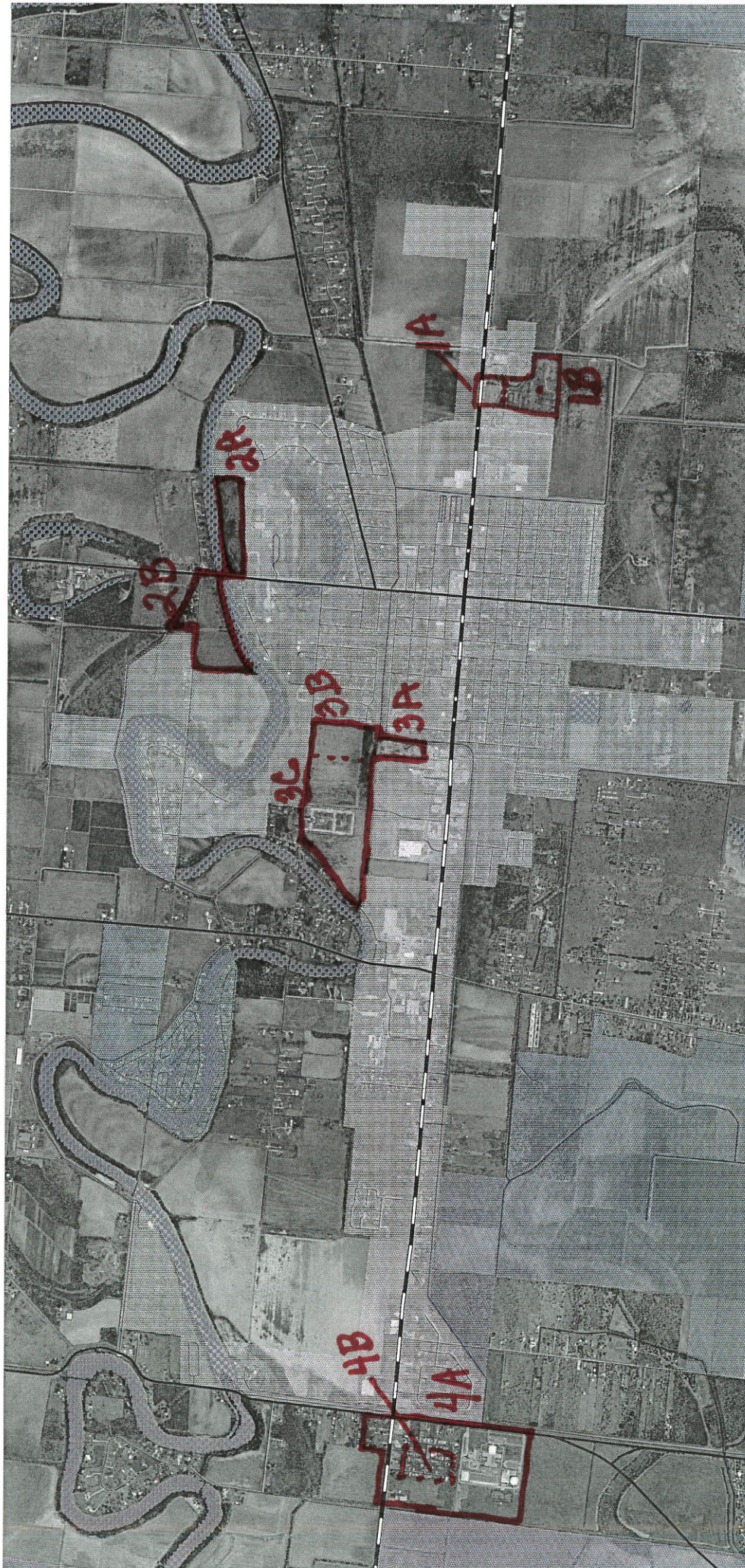
Polo Narvaez, Mayor

ATTEST:

