

AGENDA

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ARANSAS PASS
600 W. CLEVELAND BLVD., ARANSAS PASS, TEXAS
JULY 11, 2016 - 7:00 P.M.**

1. CALL TO ORDER.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

3. PRESENTATIONS AND PROCLAMATIONS.

3.I. Update On July 4th Event

4. BOARD AND COMMISSION APPOINTMENTS.

5. APPROVAL OF MINUTES.

5.I. Approval Of Regular Meeting Minutes Of May 16, 2016 And June 6, 2016.

Documents:

[05-16-16 REGULAR.PDF](#)

[06-06-16 REGULAR.PDF](#)

6. CITIZEN COMMENTS.

Please limit presentations to three minutes. A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address.

7. CONSENT AGENDA.

All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council member so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

7.I. Ordinance No. 2016-4153 Of The City Of Aransas Pass, Texas, Amending Sections Of Chapter 16, "Library" Of The Code Of Ordinances Of The City Of Aransas Pass, Providing A Repealer Clause And, Providing An Effective Date.

Documents:

[LIBRARY BD. ORD. \(1\).PDF](#)

7.II. Ordinance No. 2016-4154 Disannexing 18.52 Acres Of Land From The City Of Aransas Pass, Texas, As Described In The Attached Exhibit A; Amending The Industrial District Agreement By And Between The City And Redfish Bay Terminal, Inc. By Adding The Disannexed 18.52 Acres To Such Industrial District Agreement; And, Providing An Effective Date.

Documents:

[ORD. 2016-4154.PDF](#)

8. PUBLIC HEARINGS.

8.I. Public Hearing On A Text Amendment To SECTION 15 – Non-Conforming Uses By Adding A Time Frame For Discontinued Non-Conforming Uses

Documents:

[CC MEMO - NON-CONFORMING USES.PDF](#)

- 8.II. Consider And Act On Ordinance To Amend SECTION 15 – Non-Conforming Uses By Adding A Time Frame For Discontinued Non-Conforming Uses; Providing For A Repealer Clause And An Effective Date.

Documents:

[NON-CONFORMING USE.PROPOSED ORDINANCE.20160329.PDF](#)

- 8.III. Public Hearing On A Text Amendment To SECTION 3, Subsection 100 To Rename The "R 7B" District To Single-Family Dwelling District 7,000 Sq. Ft. And To SECTION 10, Subsection 200 – Schedule Of Uses, By Removing Manufactured Home As A Use Subject To A Conditional Use In The "R-7B" District.

Documents:

[CC MEMO - REMOVE MH FROM R-7B DISTRICT.PDF](#)

- 8.IV. Consider And Act On Ordinance To Amend SECTION 3, Subsection 100 To Rename The "R 7B" District To Single-Family Dwelling District 7,000 Sq. Ft. And To SECTION 10, Subsection 200 – Schedule Of Uses, By Removing Manufactured Home As A Use Subject To A Conditional Use In The "R-7B" District; Providing For A Repealer Clause And An Effective Date.

Documents:

[MANUFACTURED HOME IN R-7B DISTRICT.ORDINANCE.PDF](#)

- 8.V. Public Hearing On A Text Amendment To SECTION 4, Subsection 112, LI, Light Industrial To Amend The Purpose Of The Zoning District.

Documents:

[CC MEMO - LI PURPOSE STATEMENT.PDF](#)

- 8.VI. Consider And Act On Ordinance To Amend SECTION 4, Subsection 112, "LI" Light Industrial District To Amend The Purpose Of The Zoning District; Providing For A Repealer Clause And An Effective Date.

Documents:

[SUBSECTION 112 LIGHT INDUSTRIAL.PROPOSED ORDINANCE.PDF](#)

- 8.VII. Public Hearing On Zoning Case No. 0516-01: A Request By City Of Aransas Pass For A Change Of Zoning From "AG" Agricultural District To "R-7B" Single-Family Dwelling District On Tract 1; "GB" General Business District On Tract 2; And "LI" Light Industrial District On Tract 3. The Area Is Generally Located North Of Marshall Street And State Highway 35 By-Pass, West Of North Avenue A And South Of Robert Lane.

Documents:

[CC MEMO - REZONING OF ANNEXED AREA.PDF](#)
[SHERWOOD FOREST REZONING MAP.REV20160627.PDF](#)

- 8.VIII. Consider And Act On Zoning Case No. 0516-01: A Request By City Of Aransas Pass For A Change Of Zoning From "AG" Agricultural District To "MH" Manufactured Home District On Tract 1; "GB" General Business District On Tract 2; And "LI" Light Industrial District On Tract 3.

Documents:

[SHERWOOD FOREST REZONING.PROPOSED ORDINANCE.PDF](#)

- 8.IX. Public Hearing On The Following Plats: A. Plat No. 1607008-P05: Aransas Pass Townsite, Block 425, Lots 15R & 16R (Final – 0.386 Acre); B. Plat No. 1607009-P06: Wilke Estates, Block 1, Lots 1R & 5 (Final – 4.662 Acres); C. Plat No. 1607010-P07: Aransas Pass Townsite, Block 262, Lots 14R, 15R & 16R (Final – 0.654 Acre)

Documents:

[CC MEMO - PUBLIC NOTICE PLATS.PDF](#)
[STAFF PLAT REVIEW COMMENTS.PDF](#)
[TOWNSITE, 425, 15R_16R.PDF](#)
[WILKE ESTATES, B1, L1R_5.PDF](#)
[TOWNSITE, 262, 14R_16R.PDF](#)

- 8.X. Consider And Act On The Following Plats; A. Plat No. 1607008-P05: Aransas Pass Townsite, Block 425, Lots 15R & 16R (Final – 0.386 Acre); B. Plat No. 1607009-P06: Wilke Estates, Block 1, Lots 1R & 5 (Final – 4.662 Acres); C. Plat No. 1607010-P07: Aransas Pass Townsite, Block 262, Lots 14R, 15R & 16R (Final – 0.654 Acre)

- 8.XI. Public Hearing On A Conditional Use Permit For Kevin And Samantha Simon To Operate A Bar, Lounge, Or Tavern At 208 E. Wheeler Avenue (Item Was Tabled At The June 20, 2016 City Council Meeting)

Documents:

[CC MEMO - SIMON CUP.REV 20160711.PDF](#)

- 8.XII. Consider And Act On The Conditional Use Permit For Kevin And Samantha Simon To Operate A Bar, Lounge, Or Tavern At 208 E. Wheeler Avenue

Documents:

[SIMON CUP.ORDINANCE.PDF](#)

- 8.XIII. Public Hearing On Demolition Of Buildings

Public hearing on demolition of the following properties in accordance with the City Code of Ordinance,, Chapter 5- Building & Construction; Section 5-72, Minimum Standards for Buildings:

1. Located at 653 W Matlock described as Lot 30, Block 350, Aransas Pass Townsite, Property ID 59662
2. Located at 405 N 12th, described as Lots 7 & 8, Block 208, Aransas Pass Townsite, Property ID 51002
3. Located at 959 S Whitney, described as Lot 8 Block 424, Aransas Pass Townsite, Property ID 36132
4. Located at 545 S 13th, Lot 6, Block 748, Aransas Pass Townsite, Property ID 71289, Property ID 71289
5. Located at 1126 N McCampbell, described as Lot 1, Block 212, Burton and Danforth Property ID 49682
6. Located at 336 N 11th described as Lot 13, Block 209 Aransas Pass Townsite, Property ID 51090

8.XIV. Consider And Act On The Demolition Of Structures.

Consider and Act on demolition of the following properties in accordance with the City Code of Ordinances, Chapter 5, Building and Construction, Section 5-72, Minimum Structures for Buildings:

1. Located at 653 W. Matlock, described as Lot 30, Block 350, Aransas Pass Townsite, Property ID 59662.
2. Located at 405 N. 12th Street, described as Lots 7 & 8, Block 208, Aransas Pass Townsite, Property ID 51002.
3. Located at 959 S. Whitney, described as Lot 8, Block 424, Aransas Pass Townsite, Property ID 36132.
4. Located at 545 S. 13th Street, Lot 6, Block 748, Aransas Pass Townsite, Property ID 71289.
5. Located at 1126 N. McCampbell, described as Lot 1, Block 212, Burton and Danforth, Property ID 49682.
6. Located at 336 N. 11th Street, described as Lot 13, Block, 209, Aransas Pass Townsite, Property ID 51090.

Documents:

- A. AGENDA MEMO-653 W MATLOCK.PDF
- A1. 653 W MATLOCK.PDF
- B. AGENDA MEMO-405 N 12TH.PDF
- B1. 405 N 12TH.PDF
- C. AGENDA MEMO-959 S WHITNEY.PDF
- C1. 959 S WHITNEY.PDF
- D. AGENDA MEMO-545 S 13TH.PDF
- D1. 545 S 13TH.PDF
- E. AGENDA MEMO-1126 N MCCAMPBELL.PDF
- E1. 1126 N MCCAMPBELL.PDF
- F. AGENDA MEMO-336 N 11TH.PDF
- F1. 336 N 11TH.PDF

9. CITY MANAGER.

9.I. Consider And Act On Purchasing Advertising From Site Selector Magazine.

Documents:

- CITY OF ARANSAS PASS UNSIGNED IO.PDF
- MR- CITY OF ARANSAS PASS-SEPTEMBER 2016 MAY 2017.PDF
- SITE SELECTOR MAGAZINE.PDF

9.II. Consider And Act On Regulation Of Food Establishments.

Documents:

- MOBILE FOOD VENDOR.PDF
- MUNICIPALITY ORDER 2016.PDF

9.III. Consider And Act On Change Order No. 1 For Community Park Improvements.

Documents:

- SKATE PARK - RA CONSTRUCTION.PDF
- RANDA CONSTRUCTION CONTRACT CITY OF ARANSAS PASS.PDF

9.IV. Consider And Act On Emergency Infrastructure Repairs With JJ Fox Construction.

Documents:

[EMERGENCY REPAIRS.PDF](#)

9.V. Update On Council Retreat.

10. COMMUNITY ENRICHMENT.

Community Enrichment includes the following: Parks, Civic Center, Aquatic Facility, Library, and Senior Center.

11. DEVELOPMENT SERVICES.

Development Services includes the following: Building Services, Planning, Public Works, and Maintenance.

11.I. FM 2725 Change Order #2

Consider and Act on approving Change Order #2 for the FM 2725 Waterline Project.

Documents:

[BRIDGE SPECIALTIES CHANGE ORDER 2.PDF](#)
[AGENDA MEMO FOR CHANGE ORDER 2 FM 2725.PDF](#)

12. FINANCE.

Finance includes the following: Utility Billing, Finance, Human Resources, and Meter Reading.

13. INFORMATION TECHNOLOGY.

14. PUBLIC SAFETY.

Public Safety includes the following: Police, Fire, EMS, Harbor, and Emergency Management

14.I. Renew Debris Removal Agreement With DRC Emergency Services.

Consider and act on approving the Mayor to enter into a Memorandum of Understanding (MOU) between the City of Aransas Pass and DRC Emergency Services for debris removal.

Documents:

[AGENDA MEMORANDUM - DRC MOU.PDF](#)
[ARANSAS PASS RENEWAL.PDF](#)

14.II. Purchase Of Ticket Writers For The Police Department

Consider and act on allowing the police chief to enter into an agreement with Brazos/Tyler Technologies for the purchase of 8 new Android ticket writers.

Documents:

[ANDROID TICKETWRITERS.PDF](#)
[EMAIL MULVEY.PDF](#)
[QUOTE.PDF](#)

15. EXECUTIVE SESSION.

16. ADJOURNMENT.

17. POSTING STATEMENT.

I certify that the above notice of meeting was posted at the Aransas Pass City Hall located at 600 W. Cleveland, Aransas Pass, TX 78336 on _____, 2016 at _____ a.m./p.m.

**Mary Juarez
City Secretary**

Persons with disabilities planning to attend this meeting who may need auxiliary services are asked to contact the City Secretary's office at (361) 758-5301, 24 hours in advance of the meeting.

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 16, 2016 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 Adan Chapa, and Council Members Vickie Abrego, Billy Ellis, Phillip Hyatt and Carrie Scruggs were present. Also present were City Manager Sylvia Carrillo and City Attorney Allen Lawrence.

1. **CALL MEETING TO ORDER.**

Mayor Chapa called the meeting to order at 7:00 pm.

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

Mayor Chapa gave the Invocation and led the Pledge of Allegiance to the United States Flag.

Mayor Chapa referred to the Emergency Posting regarding the Declaration of a State of Disaster in the City of Aransas Pass. Mr. Chapa then read the Disaster Proclamation and stated that it shall take effect immediately and that the order was signed May 16, 2016.

City Manager Carrillo then referred to photos of an aerial of the city and stated that the city received 12 to 15 inches of rain over a short period, and that approximately 300 homes were affected. Ms. Carrillo added that the emergency operations center was activated at 4:00 am, first responders were out in the area, and that City Hall was open for citizens, and that the Civic Center was set up as a shelter.

3. **CONSIDER AND ACT ON MAY 7, 2016 GENERAL ELECTION ITEMS:**

Mayor Chapa referred to Items 3a through 3c.

- a. Consider and Act on Resolution No. 2016-779 canvassing and declaring the results of the General Election held on May 7, 2016, in the City of Aransas Pass, Texas for the purpose of electing Council Members for Places 2 and 4, and two Charter Amendments.

City Attorney Lawrence stated that Item 3a is canvassing the results of the General Election held on May 7, 2016.

A motion was made by Council Member Ellis to approve Item 3a, seconded by Mayor Pro Tem Hyatt, and the motion carried.

- b. Conduct Swearing-in of Newly-Elected Council Members.

City Attorney Lawrence conducted the Oath of Office for newly elected Billy Ellis, Council Place 2 and Vickie Abrego, Council Place 4.

- c. Consider and Act on appointing Mayor Pro Tem for ensuing year.

A motion was made by Mayor Pro Tem Hyatt to designate Council Member Billy Ellis as Mayor Pro Tem for the ensuing year, seconded by Council Member Abrego, and the motion carried.

4. PRESENTATION/PROCLAMATION:

a. Presentation by Texas A&M University – Corpus Christi/MPA Program – Senior Center.

Mr. John Hornsby, a graduate of Texas A&M University-Corpus Christi provided a report on the Aransas Pass Senior Center. Mr. Hornsby stated that the Senior Center was initially formed in 1973 between the City of Aransas Pass and the Aransas Pass Housing Authority. He then discussed the purpose of the senior center, activities, attendance, senior center budget, operations costs, and a comparison of other senior centers in the Coastal Bend area.

Mr. Hornsby stated that after evaluation of the senior center, he is recommending the following: 1) develop an updated mission statement, increase budget, partner with other groups, provide a computer for front desk personnel, include community outreach, utilize the senior center for events outside the current hours of operations, update the contract between the City and Housing Authority, implement a fitness program, offer immunizations for participants and coordinate with local health organizations, possible group trips, and contact National Council on Aging for model policies and practices for operation of senior centers.

5. BOARD AND COMMISSION APPOINTMENTS:

a. Crime Control & Prevention District

City Manager Carrillo stated that terms are expiring for Terry Stansberry, Earl Buckmaster, Carol Salinas, and Jay Attaway. Ms. Carrillo added that Mr. Stansberry and Ms. Salinas are seeking reappointment, and that Mr. Attaway and Mr. Buckmaster are not seeking reappointment.

A motion was made by Council Member Abrego to reappoint Terry Stansberry and Carol Salinas, and the new appointment of David Harris to replace Jay Attaway, seconded by Council Member Ellis, and the motion carried.

6. CITIZEN COMMENTS:

Mayor Chapa referred to Citizen Comments.

Steven Warren commented on the increase on his monthly water bill and asked that the city look into the matter.

Mr. Limon, 307 S. Atlantic, commented on the recent storm event, water pumps, and spoke of issues on Wilson Street, and asked if there would be assistance from FEMA.

Debbe Ellesworth, Aransas Pass Downtown, spoke of cleanup efforts in the downtown area, and the new benches for the area.

Ms. Lamas and Victor Lamas 123 N. McCampbell, commented on the recent storm event; spoke of issues for the parking of trucks for their wrecker service; and the zoning for the area. Ms. Carrillo explained the uses allowed for the area and informed them that they can apply for a Planning and Zoning interpretation.

Carol Salinas, 858 S. 11th Street, commented on the podium microphone and stated that it is hard to reach when addressing the council, and suggested a smaller stand to attach to the podium.

7. CONSENT AGENDA:

Mayor Chapa referred to the Consent Agenda, Items 7a through 7c.

- a. Resolution No. 2016-780, A Resolution of the City of Aransas Pass, Texas finding that AEP Texas Central Company's application for approval of a distribution cost recovery factor to increase distribution rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.
- b. Resolution No. 2016-781 adopting the provisions of the Nueces County Hurricane Re-Entry Plan.
- c. Approval of Regular Meeting Minutes of April 18, 2016.

A motion was made by Mayor Pro Tem Ellis to approve Items 7a through 7c, seconded by Council Member Hyatt, and the motion carried.

8. CONSIDER AND ACT ON CITY MANAGER ITEM(S):

Mayor Chapa referred to City Manager Items 8a through 8d.

- a. TABLED - Consider and Act on awarding bid for 13th Street.

City Manager Carrillo stated that due to the cave-ins caused by the recent storm event, she was requesting to table this item to allow additional discussions with engineering firms and come back with a revised design and cost estimate.

A motion was made by Council Member Hyatt to table Item 8a, seconded by Council Member Abrego, and the motion carried.

- b. Consider and Act on request from Aransas Pass Chamber of Commerce to temporarily close streets during Shrimporee Event.

Rosemary Vega, Aransas Pass Chamber of Commerce stated that in an effort to alleviate traffic in the Shrimporee grounds area, they are requesting the temporary closure of certain streets. She added that TxDOT will assist with traffic and appropriate signage will be placed.

A motion was made by Mayor Pro Tem Ellis to approve Item 8b, seconded by Council Member Abrego, and the motion carried.

- c. Consider and Act on Softball Complex Lease with Roland Pena.

City Manager Carrillo stated that the Council had previously approved the Softball Complex Lease with Roland Pena and had removed prorating for rain days. She added that Mr. Pena was asking for the council to reconsider.

A motion was made by Council Member Abrego to deny the request and leave the lease as is, seconded by Mayor Pro Tem Ellis, and the motion carried.

- d. Consider and Act on awarding Request for Proposals for Community Park.

City Manager Carrillo stated that this item was discussed at the last council meeting, but she received a request from council members to add to the agenda. She added that this was only for the concrete portion at Community Park.

A discussion ensued on the possibilities of utilizing these funds to help with the storm disaster, building a new complex, fencing, and other uses.

A motion was made by Council Member Ellis to award the contract to R&A Construction, seconded by Council Member Hyatt, and the motion carried; Chapa and Scruggs voting "No".

9. CONSIDER AND ACT ON COMMUNITY ENRICHMENT ITEM(S):

There were no Community Enrichment items.

10. CONSIDER AND ACT ON DEVELOPMENT SERVICES ITEM(S):

There were no Development Services items.

11. CONSIDER AND ACT ON FINANCE ITEM(S):

There were no Finance items.

12. CONSIDER AND ACT ON PUBLIC SAFETY ITEM(S):

There were no Public Safety items.

13. CONSIDER AND ACT ON INFORMATION TECHNOLOGY ITEMS):

There were no Information Technology items.

14. PUBLIC HEARINGS:

Mayor Chapa referred to Public Hearing Items.

- a. Public hearing on Application for Tammy Solis for Conditional Use Permit to operate a bar, lounge or tavern at 1152 S. Commercial, Aransas Pass, Lots 32 through 35, Block 7, Fricks First Addition, Aransas Pass, Texas.

City Attorney Lawrence stated that Item 14a is an application by Tammy Solis for a Conditional Use Permit to operate a bar, lounge or tavern at 1152 S. Commercial, and he declared the public hearing open.

Director of Development Services Miguel Saldana stated that this property has previously operated as a bar and does not vary from previous uses of the facility. Mr. Saldana stated that the Planning & Zoning Commission recommend approval of the Conditional Use Permit subject to a size plan and nine (9) conditions.

Police Chief Eric Blanchard discussed noise related issues from the surrounding residents, but that he is not opposed to granting the permit.

There were no citizen comments. City Attorney Lawrence declared the public hearing closed.

- b. Consider and Act on Ordinance approving Conditional Use Permit for Tammy Solis to operate a bar, lounge or tavern at 1152 S. Commercial, Aransas Pass, Lots 32 through 35, Block 7, Fricks Frist Addition, Aransas Pass, Texas.

A motion was made by Mayor Pro Tem Ellis to approve Item 14b including the conditions recommended by the Planning and Zoning Commission, seconded by Council Member Hyatt, and the motion carried; Abrego voting "No".

- c. Public hearing on Application for Re-Plat of Glen and Jane Dubois for the property described as 0.321 acres of land being Lots 9 and 10, Block 748, Aransas Pass Townsite, San Patricio County, Texas.

City Attorney Lawrence stated that Item 14c is public hearing on a re-plat for Glen and Jane Dubois for property described as 0.321 acres of land out of Lots 9 and 10, Block 748, Aransas Pass Townsite, San Patricio, County, Texas, and he declared the public hearing open.

Director of Development Services Miguel Saldana stated that this request is to re-plat two of the four lots into one lot for the purpose of constructing a carport on the property containing their home, and that two lots will remain vacant. Mr. Saldana added that the Planning and Zoning Commission recommend approval.

There were no citizen comments. City Attorney Lawrence declared the public hearing closed.

- d. Consider and Act on Application for Re-Plat of Glen and Jane Dubois for the property described as 0.321 acres of land being Lots 9 and 10, Block 748, Aransas Pass Townsite, San Patricio County, Texas.

