

City Council

200 North Brazil

Special Meeting

Los Fresnos, TX 78566

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

~ Minutes ~

Thursday, November 17, 2016

6:00 PM

City Hall

Call to Order

The meeting was called to order at 6:00 PM by Mayor Polo Narvaez

Public Hearings

Second public hearing to receive comments on the proposed annexation of property.No Action

Mayor Narvaez open the public hearing at 6:05 PM.

Mr. Milum showed the public a map that showed the areas for proposed annexation.

Mr. Jon Pederson was present and he owns a piece of property that is proposed for annexation. The property is a vacant land that he has his equipment stored on. His reason for not wanting to be annexed is that he will get taxed on his equipment at market value and it will be a big tax burden. He already pays County and School taxes on the equipment. He stated that he has helped the City in many ways through the years with equipment and fuel.

Mr. Milum stated that the Council could offer Mr. Pederson a Development Agreement which the City agrees not to annex unless he sells or if the Development Agreement expires whichever comes first. Another option is do not annex property.

Mayor Narvaez closed the public hearing at 6:21 PM.

made a motion to approve Second public hearing to receive comments on the proposed annexation of property., seconded by the vote was .

Public hearing to receive comments from the public on the zoning of proposed property to be annexed.No Action

Mayor Narvaez opened the public hearing at 6:22 PM.

Mr. Milum explained the different areas for proposed annexation and stated what the zoning of each area would be.

Mr. Milum stated that the Planning & Zoning had their meeting on Monday and they had approved the zoning subject to Council approval.

Mr. Milum answered questions from the public and Council.

Mayor Narvaez closed the public hearing at 6:27 PM.

made a motion to approve Public hearing to receive comments from the public on the zoning of proposed property to be annexed., seconded by the vote was .

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.

There were no visitor remarks.

Action Items

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

Mr. Milum explained that there were 3 bids received and all were over the budget of \$100,000. The low bid was from Diamone Eight Industries for \$130,272. Mr. Milum stated that the Council could accept the bid for \$130,272 and put in the difference of \$30,272 or we could shorten the length of the trails to approximately 1,250 feet. We would accept the low bid and then do a change order to shorten the trails and that would bring the bid to \$100,000.

Mr. Milum answered questions from the Council.

Motion was made and seconded to accept the low bid from Diamond Eight Industries with change order back to \$100,000.

Javier Mendez made a motion to approve Consideration and ACTION to award or reject any or all bids received on Nature Park Trails., seconded by Yolanda H. Cruz the vote was [Unanimous].

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.Adopted

Mr. Milum explained that notices had been sent out to all property owners in the proposed annexation area. As of today we have only had one person to attend the public hearings.

Mr. Milum stated that the Council could offer Mr. Pederson a development agreement as discussed in the public hearing. The area would be automatically annexed if Mr. Pederson sells the property or 15 years from the date the agreement is signed.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the first reading of Ordinance 477 annexing territory into the city limits 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, and to offer Mr. Pederson a development agreement so it does not impact him today but if he sells the property or the development agreement expires then property will be in the city limits.

Javier Mendez made a motion to approve 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., seconded by Bibi Garza the vote was [Unanimous].

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.Adopted

Mr. Milum stated that the zoning of the different areas was arrived by looking at current use and similar existing areas as well as already known planned development for the area. Mr. Milum showed on the a map the zoning of each area.

Mr. Milum answered questions from the Council.

Motion was made and seconded 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.

Polo Narvaez made a motion to approve 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., seconded by Yolanda H. Cruz the vote was [Unanimous].

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. Adopted

Mr. Milum explained that the first reading of this ordinance was done at a prior meeting. As discussed prior 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 these except for the sale of fireworks. The city staff had meet and the ordinance has been overhauled and have gone in a new directions concerning fireworks. There is no reason why our residents cannot possess fireworks inside the city. 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 long as it is in a proper commercial zone just like other businesses.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the second and final reading to amend 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.

Javier Mendez made a motion to approve 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., seconded by Polo Narvaez the vote was [Unanimous].

Canvass of Election ReturnsNo Action

Mayor Narvaez read the results of the November 8, 2016 City Election.

Member of Council Place 2: Swain Real received 710 early votes, 262 election day votes and 29 mail-in votes for a total of 1,001 votes.

Member of Council Place 5: Joe Collinworth received 392 early votes, 108 election day votes and 20 mail-in votes for a total of 520 votes.

Juan Munoz received 595 early votes, 249 election day votes and 16 mail-in votes for a total of 860 votes.

made a motion to approve Canvass of Election Returns, seconded by the vote was .

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

Mayor Narvez stated that after canvassing the election results the candidate election are as follows:

Member of Council Place 2 Swain Real with 1,001 votes

Member of Council Place 5 Juan Munoz with 860 votes

Motion was made and seconded to approve the election results.

Mayor Narvaez recessed the meeting at 6:50 PM

Mayor Narvaez called the meeting back to order at 7:08 PM.

Javier Mendez made a motion to approve Consideration and ACTION to approve the Order Declaring Election Results for the November 8, 2016 City Election., seconded by Yolanda H. Cruz the vote was [Unanimous].

Oath of Office to the newly elected officials.No Action

Judge Juan Mendoza, Jr gave the Oath of Office to Juan Munoz.
made a motion to approve Oath of Office to the newly elected officials., seconded by the vote was .

Adjournment

The meeting was closed at 7:13 PM

Presiding Officer of the Council

Recorder