

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

A Regular Meeting of the Aransas Pass City Council was held on Monday, May 21, 2018 in the Aransas Pass City Hall, 600 W. Cleveland Blvd., Aransas Pass, Texas 78336. A notice of the meeting was posted 72 hours in advance in accordance with Section 551, Texas Government Code. Mayor Ramiro Gomez, and Council Members Vickie Abrego, Billy Ellis, Janet Moore and Carrie Scruggs were present. Also present was City Manager Gary Edwards and City Attorney Roxann Cotroneo.

1. CALL MEETING TO ORDER.

Mayor Gomez called the meeting to order at 6:00 pm.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Council Member Abrego gave the Invocation and led the Pledge of Allegiance to the United States Flag.

City Manager Edwards asked for Council approval to deviate from the agenda and refer to Item 10.I.

10.I. Consideration and approval of Ordinance No. 2018-4214 by the City Council of the City of Aransas Pass, Texas authorizing the issuance of "City of Aransas Pass, Texas General Obligation Refunding Bonds, Series 2018", levying an Annual Ad Valorem Tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds, authorizing the execution of a Paying Agent/Registrar Agreement, a purchase and investment letter, and an Escrow Deposit Letter; complying with the Letter of Representations on file with the Depository Trust Company; authorizing the execution of any necessary engagement agreements with the City's Financial Advisors and/or Bond Counsel; and providing an effective date.

Andrew Friedman, Financial Advisor stated that the City currently has the ability to refund Certificates of Obligation – Series 2007A for a lower interest rate. He added that these bonds will become callable on August 1, 2018 and they have received bids to refund with General Obligation Refunding Bonds – 2018. Mr. Friedman stated that 4 bids were submitted, and the best bid was submitted by Frost Bank with a 2.83% interest, a savings of \$82,115.02 in interest and the maturity date will remain September 30, 2027.

A motion was made by Council Member Moore to approve Item 10.I, to authorize the issuance of City of Aransas Pass, Texas General Obligation Refunding Bonds – Series 2018 and award the bid to Frost Bank, seconded by Council Member Abrego, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

3. PRESENTATIONS AND PROCLAMATIONS:

3.I. Award Presentation – Eric Blanchard, Police Chief.

Chief Blanchard recognized and presented "Dynamite" Dylan Marshall with a Plaque for his special traits toward police officers and the community and presented him with his own "Pigemon Card".

4. BOARD AND COMMISSION APPOINTMENTS:

There were no board and commission appointments.

5. CONSENT AGENDA:

- 5.I. Approval of April 10, 2018 Special Meeting, April 23, 2018 Workshop Meeting and May 7, 2018 Regular Meeting Minutes.

A motion was made by Mayor Pro Tem Ellis to approve Item 5.I., seconded by Council Member Moore and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

6. PUBLIC HEARING:

City Attorney Roxann Cotroneo stated that Items 6.I through 6.III related to the voluntary annexation of the new Motel 6 located at 2705 W. Wheeler.

- 6.I. Consider and hear a petition to voluntarily annex into the City of Aransas Pass an area commonly known as 2705 W. Wheeler Ave., Aransas Pass, Texas 78336, San Patricio County Appraisal District, Property ID No. 1032260 with a legal description of Part of Tract 5, Block 109, T.P. McCampbell Subdivision, San Patricio County, Texas, comprised of approximately 8.363 acres.

Ms. Cotroneo stated that on April 24, 2018 the owner and developer of the land entered into an Annexation and Development Agreement, and one of the conditions of this agreement is that they would voluntarily petition to become part of the City, with the potential to increase the tax base. She added that part of the process is that the Council hear the Petition that was submitted on April 24, 2018.

- 6.II. Conduct a Public Hearing to hear arguments for and against whether the city Council should grant a petition to voluntarily annex into the City of Aransas Pass an area commonly known as 2705 W. Wheeler Ave., Aransas Pass, Texas 78336, San Patricio County Appraisal District Property ID No. 1032260 with a legal description of Part of Tract 5, Block 109, T.P. McCampbell 15.0 Acre Subdivision, San Patricio County, Texas, comprised of approximately 8.363 acres as Recorded in Volume 1, Page 2, Map Records of Aransas County, Texas.