A motion was made by Council Member Abrego to approve Item 14b, seconded by Council Member Hyatt, and the motion carried.

- e. Public hearing on Application for Re-Plat of Lisa Coy for the property described as 0.562 acre of land being Lot 21R, Block 607, Aransas Pass Townsite, San Patricio County, Texas.

City Attorney Lawrence stated that Item 14e is a public hearing on a re-plat for Lisa Coy for the property described as 0.562 acre of land being Lot 21R, Block 607, Aransas Pass Townsite, San Patricio County, Texas, and he declared the public hearing open.

Director of Development Services Miguel Saldana stated that this request is to re-plat the lots for the purpose of expanding the existing structure. Mr. Saldana added that the Planning and Zoning Commission recommend approval.

There were no citizen comments. City Attorney Lawrence declared the public hearing closed.

- f. Consider and Act on Application for Re-Plat of Lisa Coy for the property described as 0.562 acre of land being Lot 21R, Block 607, Aransas Pass Townsite, San Patricio County, Texas.

A motion was made by Mayor Pro Tem Ellis to approve Item 14f, seconded by Council Member Hyatt, and the motion carried.

- g. Public hearing on amending City of Aransas Pass Zoning Ordinance, Part IV, Section 16, Board of Adjustment, by amending the Board's jurisdiction to allow for a Special Exception for sign location and height and to authorize the Director of Development Services a ten (10%) percent administrative adjustment.

City Attorney Lawrence stated that Item 14g is a public hearing on a text amendment to amend the Zoning Ordinance for the Board of Adjustment, and he declared the public hearing open.

Director of Development Services Miguel Saldana stated that this text amendment would authorize the Zoning Board of Adjustment to allow special exceptions for sign location and height, and would also authorize the Director of Development Services a ten percent (10%) administrative adjustment.

Mayor Chapa asked how the City will keep track of administrative adjustments and reasons for granting exceptions, and Mr. Saldana responded that the City Manager will be provided with updates and reports.

There were no citizen comments. City Attorney Lawrence declared the public hearing closed.

- h. Consider and Act on amending Ordinance No. 1308, Zoning Ordinance, by amending Part IV, Section 16, Board of Adjustment, by amending the Board's jurisdiction to allow for a special exception for sign location and height and to authorize the Director of Development Services a ten (10%) percent administrative adjustment; providing for a repealer clause and an effective date.

A motion was made by Mayor Pro Tem Ellis to approve Item 14h, seconded by Council Member Hyatt, and the motion carried.

15. DEPARTMENT UPDATE(S):

City Manager Carrillo stated that a few years ago, the city defined the term "Reasonable Distance of Water and Sewer Lines" and that in the last update to the Platting and Subdivision Ordinance this was not incorporated. Ms. Carrillo informed the Council that this item will be brought back to Council to consider incorporating into the zoning ordinance. Ms. Carrillo also discussed hours of operation at Harbor Point Park and will bring an item to Council in the future.

16. EXECUTIVE SESSION(S):

The meeting was recessed into Executive Session at 8:18 pm under the provisions of Section 551, Texas Government Code to discuss the authority of:

- a. Section 551.071 – Consultation with City Attorney: La Costa Development.
- b. Section 551.072 – Deliberation regarding Real Property: Environmental Findings.
- c. Section 551.074 – Deliberation regarding Personnel: City Secretary.
- d. Section 551.074 – Deliberation regarding Personnel: Municipal Court.

The council returned from Executive Session at 8:57 pm.

- a. Section 551.071 – Consultation with City Attorney: Annexation Matters.

Mayor Chapa announced that no action would be taken on Item 16a.

- b. Section 551.072 – Deliberation regarding Real Property: Environmental Findings.

Mayor Chapa announced that no action would be taken on Item 16b.

- c. Section 551.074 – Deliberation regarding Personnel: City Secretary.

A motion was made by Council Member Hyatt to renew contract for City Secretary until September 30, 2016, seconded by Mayor Pro Tem Ellis, and the motion carried.

d. Section 551.074 – Deliberation regarding Personnel: Municipal Court.

Mayor Chapa announced that no action would be taken on Item 16d.

17. ADJOURNMENT:

There being no further business to come before the Council, Mayor Chapa adjourned the meeting at 8:58 pm.

Adan Chapa
Mayor

Mary Juarez
City Secretary

Approved on: _____

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, June 6, 2016 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 Adan Chapa, and Council Members Vickie Abrego, Billy Ellis, Phillip Hyatt and Carrie Scruggs were present. Also present were City Manager Sylvia Carrillo and City Attorney Allen Lawrence.

1. **CALL MEETING TO ORDER.**

Mayor Chapa called the meeting to order at 7:00 pm.

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

Mayor Chapa gave the Invocation and led the Pledge of Allegiance to the United States Flag.

3. **PRESENTATION/PROCLAMATIONS:**

- a. Employee Recognition – Community Enrichment, Aquatic Center Staff: Thomas Baker and Cyndy Ball

Sara Lee, Director of Community Enrichment recognized Thomas Baker and Cyndy Ball for their hard work and commitment to the City of Aransas Pass and presented them with a Certificate of Recognition.

- b. Presentation on Annual Audit Report ending September 30, 2015 – Brenda McElwee, CPA.

Brenda McElwee stated that the Audit Report is prepared to show how the City is doing financially. She added that the report discusses the financial highlights, investments, and bonds. Ms. McElwee stated that this year the city went through an accounting software conversion, and that future reports would be more concise due to the new software.

4. **BOARD AND COMMISSION APPOINTMENTS:**

There were no board appointments.

5. **CITIZENS COMMENTS:**

Mayor Chapa referred to citizen comments.

Kelsey Durham, 442 Rabbit Run Road, commented on the process and requirements for golf carts.

Jerry Wellman, 1869 S. Saunders, commented on city residents having paved streets, water and sewer services and that some residents continue to have septic systems; and also commented on donations to organizations.

Barbara Klopenschenski, commented on standing water in ditches and stated that the County dug the ditches and is unable to get the mower to mow; and that the City needs to address grass problems and clean pipes.

Lee McLelland, 308 W. Wilson, suggested that the City hold a Town Hall Meeting regarding the Harbor Development Plans.

Roy Vasquez, thanked the City for donating funds for Project Graduation; commented on the bid award for the harbor lighting and the vote on the bid award for the Community Park project.

6. CONSENT AGENDA:

Mayor Chapa referred to the Consent Agenda, Items 6a through 6c.

- a. Ordinance No. 2016-4149 approving Conditional Use Permit for Tammy Solis to operate a bar, lounge or tavern at 1152 S. Commercial, Aransas Pass, Lots 32 through 35, Block 7, Fricks First Addition, Aransas Pass, Texas.
- b. Ordinance No. 2016-4150 amending Ordinance No. 1308, Zoning Ordinance, by amending Part IV, Section 16, Board of Adjustment, by amending the Board's jurisdiction to allow for a special exception for sign location and height and to authorize the Director of Development Services a ten (10%) percent administrative adjustment, providing for a repealer clause and an effective date.
- c. Approval of Regular Meeting Minutes of May 2, 2016.

A motion was made by Council Member Hyatt to approve Items 6a through 6c, seconded by Mayor Pro Tem Ellis, and the motion carried.

7. CONSIDER AND ACT ON CITY MANAGER ITEM(S):

Mayor Chapa referred to City Manager Items 7a through 7m.

- a. Consider and Act on appointing signatories for the withdrawal of funds from the City Depository.

City Manager Carrillo stated that at the May 2016 election, the voters approved a charter amendment regarding the signatures required for the withdrawal of monies from the City's depository to be appointed by the Council. Ms. Carrillo stated that staff is recommending the following positions – Municipal Court Judge, City Secretary and the Finance Director.

After discussion on the qualifications of the positions being recommended, Mayor Chapa asked that this item be tabled and that staff contact surrounding cities, Portland and Ingleside to inquire on their signatories.

A motion was made by Mayor Pro Tem Ellis to appoint the Municipal Court Judge, City Secretary and Finance Director as signatories, seconded by Council Member Hyatt, and the motion carried; Chapa voting "No".

- b. Consider and Act on amending Ordinance No. 2016-4146 to add Industrial District Area Nos. 11, 12, and 13; authorizing the making of contracts establishing within said areas Industrial District Nos. 11, 12, and 13; providing for an effective date; and providing a severance clause.

City Manager Carrillo stated that this item is to include three additional businesses in the industrial district area.

A motion was made by Mayor Pro Tem Ellis to approve Item 7b, seconded by Council Member Hyatt, and the motion carried.

- c. Consider and approval of Resolution No. 2016-782 by the City Council of the City of Aransas Pass, Texas authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in securities and exchange commission rule 15c2-12; and providing an effective date.

City Manager Carrillo stated that this item is for Certificates of Obligation in an amount not to exceed \$3,000,000, and is also approving the publication of the Notice of Intent. Ms. Carrillo stated that the sale is scheduled for July 18, 2016.

A motion was made by Council Member Abrego to approve Item 7c, seconded by Mayor Pro Tem Ellis, and the motion carried.

- d. Consider and Act on re-scheduling the July 4, 2016 council meeting due to a City holiday to Monday, July 11, 2016.

City Manager Carrillo stated that since July 4, 2016 is a City holiday, she is recommending that the meeting be re-scheduled to Monday, July 11, 2016.

A motion was made by Council Member Abrego to approve Item 7d, seconded by Council Member Hyatt, and the motion carried.

- e. NO ACTION - Consider and Act on Softball Complex Lease with Roland Pena regarding safety conditions.

Ms. Marcy Hammonds spoke in regards to this item. Ms. Hammonds discussed some of the safety issues at the Softball Complex including maintenance of the field, fence, lighting at the field, and trash pickup.

A discussion ensued between the council and city staff regarding the condition of the softball complex. After discussion, there was no action on this item.

- f. Consider and Act to allocating funds for a Drainage Study.

City Manager Carrillo stated that this item is to identify funds for a drainage study. She added that recent rain events have raised questions regarding drainage. She stated that recently a presentation was provided to council on a Master Plan that would cost approximately \$1 million, without any actual repairs. She further discussed that a temporary solution is to dig more ditches around town.

A discussion ensued on whether to hire an engineering firm for a drainage study, or to invest in ditches; the need for a ditch system; manpower going forward; and other issues related to water flow.

A motion was made by Council Member Hyatt not to pursue with a Drainage Study, seconded by Council Member Abrego, and the motion carried.

- g. Consider and Act on Master Plan for Community Park and Recreation.

City Manager Carrillo stated that this item relates to the Master Plan for Community Park. Ms. Carrillo then referred to a map depicting the location for the Skate and Dog Parks in the Community Park area. She informed the Council that Mr. Dela Cruz has completed site plans and bid documents for future phases for the bleacher pad, skate park and dog park to include electrical and plumbing.

Mr. Eli Dela Cruz, Engineer, provided a power point presentation and discussed electrical and plumbing work for the bleacher, vendor, and pad; bid process requirements and who is qualified to bid; electrical design to comply with FEMA standards; drawings and standards; pros and cons; fencing, netting, and other items.

A discussion ensued regarding the location and whether this is the best location; pavilion; combined utilities; maintenance; the need for netting at the ball field; possibility of relocating the gate; bid for the pavilion; and other matters related to the location of the skate park and dog park and needs.

A motion was made by Mayor Pro Tem Ellis to approve the Master Plan for Community Park including the fencing, netting, etc., seconded by Council Member Hyatt, and the motion carried.

- h. Consider and Act on request from Aransas Pass for Youth for a sponsorship donation for the Youth Summer Camp Program.

City Manager Carrillo stated that this is a sponsorship request in the amount of \$700 to help send a child or children to camp. Ms. Rosemary Vega, Chamber of Commerce was in the audience and stated that funds were low and Aransas Pass for Youth would appreciate any monetary donation. Ms. Carrillo stated that the Police Department Federal Drug Fund has provided \$5,000 to this group for the Public Safety days, as well as the swimming pool.

A motion was made by Council Member Abrego to deny the request since funds have already been provided to Aransas Pass for Youth, seconded by Council Member Hyatt, and the motion carried.

- i. Consider and Act on corporate sponsor from Aransas Pass Independent School District Athletics to purchase an Advertising Panel on the Jumbotron.

City Manager Carrillo stated that this is for a corporate sponsor for the purchase of an advertising panel for the Aransas Pass ISD Jumbotron. She added that the ads are \$10,000 for a 3 x 6 panel, or \$25,000 for a 5 x 6 panel, annually.

A motion was made by Mayor Pro Tem Ellis to deny the request, seconded by Council Member Hyatt, and the motion carried.

- j. Consider and Act on offer to purchase Tax Resale Property, Suit No. A-07-3063-TX-A, Tract 1, Lot 2, Block 389, City of Aransas Pass, located on Lamont Street.

City Manager Carrillo stated that an offer for this property was made by Laura O. Douglas in the amount of \$610.00, and the amount due to all entities is \$696.41, and the City of Aransas Pass would receive \$108.39. Ms. Carrillo stated that bidders are asked to submit their highest and best bid, and that the amount reflects only the amount due to the entities and does not include any tax or paving liens. She further stated that a motion would be necessary to waive any liens or interests that is owed to the city.

A motion was made by Council Member Hyatt to approve Item 7j, seconded by Mayor Pro Tem Ellis, and the motion carried.

- k. Consider and Act on offer to purchase Tax Resale Property, Suit No. S-05-1097-TX, Lots 13, 14, 15, and 16, Block G (NCB 571), Makey's First Addition, City of Aransas Pass, San Patricio County, located on the corner of Arch Street.

City Manager Carrillo stated that the property consists of small lots and the offer was made by Michael Shultz in the amount of \$18,300, and the amount due to all entities is \$16,918.80, and the City of Aransas Pass would receive \$4,500.05.

Mr. Lawrence stated that the purchaser is aware that this property is in the flood plain, and he informed the Council that there is a lien on the property and that Mr. Schultz is requesting that the lien be waived.

Ms. Carrillo stated that she is unaware of the lien amount and informed the Council that for a lien to be valid, it must be re-filed every ten years. She stated that she is recommending that the liens be waived.

A motion was made by Council Member Abrego to accept the bid for Item 7k and waive liens on the property, seconded by Mayor Pro Tem Ellis, and the motion carried.

- i. Consider and Act on offer to purchase Tax Resale Property, Suit No. S-06-1031-TX, Lots 1 and 2, Block 441, Original Townsite, City of Aransas Pass, San Patricio County, Texas, located on the corner of 801 S. McCampbell.

City Manager Carrillo stated that the property consists of two lots, and is fully developable property, and the offer was made by Edgar Ochoa in the amount of \$1,999.99, and the amount due to all entities is \$10,784.36, and the City of Aransas Pass would receive \$123.64.

Council Member Abrego stated that since the property is fully developable property, the bid offer be for the amount due to all entities. Ms. Carrillo reiterated that the amount due to all entities is \$10,784.36.

Mr. Ochoa stated that if the council does not accept his bid in the amount of \$1,999.99, he would withdraw his bid. He stated that if the City waives the liens, he would increase the bid amount.

Council Member Hyatt asked how much is owed in liens, and Ms. Carrillo responded that liens total to \$18,356 and were filed in 1987 and 1994, and are no longer valid.

A motion was made by Council Member Abrego to reject the bid and accept a bid for this property in the amount no less than \$10,784, seconded by Council Member Hyatt, and the motion carried; Scruggs voting "No".

- m. Consider and Act on offer to purchase Tax Resale Property, Suit No. S-11-1102-TX, Lots 31 and 32, Block 419, City of Aransas Pass, San Patricio County, Texas located at Goodnight and McCampbell.

City Manager Carrillo stated that an offer was made by Edgar Ochoa in the amount of \$16,000, and the amount due to all entities is \$43,899.68, and the City of Aransas Pass would receive \$3,854.43. Ms. Carrillo added that the property is located in an improved road and referred to a map depicting the area.

A motion was made by Council Member Hyatt to accept the bid and waive the liens, seconded by Council Member Scruggs, and the motion carried.

8. CONSIDER AND ACT ON COMMUNITY ENRICHMENT ITEM(S):

- a. Consider and Act on amending the City Code of Ordinances, Chapter 16, Library Board.

City Manager Carrillo stated that this item is clarifying the terms and appointments to the Library Board. Ms. Paula Stone, Library Board Chairman stated that this is clarifying the ordinance, defining the year and terms of the members and asked for the council's support for the amendment.

A motion was made by Mayor Pro Tem Ellis to approve Item 8a, seconded by Council Member Hyatt, and the motion carried.

9. CONSIDER AND ACT ON DEVELOPMENT SERVICES ITEM(S):

- a. Consider and Act on awarding bid for sludge removal of race tracks at wastewater treatment plant to Dredgit Environmental. (Item tabled on August 3, 2015)

A motion was made by Council Member Hyatt to untable Item 9a, seconded by Council Member Abrego, and the motion carried.

City Manager Carrillo stated that the purpose of this item is for the removal of built up sludge up to 7' deep to give the City additional capacity. She added that there has been no maintenance in 10 to 15 years.

A motion was made by Council Member Abrego to approve Item 9a, seconded by Council Member Hyatt, and the motion carried.

10. CONSIDER AND ACT ON FINANCE SERVICES ITEM(S):

There were no Finance items.

11. CONSIDER AND ACT ON PUBLIC SAFETY ITEM(S):

- a. Consider and Act on approving the City to hold an online auction through Rene Bates Auctioneers of the listed old, broken, or no longer used city property; and/or property dispose of the property listed, which does not sell.

Police Chief Eric Blanchard stated that this the city wide auction and they have over 100 hundred items. He added that items that do not sell at the auction would be destroyed.

A motion was made by Council Member Abrego to approve Item 11a, seconded by Council Member Hyatt, and the motion carried.

- b. Consider and Act on approving the Police Chief to dispose of old, expired bullet resistant body armor to the Armor of God Project, a non-profit 501C(3) organization.

Police Chief Eric Blanchard stated that this is for the disposal of expired bullet vest. He added that Armor of God is a company that will take the vest and give to other law enforcement officers with the proper disclaimer, or will dispose of them properly.

A motion was made by Council Member Hyatt to approve Item 11b, seconded by Mayor Pro Tem Ellis, and the motion carried.

- c. Consider and Act on approving the Police Chief to dispose of old, non-working Tasers (Total of 18) Serial #X00331762, X00327100, X00214693, X00214423, X00182439, X00213891, X00214665, X00331669, X00331656, X00214565, X00214403, X00214643, X00214526, X00175444, X00331702, X00331823, X00214608, and X00331560) by delivering them to Taser International for proper disposal.

Police Chief Blanchard stated that this item relates to tasers that are no longer functional or have failed to pass functional testing, and is requesting approval to send back to Taser International for proper disposal.

A motion was made by Council Member Abrego to approve Item 11c, seconded by Council Member Hyatt, and the motion carried.

- d. Consider and Act on amending the City Code of Ordinance, Chapter 19.5-1, to change hours of operation at Harbor Point Park.

City Manager Carrillo stated that staff is recommending to remove the hours of operation at Harbor Point Park, and that the Aransas Pass Police Department will respond to calls as necessary.

A motion was made by Council Member Hyatt to approve Item 11d, seconded by Council Member Abrego, and the motion carried.

12. CONSIDER AND ACT ON INFORMATION TECHNOLOGY ITEM(S):

There were no Information Technology items.

13. PUBLIC HEARING(S):

City Attorney Lawrence declared the public hearings open for the demolition of five properties as listed below.

- a. Public hearing on demolition of the following properties in accordance with the City Code of Ordinances, Section 5-72, Minimum Standards for Buildings:

1. Located at 209-B W. Gile, described as Lot 5 and part of Lot 6, Conn Brown Addition Unit 111, Property ID 15544.

Building Official Dale Wells stated that Item 13a1 is located at 209-B W. Gile, and that this property has one mobile home, one garage building and one small storage unit and that all are missing doors, windows, interior walls, and all ceiling covering are damaged or missing, and is considered a hazard to the community. Mr. Wells further added that proper notice was given and no responses were received.

2. Located at 441 W. Magnolia, described as Lot 1, Block 425, Property ID 36136.

Building Official Dale Wells stated that Item 13a2 is located at 441 Magnolia, and that this property has two substandard structures located on one property, and both are missing doors, windows and the interior walls and all ceiling covering are damaged or missing, and is considered a hazard to the community. Mr. Wells further added that proper notice was given and no responses were received.

3. Located at 1029 W. Yoakum, described as Lot 1, Block 251, Property ID 53902.

Building Official Dale Wells stated that Item 13a3 is located at 1029 W. Yoakum, and that this property has a substandard garage. Mr. Wells further stated that proper notice was given and that the owner of the property has obtained a demolition permit and is in the process of demolishing the structure. He stated that this will be handled through the building permit process. City Attorney Lawrence stated that this item will be removed.

4. Located at 1166 S. McCampbell, described as Outlot 16, part of Tract 2, Property ID 42822.

Building Official Dale Wells stated that Item 13a4 is located at 1166 S. McCampbell, and that this property has a substandard house structure are missing a portion of the back wall and that the interior walls are damaged with portions of interior walls and ceiling missing, and in need of repair and is considered a hazard to the community. Mr. Wells further added that proper notice was given and no responses were received.

5. Located at W. Gile, described as Lot 21, Block 213, Property ID 14163.

Building Official Dale Wells stated that Item 13a5 is located at W. Gile, and that the property has one substandard structure and is missing all doors, windows and interior walls including the ceiling covering. Mr. Wells stated that the owner of property has provided voluntary consent for demolition of the property and will be handled through the City's voluntary demolition process.

City Attorney Lawrence declared the public hearings closed and stated that Items 1, 2, 4 and 5 will require council action; Item 3 requires no action.