Pam Denny, City Secretary

ZONING FOR ANNEXED AREAS

Area 1A:	Southside of East Ocean Blvd along Highway	C-2
Area 1B:	Southside of East Ocean Blvd behind 1A	R-1
Area 2A:	Eastside of North Arroyo Boulevard on Northside Of School	R-1
Area 2B:	Westside of North Arroyo Boulevard and on the North and South sides of Henderson Road	R-1
Area 3A:	Northside of West Ocean Boulevard behind Pederson Construction	C-2
Area 3B:	Southside of Whipple Road from Easter Lilly Going west for approximately ¼ mile.	R-1
Area 3C:	Southside of Whipple Road starting at the end of 3B area west to Harvey Escalante Road.	R-3
Area 4A:	Southside of Highway 100 from FM 803 to east Side of drainage ditch continuing South to the South Property line of Los Fresnos United with the exclusion Of Palm Dale Park. Northside of Highway 100 from FM 803 North to the southern edge of property 151535 And from FM 803 west to the western edge of Property 151534.	C-2
Area 4B:	Palmdale Park	MH



City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 11/17/16 06:00 PM
Department: City Secretary
Category: Ordinances
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1996)

DOC ID: 1996 A

Consideration and ACTION to approve the second and final reading of Ordinance 479 amending Chapter 18, Article III, Section 18-75 through 18-79 of the Code of Ordinances concerning the sale, use and discharge of fireworks in the City of Los Fresnos.

This ordinance attempts to address ongoing issues surrounding fireworks. Historically fireworks have not been permitted to be sold, used, transported or even possessed in the City limits. As you know it is very difficult to enforce all of those except the sales of fireworks. We feel that there needs to be a complete overhaul and new direction concerning fireworks. There is no reason why our residents can not possess fireworks inside the city. We also feel fireworks can be used as long as it is on private property during the proper selling dates within certain hours. Additionally we feel fireworks should be approved to be sold inside the City as well as long as it is in a proper commercial zone just like other businesses. The specific regulations are indicated in the attached information.

I recommend approval.

ORDINANCE NO. 479

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LOS FRESNOS, TEXAS PROVIDING FOR AMENDMENT TO CHAPTER 18, ARTICLE III, SECTIONS 18-75 THROUGH 18-79 OF THE CODE OF ORDINANCES CONCERNING THE SALE, USE AND DISCHARGE OF FIREWORKS IN THE CITY OF LOS FRESNOS; AND PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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 Polo Narvaez	___	For	___	Against	___	Abstained
Councilmember Yolanda H. Cruz	___	For	___	Against	___	Abstained
Councilmember Swain Real	___	For	___	Against	___	Abstained
Councilmember Javier Mendez	___	For	___	Against	___	Abstained
Councilmember Bibi Garza	___	For	___	Against	___	Abstained
Councilmember Gary Minton	___	For	___	Against	___	Abstained

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

Chapter 18, Article III, Sections 18-76 through 18-79 of the Code of Ordinances of the City of Los Fresnos, Texas is hereby amended to read as follows:

Sec. 18-80. DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FIREWORKS: Means any combustible or explosive composition or any substance or combination of substances, or article or device prepared for the purpose of producing or capable of producing a visible or an audible effect by combustion, explosion, deflagration or detonation. The term "fireworks" shall include, but is not limited to, firecrackers, bottle rockets, sky rockets, roman candles and sparklers. The term "fireworks" does not include automobile flares, paper caps, or plastic caps which contain 0.25 of a grain of explosive content or less per cap which are used with toy pistols, toy canes, toy guns or other similar devices.

Permanent Buildings or Facilities: Fireworks vending locations, are defined as a fireworks vending structure constructed out of brick, masonry, wood and/or metal with permanent foundations affixed to the ground that also provides safe, off-street, all weather paved parking and walking areas with proper curb cuts for safe ingress and egress of vehicles, permanently and

fully-lighted and accessible parking lots for their customers and the public at the location when the location is open to the public.