Ms. Cotroneo stated that the next step is to conduct a public hearing to hear comments from the audience on whether they are For or Against the voluntarily annexation.

A motion was made by Council Member Abrego to open the public hearing, seconded by Council Member Scruggs, and the motion passed.

Ms. Cotroneo asked the audience if there were any comments on the petition to voluntarily annex 2705 W. Wheeler into the City. There being no comments, a motion was made Mayor Pro Tem Ellis to close the public hearing, seconded by Council Member Scruggs, and the motion passed.

- 6.III. Consider and Act to adopt Resolution 2018-861 granting a Petition filed by Priya Management, LP, the Landowner, and Prayosa Construction, the Developer, to voluntarily annex into the City of Aransas Pass an area commonly known as 2705 W. Wheeler Ave., Aransas Pass, Texas 78336, San Patricio County Appraisal District Property ID No. 1032260 with a legal description of Part of Tract 5, Block 109, T.P.

McC Campbell 15.0 Acre Subdivision, San Patricio County, Texas, comprised of approximately 8.363 acres as Recorded in Volume 1, Page 2, Map Records of Aransas County, Texas; directing publication and posting notice of public hearings for the proposed voluntary annexation and directing the City to prepare a Service Plan for the Proposed Annexed Area.

Ms. Cotroneo stated that this item relates to the adoption of Resolution No. 2018-861 to accept the petition to begin the annexation process with additional public hearings on July 2, 2018 and July 16, 2018, with final adoption of the annexation on August 6, 2018.

A motion was made by Council Member Scruggs to approve Item 6.III, seconded by Council Member Ellis, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

6.IV. WITHDRAWN

Public hearing on amending the City of Aransas Pass Zoning Ordinances, Part IV, Section 14 – Creation of a Building Site; amending Platting Requirements for Development; providing a Repealer Clause; and, providing for an effective date.

Katherine Comeaux, Superintendent of Development Services stated that Items 6.IV and 6.V are being withdrawn from the agenda for consultation with the City Attorney and will bring back to Council at a later date.

A motion was made by Mayor Pro Tem Ellis to withdraw Items 6.IV and 6.V, seconded by Council Member Abrego, and the motion passed.

6.V. WITHDRAWN

Consider and Act on Ordinance No. 2018-4215 amending the City of Aransas Pass Zoning Ordinances, Part IV, Section 14 – Creation of a Building Site; amending Platting Requirements for Development; providing a repealer clause; and, providing for an effective date.

6.VI. WITHDRAWN

Public hearing on amending Ordinance No. 1308, Zoning Ordinance, by amending Part I, Section 4-111 and Part III, Section 11-MH, “MH” Manufactured home District; providing regulations for Single-Family Lots; providing for a repealer clause and an effective date.

Katherine Comeaux, Superintendent of Development Services stated that Items 6.VI and 6.VII are being withdrawn from the agenda for consultation with the City Attorney and will bring back to Council at a later date.

A motion was made by Mayor Pro Tem Ellis to withdraw Items 6.VI and 6.VII, seconded by Council Member Abrego, and the motion passed.

6.VII. WITHDRAWN

Consider and Act on Ordinance No. 2018-4216 amending Ordinance No. 1308, Zoning Ordinance, by amending Part I, Section 4-111 and Part III; Section 11-MH “Manufactured Home District; providing regulations for Single-Family Lots; providing for a repealer clause and an effective date.

6.VIII. Public hearing on granting a Conditional Use Permit to allow James Andrew to operate a Cabinet and Woodwork Shop on No. Commercial Street, being Lots 11-14, Block 547, Aransas Pass Townsite, San Patricio County, Texas, subject to conditions set form

herein.

Mayor Gomez announced Item 6.VIII. A motion was made by Council Member Abrego to open the public hearing, seconded by Council Member Moore, and the motion passed.