- b. Consider and Act on demolition of the following properties in accordance with the City Code of Ordinances, Section 5-72, Minimum Standards for Buildings:

1. Located at 209-B W. Gile, described as Lot 5 and part of Lot 6, Conn Brown Addition Unit 111, Property ID 15544.
2. Located at 441 W. Magnolia, described as Lot 1, Block 425, Property ID 36136.
3. ~~Located at 1029 W. Yeakum, described as Lot 1, Block 251, Property ID 53902.~~
4. Located at 1166 S. McCampbell, described as Outlot 16, part of Tract 2, Property ID 42822.
5. Located at W. Gile, described as Lot 21, Block 213, Property ID 14163.

A motion was made by Council Member Hyatt to authorize demolition of Items 1, 2, 4, and 5, seconded by Council Member Abrego, and the motion carried.

14. CITY MANAGER:

There were no City Manager items.

15. DEPARTMENT UPDATE(S):

a. Police Department Stats

Police Chief Blanchard provided a report on the statistics for the month of April 2016. He informed the Council that they had participated in the Distracted Driver program through the State. He also discussed the traffic stops, citations issued, violations cited, arrests, juvenile detentions, and code enforcement. In addition, he reported that in the month of April there were a total of two complaints – 1 internal and 1 external, and 416 total training hours. Mr. Blanchard also discussed highlights for the month of April for the Patrol Division, CID Division, Training Division, EMC Division and the Animal Control Division.

b. Fire Department Stats

Fire Chief William Cox provided a report on the statistics beginning with the inception of the new reporting software (April 20, 2016). He discussed the total responses, business occupancies

added into ERS, annual fire inspections completed, total hours of formal training and in-house training, fire hydrants indexed and fire hydrants flow tested. Mr. Cox then referred to a map depicting the area where calls were made from pertaining to the flooding.

c. Financial Report

Finance Director Donna Cox provided a report on the Financial Statement through May 31, 2016 and discussed the property tax, debt service fund, water and sewer fund, harbor fund, aquatic and civic center funds, and bond projects. Ms. Cox then provided a report on the Investment Report for the quarter ending April 30, 2016. Ms. Cox stated that there was no unrealized gain or loss in any of the investments. She stated that the average yield from all funds by the city is .0367%.

16. EXECUTIVE SESSION(S):

City Manager Carrillo stated that the executive session will not be required.

a. ~~Section 551.071, Consultation with City Attorney: City Contract~~

17. ADJOURNMENT:

There being no further business to come before the Council, Mayor Chapa adjourned the meeting at 9:30 pm.

Adan Chapa
Mayor

Mary Juarez
City Secretary

Approved on: _____

ORDINANCE NO. 2016-4153

AN ORDINANCE OF THE CITY OF ARANSAS PASS, TEXAS, AMENDING SECTION 'S OF CHAPTER 16 "LIBRARY", OF THE CODE OF ORDINANCES OF THE CITY OF ARANSAS PASS; PROVIDING A REPEALER CLAUSE AND, PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1: That the following sections of Chapter 16 "Library" of the Code of Ordinances are hereby amended to read as set forth below:

Sec. 16-2. Library board--composition; officers; meetings.

“ The city library board shall consist of seven (7) members appointed by the mayor, with the advice and consent of the city council. Member’s terms shall begin the month they are appointed and they shall serve for three years or until a successor is appointed and has qualified. In the case of death or resignation of any member, his/her unexpired term shall be filled by appointment in the same manner. The board’s year begins on January 1 and ends on December 31. The officers of the board shall be a chairperson, vice-chairperson, and secretary/treasurer. These officers shall be elected from the members and shall serve in such capacities for two years and may be re-elected to the same positions. A majority of the members of the board shall constitute a quorum to transact business. Vacancies in the office of chairperson, vice-chairperson, or secretary/treasurer shall be filled by the board for the remainder of the unexpired term. Officers take office in January. The board shall, by majority vote, establish a set meeting date, meeting time, and meeting location to be published by the city secretary in accordance with state rules regarding open meetings. “

Sec. 16.5. Same-Reports.

“Each year the library director (balance of this section unchanged). “

Sec. 16.6. Assistants and employees; books, etc.

“The library director with advice from the library board (balance of this section unchanged).”

SECTION 2: All references to “librarian” in Chapter 16 shall be changed to “library director”.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall become effective immediately upon its approval and passage.

PASSED AND ORDAINED THIS THE _____ DAY OF JULY, 2016.

CITY OF ARANSAS PASS, TEXAS

By: Adan Chapa, Mayor

ATTEST:

Mary Juarez, City Secretary

APPROVED AS TO LEGAL FORM:

Allen S. Lawrence, Jr., City Attorney

ORDINANCE NO. 2016-4154

AN ORDINANCE DISANNEXING 18.52 ACRES OF LAND FROM THE CITY OF ARANSAS PASS, TEXAS, AS DESCRIBED IN THE ATTACHED EXHIBIT A; AMENDING THE INDUSTRIAL DISTRICT AGREEMENT BY AND BETWEEN THE CITY AND REDFISH BAY TERMINAL, INC. BY ADDING THE DISANNEXED 18.52 ACRES TO SUCH INDUSTRIAL DISTRICT AGREEMENT; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Redfish Bay Terminal, Inc. is the owner of a tract of real property containing 18.52 acres of land, which property is unimproved, uninhabited, and is within the city limits of the City of Aransas Pass ;

WHEREAS, said tract of land described in Exhibit A attached hereto and referred to and incorporated herein for all purposes;

WHEREAS, Redfish Bay Terminal, Inc. entered into an Industrial District Agreement with the City of Aransas Pass dated April 18, 2016, and approved and adopted by the City as reflected by Ordinance No. 2016-4146, of record in the office of the City Secretary;

WHEREAS, said 18.52 acre tract is contiguous to and adjacent to the property of Redfish Bay Terminal, Inc. described in its Industrial District Agreement;

WHEREAS, Redfish Bay Terminal, Inc. has petitioned the City to disannex the 18.52 acre tract from the city limits and to amend its Industrial District Agreement to include such tract;

WHEREAS, the City, pursuant to provisions of Chapter 43, Texas Local Government Code, finds that disannexation of the subject property would be mutually beneficial to both parties, that the property is uninhabited and unimproved, and that such disannexation is proper under the circumstances:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS, THAT:

Section 1: Pursuant to and in accordance with provisions and procedures of Chapter 43, Texas LGC, 18.52 acres of land, as described in Exhibit A attached hereto, owned by Redfish Bay Terminal, Inc. is hereby disannexed from the city limits of the City of Aransas Pass, Texas.

Section 2: That the Industrial District Agreement dated April 18, 2016, entered into by and between the City of Aransas Pass and Redfish Bay Terminal, Inc., approved and adopted by Ordinance No. 2016-4146, shall be amended to add and include said 18.52 tract of land.

Section 3: The official map and boundaries of the City are hereby amended to exclude the area described in Exhibit A so as to accurately reflect that said area is no longer a part of the city boundaries of the City of Aransas Pass, Texas.

Section 4: The City Secretary is directed and authorized to perform or cause to be performed all acts necessary to effectuate this Ordinance, including but not limited to any corrections to the official map of the City of Aransas Pass so as to accurately reflect the City's boundaries, to delete the area hereby disannexed as required by law, and to file this document with San Patricio County to amend the Redfish Bay Terminal, Inc., Industrial District Agreement adopted by Ordinance No. 2016-4146 to add and include said 18.52 acre tract of land. The City Secretary is additionally directed and authorized to file a certified copy of this Ordinance with any and all necessary governmental agencies of entities so affected by the acts described herein.

Section 5: This Ordinance shall take effect and be in full force immediately from and after its passage.

PASSED, APPROVED AND ADOPTED this the _____ day of July, 2016.

CITY OF ARANSAS PASS, TEXAS

By: Adan Chapa, Mayor

ATTEST:

Mary Juarez, City Secretary

APPROVED AS TO LEGAL FORM:

Allen S. Lawrence, Jr., City Attorney

EXHIBIT A

DISANNEXATION OF A ±18.52 ACRE TRACT FROM THE CITY LIMITS OF THE CITY OF ARANSAS PASS AND INCLUSION OF SUCH TRACT INTO THE REDFISH BAY TERMINAL, INC., INDUSTRIAL DISTRICT APPROVED BY THE CITY OF ARANSAS PASS ON APRIL 18, 2016, BY ORDINANCE NO. 2016-4146

Description for a ±18.52 acre tract of land for disannexation from the City of Aransas Pass, Texas, and inclusion of such tract into the Industrial District for Redfish Bay Terminal, Inc., approved by the City Council on April 18, 2016, by Ordinance No. 2016-4146, being all of the south half of lots 1, 2, 3, and 4, block AA, Burton and Danforth subdivisions.

Beginning at the southwest corner of lot 4, block AA, Burton and Danforth subdivision and the right of way of Beasley Avenue for an exterior corner of the tract herein described and the Point of Beginning:

Thence in a northeasterly direction (N 35°37'07" E) 640.72 feet for an exterior corner of the tract herein described. Thence in a southeasterly direction (S 57°06'05" E) 1260.52 feet for a northeastern exterior corner of the tract herein described:

Thence southwesterly (S 35°37'07" W) 640.72 feet to a point for a southeasterly exterior corner at the intersection with Beasley Avenue:

Thence northwesterly (N 57°06'05" W) 1260.52 feet to the initial exterior corner of the tract herein described and the Point of Beginning.

Containing ±18.52 acres more or less.

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CITY OF ARANSAS PASS

AGENDA MEMORANDUM
for the City Council Meeting of July 11, 2016

DATE: June 28, 2016

TO: Honorable Mayor and Council

FROM: Miguel S. Saldaña, A.I.C.P., Director, Department of Development Services
msaldana@aransaspasstx.gov

THRU: Sylvia Carrillo, C.P.M., City Manager
scarrillo@aransaspasstx.gov

Agenda Item #: (Public Hearing)

- C. TEXT AMENDMENT
 - b. Amendment to SECTION 15 – Non-Conforming Uses by adding a time frame for discontinued non-conforming uses; providing for a repealer clause and an effective date.

PURPOSE:

To amend the Zoning Ordinance in order to set time limits whenever a nonconforming use has been discontinued, abandoned, or unused and limits for reconstruction of nonconforming use/structure.

BACKGROUND AND FINDINGS:

The proposed amendment was tabled at the November 16, 2015 City Council meeting to further evaluate the proposed amendment and its effects on existing manufactured home owners. Staff has modified the ordinance to allow existing nonconforming owner occupied manufactured homes to be able to replace their manufactured homes. Owner occupied means that the owner of the land also owns and lives in the manufactured home. The replacement manufactured home must not be more than 10 years old from the date it is set on the lot.

On March 18, a meeting was held at the Council Chambers in regards to concerns about non-conforming uses. It was stressed that non-conforming structures and how to address them were the main issues at hand. Certain audience members disagreed with the time limit on non-conforming uses that had been proposed. The group suggested addressing this by requiring an inspection for a non-conforming structure if it has been vacated past the proposed 12-month time limit but still remains a viable structure per the City's adopted building codes and construction standards. Staff has incorporated this suggestion as Subsection -135 of Section 15, Non-Conforming Uses.

The item was brought before City Council at its April 4, 2016 meeting. The City Council approved remanding the item back to the Planning and Zoning Commission.

In May 9, 2016, the Planning & Zoning Commission held a public hearing on the proposed amendment to the non-conforming use section. The commission tabled the amendment to its June 13, 2016 meeting. At the meeting, the commission reviewed the changes proposed by staff and those that were discussed by the City Council. The commission was in agreement with the proposed changes and passed the amendments unanimously.

ALTERNATIVES:

Deny the proposed amendments.

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

Not applicable.

EMERGENCY/NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

None

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget:				
Encumbered/ Expended Amount				
This item				
BALANCE				

Fund(s):

Comments:

None.

PLANNING & ZONING COMMISSION RECOMMENDATION (06/13/2016): Approve the proposed amendments to Section 15 – Non-Conforming Uses.

Attachment: Proposed Amendment

ORDINANCE _____

ORDINANCE AMENDING ORDINANCE NO. 1308, ZONING ORDINANCE, BY AMENDING PART IV, SECTION 15, NON-CONFORMING USES; AND PROVIDING FOR A REPEALER CLAUSE.

WHEREAS, the Planning and Zoning Commission has forwarded to the City Council its final report and recommendation regarding the amendment to the City of Aransas Pass Zoning Ordinance;

WHEREAS, with proper notice to the public, public hearings were held on Monday, June 13, 2016, during a meeting of the Planning and Zoning Commission, and on Monday, July 11, 2016, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the City Council has determined that this amendment would best serve the public health, necessity, convenience and general welfare of the City of Aransas Pass and its citizens.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS:

SECTION 1. The official Zoning Ordinance is amended to state the following.

SECTION 15

NON-CONFORMING USES

-110 Any use of property that does not conform to the regulations prescribed in the preceding section of this ordinance and which shall have been in existence prior to the adoption of this ordinance shall be called a non-conforming use. Any use that may be made non-conforming after adoption of this ordinance due to amendment of the ordinance through annexation and which is not a violation of the ordinance shall also be considered a non-conforming use.

-120 Any non-conforming use of land or structures may be continued for definite periods of time subject to such regulations as the Board of Adjustment may require for immediate preservation of the adjoining property. The Board of Adjustment may grant a change of occupancy from one non-conforming use to another, providing the use is within the same, or higher or more restricted zoning classification as the original non-conforming use and such change of use and occupancy will not tend to prolong and continue the non-conforming use. In event a non-

conforming use of a building may be changed to another use or the same or more restricted classification, it shall not later be changed to a less restrictive classification of use and the prior less restrictive classification shall be considered to have been abandoned.

-130 Whenever a nonconforming use is discontinued, abandoned, or unused for 12 consecutive months or more, all nonconforming rights shall cease and the use of the premises shall be in conformity with this Ordinance and all applicable codes of the City. The term “discontinue” shall mean that the property or structure is vacant of that use or has changed from the use that was in place on the effective date of the Ordinance.

-135 If the owner of a nonconforming structure in which an use is permitted as listed in the Zoning Use Tables within this ordinance wishes to continue using said structure beyond the 12-month allowable time period as designated in Subsection -130, an inspection will be required to determine whether it meets all applicable building code and construction standards the City has adopted. The structure may continue use if it is determined to have meet the City’s adopted standards.

-140 Whenever the structure in which a nonconforming use is housed, operated or maintained is damaged by natural or accidental causes to the extent of more than 50% of the value of the structure on the date of the damage, the right to operate such nonconforming use shall cease. In the event that a structure in which a nonconforming use is housed, operated or maintained is partially destroyed, such that the damage does not exceed 50% of the value of the structure on the date of the damage, the nonconforming use shall be allowed to continue, and the structure may be rebuilt upon issuance of a building permit. Repairs or reconstruction shall be substantially completed within 12 months of the date of such damage. Valuation shall be based upon the calculation of physical reproduction costs made from material and labor, the quantities and prices of materials, and the hours and costs of labor as of the date immediately prior to damage reasonably required to reproduce the building or structure in its condition as of the time of damage.

If a structure occupied by a non-conforming use is destroyed by fire, the elements or other cause, it may not be rebuilt except to conform to the provisions of this ordinance. In the case of partial destruction of a non-conforming use not exceeding fifty percent (50%) of its reasonable value, reconstruction will be permitted but the size or function of the non-conforming use cannot be expanded.

-150

If the nonconforming manufactured home is owner-occupied, the owner may replace the existing manufactured home with another newer manufactured home. The manufactured home must be replaced within 6 months of the older manufactured home being removed. The replacement manufactured home must be no older than 10 years from the date the replacement unit is set on the lot.

SECTION 2. This ordinance shall be effective upon passage.

Passed and Approved on the _____ day of _____, 2016.

CITY OF ARANSAS PASS,
TEXAS

Mayor Adan Chapa

ATTEST:

Mary Juarez
Interim City Secretary

APPROVED AS TO LEGAL FORM:

Allen S. Lawrence, Jr.
City Attorney

[Type here]



CITY OF ARANSAS PASS

AGENDA MEMORANDUM
for the City Council Meeting of July 11, 2016

DATE: June 28, 2016

TO: Honorable Mayor and Council

FROM: Miguel S. Saldaña, A.I.C.P., Director, Department of Development Services
msaldana@aransaspasstx.gov

THRU: Sylvia Carrillo, C.P.M., City Manager
scarrillo@aransaspasstx.gov

Agenda Item #: (Public Hearing)

- C. TEXT AMENDMENT
- a. Amendment to SECTION 3, Subsection 100 to rename the "R-7B" District to Single-Family Dwelling District 7,000 sq. ft. and to SECTION 10, Subsection 200 – Schedule of Uses, by removing Manufactured Home as a use subject to a conditional use in the "R-7B" District; providing for a repealer clause and an effective date.

PURPOSE:

To amend the Zoning Ordinance in order to rename the "R-7B" District and remove manufactured home as a use subject to a conditional use permit in "R-7B" District.

BACKGROUND AND FINDINGS:

In 2014, the Planning and Zoning Commission recommended and the City Council approved an amendment to the Zoning Use Chart that would remove manufactured home use as the primary use from all zoning districts within the City with the exception of manufactured housing districts and by way of a conditional use permit in the "R-7B" single-family residential district.

It should be noted that during the public hearings in 2014, it appeared that the removal of the manufactured home in residential districts was approved by both the Planning and Zoning Commission and the City Council. However, the approved ordinance shows that the manufactured home in the “R-7B” District remained as a use allowed subject to a conditional use permit. The Planning & Zoning Commission requested that Staff bring the issue up to the Commission for discussion and action. On June 13, 2016, the Planning & Zoning Commission discussed the issue and recommend that the manufactured home use be removed from the “R-7B” District.

Since the recommendation is to remove manufactured home from the “R-7B” District, the current nomenclature of the district is not appropriate. The current nomenclature of the “R-7B” District is Single-Family & Manufactured Home Dwelling District 7,000 sq. ft. The proposed amendment would remove “& Manufactured Home” from the nomenclature.

ALTERNATIVES:

Deny the proposed amendments.

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

Not applicable.

EMERGENCY/NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

None

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget:				
Encumbered/ Expended Amount				
This item				
BALANCE				

Fund(s):

Comments:

None.

PLANNING & ZONING COMMISSION RECOMMENDATION (06/13/2016): Remove the manufactured home use from the “R-7B” District and modify the name of the district.

Attachment: Proposed Amendment

ORDINANCE _____

ORDINANCE AMENDING ORDINANCE NO. 1308, ZONING ORDINANCE, BY AMENDING PART I, SECTION 3, SUBSECTION 100 BY RENAMING THE “R-7A” DISTRICT TO SINGLE-FAMILY DWELLING DISTRICT AND AMENDING PART II, SECTION 10, SUBSECTION 200 – SCHEDULE OF USES, BY REMOVING MANUFACTURED HOME AS A PERMITTED USE IN THE “R-7B” SINGLE-FAMILY & MANUFACTURED HOME DWELLING DISTRICT; PROVIDING FOR A REPEALER CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has forwarded to the City Council its final report and recommendation regarding the amendment to the City of Aransas Pass Zoning Ordinance;

WHEREAS, with proper notice to the public, public hearings were held on Monday, June 13, 2016, during a meeting of the Planning and Zoning Commission, and on Monday, July 11, 2016, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the City Council has determined that this amendment would best serve the public health, necessity, convenience and general welfare of the City of Aransas Pass and its citizens.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS:

SECTION 1. Ordinance 1308, being the Zoning Ordinance of the City of Aransas Pass, PART I, SECTION 3, ZONING DISTRICTS ESTABLISHED, Subsection 100 is hereby amended to rename the “R-7B” District from Single-Family & Manufactured Home Dwelling District 7,000 sq. ft. to Single-Family Dwelling District 7,000 sq. ft.

SECTION 2. Ordinance 1308, being the Zoning Ordinance of the City of Aransas Pass, PART II, SECTION 10, Subsection 200, SCHEDULE OF USES, is hereby amended to remove Manufactured Home use as a use subject to a conditional use permit in the “R-7B” District. See attached **Exhibit A**, Uses Table.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be effective upon approval and passage.

Passed and Approved on the ____ day of _____, 2016.

CITY OF ARANSAS PASS,
TEXAS

Mayor Adan Chapa

ATTEST:

Mary Juarez
Interim City Secretary

APPROVED AS TO LEGAL FORM:

Allen S. Lawrence, Jr.
City Attorney

	AG	R-16	R-10	R-7A	R-7B	D	A-1	A-2	A-3	NS	SC	GB	CA	HC	LI	HI	PD	MH	HO
10-201 PRIMARY																			
RESIDENTIAL TYPE USES																			
1 One-Family Dwelling - Detached	●	●	●	●	●	●	●	●	●			●	●				●		
2 One-Family Dwelling - Attached						●	●	●	●			●	●				●		
3 Two-Family Dwelling							●	●	●			●	●						
4 Multiple Family Dwelling							●	●	●			●	●				●		
5 Boarding or Rooming House												●	●					●	
6 Manufactured Home or RV Park														C				●	
7 Hotel or Motel											●	●	●	●	●				
8 Tourist Court & Cottages												●		●					
9 Manufactured Home (Ord. 2014-4066)																		●	
10 RV	C	C	C	C	C	C												●	
10-202 ACCESSORY AND INCIDENTAL USES																			
11 Accessory Building - Residential	●	●	●	●	●	●	●	●	●				●	●			●		
12 Community Center - Private		C	C	C	C	C	●	●	●		●		●	●	●		●		
13 Accessory Building - Farming	●	C																	
14 Guest House - Detached	●	●	●	●	●														
15 Off-Street Parking	●	●	●	●	●	●	●	●	●								●		
16 Retail or Service Use - Residential																			
17 Servant or Caretakers Quarters	●	●	●	●	●								●	●	●		●		
18 Stables (Private) *Minimum 3 Acres	●	●	●	●	●								●	●	●		●		
19 Swimming Pool - Private	●	●	●	●	●													●	
20 Temp. Field or Construction Office																			
21 Temp. Field or Construction Office	●	●	●	●	●	●	●	●	●										
22 Temp. Field or Construction Office							●	●	●		●	●	●				●		
23 Temp. Field or Construction Office																			
24 Temp. Field or Construction Office	●								●	●	●	●	●	●	●	●	●	●	●
24 Electrical Energy Generating Plant	C	C	C	C	C	C	C	C	C	C	C								

EXHIBIT A USE TABLE

[Type here]



CITY OF ARANSAS PASS

AGENDA MEMORANDUM
for the City Council Meeting of July 11, 2016

DATE: June 28, 2016

TO: Honorable Mayor and Council

FROM: Miguel S. Saldaña, A.I.C.P., Director, Department of Development Services
msaldana@aransaspasstx.gov

THRU: Sylvia Carrillo, C.P.M., City Manager
scarrillo@aransaspasstx.gov

Agenda Item #: (Public Hearing)

- C. TEXT AMENDMENT
- c. Amendment to SECTION 4, Subsection 112, "LI" Light Industrial District to amend the purpose of the zoning district; providing for a repealer clause and an effective date.