Portable Building or Facility or Sales Stand: Fireworks vending locations, are defined as non-permanent structures that are independently transported separately and placed at their location regardless of having been connected to any existing or other placed non-permanent structure that provide for fully-lighted caliche parking and walking area, unless paved areas are already available at a location, which cannot revert to caliche once they are paved, with parking lot lighting on at night at all times that the location is open to the public, that have adequate curb cuts for the proper ingress and egress of vehicles and which portable buildings or sales stands locations were in existence.

Sec. 18-81. USE AND POSSESSION OF FIREWORKS ON PRIVATE PROPERTY.

- (A) A person may use or possess fireworks without a permit or authorization from the city within the city limits only under the following conditions:
- (1) Such use or possession must occur on private property;
 - (2) The person must own the private property on which he or she uses or possesses fireworks or must have received the prior consent of the property owners;
 - (3) There is not a burn ban in effect that applies to the property on which the person uses fireworks;
 - (4) Such use or possession occurs during the hours of 9:00 a.m. and 10:00 p.m. except on New Year's Eve and hour will be 9:00 a.m. to 1:00 a.m. on the days stated by State and County laws.
 - (5) A person may not use fireworks within 100 feet of a place where flammable liquid or flammable compressed gases are stored or dispensed.

Sec. 18-82. USE OF FIREWORKS BY MINOR.

A minor who is under 16 years of age and who uses or possesses fireworks in the manner provided by this chapter may do so only under the direct supervision of an adult who is at least 18 year of age.

Sec. 18-83. SALE OF FIREWORKS IN THE CITY LIMITS.

- (A) Storage and sale of fireworks in the City of Los Fresnos will comply with all county and state rules, regulations, and laws, including Texas Occupations Code ch. 2154,

Texas Fireworks Rules for Retail Fireworks Sales and Storage, and all state fire laws applicable to the sale and storage of fireworks.

- (B) Fireworks may be stored in the City of Los Fresnos in the permanent building or facility.
- (C) With the exception of those dates approved by the county and state no fireworks will be on the premises of any portable building, facility or sales stand or adjacent buildings or warehouses located in said premises or property in the City of Los Fresnos. The fire marshal may inspect those locations to confirm that no fireworks are present and any violation shall be cited and subject to fine under this article. The owners and/or operators of those portable building locations that have not been moved in the off-season shall meet the fire marshal at the location in the off-season during normal business hours for inspections and failure to do so shall make the owner subject to fine under this article.
- (D) Permanent fireworks sales buildings must provide restrooms for the public and retail customers and for employees. Portable fireworks sales buildings or stands must provide portable toilets for the public and retail customers and employees at all locations where portable buildings are located. All bathroom facilities must comply with city health code regulations.
- (E) Portable building, facility or sales stand must obtain a permit, on an annual basis, before the buildings are placed at the location for the sale of fireworks. Fire marshal must inspect prior to each selling season.
- (F) Permits will be issued on or about the 31st of January each year.
- (G) Purchasers of fireworks must be at least 16 years of age. A fireworks vendor and/or the employee of said vendor that fails to comply with this requirement shall be subject to citation and possible fine for violation of this article.
- (H) Purchasers of fireworks within the City of Los Fresnos shall be allowed to possess fireworks for transporting purchased fireworks or as allowed in Section 18-81 and shall not be subject to citation for violation of this or any other ordinance of the City of Los Fresnos with regard to possession of fireworks as long as such purchaser is transporting said fireworks and said fireworks are inside bags or other similar container or as allowed in Section 18-81..
- (I) Those businesses operating permanent and portable buildings for the sale of fireworks to the public shall secure a public liability insurance policy with a combined single limit of not less than \$300,000.00 for personal injury, property damage or death of any person arising out of any act or omission on the part of the business or any agent or employee thereof and shall provide the city with a copy of said policy by January 31st of each year and failure to do so will result in a violation of this article and said locations shall not be allowed to sell fireworks until a copy of said policy is provided

to the city. Additionally, the City of Los Fresnos shall be given at least 30 day's notice prior to the cancellation of said insurance policy.