Ms. Comeaux stated the applicant is not present at today's meeting. She stated that this proposed Conditional Use Permit is for a cabinet and woodwork shop on No. Commercial, a vacant lot at the corner of No. Commercial and Wheeler. Ms. Comeaux stated that notices were mailed on May 4, 2018 for the Planning and Zoning Commission and City Council hearing, and published in the newspaper. She added that two comments were mailed back concerning the noise and potential junk that could accumulate but does not constitute more than 20% of the property owners within 200 foot buffer and would not require a super majority vote.

There being no further comments, a motion was made by Council Member Abrego to close the public hearing, seconded by Council Member Moore, and the motion passed.

6.IX. Consider and Act on Ordinance 2018-4217 granting a Conditional Use Permit to allow James Andrew to operate a Cabinet and Woodwork Shop on No. Commercial Street, being Lots 11-14, Block 547, Aransas Pass Townsite, San Patricio County, Texas, subject to conditions set forth herein.

Council Member Abrego asked if the applicant had made arrangements to storing materials, and Ms. Comeaux responded that their intent is to have a metal building with a back opening for loading and unloading materials. She added that the property outline submitted included was only the parking lot and the building, with the intent to use a metal building for materials.

A motion was made by Mayor Pro Tem Ellis to approve Item 6.IX, seconded by Council Member Moore, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

7. CITY MANAGER

7.I. Consider and Act on approving Task Order 2 – Hazard Mitigation Grant Program (HMGP) Benefit Cost Analysis to the Professional Services Agreement with H2O Partners.

Mr. Edwards stated that this item relates to approving Task Order 2 to the Professional Services Agreement with H2O for a Benefit Cost Analyses for the Hazard Mitigation Grant Program. He added that there are approximately five grant under Hazard Mitigation and that benefit costs analyses are required portions of the grant, and would include in Task Order 2 that it would not exceed \$40,000.

A motion was made by Council Member Moore to approve Item 7.I, approving Task Order 2 – Hazard Mitigation Grant Program Benefit Cost Analyses with H2O not to exceed \$40,000, seconded by Council Member Scruggs, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

8. COMMUNITY ENRICHMENT:

8.I. Consider and Act on awarding RFP for Concession Vendor for the 2018 Season to Bubbles Concessions and authorize the Director of Community Enrichment to negotiate the terms.

Sarah Lee, Director of Community Enrichment stated this item is for the purpose of awarding an RFP for Concession Vendor for the 2018 Season. She added that one bid was submitted from Bubbles Concession. Council Member Moore commented that they would be paying the city \$25 monthly, and Ms. Lee confirmed that this is correct.

A motion was made by Council Member Scruggs to approve Item 8.I, seconded by Council Member Ellis, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

9. DEVELOPMENT SERVICES:

9.I. Monthly Statistical Report for Permitting, Inspections and Planning – April 2018.

Ms. Comeaux provided the monthly statistical report for Permitting, Inspections and Planning for the month of April 2018 and stated that total permits issued for April 2018 was 171; and Total Fees for April 2018 is \$52,382.11 as compared to \$11,381.27 for April 2017. Ms. Comeaux stated that Melinda Cook received her Permit Technician certification, and Burl Smith received his Commercial Plumbing certification.

10. FINANCE:

10.II. Monthly Financial Report for April 2018.

Sandra Garcia, Director of Finance stated that for the month ending April 2018, revenue collected is \$10,976,452, and expenditures total \$9,514,664, and reported that these totals do not include any Hurricane Harvey expenses that the City has incurred thusfar. Council Member Moore asked if the City had received any monies from FEMA, and Ms. Garcia responded that the only monies received from FEMA was for the initial debris removal. She then discussed the Revenues and Expenditures for budgeted vs. actual and the Property Tax and Sales Tax collected.

11. INFORMATION TECHNOLOGY:

There were no Information Technology items.

12. PUBLIC SAFETY:

12.I. Consider and Act on approving the Police Chief to enter into a Purchasing Agreement with Alliance for community Solutions and purchase the I-Info System for an amount not to exceed \$14,000 from the Federal Drug Seizure Fund Account.