PURPOSE:

To amend the Zoning Ordinance in order to correct the purpose of the "LI" Light Industrial District to allow work outside a structure.

BACKGROUND AND FINDINGS:

The current Zoning Ordinance identifies the purpose of the "LI" Light Industrial District as a district for small-scale service or light manufacturing. It also states that the "LI" District is designed for use in proximity to residential uses. Industrial uses in general should not be in proximity to residential uses. Uses allowed in the "LI" District are uses that would be detrimental to residential uses. Uses that are currently allowed in the "LI" District that would not be appropriate next to residential are Auto painting and body shop, bus or truck parking or garage, machine or welding shop, light fabrication & assembly process, petroleum products storage and wholesale, to name a few. The purpose statement also mentions that the activities in the district would be conducted within a structure.

The proposed amendment would rewrite the purpose of the “LI” District to be more inclusive of the uses permitted in such districts. It would remove the requirement that the activities in the district be conducted within a structure. Industrial districts in the region allow activities to occur out in the open. Strict interpretation of the current purpose statement would require even storage yards to be within a structure.

ALTERNATIVES:

Deny the proposed amendment to the “LI” Light Industrial District purpose.

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

Not applicable.

EMERGENCY/NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

None

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget:				
Encumbered/ Expended Amount				
This item				
BALANCE				

Fund(s):

Comments:

None.

PLANNING & ZONING COMMISSION RECOMMENDATION (06/13/2016): Approve the proposed amendment to Section 4, Subsection 112, purpose of the “LI” Light Industrial District.

Attachment: Proposed Amendment

ORDINANCE _____

ORDINANCE AMENDING ORDINANCE NO. 1308, ZONING ORDINANCE, BY AMENDING PART I, SECTION 4, PURPOSE OF ZONING DISTRICTS, BY AMENDING SUBSECTION 112, LI, LIGHT INDUSTRIAL DISTRICT; PROVIDING FOR A REPEALER CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has forwarded to the City Council its final report and recommendation regarding the amendment to the City of Aransas Pass Zoning Ordinance;

WHEREAS, with proper notice to the public, public hearings were held on Monday, June 13, 2016, during a meeting of the Planning and Zoning Commission, and on Monday, July 11, 2016, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the City Council has determined that this amendment would best serve the public health, necessity, convenience and general welfare of the City of Aransas Pass and its citizens.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS:

SECTION 1. The official Zoning Ordinance is amended to state the following.

SECTION 4

PURPOSE OF ZONING DISTRICTS

-100 EACH ZONING DISTRICT HEREIN ESTABLISHED IS PROVIDED FOR A SPECIFIC PURPOSE AND IN ACCORDANCE WITH A COMPREHENSIVE PLAN FOR THE LOCATION OF VARIOUS TYPES OF USES THROUGHOUT THE CITY AS FOLLOWS:

* * * * *

-112 LI, Light Industrial District: The regulations set forth in this article, or set forth elsewhere in this Ordinance when referred to in this article are the regulations in the "LI" Light Industrial District. This district is intended primarily for light manufacturing, fabricating, warehousing and wholesale distributing in high or low buildings with off- street loading and off-street parking for employees and with access by major streets or railroad in either central or outlying locations. The permitted uses are not likely to create any more offensive noise, vibration,

dust, heat, smoke, odor, glare, or other objectionable influences than the minimum amount normally resulting from other uses permitted, such permitted uses being generally wholesale and retail trade, service industries, and light industries that manufacture, process, store, and distribute goods and materials and are generally dependent on raw materials refined elsewhere and manufacture, compounding, processing, packaging, or treatment.

This district is intended to provide a convenient location for small-scale service or light manufacturing, storage, distribution, and similar activities conducted within a structure. It is designed for use in proximity to residential areas or under conditions that would protect nearby dwellings.

* * * * *

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be effective upon approval and passage.

Passed and Approved on the ____ day of _____, 2016.

CITY OF ARANSAS PASS,
TEXAS

Mayor Adan Chapa

ATTEST:

Mary Juarez
Interim City Secretary

APPROVED AS TO LEGAL FORM:

Allen S. Lawrence, Jr.
City Attorney

[Type here]



CITY OF ARANSAS PASS

AGENDA MEMORANDUM
for the City Council Meeting of July 11, 2016

DATE: June 29, 2016

TO: Honorable Mayor and Council

FROM: Miguel S. Saldaña, A.I.C.P., Director, Department of Development Services
msaldana@aransaspasstx.gov

THRU: Sylvia Carrillo, C.P.M., City Manager
scarrillo@aransaspasstx.gov

Agenda Item #: (Public Hearing)

D. ZONING

a. **Zoning Case No. 0516-01: City of Aransas Pass**

Change of zoning from "AG" Agricultural District to "R-7B" Single-Family Dwelling District on Tract 1; "GB" General Business District on Tract 2; and "LI" Light Industrial District on Tract 3.

Generally located north of Marshall Street and State Highway 35 By-Pass, west of North Avenue A and south of Robert Lane.

PURPOSE:

To change the zoning of the recently annexed area to a zoning district that would accommodate the majority of the uses while working within the limits of the adopted Zoning Ordinance.

BACKGROUND AND FINDINGS:

There are 2 areas that have been annexed and currently zoned “AG” Agricultural District. The first area is located southeast of State Highway 35 By-Pass. This area was annexed into the City in 2013. The area is developed with an auto dealership, Allen Samuels AP, and a restaurant, The Butter Churn. The second area is commonly known as the Sherwood Forest area. It was annexed in January 2016. It is located north and west of State Highway 35 By-Pass. This second area has a mixture of uses. The majority of the area contains residential uses in structures ranging from on-site built homes to manufactured homes to recreational vehicles. The lots in this area that front the state highway contain commercial and industrial type uses.

The area to the south and east of State Highway 35 By-Pass is developed with commercial uses and the undeveloped land is expected to be developed with commercial uses as well. Therefore, the appropriate zoning classification for this area would be “GB” General Business District.

There is an area to the north of State Highway 35 By-Pass (SH 35) platted as Marshall & Marshall Farm Tracts, Lot 12A through 12E. These lots have direct access onto SH 35. The developed lots contain commercial uses that would fit into the “GB” General Business District. The area to the south and east of SH 35 and the aforementioned lots are marked as Tract 2 and recommended to be rezoned to “GB” General Business District.

The area labeled as Tract 3 is located northwest along the curve of SH 35 and west of the highway. The area platted as Marshall & Marshall Farm tracts Unit 2, Lots 1 through 8 contain uses that require outside storage and work out in the open. The other lots at the north end of the area under consideration platted as T. P. McCampbell Subdivision, Land Block 4, portion of Lots 1 & 2 contain a welding shop. These types of uses would require an industrial classification so as to stay in operation. Therefore staff is recommending that Tract 3 be zoned an “LI” Light Industrial District.

The area labeled as Tract 1 is located north and west of SH 35. The area is predominately used for residential uses. The residential structures range from the typical on-site built homes to manufactured homes to recreational vehicles. The bulk of the structures in this area are manufactured homes. Staff discussed about the possibility of rezoning Tract 1 to an “R-7B” District and continue to allow manufactured homes subject to a Conditional Use Permit. However the Planning and Zoning Commission expressed concern about a manufactured home installed next to an on-site built home. After much discussion the Planning and Zoning Commission recommended the “MH” Manufactured Home District on Tract 1 and instructed staff to modify the “MH” District to allow on-site built homes.

ALTERNATIVES:

Deny the proposed zoning districts on each tract.

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

Not applicable.

EMERGENCY/NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

None

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget:				
Encumbered/ Expended Amount				
This item				
BALANCE				

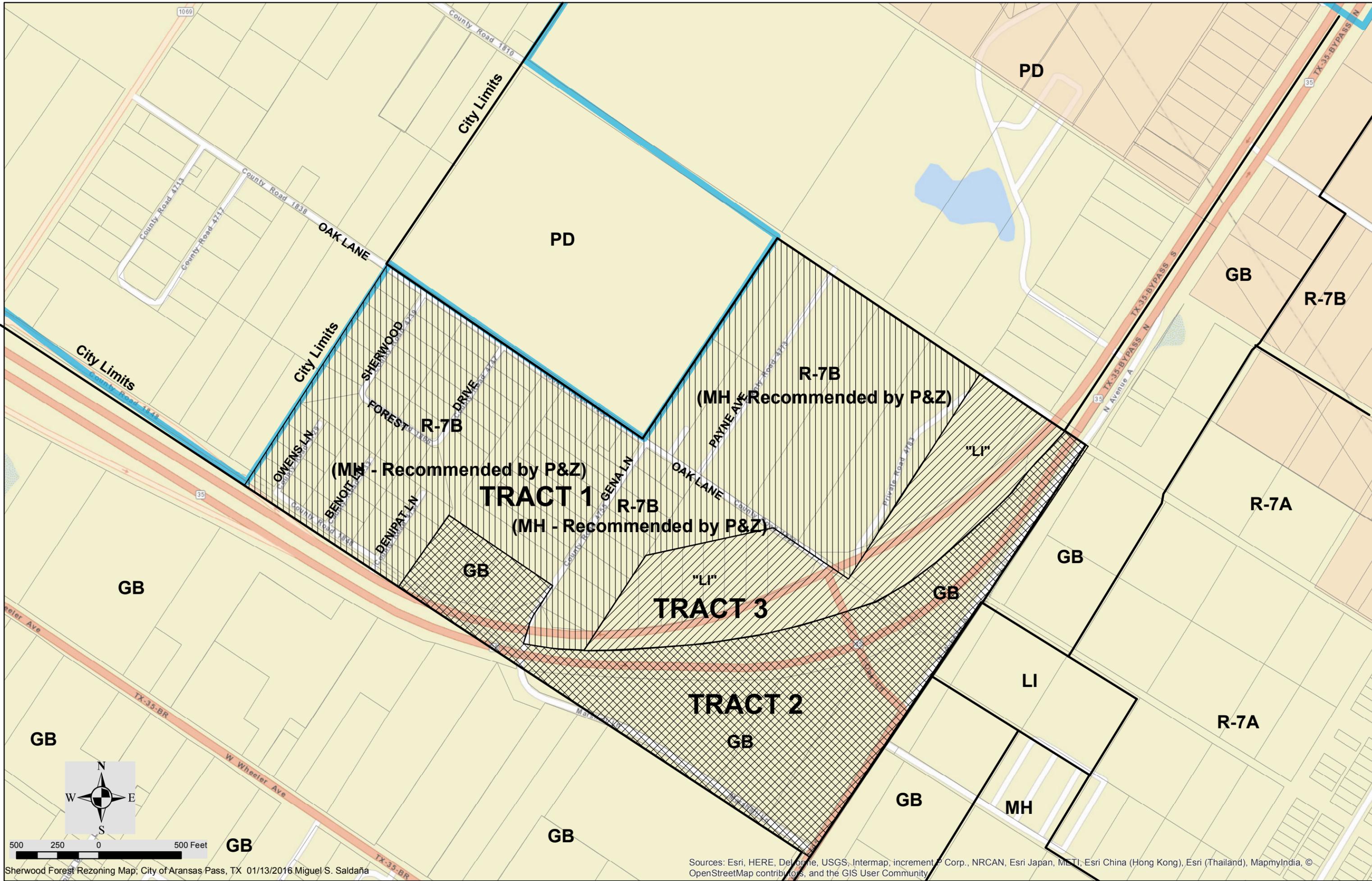
Fund(s):

Comments:

None.

PLANNING & ZONING COMMISSION RECOMMENDATION (06/13/2016): Approve a Manufactured Home District on Tract 1; the “GB” General Business District on Tract 2; and the “LI” Light Industrial District on Tract 3.

Attachment: Proposed Zoning Tracts



ORDINANCE _____

Ordinance amending the Zoning Ordinance upon application by the City of Aransas Pass, by changing the Zoning Map in reference to a 223.55-acre tract of land, being Sherwood Forest Subdivision, Country Acres Subdivision, Marshall & Marshall Farm Tracts, Lot 1 through 11, and Lots 12A through 12E, Marshall & Marshall Farm Tracts Unit 2, Lots 1 through 9, T.P. McCampbell Subdivision, Land Block 2, Farm Lot 6, Lots 1-10, T.P. McCampbell Subdivision, Land Block 4, Farm Lot 5, Lots 1-10, T. P. McCampbell Subdivision, Land Block 4, remaining Portions of Farm Lots 1 through 6; T. P. McCampbell Subdivision, Land Block 2, remaining portions of Farm Lots 1 through 6, from “AG” Agricultural District to “MH” Manufactured Home District on Tract 1; “GB” General Business District on Tract 2; and “LI” Light Industrial District on Tract 3; providing for repealer clause and an effective date.

WHEREAS, The Planning and Zoning Commission has forwarded to the City Council its final report and recommendation regarding the application by the City of Aransas Pass (“Applicant”), for an amendment to the City of Aransas Pass Zoning Map;

WHEREAS, with proper notice to the public, public hearings were held on Monday, May 9, 2016, and on Monday, June 13, 2016, during a meeting of the Planning and Zoning Commission, and on Monday, July 11, 2016, during a meeting of the City Council, during which all interest persons were allowed to appear and be heard; and

WHEREAS, the City Council has determined that this amendment would best serve the public health, necessity, convenience and general welfare of the City of Aransas Pass and its citizens.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS:

SECTION 1. Upon application made by the City of Aransas Pass (“Applicant”), the Zoning Map of the City of Aransas Pass, Texas (“City”), is amended by changing the zoning from “AG” Agricultural District to “MH” Manufactured Home on Tract 1; “GB” General Business District on Tract 2; and “LI” Light Industrial District. Metes and bounds description of the tracts attached as **EXHIBIT A**. **EXHIBIT B** is a map of the “Property.”

SECTION 2. The official Zoning Map of the City is amended to reflect changes made by Section 1 on this ordinance.

SECTION 3. The Zoning Map made effective August 24, 1968, and as amended from time to time, except as changed by this ordinance, both remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances specifically pertaining to the zoning of the Property and that are in conflict with this ordinance are hereby expressly repealed.

SECTION 5. This ordinance shall be effective upon passage.

Passed and Approved on the _____ day of _____, _____

CITY OF ARANSAS PASS,
TEXAS

Adan Chapa
Mayor

ATTEST:

Mary Juarez
Interim City Secretary

APPROVED AS TO LEGAL FORM:

Allen S. Lawrence, Jr.
City Attorney

[Type here]



CITY OF ARANSAS PASS

AGENDA MEMORANDUM
for the City Council Meeting of July 11, 2016

DATE: June 29, 2016

TO: Honorable Mayor and Council

FROM: Miguel S. Saldaña, A.I.C.P., Director, Department of Development Services
msaldana@aransaspasstx.gov

THRU: Sylvia Carrillo, C.P.M., City Manager
scarrillo@aransaspasstx.gov

Agenda Item #: (Public Hearing)

B. PLATS

- a. **Plat No. 1607008-P05: Aransas Pass Townsite, Block 425, Lots 15R & 16R (Final – 0.386 Acre)**
Being a replat of Aransas Pass Townsite, Block 425, Lots 15 & 16, located west of S. McCampbell Street and south of W. Magnolia Avenue.

 - b. **Plat No. 1607009-P06: Wilke Estates, Block 1, Lots 1R & 5 (Final – 4.662 Acres)**
Being a replat of Wilke Estates, Block 1, Lot 1, located between W. Rhodes Avenue and W. Beasley Avenue, west of S. Saunders Street.

 - c. **Plat No. 1607010-P07: Aransas Pass Townsite, Block 262, Lots 14R, 15R & 16R (Final – 0.654 Acre)**
Being a replat of Aransas Pass Townsite, Block 262, Lots 14, 15 and 16 and 40 feet of closed W. Spencer Avenue right-of-way, located north of W. McClung Avenue and west of S. 8th Street.
-

PURPOSE:

To replat the properties in order to comply with the minimum lot requirements to obtain building permits for single-family residences.

BACKGROUND AND FINDINGS:

Aransas Pass Townsite, Block 425, Lots 15R & 16R: The property owners, Dwayne and Sandra Townsend, are replatting their property in order to reorient the property. The lots currently front on S. McCampbell Street. The replat will have the lots fronting on W. Magnolia Avenue. The proposed replat meets all of the requirements of the Zoning Ordinance and State law.

Aransas Pass Townsite, Block 262, Lots 14R, 15R & 16R: The property owners, Lizbeth and Martha Ugorji, are replatting their property in order to encompass part of the closed right-of-way of W. Spencer Avenue. The W. Spencer Avenue right-of-way for this area was closed several years ago. The owners are replatting in order to incorporate the closed right-of-way which will allow the owners to have wider lots. The proposed replat meets all of the requirements of the Zoning Ordinance and State law.

Wilke Estates, Block 1, Lots 1R & 5: The property owner, Donald Wilke, is replatting his one lot into 2 lots. Lot 1R will extend from W. Beasley Avenue to W. Rhodes Avenue. Proposed Lot 5 will be at the corner of W. Beasley Avenue and S. Saunders Street. Lot 5 will be developed with a single-family residence. There are no immediate plans for Lot 1A. The proposed replat meets all of the requirements of the Zoning Ordinance and State law.

ALTERNATIVES:

Deny the proposed replats.

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

Not applicable.

EMERGENCY/NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

None

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget:				
Encumbered/ Expended Amount				
This item				
BALANCE				

Fund(s):

Comments:

None.

PLANNING & ZONING COMMISSION RECOMMENDATION (07/11/2016): Approval of the proposed replats.

Attachment: Proposed Replats

STAFF PLAT REVIEW COMMENTS

The following plats were reviewed by the city staff and recommend approval of the plats subject to items to be completed prior to the plat being recorded or a certificate of occupancy issued.

a. 1607008-P05

ARANSAS PASS TOWNSITE, BLOCK 425, LOTS 15-R & 16-R (FINAL – 0.386 ACRE)

Located south of West Magnolia Avenue and west of South McCampbell Street.

Applicant: Dwayne & Sandra Townsend

Surveyor: Griffith & Brundrett Surveying & Engineering

The applicants propose to plat the property to rotate the lots to face W. Magnolia Street.

1. Correct suffix on West Magnolia, as it is currently labeled “W. Magnolia St.” and should be labeled as “W. Magnolia Ave.”
2. Correct the signature block to include the Planning and Zoning Commission and Development Services.
3. Prior to the recording of plat, provide a tax certificate indicating that all taxes are current.

b. 1607009-P06

WILKE ESTATES, BLOCK 1, LOTS 1-R AND 5 (FINAL – 4.662 ACRES)

Located between West Beasley and West Rhodes Avenues, west of South Saunders Street.

Applicant: Donald Wilke

Surveyor: Griffith & Brundrett Surveying & Engineering

The applicant proposes to re-plat the property in order to create an additional lot for the construction of a single-family residence on Lot 5.

1. Prior to recording of the plat, provide a tax certificate indicating that all taxes are current.

c. 1607010-P07

ARANSAS PASS TOWNSITE, BLOCK 262, LOTS 14-R 15-R, & 16R (FINAL – 0.654
ACRE)

Located on the west side of South Eighth Street, north of West McClung Avenue

Applicant: Lizbeth C. Ugorji and Martha Ugorji

Surveyor: Griffith & Brundrett Surveying & Engineering

The applicants propose to re-plat the property in order to include 30 feet of W. Spencer Avenue closed right-of-way.

1. Prior to recording of the plat, provide a tax certificate indicating that all taxes are current.

SURVEYOR CERTIFICATION

State of Texas
County of Aransas
I, J. L. Brundrett, Jr., Registered Professional Land Surveyor in the State of Texas, do hereby certify that the foregoing plat was prepared from surveys made on the ground under my direction and supervision and is true and correct, and that I have been engaged to set all lot and block corners and reference points and complete such operations without delay.