- (J) Nothing herein shall prohibit the sale of fireworks at wholesale by a manufacturer residing within the city limits of Los Fresnos, provided such fireworks are shipped directly out of the State of Texas in accordance with United State Department of Transportation regulations by motor, rail, water, or other interstate transportation.

Sec. 18-93. SPECAIL EVENT FIREWORKS PERMIT.

A person who wishes to possess or use fireworks in a manner that differs from the authorizations described in this section may do so upon issuance by the city of a special event fireworks permit.

- (A) A person desiring a special events fireworks permit shall submit an application for such permit using the form provided by the city. Such form will require the name and address of the person(s) owning the property, the name and address of the person seeking the permit, the date and time of the event, estimate of the number of people in attendance at the event, the type of fireworks to be used at the event, any preventative or safety measures being implemented at the event and any other information as requested by the City Manager. Permission and consent of the landowner must be submitted with the application if the application is submitted by someone other than the landowner.
- (B) Prior to the issuance of the permit the city may require that the applicant submit proof of insurance for the event.
- (C) The City Manager shall issue the permit but may impose terms and conditions upon the permit that the city deems necessary for the safety of the public.
- (D) The permit applicant may appeal any special events fireworks permit decision of the City Manager to the City Council.

Sec. 18-94 PENATLY

- (A) A person commits an offense if he or she manufactures, sells, offers to sell, possesses for sale, ignites, detonates or possesses with intent to ignite or detonate any fireworks within the city limits in a manner not permitted by this chapter.
- (B) An offense under this chapter shall be punishable by a fine not to exceed \$2,000. Each day any violation of this chapter shall continue shall continue as a separate offense.

Sec. 18-95 SEVERABILITY.

It is hereby declared to be the intention of the City Council of the City of Los Fresnos that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or section of the Ordinance.

SEC. 18-96 EFFECTIVE DATE.

This Ordinance shall be effective upon passage and publication of the caption of this ordinance as required by the City Charter and State law.

INTRODUCED and APPROVED on the first reading this ____ day of _____, 2016.

APPROVED and PASSED on the second and final reading this ____ day of _____, 2016.

Polo Narvaez, Mayor

ATTEST:

Pam Denny, City Secretary

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 11/17/16 06:00 PM
Department: City Secretary
Category: City Election
Prepared By: Pam Denny

SCHEDULED

Initiator: Pam Denny
Sponsors:

ACTION ITEM (ID # 1990)

DOC ID: 1990 A

Canvass of Election Returns

As of today the vote count is as follows. There could be some updates due to mail in ballots.

Place 2

Swain Real - Total Votes = 992; Mail = 20; Early = 710; Election Day = 262; Provisional = 0

Place 5

Joe Collinsworth Total = 514 (37.52); Mail = 14; Early 392; Election Day = 108; Provisional = 0

Juan Munoz Total = 856 (62.48); Mail = 12; Early 595; Election Day = 249; Provisional = 0

Total	1,370	26	987	357	0
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City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 11/17/16 06:00 PM
Department: City Secretary
Category: City Election
Prepared By: Pam Denny
Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1991)

DOC ID: 1991

**Consideration and ACTION to approve the Order Declaring
Election Results for the November 8, 2016 City Election.**

City Council
200 North Brazil
Los Fresnos, TX 78566

Meeting: 11/17/16 06:00 PM
Department: City Secretary
Category: Oath of Office
Prepared By: Pam Denny

Initiator: Pam Denny
Sponsors:

SCHEDULED

ACTION ITEM (ID # 1992)

DOC ID: 1992

Oath of Office to the newly elected officials.