Eric Blanchard, Director of Public Safety stated that the purpose of this item is to allow the Police Department and emergency operations to develop official government identification cards to be used online for the purposes of exiting and re-entering. He added that this is a standard system used by agencies and allows for better controls over active ID cards and will be paid through Federal Seizure Drug Funds.

A motion was made by Council Member Abrego to approve Item 12.I, seconded by Council Member Scruggs, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

12.II. Consider and Act on approving the Police Chief to enter into a Purchasing Agreement with TangoTango and purchase five years of services for an amount not to exceed

\$37,000, and two additional Radios from Daily Wells for an amount not to exceed \$13,000 both to be drawn from the Federal Drug Seizure Fund Account.

Mr. Blanchard stated that this item is an emergency management component with TangoTango as it would integrate police radios and private talk groups over cellular network through a mobile app. He added that the purchasing agreement with TangoTango is for 5 years of services for an amount not to exceed \$37,000, and the purchase of two additional radios from Dailey Wells Communication not to exceed \$13,000, funded by the Federal Drug Seizure Account.

A motion was made by Council Member Moore to approve Item 12.II, seconded by Council Member Abrego, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

12.III. Presentation of the April 2018 Public Safety Report.

Eric Blanchard, Police Department reported the highlights for the CID Division, Patrol Division and discussed the following statistics: accidents, traffic stops, assault report, burglary, criminal mischief, death investigation, fraud, theft and theft motor vehicle for the month of April 2018. He added that the report will be posted on the City's website. Mr. Blanchard recognized the following new employees: John Valdez, Police Officer and Deanna Beatty, Animal Control Officer.

13. CITY COUNCIL OR STAFF ANNOUNCEMENT:

Henri Morales, Municipal Court Judge announced that Municipal Court has created a Security Committee to meet the requirements of SB42. She added that the following members will be serving on the committee: Carrie Scruggs, Council Member; Gary Edwards, City Manager; Eric Blanchard, Police Chief; Lynn Pearce, EOC; Ronald Yeager, Retired District Judge; Patty Gilden and Milagros Medina.

14. CITIZEN COMMENT:

Henry Diaz-DeLeon extended an invitation to the Public and City Council to the Memorial Day Celebration on Monday, May 28th at Veterans Memorial Park at 11 am.

Juanita Ramos, stated she is purchasing the property at 357 N. Whitney discussed the ongoing issue with her neighbor regarding the fence post and stated that she had obtained a permit and they were removed by the City.

Donna Prazma, Little League Board, discussed vandalism at the Little League fields and asked if cameras can be installed. She stated that the cameras currently at the fields are not working. Police Chief Blanchard stated that they are working on getting cameras working and will add them to the Patrol List.

15. EXECUTIVE SESSION:

The meeting was recessed into Executive Session at 6:55 pm under the provisions of Section 551, Texas Government Code to discuss the authority of:

1. Section 551.071, Consultation with City Attorney: City of Aransas Pass vs. J.M. Davidson, Ltd. RLI Insurance Company, and Naismith Engineering, Cause No. S-14-6278CV-C in the 343rd Judicial District Court in San Patricio County, Texas.

2. Section 551.071, Consultation with City Attorney: Voluntary Annexation of Motel 6, 2705 W. Wheeler Avenue, Aransas Pass, Texas
3. Section 551.071, Tax Abatement Agreement with Fairfield Inn & Suites by Marriott, 2679 Texas 35 Business, Aransas Pass, Texas
4. Section 551.087, Deliberations regarding Economic Development Negotiations related to Conn Brown Harbor.
5. Section 551.087, Deliberations regarding Economic Development Negotiations related to Potential Housing Development.

The council returned from Executive Session at 8:20 pm.

Mayor Gomez announced that no action would be taken on the executive session items.

15. ADJOURNMENT

There being no further business to come before the Council, Mayor Gomez adjourned the meeting at 8:21 pm.

Ramiro Gomez
Mayor

Mary Juarez
City Secretary

Approved on: _____