PRELIMINARY
This the ___ day of ___, A.D., 2016.
J. L. Brundrett, Jr., R.P.L.S.
Reg. No. 2133

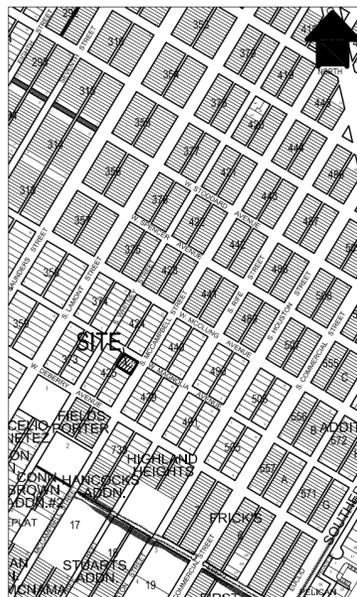
OWNER CERTIFICATION

State of Texas
County of Bexar
DWAYNE TOWNSEND SANDRA TOWNSEND
does hereby certify that I (we) are the owner(s) of the lands embraced within the boundaries of the foregoing plat and that I (we) have had said land surveyed and platted as shown hereon; and that this map was made for the purpose of description and dedication.

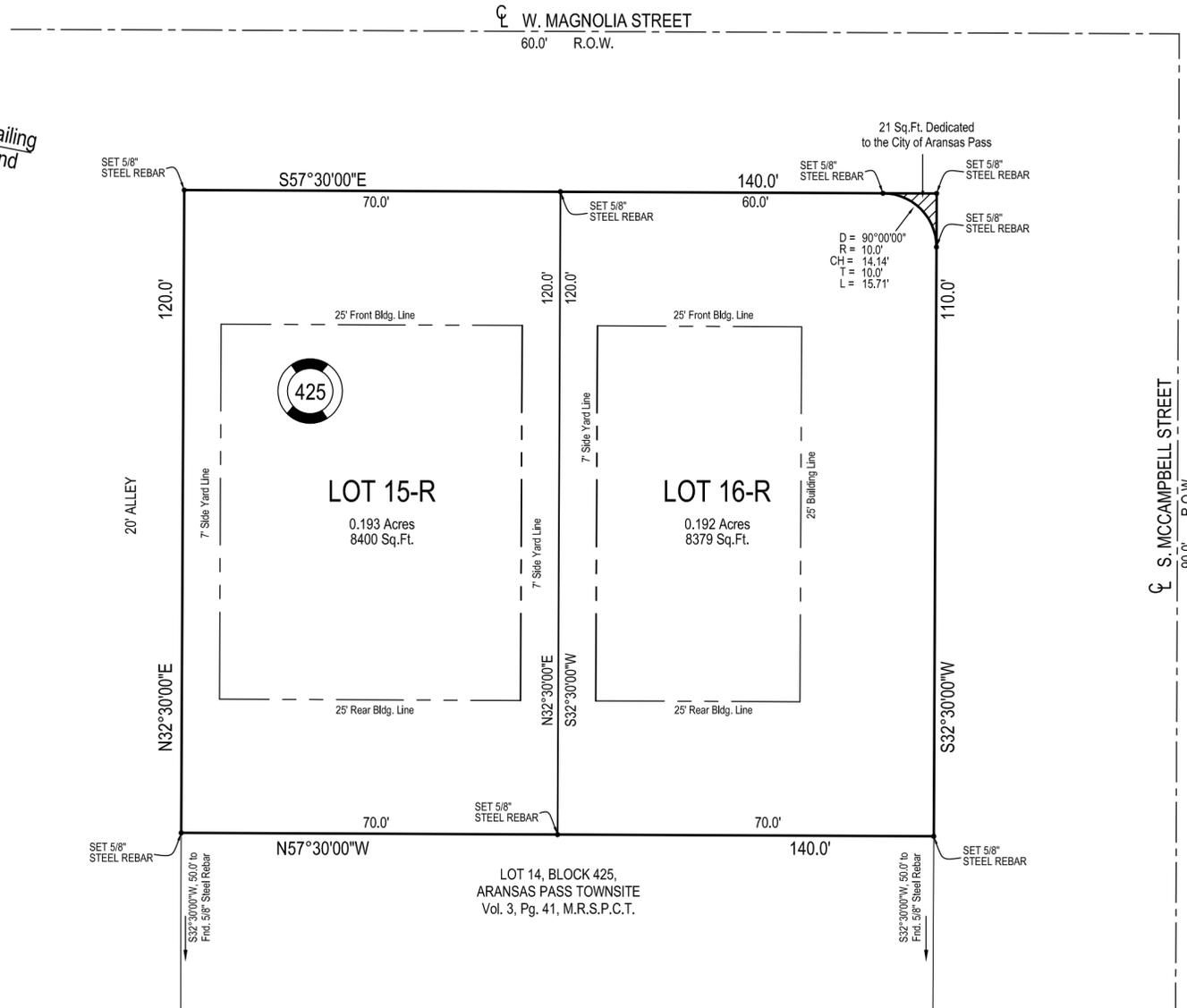
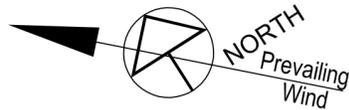
This the ___ day of ___, A.D., 2016.
DWAYNE TOWNSEND
SANDRA TOWNSEND

State of Texas
County of ___
This instrument was acknowledged before me by:
DWAYNE AND SANDRA TOWNSEND
This the ___ day of ___, A.D., 2016.
Notary Public in and for the State of Texas

LOCATOR MAP



File Name: Aransas Pass/Townsite, 425, 15R, 16R



Final Plat of:
LOTS 15-R & 16-R
BLOCK 425
ARANSAS PASS TOWNSITE

CITY OF ARANSAS PASS
SAN PATRICIO COUNTY, TEXAS

Being a replat of Lots 15 and 16, Block 425, Aransas Pass Townsite, according to the plat recorded in Volume 3, Page 41, and Volume 2, Page 10, Map Records of San Patricio County, Texas.

MAY 12, 2016 Scale 1" = 20'



CITY COUNCIL

State of Texas
County of San Patricio
This plat of the Lots 15-R & 16-R, Block 425, Aransas Pass Townsite, was approved by the City Council of the City of Aransas Pass, Texas, on this the ___ day of ___, A.D., 2016. This approval shall be invalid and null and void unless this plat is filed with the County Clerk within six (6) months thereafter.

Adan Chapa, Mayor

Mary Juarez, Secretary

NOTES:

- 1.) 5/8" Steel Rebars found or set at all property corners unless otherwise shown. All 5/8" Steel Rebars set, capped with "J.L. Brundrett, RPLS 2133."
2.) Plat Bearing used for Directional Control unless otherwise shown.
3.) Total platted area contains .0386 acres or 16,800 square feet of land.
Lot Area = 16779 Sq.Ft.
Dedication = 21 Sq.Ft.
4.) Property falls within the City Limits of Aransas Pass and must comply with all city codes, regulations and set backs.

FLOOD DATA:

This is to certify that I have consulted the Federal Flood Hazard Map dated 3.4.85 and found that the property described herein is (or) is not X located in a "Special Flood Hazard Area."
Flood Zone C, Base Elevation N/A
Panel No. 0019B
Community No. 485453
This information is based on scaling the location of this survey on the above referenced map and is intended to be used to determine insurance rates only and not identify specific flooding conditions. Map Information subject to change by FEMA.

FIRM NAME AND ADDRESS

Griffith & Brundrett Surveying & Engineering, Inc.
411 S. Pearl St., P.O. Box 2322
Rockport, Texas 78381
Phone: 361-729-4479
Fax: 361-729-7923
Email: jerryb@gsurveyor.com
Website: www.gbsurveyor.com

TBPLS FIRM NO. 10004800

COUNTY CLERK'S CERTIFICATION:

State of Texas
County of San Patricio
I, Gracie Alaniz Gonzales, Clerk of the County Court in and for San Patricio County, Texas, do hereby certify that the foregoing instrument of writing dated the ___ day of ___, A.D., 2016, with its certificate of authentication was filed for record in my office the ___ day of ___, A.D., 2016, at ___ o'clock ___ m. and duly recorded the ___ day of ___, A.D., 2016, at ___ o'clock ___ in the Map Records of San Patricio County, Texas in Envelope ___, Tube ___.
Witness my hand and seal of the County Court, in and for San Patricio County, Texas, at office in Sinton, Texas, the day and year last written above.

Gracie Alaniz Gonzales

By: Deputy

Clerk's File No. _____

SURVEYOR CERTIFICATION

State of Texas
County of Aransas

I, J. L. Brundrett, Jr., Registered Professional Land Surveyor in the State of Texas, do hereby certify that the foregoing plat was prepared from surveys made on the ground under my direction and supervision and is true and correct, and that I have been engaged to set all lot and block corners and reference points and complete such operations without delay.

This the ____ day of _____, A.D., 2016.

PRELIMINARY - NOT RECORDABLE FOR ANY PURPOSE

J. L. Brundrett, Jr., R.P.L.S.
Reg. No. 2133

OWNER CERTIFICATION

State of Texas
County of Nueces

DONALD WILKE

does hereby certify that I (we) are the owner(s) of the lands embraced within the boundaries of the foregoing plat and that I (we) have had said land surveyed and platted as shown hereon; and that this map was made for the purpose of description and dedication.

This the ____ day of _____, A.D., 2016.

DONALD WILKE

State of Texas
County of _____

This instrument was acknowledged before me by:

DONALD WILKE

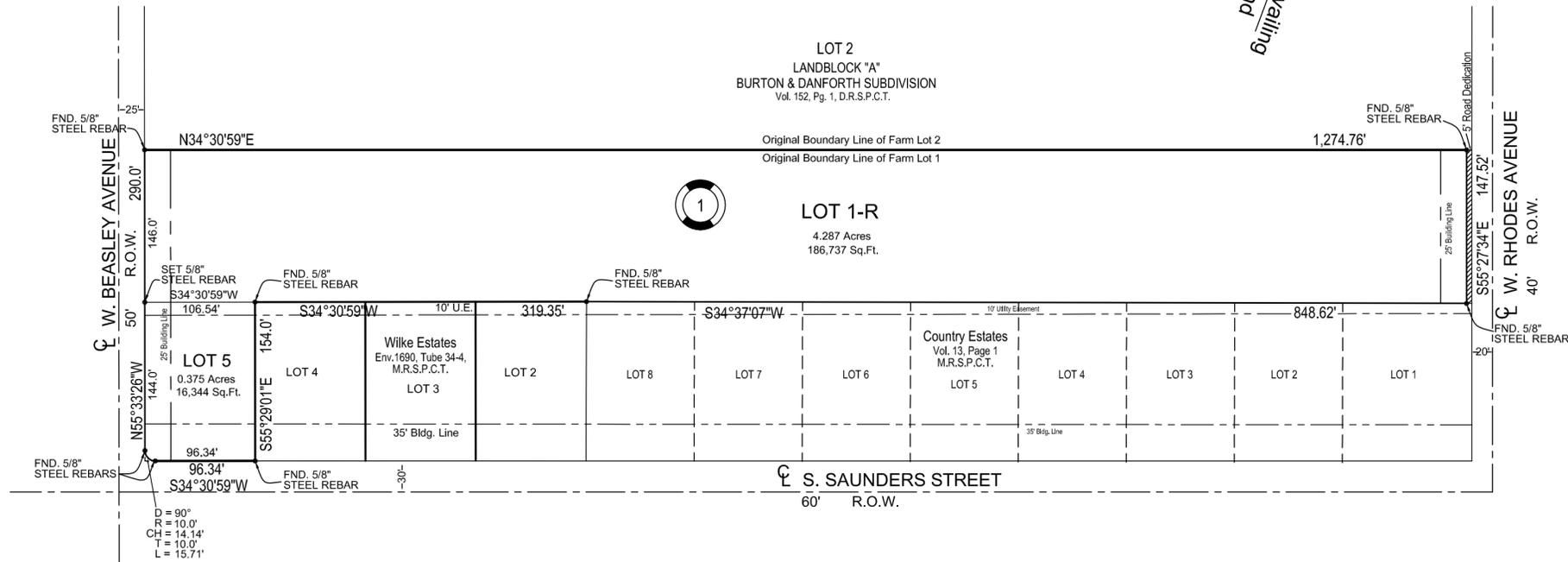
This the ____ day of _____, A.D., 2016.

Notary Public in and for the State of Texas

LOCATOR MAP:



File Name: Aransas Pass/Wilke Estates, B1, L1R & 5



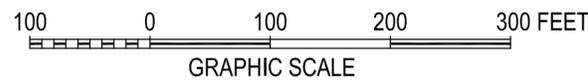
Final Plat of:

**LOTS 1-R AND 5, BLOCK 1
WILKE ESTATES**

CITY OF ARANSAS PASS, SAN PATRICIO COUNTY, TEXAS

Being a replat of Lot 1, Block 1, Wilke Estates, City of Aransas Pass, San Patricio County, Texas, according to the plat recorded in Envelope 1690, Tube 34-4, Map Records of San Patricio County, Texas.

MAY 11, 2016 Scale 1" = 100'



CITY COUNCIL

State of Texas
County of San Patricio

This plat of the Lots 1-R & 5, Block 1, Wilke Estates, City of Aransas Pass, Texas, was approved by the City Council of the City of Aransas Pass, Texas, on this the ____ day of _____, A.D., 2016. This approval shall be invalid and null and void unless this plat is filed with the County Clerk within six (6) months thereafter.

Adan Chapa, Mayor

Mary Juarez, Secretary

NOTES:

- 1.) 5/8" Steel Rebars found or set at all property corners unless otherwise shown. All 5/8" steel rebar set capped with "J.L. Brundrett, RPLS 2133."
- 2.) Plat Bearing used for Directional Control unless otherwise shown.
- 3.) Total platted area contains 4.662 acres or 203,081 square feet of land.
- 4.) Property falls within the City Limits of Aransas Pass and must comply with all city codes, regulations and set backs.

FLOOD DATA:

This is to certify that I have consulted the Federal Flood Hazard Map dated 3-4-85 and found that the property described herein is (or) is not X located in a "Special Flood Hazard Area."

Flood Zone C , Base Elevation N/A ,
Panel No. 0018B ,
Community No. 485453 .

This information is based on scaling the location of this survey on the above referenced map and is intended to be used to determine insurance rates only and not identify specific flooding conditions. Map Information subject to change by FEMA.

FIRM NAME AND ADDRESS

Griffith & Brundrett
Surveying & Engineering, Inc.

411 S. Pearl St., P.O. Box 2322
Rockport, Texas 78381

361-729-6479
361-729-7933
jerryb@gbsurveyor.com
www.gbssurveyor.com

TBPLS FIRM NO. 10004800

COUNTY CLERK'S CERTIFICATION:

State of Texas
County of San Patricio

I, Gracie Alaniz Gonzales, Clerk of the County Court in and for San Patricio County, Texas, do hereby certify that the foregoing instrument of writing dated the ____ day of _____, A.D., 2016, with its certificate of authentication was filed for record in my office the ____ day of _____, A.D., 2016, at ____ o'clock ____ m. and duly recorded the ____ day of _____, A.D., 2016, at ____ o'clock ____ in the Map Records of San Patricio County, Texas in Envelope _____, Tube _____.

Witness my hand and seal of the County Court, in and for San Patricio County, Texas, at office in Sinton, Texas, the day and year last written above.

Gracie Alaniz Gonzales

By: Deputy

Clerk's File No. _____

SURVEYOR CERTIFICATION

State of Texas
County of Aransas

I, J.L. Brundrett, Jr., Registered Professional Land Surveyor in the State of Texas, do hereby certify that the foregoing plat was prepared from surveys made on the ground under my direct supervision and is true and correct, and that I have not engaged to set all lot and block corners and reference points and complete such operations without delay.

This the _____ day of _____, A.D., 2016.

PRELIMINARY
J.L. Brundrett, Jr., R.P.L.S.
Reg. No. 2133

OWNER CERTIFICATION

State of Texas
County of San Patricio

LIZBETH UGORJI MARTHA UGORJI
does hereby certify that I (we) are the owner(s) of the lands embraced within the boundaries of the foregoing plat and that I (we) have had said land surveyed and platted as shown hereon; and that this map was made for the purpose of description and dedication.

This the _____ day of _____, A.D., 2016.

LIZBETH UGORJI MARTHA UGORJI

State of Texas
County of _____

This instrument was acknowledged before me by:

LIZBETH UGORJI

This the _____ day of _____, A.D., 2016.

Notary Public in and for the State of Texas

State of Texas
County of _____

This instrument was acknowledged before me by:

MARTHA UGORJI

This the _____ day of _____, A.D., 2016.

Notary Public in and for the State of Texas

LIENHOLDER CERTIFICATION

State of Texas
County of Dallas

NEXTLOTS NOW, LLC
does hereby certify that I (we) are the holder(s) of a lien on the lands embraced within the boundaries of the foregoing plat, and that I (we) do accept and approve said plat for all purposes and considerations.

This the _____ day of _____, A.D., 2016.

LEE SCHMITT

State of Texas
County of Dallas

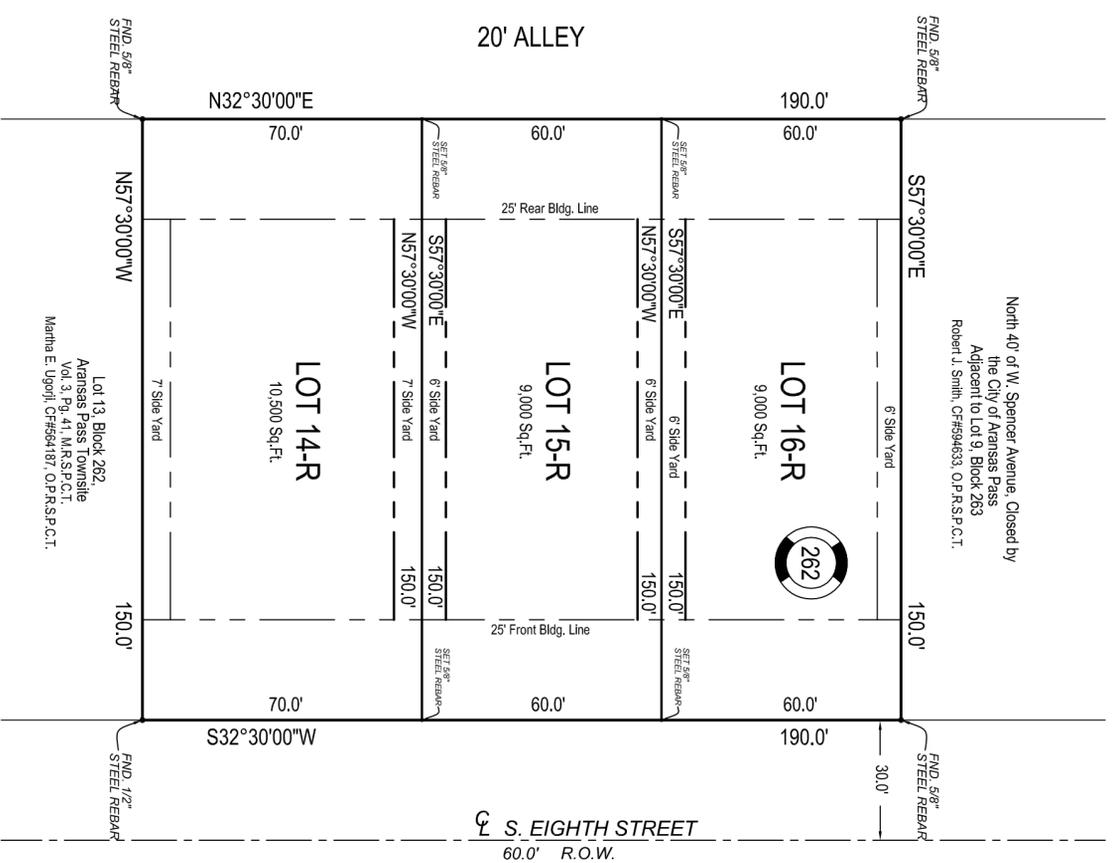
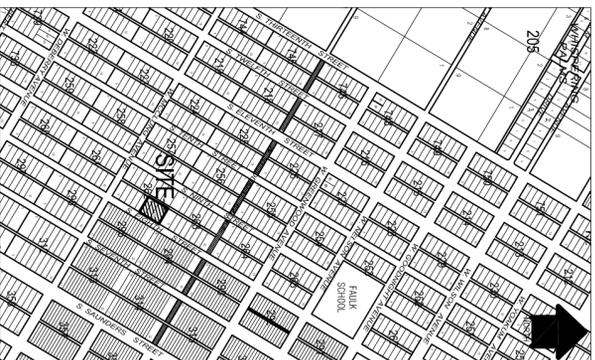
This instrument was acknowledged before me by:

LEE SCHMITT - NEXTLOTS NOW, LLC

This the _____ day of _____, A.D., 2016.

Notary Public in and for the State of Texas

File Name: Aransas PassTownsite 262_14R_16R



Final Plat of:

LOTS 14-R, 15-R & 16-R
BLOCK 262
ARANSAS PASS TOWNSITE

CITY OF ARANSAS PASS
SAN PATRICIO COUNTY, TEXAS

Being a replat of Lots 14, 15 and 16, Block 262, Aransas Pass Townsite, according to the plat recorded in Volume 3, Page 41, Map Records of San Patricio County, Texas, and 40.0 feet of W. Spencer Avenue Lying Adjacent to Lot 16, Closed and Abandoned by the City of Aransas Pass.

November 12, 2015 Scale 1" = 30'



CITY COUNCIL

State of Texas
County of San Patricio

This plat of the Lots 14-R, 15-R & 16-R, Block 262, Aransas Pass Townsite, was approved by the City Council of the City of Aransas Pass, Texas, on this the _____ day of _____, A.D., 2016. This approval shall be invalid and null and void unless this plat is filed with the County Clerk within six (6) months thereafter.

Adan Chapa, Mayor
Mary Juarez, Secretary

NOTES:

- 1.) 5/8" Steel Rebars found or set at all property corners unless otherwise shown. All 5/8" Steel Rebars set, capped with "J.L. Brundrett, R.P.L.S.2133."
- 2.) Plat Bearing used for Directional Control unless otherwise shown.
- 3.) Total platted area contains 0.654 acres or 28,500 square feet of land.
- 4.) Property falls within the City Limits of Aransas Pass and must comply with all city codes, regulations and set backs.

FLOOD DATA:

This is to certify that I have consulted the Federal Flood Hazard Map dated 3.4.85 and found that the property described herein is (or) is not X located in a "Special Flood Hazard Area." Flood Zone C Base Elevation N/A Panel No. 0018B Community No. 485453 This information is based on scaling the location of this survey on the above referenced map and is intended to be used to determine insurance rates only and not identify specific flooding conditions. Map information subject to change by FEMA.

FIRM NAME AND ADDRESS



COUNTY CLERK'S CERTIFICATION:

State of Texas
County of San Patricio

I, Grade Almirz Gonzales, Clerk of the County Court in and for San Patricio County, Texas, do hereby certify that the foregoing instrument of writing dated the _____ day of _____, A.D., 2016, with its certificate of authentication was filed for record in my office the _____ day of _____, A.D., 2016, at _____ o'clock _____ m, and duly recorded the _____ day of _____, A.D., 2016, at _____ o'clock _____ m. In the Map Records of San Patricio County, Texas in Envelope _____, Title _____.

Witness my hand and seal of the County Court, in and for San Patricio County, Texas, at office in Simon, Texas, the day and year last written above.

Grade Almirz Gonzales
By: Deputy
Clerk's File No. _____



CITY OF ARANSAS PASS

AGENDA MEMORANDUM
for the City Council Meeting of July 11, 2016

Date: July 6, 2016

To: Sylvia Carrillo
City Manager

From: Miguel S. Saldaña, A.I.C.P.
Director, Development Services Department
msaldana@aransaspasstx.gov

Agenda Item:
ZONING

Case No. 1606-01 – Kevin L. & Samantha J. Simon: Application for a Conditional Use Permit for a Bar, Lounge or Tavern in the “GB” General Business District for the property located at 208 E. Wheeler Avenue

The property is described as Lots 13 through 16, Block 558, Aransas Pass Townsite, 0.402 acre.

PURPOSE:

To consider and act on the conditional use permit request by Kevin L. & Samantha J. Simon to operate a bar at 208 E. Wheeler Avenue.

BACKGROUND AND FINDINGS:

Kevin and Samantha Simon, on behalf of Albert Guzman, has requested a conditional use permit to operate a bar at 208 E. Wheeler Avenue. According to the General Business use table, a bar, lounge or tavern is only permitted in this zoning district via a conditional use permit. This property has previously operated as a bar, formerly known as the Rhino Bar, will not vary from previous uses of the facility. The conditional use permit must be approved prior to getting any building permits.

The subject property is located at the northeast corner of N. Arch Street and E. Wheeler Avenue. The area along N. Arch Street is in a "GB" General Commercial District but is developed with single-family residences. The property abuts an existing residence which is in a general commercial area. There is an existing solid screening fence along the north property line. The operator of bar, Mr. & Mrs. Simon, will be required to maintain the fence in a neat and functional manner. Any lighting should be shielded and directional so as to minimize light spill over onto the residential area. All required parking must be on an all-weather surface, concrete or asphalt. The existing parking area is made of crushed shell. Staff is recommending that the required parking be of an all-weather surface. Parking spaces must be striped to city standards, 10 feet wide and 20 feet deep with all of the maneuvering done on-site and not backing out to the street. Property must be maintained in a neat and kept state at all times.

Notice was published in the Coastal Bend Herald on June 2, 2016. Ten (10) notices were mailed out to the property owners within 200 feet of the subject property. As of June 1, no letters were received in favor or opposition.

UPDATE: Staff has reviewed and researched the requirement for the pavement of parking areas. This requirement was not submitted for review and approval by the Staff. However, staff is reviewing and will submitting a text amendment to make the pavement of parking lot a requirement.

In this Conditional Use Permit (CUP), as well as the previously approved CUP along S. Commercial Street, staff is recommending that the parking be paved either with asphalt or concrete. This property, as well as the one along S. Commercial Street, are located along an important thoroughfare. The subject property is located along one of the main entrances to the harbor. E. Wheeler Avenue, as well as E. Wilson Avenue, E. Maddox Avenue and E. Stapp Avenue, are entrances to the harbor area and should be protected corridors that would be inviting to residents as well as tourists. Unkept properties and unattractive parking areas would be detrimental to the corridors. As staff is concerned, the city needs to start somewhere.

ALTERNATIVES:

Deny the request for a conditional use permit.

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

Not applicable.

EMERGENCY/NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

None

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget:				
Encumbered/ Expended Amount				
This item				
BALANCE				

Fund(s):

Comments:

None.

PLANNING & ZONING COMMISSION RECOMMENDATION (04/11/2016):

Planning & Zoning Commission recommends approval of the Conditional Use Permit for a bar subject to the site plan and the following conditions:

1. **USE:** The only use, other than those uses allowed by right in the “GB” General Business District, authorized by the Conditional Use Permit is a bar, lounge or tavern.
2. **SCREENING:** A solid screening fence of not less than six (6’) feet in height shall be maintained along the north property line.
3. **LIGHTING:** Any lighting must be shielded and directional and located so as to minimize light spill over onto the residential area.
4. **PARKING:** All required parking must be on an all-weather surface, concrete or asphalt. Parking lot striping must comply with city standards and maintained at all times.
5. **TRASH RECEPTACLES:** Trash receptacles may not be kept at any location that would place it ahead of the building’s front façade. The receptacles must be screened from view at all times.
6. **MAINTENANCE:** The property must be maintained in a neat and clean state at all times.
7. **COMPLIANCE:** Compliance with the conditions set forth must be adhered prior to the issuance of a Certificate of Occupancy. Any violation of the conditions may deem the Conditional Use Permit null and void requiring the Certificate of Occupancy to be revoked.

8. **TIME LIMIT:** This Conditional Use Permit shall be valid for 12 months from the date of this ordinance. Request for renewal must be submitted at least sixty (60) days prior to the Conditional Use Permit expiration date.

LIST OF SUPPORTING DOCUMENTS:

Site Plan

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF ARANSAS PASS APPROVING A
CONDITIONAL USE PERMIT FOR A BAR, LOUNGE, OR TAVERN
SUBJECT TO A SITE PLAN AND 8 CONDITIONS ON LOTS 13
THROUGH 16, BLOCK 558, ARANSAS PASS TOWNSITE TO KEVIN &
SAMANTHA SIMON.**

WHEREAS, on the request by Kevin L. & Samantha J. Simon, a Conditional Use Permit for a bar, lounge, or tavern on the property hereinafter described was considered at a public hearing before the City Council of the City of Aransas Pass, on the 20th day of June, 2016, and on the 11th day of July, 2016, and the action and recommendation of the Planning and Zoning Commission of the 13th day of June, 2016, was considered and approved;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aransas Pass, Texas, that the following described property; to-wit: Lots 13 through 16, Block 558, Aransas Pass Townsite, City of Aransas Pass, San Patricio County, Texas;

Now zoned GB (General Business District) is hereby granted a Conditional Use Permit for a bar, lounge or tavern subject to a site plan, attached as **EXHIBIT A**, and the following conditions:

1. **USE:** The only use, other than those uses allowed by right in the “GB” General Business District, authorized by the Conditional Use Permit is a bar, lounge or tavern.
2. **SCREENING:** A solid screening fence of not less than six (6’) feet in height shall be installed and maintained along the west property line.
3. **LIGHTING:** Any lighting must be shielded and directional and located so as to minimize light spill over onto the residential area.
4. **PARKING:** All required parking must be on an all-weather surface, concrete or asphalt. Parking lot striping must comply with city standards and maintained at all times.

5. **TRASH RECEPTACLES:** Trash receptacles may not be kept at any location that would place it ahead of the building's front façade. The receptacles must be screened from view at all times.
6. **MAINTENANCE:** The property must be maintained in a neat and clean state at all times.
7. **COMPLIANCE:** Compliance with the conditions set forth must be adhered prior to the issuance of a Certificate of Occupancy. Any violation of the conditions may deem the Conditional Use Permit null and void requiring the Certificate of Occupancy to be revoked.
8. **TIME LIMIT:** The Conditional Use Permit for a bar, lounge, or tavern shall expire 12 months from the date of the ordinance. Request for renewal must be submitted at least sixty (60) days prior to the Conditional Use Permit expiration date.

BE IT FURTHER ORDAINED that the zoning map of the City of Aransas Pass, Texas, is hereby ORDERED to be amended and changed to reflect such change in zoning.

PASSED AND APPROVED this the _____ day of _____, 2016.

CITY OF ARANSAS PASS, TEXAS

By:

Adan Chapa, Mayor

ATTEST:

Mary Juarez, Interim City Secretary

APPROVED AS TO LEGAL FORM:

Allen S. Lawrence, Jr.

27. 905 UB
-97. 14198

Guide

lin. = 20ft

Wood fence runs
along Back of property

Sits on lots

15 16 Block

558

27. 905 UB
12. 506 t2

27. 905 B
-97. 14251

North
↓

N. Arch St

144' 3"

27. 905 B
12. 506 t2

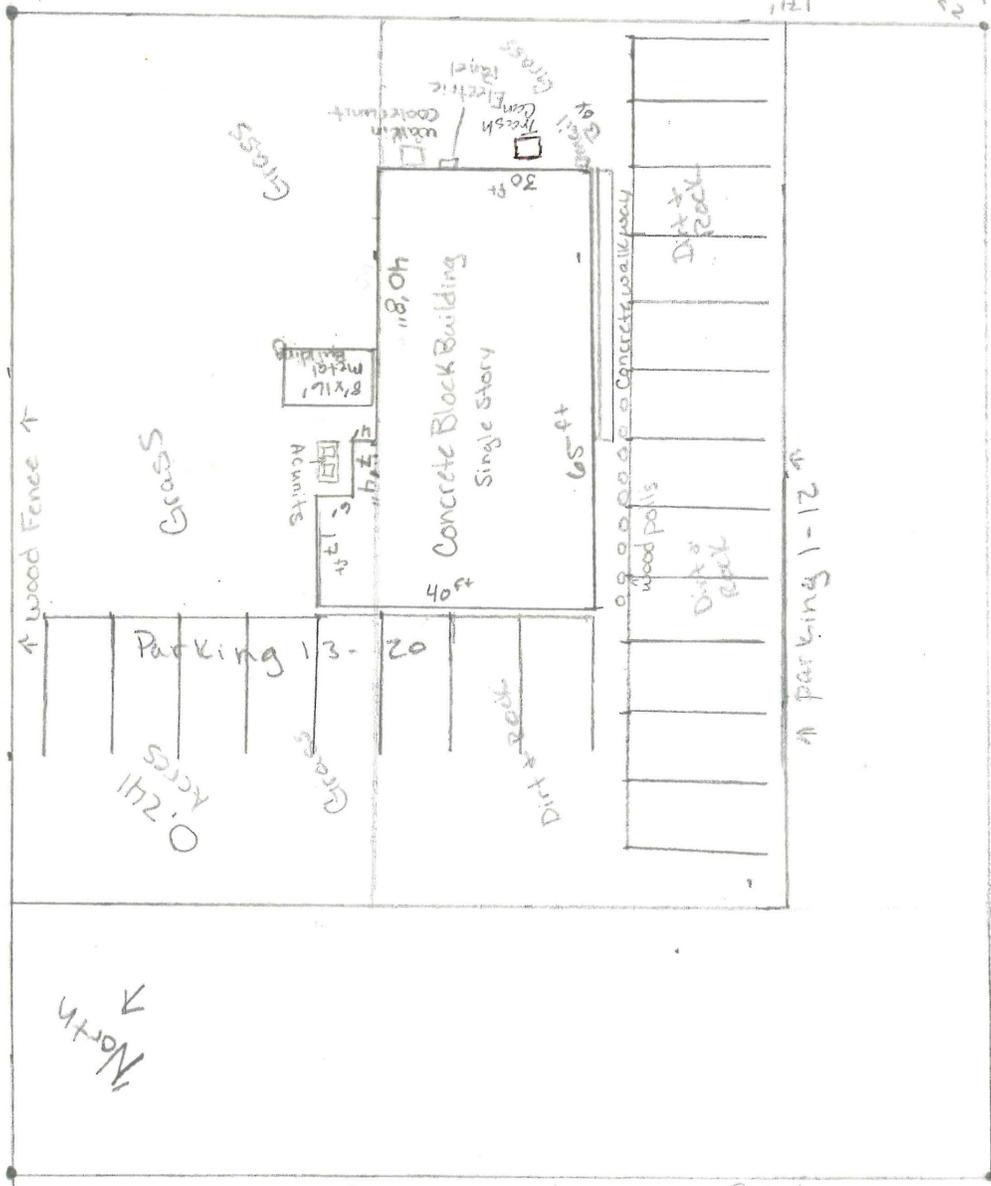


EXHIBIT A



CITY OF ARANSAS PASS

AGENDA MEMORANDUM
For City Council Meeting July 11, 2016

Date: June 29, 2016
To: Sylvia Carrillo, City Secretary
From: Dale Wells, Building Official
dwells@aransaspasstx.gov

Agenda Item #a: Public Hearing on violations of Code of Ordinances, Chapter 5 – Buildings & Construction; Section 5-72 – Minimum standards for buildings: Structures are in such a state of condition as to constitute a violation for which the owners are chargeable: **653 W Matlock**

Agenda Item #a: Consider and Act on same.

BACKGROUND AND FINDINGS:

653 W Matlock – Property I.D. #59662 – Lot 30, Block 350 - Lela Segrest – Aransas Pass Townsite; Title Search performed 06/10/14; pictures taken 10/29/15 and again 04/28/16 with certified letter sent to owner and still no compliance. This property has a street assessment from 1999. This building has missing window and broken door with gang graffiti written on the walls inside.

ALTERNATIVES:

Do not remove substandard buildings.

CONFORMITY TO CITY POLICY:

This conforms to city policy.

DEPARTMENTAL CLEARANCES:

BBSA, City Council

BUILDING BOARD OF STANDARDS & APPEALS RECOMMENDATION (06/28/16)

Approval of demolition of substandard structure located at 653 W Matlock.

653 W MATLOCK





CITY OF ARANSAS PASS

AGENDA MEMORANDUM
For City Council Meeting July 11, 2016

Date: June 29, 2016
To: Sylvia Carrillo, City Secretary
From: Dale Wells, Building Official
dwells@aransaspasstx.gov

Agenda Item #b: Public Hearing on violations of Code of Ordinances, Chapter 5 – Buildings & Construction; Section 5-72 – Minimum standards for buildings: Structures are in such a state of condition as to constitute a violation for which the owners are chargeable: **405 N 12th**

Agenda Item #b: Consider and Act on same.

BACKGROUND AND FINDINGS:

405 N 12th – Property I.D. #51002; Lots 7 & 8, Block 208; Daniel Jimenez; Aransas Pass Townsite; Building Department requested a title search on 06/02/16; pictures taken of property and certified letter sent 04/28/16 and 06/01/16. This property has 1 demolition lien and 2 weed lot liens. Broken door; holes in structure and completely gutted inside.

ALTERNATIVES:

Do not remove substandard buildings.

CONFORMITY TO CITY POLICY:

This conforms to city policy.

DEPARTMENTAL CLEARANCES:

BBSA, City Council

BUILDING BOARD OF STANDARDS & APPEALS RECOMMENDATION (06/28/16)

Approval of demolition of substandard structure located at 405 N 12th.

For City Council meeting July 11, 2016

405 N 12TH





CITY OF ARANSAS PASS

AGENDA MEMORANDUM
For City Council Meeting July 11, 2016

Date: June 29, 2016
To: Sylvia Carrillo, City Manager
From: Dale Wells, Building Official
dwells@aransaspasstx.gov

Agenda Item #c: Public Hearing on violations of Code of Ordinances, Chapter 5 – Buildings & Construction; Section 5-72 – Minimum standards for buildings: Structures are in such a state of condition as to constitute a violation for which the owners are chargeable: **959 S Whitney**

Agenda Item #c: Consider and Act on same.

BACKGROUND AND FINDINGS:

959 S Whitney – Property I.D. #36132; Lot 8, Block 424; Lucia Hernandez; Aransas Pass Townsite. Pictures taken 11/02/15. Property inspected on 04/28/16 and certified letter sent same day and again 06/01/16. Title search requested 06/02/16. Property has 4 weed lot liens and 1 street assessment from 1994. Ceiling falling down on inside, missing doors and gutted.

ALTERNATIVES:

Do not remove substandard buildings.

CONFORMITY TO CITY POLICY:

This conforms to city policy.

DEPARTMENTAL CLEARANCES:

BBSA, City Council

BUILDING BOARD OF STANDARDS & APPEALS RECOMMENDATION (06/28/16)

Approval of demolition of substandard structure located at 959 S Whitney.

For City Council meeting July 11, 2016

959 S WHITNEY





CITY OF ARANSAS PASS

AGENDA MEMORANDUM
For City Council Meeting July 11, 2016

Date: June 29, 2016
To: Sylvia Carrillo, City Manager
From: Dale Wells, Building Official
dwells@aransaspasstx.gov

Agenda Item #d: Public Hearing on violations of Code of Ordinances, Chapter 5 – Buildings & Construction; Section 5-72 – Minimum standards for buildings: Structures are in such a state of condition as to constitute a violation for which the owners are chargeable: **545 S 13th**

Agenda Item #d: Consider and Act on same.

BACKGROUND AND FINDINGS:

545 S 13th – Property I.D. #71289; Lot 6, Block 748; Mildred Norton; Aransas Pass Townsite. Pictures taken 10/22/15, inspected again on 04/28/16 and certified letter sent 04/28/16 and 06/01/16. Title Search requested on 06/02/16. This property has 1 weed lot lien. Half of building is falling down. Very bad shape.

ALTERNATIVES:

Do not remove substandard buildings.

CONFORMITY TO CITY POLICY:

This conforms to city policy.

DEPARTMENTAL CLEARANCES:

BBSA, City Council

BUILDING BOARD OF STANDARDS & APPEALS RECOMMENDATION (06/28/16)

Approval of demolition of substandard structures located at 545 S 13th.

545 S 13TH





CITY OF ARANSAS PASS

AGENDA MEMORANDUM
For City Council Meeting July 11, 2016

Date: June 29, 2016
To: Sylvia Carrillo, City Manager
From: Dale Wells, Building Official
dwells@aransaspasstx.gov

Agenda Item e: Public Hearing on violations of Code of Ordinances, Chapter 5 – Buildings & Construction; Section 5-72 – Minimum standards for buildings: Structures are in such a state of condition as to constitute a violation for which the owners are chargeable: **1126 N McCampbell**

Agenda Item #e: Consider and Act on same.

BACKGROUND AND FINDINGS:

1126 N McCampbell – Property I.D. #49682; Part of Lot 1, Block 212; Clara Westerfer; Burton and Danforth. Title Search performed 10/22/14. Verbally consented to city demoing property but has not submitted notarized approval. Certified Letter sent 04/28/16 and again 06/01/16. This property has two structures that are both dilapidated, open/vacant and creates a public nuisance.

ALTERNATIVES:

Do not remove substandard buildings.

CONFORMITY TO CITY POLICY:

This conforms to city policy.

DEPARTMENTAL CLEARANCES:

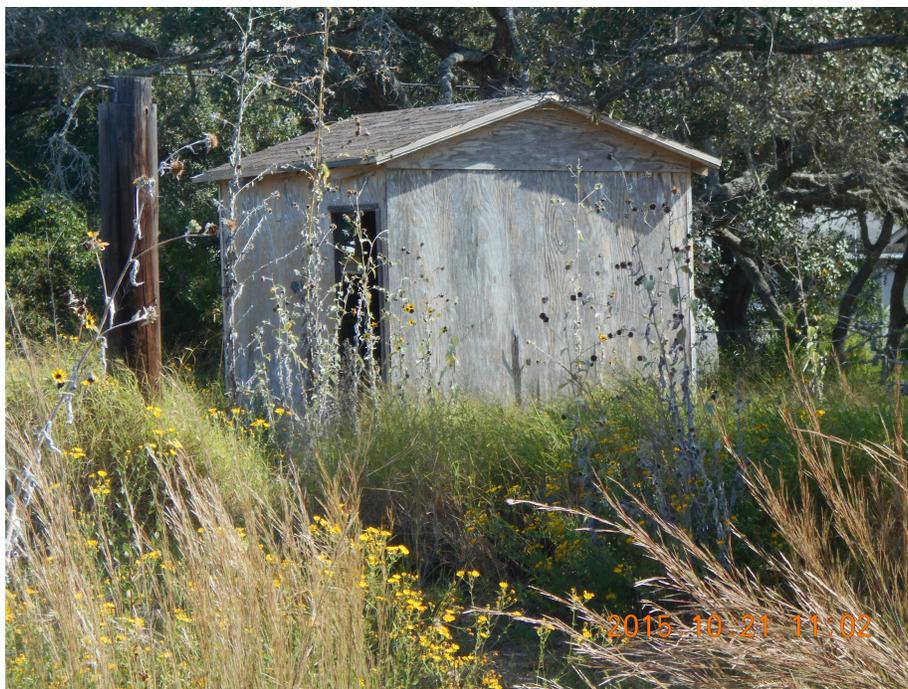
BBSA, City Council

BUILDING BOARD OF STANDARDS & APPEALS RECOMMENDATION (06/28/16)

Approval of demolition of substandard structures located at 1126 N McCampbell.

For City Council meeting July 11, 2016

1126 N MCCAMPBELL





CITY OF ARANSAS PASS

AGENDA MEMORANDUM
For City Council Meeting July 11, 2016

Date: June 29, 2016
To: Sylvia Carrillo, City Manager
From: Dale Wells, Building Official
dwells@aransaspasstx.gov

Agenda Item #: Public Hearing on violations of Code of Ordinances, Chapter 5 – Buildings & Construction; Section 5-72 – Minimum standards for buildings: Structures are in such a state of condition as to constitute a violation for which the owners are chargeable: **336 N 11th**

Agenda Item #: Consider and Act on same.

BACKGROUND AND FINDINGS:

336 N 11th – Property I.D. #51090; Lot 13, Block 209; Carl Anderseen; Aransas Pass Townsite. Pictures taken 11/24/15; certified letters sent 04/28/16 and 06/01/16; title search requested 06/02/16; and, has 1 weed lot lien. The structure has broken doors and windows, roof and porch have collapsed and looks like people may be staying at night (lawn chairs, gatorade bottles, etc.). This is a dangerous structure to be in at any time.

ALTERNATIVES:

Do not remove substandard buildings.

CONFORMITY TO CITY POLICY:

This conforms to city policy.

DEPARTMENTAL CLEARANCES:

BBSA, City Council

BUILDING BOARD OF STANDARDS & APPEALS RECOMMENDATION (06/28/16)

Approval of demolition of substandard structures located at 336 N 11th.

For City Council meeting July 11, 2016

336 N 11TH





Site Selection is a product of Conway Data, Inc.

6625 The Corners Parkway, Suite 200,
 Peachtree Corners, GA 30092 USA
 1-770-446-6996
 1-770-263-8825

PRINT INSERTION ORDER

CLIENT INFORMATION

City of Aransas Pass
 Sylvia Carrillo, City Manager
 600 W. Cleveland Boulevard
 PO Box 2000
 Aransas Pass, TX 78336
 361.758.5301 (O)
 361.758.4854 (F)
scarrillo@aransaspasstx.com
<http://wp.aransaspasstx.gov/>

BILLING INFORMATION

Company Name
 Contact Name
 Street Address
 City, State Zip
 Phone Number
 Fax Number
 E-Mail
 Web Address

CUSTOMER NUMBER:

62405

DATE	UNITED STATES REGIONAL DIRECTOR	INTERNATIONAL DIRECTOR	EMAIL ADDRESS	PHONE
June 23, 2016	Margaret Rose		Margaret.Rose@conway.com	931.247.5485

	UNITED STATES	INTERNATIONAL		
Issue	September 2016	September 2016	May 2017	May 2017
Size	1.00	300x250	1.00 & 1.00	300x250
Shape	Full Page	Banner	Ad/Advertorial	Banner
Bleed				
Color	4-Color	4-Color	4-Color	4-Color
Position	Texas	Next to Texas	Shovel Ready	Next to Shovel Ready
Art	New	New	New	New
Art Deadline	August 12, 2016	August 12, 2016	May 12, 2017	May 12, 2017
Rate	\$ 6,000	\$ N/C	\$ 6,000	\$ N/C
Agency	\$	\$	\$	\$
Net	\$ 6,000	\$ N/C	\$ 6,000	\$ N/C

Notes

***No cancellation after signed insertion order.**
***Payment is due upon receipt of invoice.**

Authorized By _____

Date _____

Margaret Rose

Regional Director _____

6/24/2016

Date _____



CITY OF ARANSAS PASS

AGENDA MEMORANDUM

City Council Meeting of July 11, 2016

Date: July 8, 2016

To: City Council

From: Sylvia Carrillo, City Manager

Title: Consider and Act on purchasing an advertisement from Site Selector Magazine

PURPOSE: To market Conn Brown Harbor to a national audience in Site Selector Magazine

BACKGROUND AND FINDINGS: The prior plans for Conn Brown Harbor did not materialize as envisioned by the community, therefore, we must seek an alternate audience and potential developers. The magazine is geared towards investors seeking specific specialty areas in which to invest. This is a two (2) phase approach; there will be an advertisement specifically focused on tourism, as well as an advertisement in another issue that focuses on shovel ready sites. In addition, the Corpus Christi Economic Guide will distribute to three (3) national trade shows and will also direct mail to 7,500 site selector subscribers

ALTERNATIVES:

- Do not fund the request
- Fund only a portion of the request - Pricing will change on each subscription
- Fund the request

FINANCIAL IMPACT:

Operating

Revenue

Capital

Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years (2016-2017)	TOTALS
Line Item Budget			\$22,450	
Encumbered/ Expended Amount				
This item				
BALANCE				

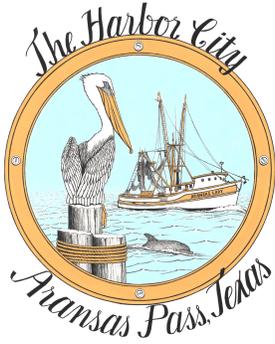
Fund(s): HOT Funds

Comments:

RECOMMENDATION:

LIST OF SUPPORTING DOCUMENTS:

Price quote.



CITY OF ARANSAS PASS

AGENDA MEMORANDUM
City Council Meeting of July 11, 2016

Date: July 8, 2016

To: City Council

From: Sylvia Carrillo, City Manager

Title: Consider and Act on Regulating Food Establishments

PURPOSE: To align with San Patricio County regulations of Food Establishments including Food Service, Retail Food Stores, Temporary Food Stores, Mobile Food Units, and Roadside Food Vendors.

BACKGROUND AND FINDINGS: Gabe with San Patricio Health previously introduced to council the changes the County was going to adopt. Currently, the county has jurisdictional control over mobile food vendors, etc.

Changes include:

1. The model order now reflects Chapter 228 instead of Chapter 299 of the Health Code
2. Education requirements – honoring sustainable online food handlers certificates from accredited programs
3. Additional Food Manager language
4. New inspection forms

ALTERNATIVES:

- Leave the ordinance as is
- Follow the San Patricio model

RECOMMENDATION:

Follow the San Patricio model

LIST OF SUPPORTING DOCUMENTS:

Proposed ordinance

FOR TEXAS MUNICIPALITIES
ADOPTING BY REFERENCE THE TEXAS FOOD ESTABLISHMENT RULES

ORDINANCE NO. _____

AN ORDINANCE REGARDING THE REGULATION OF FOOD ESTABLISHMENTS INCLUDING
FOOD SERVICE ESTABLISHMENTS, RETAIL FOOD STORES, TEMPORARY FOOD
ESTABLISHMENTS, MOBILE FOOD UNITS, AND ROADSIDE FOOD VENDORS

Section 1. Adoption of Texas Food Establishment Rules

A. The _____ adopts by reference the provisions of the current rules or rules as amended by The Executive Commissioner of the Health and Human Services Commission found in 25 Texas Administrative Code, Chapter 228, regarding the regulation of food establishments in this jurisdiction.

B. Definitions

The words "authorized agent or employee" mean the employees of the regulatory authority.

The words "food establishment" means a food service establishment, a retail food store, a temporary food establishment, a mobile food unit, and/or a roadside food vendor.

The words "municipality of _____" in this ordinance shall be understood to refer to the _____ of _____.

The words "state rules" mean the state rules found at 25 Texas Administrative Code, Chapter 228. These rules are also known as the Texas Food Establishment Rules.

The words "regulatory authority" means the **San Patricio County Department of Public Health** having jurisdiction over food establishments.

Section 2. Permits and Exemptions

- A. A person may not operate a food establishment without a permit issued by the regulatory authority. Permits are not transferrable from one person to another or from one location to another location, except as otherwise permitted by this ordinance. A valid permit must be posted in or on every food establishment regulated by this ordinance.
- B. A food establishment operated solely by a nonprofit organization is exempt from the permitting requirements of this ordinance, but is not exempt from compliance with state rules. The regulatory authority may require any information necessary to determine whether an organization is nonprofit for purposes of this exemption.

Section 3. Application for Permit and Fees

- A. Any person desiring to operate a food establishment must make a written application for a permit on forms provided by the regulatory authority. The application must contain the name and

address of each applicant, the location and type of the proposed food establishment and the applicable fee. An incomplete application will not be accepted. Failure to provide all required information, or falsifying information required may result in denial or revocation of the permit. Renewals of permits are required on an annual basis and the same information is required for a renewal permit as for an initial permit.

- B. Prior to the approval of an initial permit or the renewal of an existing permit, the regulatory authority shall inspect the proposed food establishment to determine compliance with state laws and rules. A food establishment that does not comply with state laws and rules will be denied a permit or the renewal of a permit.
- C. The retail food service establishment fee schedule will be adopted by the San Patricio County Commissioner's Court. These fees will be payable to San Patricio County. The fees collected will be expended to defray the cost of issuance of permits and inspections of facilities regulated under this ordinance. San Patricio County agrees to give a ninety (90) day notice of any changes in fees.

Section 4. Review of Plans

- A. Whenever a food establishment is constructed or extensively remodeled and whenever an existing structure is converted to use as a food establishment, properly prepared plans and specifications for such construction, remodeling or conversion shall be submitted to the regulatory authority for review before work is begun. Extensive remodeling means that 20% or greater of the area of the food establishment is to be remodeled. The plans and specifications shall indicate the proposed layout, equipment arrangement, mechanical plans and construction of materials of work areas, and the type and model of proposed fixed equipment and facilities. The plans and specifications will be approved by the regulatory authority if they meet the requirements of the rules adopted by this ordinance. The approved plans and specifications must be followed in construction, remodeling or conversion.
- B. Failure to follow the approved plans and specifications will result in a permit denial, suspension, or revocation.

Section 5. Suspension of Permit

- A. The regulatory authority may, without warning, notice, or hearing suspend any permit to operate a food establishment if the operation of the food establishment constitutes an imminent hazard to public health. Suspension is effective upon service of the notice required by Paragraph (5) (B) of this ordinance. When a permit is suspended, food operations shall immediately cease. Whenever a permit is suspended, the holder of the permit shall be afforded an opportunity for a hearing within 20 days of receipt of a request for a hearing.
- B. Whenever a permit is suspended, the holder of the permit or the person in charge shall be notified in writing that the permit is, upon service of the notice, immediately suspended and that an opportunity for a hearing will be provided if a written request for a hearing is filed with the regulatory authority by the holder of the permit within ten days. If no written request for hearing is filed within ten days, the suspension is sustained. The regulatory authority may end the suspension at any time if reasons for suspension no longer exist.

Section 6. Revocation of Permit

- A. The regulatory authority may, after providing opportunity for a hearing, revoke a permit for serious or repeated violations of any of the requirements of these rules or for interference with the regulatory authority in the performance of its duties. Prior to revocation, the regulatory authority shall notify the holder of the permit or the person in charge, in writing, of the reason for which the permit is subject to revocation and that the permit shall be revoked at the end of the ten days following service of such notice unless a written request for a hearing is filed with the regulatory authority by the holder of the permit within such ten day period.
- B. If no request for hearing is filed within the ten day period, the revocation of the permit becomes final.

Section 7. Administrative Process

- A. A notice as required in these rules is properly served when it is delivered to the holder of the permit or the person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the permit. A copy of the notice shall be filed in the records of the regulatory authority.
- B. The hearings provided for in these rules shall be conducted by the regulatory authority at a time and place designated by it. Based upon the recorded evidence of such hearing, the regulatory authority shall make final findings, and shall sustain, modify or rescind any notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the holder of the permit by the regulatory authority.

Section 8. Education Requirements

- A. Employees of food establishments, mobile food units, roadside food vendors, temporary events, and employees of food services within a retail food store who handle open exposed foods shall attend a two (2) hour food service sanitation course offered under the supervision of the regulatory authority. Upon completion of the course the regulatory authority will issue food handlers permit valid for a period of two (2) years. A food handler certificate will be obtained by new employees within thirty (30) days after being hired. An employee's card may be revoked at any time by the regulatory authority if an employee demonstrates unsanitary work habits.
- B. Any classroom or online Food Handler Training Programs accredited by the Texas Department of State Health Services (TXDSHS) or the American National Standards Institute (ANSI) certified will also be acceptable.
- C. The permit holder or designated person in charge is required to obtain food manager certification status. A Food Manager Certification is a document obtained by the permit holder or person in charge who demonstrates knowledge by being a food protection manager that is certified by a food protection manager certification program that is evaluated and listed by a conference for food recognized accrediting agency as conforming to the conference for food protection standards for accreditation of food manager certification programs. Suitable certificates issued

for passing an approved examination must be presented to the regulatory authority. Furthermore, each permitted establishment must have “during all hours of operation” a certified food manager on duty. The certified food manager on duty shall have supervisor/management responsibilities with the authority to direct and control food preparation and service. Food Manager Certificates may be revoked if inspection reveals inadequate sanitation practices.

Section 9. Remedies

- A. Any person who violates a provision of these rules and any person who is the permit holder of or otherwise operates a food service establishment that does not comply with the requirements of these rules and any responsible officer of that permit holder or those persons shall be fined not more than _____dollars.

- B. The regulatory authority may seek to enjoin violations of these rules.

Section 10. Severability

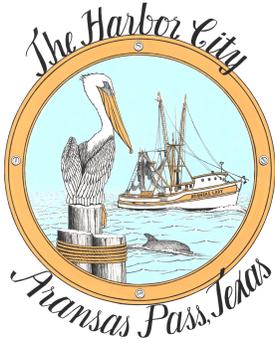
If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 11. Effective Date

The provisions of this ordinance shall take effect on: (put in date or the number of days from adoption by the municipality).

INTRODUCED, READ AND PASSED BY AN AFFIRMATIVE VOTE BY THE (_____ CITY COUNCIL) ON THIS _____DAY OF _____, 20__.

(SIGNATURES OF COUNCIL MEMBERS/MAYOR)



CITY OF ARANSAS PASS

AGENDA MEMORANDUM
 City Council Meeting of July 11, 2016

Date: July 6, 2016

To: City Council

From: Sylvia Carrillo, City Manager

Title: Consider and Act on Change Order No. 1, Community Park Skate Park Improvements

PURPOSE: To add an additional walkway and concrete to the skatepark

BACKGROUND AND FINDINGS: Council previously approved a slab for the new Rhino Equipment to be placed on a newly installed slab at Community Park. The new park will look great, however, an improvement to the skate park will be a concrete transition from the parking lot to the skating area. The proposed change is \$1,750.

ALTERNATIVES:

Do not approve the change order

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered/ Expended Amount				

This item	\$1,750			
BALANCE				

Fund(s): Bond 2014 – Park Improvements

Comments:

RECOMMENDATION: Staff recommends approval

LIST OF SUPPORTING DOCUMENTS:

Change order

The CONSTRUCTION CONTRACT dated as of June 28, 2016 by and between The City of Aransas Pass ("Client") and R&A Construction ("Contractor").

Client and Contractor, in consideration of the mutual covenants hereinafter set forth, agree as follows:

- Contractor shall construct the items identified below in accordance with the Contract Documents.

- | | |
|----------------------------------------------------------------------------------|-------------------|
| 46x6 3000PSI Cement Broom Finish - Flush w/skate park and sloped to parking lot. | \$1,750.00 |
| Total Job Amount | \$1,750.00 |

Client understands that if changes are necessary during the course of construction, the Contractor will provide the Client with a change order, and the Client will be responsible for the additional incurred costs of the agreed upon changes.

- Contractor will be responsible for all materials and equipment necessary for the completion of the job, which the Contractor agrees were included in the estimate.
- Contractor agrees that construction will begin after signed approval, and that the crew will work five days a week and eight hours a day..
- Contractor also agrees that any delays and/or changes not agreed to in this document must be discussed with Client before work is to continue.
- Contractor may use subcontractors should he choose, with the understanding that payment to the subcontractors is the sole responsibility of the Contractor.
- Contractor agrees to obtain all necessary permits for the construction, the costs of which will be the Contractor's responsibility.
- Contractor agrees that he will remove all debris, equipment, materials, etc. from the location upon completion of the construction.
- Contractor agrees that all employees and/or subcontractors will be legally permitted to work in the United States.

Invalidity or unenforceability of one or more provisions of this agreement shall not affect any other provision of this agreement.

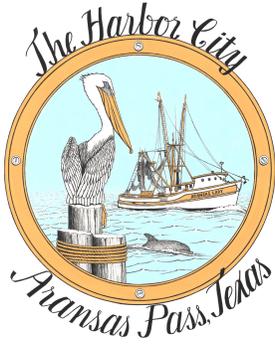
This contract is subject to the laws and regulations of the state of Texas.

Contractor Name

Contractor Signature

Client Name

Client Signature



CITY OF ARANSAS PASS

AGENDA MEMORANDUM
City Council Meeting of 2016

Date: July 6, 2016

To: City Council

From: Sylvia Carrillo, City Manager

Title: Consider and Act on Emergency Infrastructure Repairs with JJ Fox Construction Company

PURPOSE: To provide an update and seek approval for emergency repairs due to recent flooding and rain events.

BACKGROUND AND FINDINGS:

The following items are in dire need of repair. The N. Houston repair could not wait and needed an emergency remedy. We mobilized the contractor on site to repair the damage. Other items listed are also dire and need immediate council action.

Dead End on North Houston Street:

During rain event two sections of 54" tin horn pipe collapsed causing sink holes on Houston Street. Contractor has gone in and replaced both sections of pipe and installed a new inlet box. Cost for work performed was \$26,100. City crews came in after contractor finished to pave section of street where repairs were made.

Manhole on Greenwood & Rife:

Due to a infiltration of storm water through walls of existing manhole, sewer line collapsed causing a washout at the intersection of Greenwood and Rife. Contractor came in and replaced manhole and sections of pipe that broke during washout. Project cost was \$22,500 for all repairs. City crews will be paving areas on street disturbed during repairs.

Manhole on Gile and North Commercial:

Due to ground water infiltration, manhole began to sink into ground resulting in a crater in the middle of the intersection. Contractor brought in a crew to televise the sewer lines coming into the manhole. Camera found to sections of pipe connecting to the manhole from the north and the west caved in and broken. They also found a lot of grease build up from the adjacent restaurant. Contractor will be replacing manhole and about 100 feet of sewer pipe during this repair. Project cost is estimated to be \$41,000. Work will begin once the contractor can mobilize next week.

Work totals \$89,600

ALTERNATIVES:

Do not allow the repair
Seek alternate bids, prolonging the process

EMERGENCY/NON-EMERGENCY:

Emergency

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered/ Expended Amount				
This item	\$89,600			
BALANCE				

Fund(s): Streets and Drainage

Comments:

RECOMMENDATION: Staff recommends approval

Bridges Specialties Inc.

4233 FM624 Robstown Tx 78380
361-387-2743 wk 361-387-1769 fax
Jasong@bridgesspecialtiesinc.com

July 11/16

Proposal

May 4, 2016

Subject: Change Order

Description of Services	Qty	Unit Price	Amount
2" Tapping Sleeve Tapping Valve/Box Tie In/ Sleeve	2	\$6,210.00	\$12,420.00
6" Tapping Sleeve Tapping Valve/Box Tie In/ Sleeve	2	\$3,100.00	\$6,200.00
6" Tapping Sleeve Tapping Valve/Box Tie In/ Sleeve	1	\$9,112.50	\$9,112.50
8" Tapping Sleeve Tapping Valve/ Box Tie In/ Sleeve	1	\$3,800.00	\$3,800.00
8" Tapping Sleeve Tapping Valve/ Box Tie In/ Sleeve	1	\$10,530.00	\$10,530.00
	1	\$4,200.00	\$4,200.00
		Total	\$46,262.50

City needs to locate existing water lines before work will take place. If Tie in has to be completed after hours there will be an additional \$1,050 per each night.

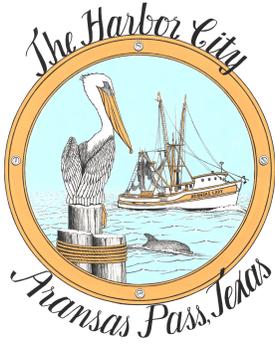
Comments:

This proposal includes labor, material, and equipment to perform the above described services. If additional charges for any work not mentioned in the above proposal are needed, a change order will be written and signed between both parties before the additional work is performed by Bridges Specialties Inc. This proposal does not include permit fees.

We appreciate your business and look forward to working with you on future projects. Should you have any questions, or if I may be of further service, please feel free to call me at 361-537-6698.

Jason Gordon

Bridges Specialties Inc.
Jason Gordon



CITY OF ARANSAS PASS

AGENDA MEMORANDUM
City Council Meeting of 2016

Date: June 27, 2016

To: Sylvia Carrillo, City Manager

From: Miguel S. Saldaña, A.I.C.P. Director of Development Services
msaldana@aransaspasstx.gov
Fernando Quintanilla, Public Works Director
fquintanilla@aransaspasstx.gov

Agenda Item #:
Title: Consider and Act on approving Change Order #2 for the FM 2725 Waterline Project.

PURPOSE:

To switch over existing connections on the old waterline owned by City of Aransas Pass that were not identified on original plans to new 12 inch waterline.

BACKGROUND AND FINDINGS:

This change order includes labor, material, and equipment to perform the work of switching over 4 service lines from the old water line. The old water line consist of 3 different sizes of pipe and material that was pieced together years ago. Pipes range from 2 inch to 8 inch. Old pipe will be abandoned once the last connections are switched to new 12 inch line.

The amount is not to exceed \$46,262.50

ALTERNATIVES:

Do not approve change order and have city crews go out and make repairs every time there is an issue with the old line.

OTHER CONSIDERATIONS: None

CONFORMITY TO CITY POLICY:

This conforms to the general city policy.

EMERGENCY/NON-EMERGENCY:

Non-emergency.

DEPARTMENTAL CLEARANCES:

City Council, City Manager, Finance

FINANCIAL IMPACT:

Operating

Revenue

Capital

Not applicable

Item	Budget	Cost	Company	Comments
Change Order #2- FM 2725 Waterline Project	\$0.00	\$46,262.50	Bridge Specialties Inc.	This includes labor, material and equipment need to perform work.

Fund(s): Bond 2014

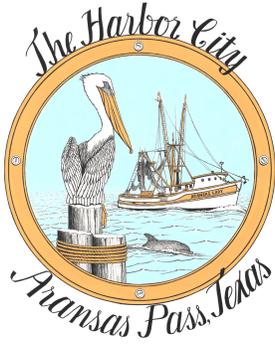
Comments: Total combined Cost = \$46,262.50

RECOMMENDATION:

Staff And City Engineer recommends approval of Change Order #2

LIST OF SUPPORTING DOCUMENTS:

Change Order #2 by Bridge Specialties Inc.



CITY OF ARANSAS PASS

AGENDA MEMORANDUM

First Reading Item for the City Council Meeting of [7-11-2016]
Second Reading Item for the City Council Meeting of [NA]

Date: Monday, June 20, 2016
To: Sylvia Carrillo, City Manager
From: Chief Eric Blanchard

Agenda Item #:

Title: Renew debris removal agreement with DRC Emergency Services.

CAPTION:

Consider and act on approving the Mayor to enter into a Memorandum of Understanding (MOU) between the City of Aransas Pass and DRC Emergency Services for debris removal.

PURPOSE:

DRC will be called upon to remove heavy debris scattered throughout the city after a major disaster or weather event.

BACKGROUND AND FINDINGS:

DRC Emergency Services is the company used by the City of Port Aransas. DRC can support both of our communities in a time of need. The services they intend to provide are for heavy, large debris (refer to exhibit A in contract) removal to help with restoring roads, utilities, and clean-up efforts throughout the city after a major disaster or weather event.

The reason we continue to piggy-back off the contract enacted between Port Aransas and DRC is because it was acquired through competitive bidding. DRC suggested that

a renegotiation of the bid could alter the competitive rates in place today. Further, these rates are supported by FEMA's reimbursement requirements for full reimbursement.

This will be the second term agreed to, if approved by council.

ALTERNATIVES:

NONE at this time.

EMERGENCY/NON-EMERGENCY:

Urgent.

DEPARTMENTAL CLEARANCES:

City Management

Finance

RECOMMENDATION:

Staff recommends approving this item.

LIST OF SUPPORTING DOCUMENTS:

Aransas Pass Renewal.pdf



DRC Emergency Services, LLC

P.O Box 17017, Galveston, TX 77552

TTY: 888-721-4DRC • Phone: 504-482-2848 • Fax: 504-482-2852
www.drcusa.com

June 16, 2016

Captain Lynn Pearce
Aransas Pass Police Dept.
600 W. Cleveland Blvd.
Aransas Pass, TX 78336
lpearce@ap-police.com

Re: CPA between DRC Emergency Services and Aransas Pass, Texas for Debris Removal and Disaster Services

Dear Captain Pearce:

Aransas Pass, Texas entered into a Cooperative Purchase Agreement with DRC Emergency Services, LLC, via the Port of Aransas, Texas contract. Port of Aransas, Texas recently utilized the "option to renew" for an additional one (1) year period through June 30, 2017.

The Aransas Pass contract is set to expire on June 30, 2016. DRC Emergency Services, LLC would like to take this opportunity to offer an extension to the contract between DRC Emergency Services, LLC and Aransas Pass, Texas, Texas for a period of one (1) year. The pricing, terms and conditions in the original contract will remain in effect for the duration of this contract expiring June 30, 2017.

If this offer of renewal is acceptable to you, please execute below and fax or email it to my attention to (504) 482-2852 or (lgarcia@drcusa.com). Also, if you have any questions, please feel free to contact me. I look forward to continuing our relationship with you and Aransas Pass, Texas.

Sincerely,

Lisa M Garcia
Contracts Manager
Cell: (504)715-9052

Agreed and Accepted by:
Aransas Pass, Texas

Authorized Signature

Title

Date



DRC Emergency Services, LLC
 P.O. Box 17017, Galveston, TX 77552
 Phone: 888-721-4372 Fax: 504-482-2852
 www.drcusa.com

May 10, 2016

Rick Adams
 Emergency Management Coordinator
 710 W. Avenue A
 Port Aransas, TX 78373

RE: Contract between DRC Emergency Services and the City of Port Aransas, TX
 Disaster Debris Management, Removal and Disposal Services

Mr. Adams,

The City of Port Aransas contract is set to expire on June 30, 2016. DRC Emergency Services, LLC would like to take this opportunity to offer the City an extension to the contract between DRC Emergency Services, LLC and the City of Port Aransas, Texas for a period of one (1) year. The pricing, terms and conditions in the original contract will remain in effect for the duration of this contract expiring June 30, 2017.

If this offer of renewal is acceptable to you, please execute below and fax or email it to my attention to (504) 482-2852 or lgarcia@drcusa.com. Also, if you have any questions, please feel free to contact me. I look forward to continuing our relationship with you and the City of Port Aransas, Texas.

Sincerely,

Lisa M Garcia
 Lisa M Garcia
 Contracts Manager

Agreed and Accepted By:
 City of Port Aransas, Texas

Rick Adams

 Authorized Signature

EMC

 Title

11 May 2016

 Date

14-045



DRC Emergency Services, LLC
P.O Box 17017, Galveston, TX 77552
TTY: 888-721-4DRC • Phone: 504-482-2848 • Fax: 504-482-2852
www.drcusa.com

DRC Contact List

DRC Corporate Address:

P.O. Box 17017
Galveston, TX 77558

DRC Mailing Address:

6258 Marshall Foch Street
New Orleans, LA 70124

DRC Physical Address:

13 Evia Main
Galveston, TX 77554

Primary Contact:

Trey Kirby
Regional Manager
DRC Emergency Services, LLC
Email: tkirby@drcusa.com
Cell: 832.524.5676

Additional DRC Contacts:

Lisa Garcia
Contract Manager
DRC Emergency Services, LLC
Email: lgarcia@drcusa.com
Office: 504.482.2848
Cell: 504.715.9052

Kristy Fuentes
Vice President Response and Recovery
Operations Administration and Compliance
DRC Emergency Services, LLC
Email: kfuentes@drcusa.com
Office: 504.482.2848
Cell: 504.220.7682

Mark Stafford
Vice President
DRC Emergency Services, LLC
Email: mstafford@drcusa.com
Office: 504.482.2848
Cell: 504.415.7945

Kurt Thormahlen
General Manager
Email: kthormahlen@drcusa.com
Office: 504.482.2848
Cell: 713.253.8575

John Sullivan
President
Email: jsullivan@drcusa.com
Office: 504-482-2848
Cell: 832.731.8234



740 Museum Drive • Mobile, Alabama 36608
1-888-721-4372 • 1-251-343-3581 • FAX 1-251-343-5554

Aransas Pass, Texas, herein, represented by its duly authorized officer, has a desire to enter into a Cooperative Purchase Agreement for Disaster Debris Management, Removal and Disposal Services under the same terms and conditions as the agreement between DRC Emergency Services, LLC and The City of Port Aransas, Texas, dated July 1, 2014, (attached hereto as Exhibit A) which contract resulted from a competitive RFP. Aransas Pass, Texas has reviewed the contract and agrees to the terms and conditions and further agrees to the fairness and reasonableness of the pricing. DRC Emergency Services, LLC hereby agrees to provide such services to Aransas Pass, Texas under the same price(s), terms, and conditions as the referenced contract between DRC Emergency Services, LLC and The City of Port Aransas, Texas.

All references in the contract between DRC Emergency Services, LLC and The City of Port Aransas, Texas shall be assumed to pertain to, and are binding upon DRC Emergency Services, LLC and Aransas Pass, Texas. Except as provided below, this agreement is entered into at no cost to Aransas Pass, Texas. The only cost associated with this contract are the agreed upon terms which only become active upon Aransas Pass, Texas issuing a notice to proceed to DRC Emergency Services, LLC.

Agreed, accepted and consented to this, the last date shown hereunder.

DRC Emergency Services, LLC


Signature _____ Date 08/19/2015

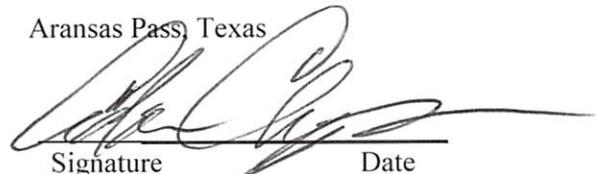
Kristy Fuentes

Print Name

VP, Secretary and Treasurer

Title

Aransas Pass, Texas

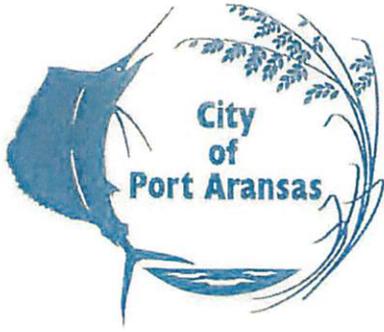

Signature _____ Date _____

Adan Chapa

Print Name

Mayor

Title



MASTER
AGREEMENT FOR SERVICES
BETWEEN

CITY OF PORT ARANSAS, TX
AND
DRC EMERGENCY SERVICES, LLC

Contract Number _____

Services Agreement

This AGREEMENT is between the City of Port Aransas, TX, (hereinafter referred to as the CITY and DRC Emergency Services, LLC, (hereinafter referred to as CONTRACTOR). The CITY requires certain services, and CONTRACTOR is prepared to provide such services as are agreed to in this document.

The parties agree as follows:

ARTICLE 1 - EFFECTIVE DATE/TERM:

The effective date of this AGREEMENT shall be from July 1, 2014 through June 30, 2015. It is agreed and understood between the parties hereto that this is a prepositioned contract which shall remain in effect for a one (1) year period, with four (4), one (1) year options to renew unless otherwise terminated as provided herein.

ARTICLE 2 - SERVICES TO BE PERFORMED:

CONTRACTOR shall perform the services as stated in the Request for Proposal and the CONTRACTOR'S Response attached to this document as exhibit A, AND as may be specifically authorized by the CITY. Such authorizations will be referred to as Task Orders. Each Task Order will set forth a specific scope of services, rate/amount of compensation, estimated completion date, and other pertinent details of the task being authorized.

ARTICLE 3 - COMPENSATION:

CITY shall pay CONTRACTOR in accordance with the Pricing Schedule attached to this document as exhibit B hereto and incorporated by reference as part of this AGREEMENT. If needed, compensation may be negotiated as a not-to-exceed amount for any Task Order containing a task covered by the scope of work of this AGREEMENT, but to which the Fee Schedule cannot readily be applied.

CONTRACTOR may submit weekly or semi-monthly invoices for services rendered. Invoices must reference the Task Order number. CONTRACTOR shall submit invoices on a regular basis and in no instance, for more than a thirty (30) day period. CONTRACTOR shall be paid within fifteen (15) days of submitting a complete invoice. If there are any items in dispute, CONTRACTOR will be paid for those items not in dispute, and disputed items will be resolved within 45 days, and any payments thereto paid within 10 days according to the resolution. Disputed items must be submitted to CONTRACTOR within ten (10) days of the receipt of the invoices.

Payment of CONTRACTOR by CITY is not contingent upon the CITY being reimbursed by any Federal or State agency. Payment to CONTRACTOR will be made for any work directed by the CITY. The Obligations of the CITY to make payment under this Agreement are expressly subject to appropriations by the CITY of funds that are lawfully available to be applied to such purpose. Payment will be made to DRC Emergency Services, LLC, 1136 Shelterwood Dr., Houston, TX 77008. In order for both parties to this AGREEMENT to close their books and records, CONTRACTOR will clearly state "Final Invoice" on CONTRACTOR'S final/last billing to the CITY.

ARTICLE 4 - INSURANCE:

CONTRACTOR shall maintain insurance limits in accordance with the CITY requirements stated in Request for Proposal EM-001-2014, naming the CITY as an additional insured and as a Certificate Holder. CONTRACTOR shall provide CITY a Certificate of Insurance evidencing such coverage.

ARTICLE 5 - SURVIVAL:

Upon completion of all services, obligations and duties provided for in this AGREEMENT, or in the event of termination of this AGREEMENT for any reason, the terms and conditions of this AGREEMENT shall survive.

ARTICLE 6 - INDEMNIFICATION:

CITY agrees to protect, defend, indemnify, and hold harmless CONTRACTOR, its employees and representatives from any and all claims and liabilities for which CONTRACTOR, its employees and representatives, can or may be held liable as a result of injury (including death) to persons or damage to property occurring by reason of any acts or omissions of the CITY, its employees, or agents, arising out of or connected with this AGREEMENT.

The Contractor agrees to protect, defend, indemnify and hold harmless the CITY, its employees and representative from any and all claims and liabilities arising out of any act or omission of the Contractor, its agents, subcontractors or employees in the performance of this Agreement. The CITY shall not be required to indemnify CONTRACTOR or its agents, employees, or representatives, when an occurrence results from the wrongful acts or omissions of CONTRACTOR, or its agents, employees or representatives.

ARTICLE 7 - SUBCONTRACTING:

It is understood that CONTRACTOR may use its own forces and those of subcontractors and consultants as required to perform the work. When subcontracting, CONTRACTOR will attempt to locate qualified local companies and individuals, in accordance with the Robert T. Stafford Act and local ordinances.

ARTICLE 8 - FEDERAL AND STATE TAXES:

The CITY is exempt from Federal Tax and State Sales and Use Taxes. Upon request, the GOVERNMENT will provide an exemption certificate to CONTRACTOR.

ARTICLE 9 - CITY'S RESPONSIBILITIES: -

CITY shall be responsible for providing access to all project sites, and providing information required by CONTRACTOR that is available in the files of the CITY to assist CONTRACTOR in completing any assigned tasks. CITY is responsible for assisting in obtaining any permits for CONTRACTOR to complete any Task Order assigned.

ARTICLE 10 - TERMINATION OF AGREEMENT:

This AGREEMENT may be cancelled by either party with cause upon seven (7) days written notice after the defaulting party has failed to cure, or begin curing, the defective performance and without cause (i.e., for convenience) upon thirty (30) days written notice.

ARTICLE 11 - UNCONTROLLABLE FORCES (FORCE MAJEURE):

Neither the CITY nor CONTRACTOR shall be considered to be in default of this AGREEMENT if delays in or failure of performance shall be due to Uncontrollable Forces, the effect of which, by the exercise of reasonable diligence, the non-performing party could not avoid. This term "Uncontrollable Forces" shall mean any event which results in the prevention or delay of performance by a party of its obligations under this AGREEMENT, and which is beyond the reasonable control of the nonperforming party. It includes, but is not limited to fire, flood, earthquakes, storms, lightning, epidemic, war, riot, civil disturbance, sabotage, economic dislocations, and governmental actions. The nonperforming party

shall, within a reasonable time of being prevented or delayed from performance by an Uncontrollable Force, give written notice to the other party describing the circumstances and Uncontrollable Forces preventing continued performance of the obligations of this AGREEMENT.

ARTICLE 12 - NON-DISCRIMINATION:

CONTRACTOR treats all of its employees equally without regard to race, color, religion, gender, age or national origin.

ARTICLE 13 - SEVERABILITY:

The invalidity, illegality, or unenforceability of any provision of the AGREEMENT, or the occurrence of any event rendering any portion or provision of this AGREEMENT void, shall in no way affect the validity or enforceability of any other portion or provision of the AGREEMENT. Any void provision shall be deemed severed from the AGREEMENT and the balance of the AGREEMENT shall be construed and enforced as if the AGREEMENT did not contain the particular portion or provision held to be void. The parties further agree to reform the AGREEMENT to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this section shall not prevent the entire AGREEMENT from being void should a provision which is of the essence of the AGREEMENT be determined to be void.

ARTICLE 14 - ENTIRETY OF AGREEMENT:

The CITY and CONTRACTOR agree that this AGREEMENT sets forth the entire AGREEMENT between the parties, and that there are no promises or understandings other than those stated herein. This AGREEMENT supersedes all prior contracts, representations, negotiations, letters or other communications between the CITY and CONTRACTOR pertaining to the services, whether written or oral. None of the provisions, terms and conditions contained in this AGREEMENT may be added to, modified, superseded or otherwise altered except by written instrument executed by the parties hereto.

ARTICLE 15 - MODIFICATION:

The AGREEMENT may be modified in writing by Amendment executed by both CITY and CONTRACTOR.

ARTICLE 16 - SUCCESSORS AND ASSIGNS:

CITY and CONTRACTOR bind themselves and their partners, successors, assigns and legal representatives to this AGREEMENT. CONTRACTOR shall not assign this AGREEMENT without the express written approval of the CITY.

ARTICLE 17 - NOTICE:

Any notice, demand, communication, or request required or permitted hereunder shall be in writing and delivered in person or sent by certified mail, postage prepaid as follows:

As To CITY;

Port Aransas City Manager
Attn: Emergency Management Coordinator
710 W. Ave A
Port Aransas, TX 78373

As To CONTRACTOR;

DRC EMERGENCY SERVICES, LLC
Attn: Tom Combs
1136 Shelterwood Dr.
Houston, TX 77008

ARTICLE 18 - TASK ORDER/PERFORMANCE:

Task Orders shall be executed bilaterally and the scope of work and format of Task Order shall be mutually agreed to by CONTRACTOR and CITY.

ARTICLE 19 - BOND:

Upon issuance of a Notice to Proceed or Task Order, CONTRACTOR will provide a performance bond in favor of the CITY, in the amount of the value of the work as reasonably estimated and determined by the parties, with a good and solvent surety company which is licensed and doing business in the State of where the work is to be performed.

ARTICLE 20 - JURISDICTION AND VENUE:

This Agreement is to be governed by the laws of the State of Texas. All work shall comply with all federal, state and local laws. Venue for any dispute arising out of this Agreement shall be in Port Aransas County, Texas.

CONTRACTOR shall provide a safe working environment including, but not limited to, properly constructed monitoring towers.

In Witness whereof, CITY, and DRC Emergency Services, LLC have executed this AGREEMENT all as of the day and year.

City of Port Aransas, TX

By: David Parsons

Its: City Manager

Signature: [Handwritten Signature]

Date: 8/12/2014

Name: Lisa Garcia

DRC Emergency Services, LLC

By: Kristy Fuentes

Its: V.P. of Business Development

Signature: [Handwritten Signature]

Witness: [Handwritten Signature]

Lisa Garcia

**City of Port Aransas
RFP NO. EM-001-2014
DISASTER DEBRIS REMOVAL, REDUCTION DISPOSAL
AND OTHER EMERGENCY SERVICES
JUNE 27, 2014 3:00 PM**

Proposal Response Form - Pricing Schedule

A. Right of Way (ROW) Clearing and/or removing debris from the public right-of-way, streets and roads

1. Load and Haul vegetative debris to a Debris Management Site (DMS):

- \$ 6.86 per cubic yard for 0-5 miles, one-way haul
- \$ 6.86 per cubic yard for 5.1-10 miles, one-way haul
- \$ 6.86 per cubic yard for 10.1-15 miles, one way haul
- \$ 7.86 per cubic yard for 15.1-30 miles, one way haul

2. a. Load and Haul Construction and Demolition (C&D) and Mixed Debris to a Debris Management Site (DMS)

- \$ 8.86 per cubic yard for 0-5 miles, one-way haul
- \$ 9.11 per cubic yard for 5.1-10 miles, one-way haul
- \$ 9.36 per cubic yard for 10.1-15 miles, one way haul
- \$ 10.86 per cubic yard for 15.1-30 miles, one way haul

b. Load and Haul C&D and Mixed Debris directly to final disposal

- \$ 9.86 per cubic yard for 0-5 miles, one-way haul
- \$ 10.11 per cubic yard for 5.1-10 miles, one-way haul
- \$ 10.36 per cubic yard for 10.1-15 miles, one way haul
- \$ 11.86 per cubic yard for 15.1-30 miles, one way haul

B. Management and operation of DMS to accept, process, and reduce disaster related debris

1. The cost associated with managing, accepting, processing, and reducing vegetative debris through grinding

\$ 3.10 per cubic yard

2. The cost associated with managing, accepting, processing, and reducing vegetative debris through burning,

\$ 3.05 per cubic yard

3. The cost associated with managing, accepting, processing, and reducing construction and demolition debris through compaction

\$ 3.05 per cubic yard

C. Haul out

Haul out residual debris to final disposal

\$ 3.43 per cubic yard for 0-15 miles, one-way haul

\$ 4.43 per cubic yard for 15.1-30 miles, one-way haul

\$ 5.43 per cubic yard for 30.1-60 miles, one way haul

D. Right of Way (ROW) stumps

Removal and Disposal of hazardous stumps from the ROW

24" diameter and up, but less than 36" diameter: \$ 200.00 ea

36" diameter and up, but less than 48" diameter: \$ 350.00 ea

48" diameter and up, but less than 72" diameter: \$ 450.00 ea

Equal to or greater than 72" diameter: \$ 650.00 ea

Removal of non-hazardous stumps from the ROW placed
There by others (as per FEMA Stump Conversion Table) \$ 30.00 CY

E. Right of Way (ROW) cutting partially uprooted or split trees (Leaners)

Falling partially uprooted or split trees from the ROW or the overhanging portion of the ROW and placing the debris in the ROW for removal as ROW debris

1. Partially uprooted leaner (price is inclusive of excavating the root ball and placing it in the ROW)

*Less than 24" \$ 110.00 per tree

*24 ~ 36" \$ 170.00 per tree

*Greater than 36" \$ 260.00 per tree

* Diameter of tree at 2 feet from base

F. Right of Way (ROW) removal of dangerous hanging limbs (Hangers)

Removing hanging or partially broken limbs from trees in the ROW or limbs hanging over the ROW and placing the debris in the ROW for removal as ROW debris

\$ 85.00 per tree

G. Private Property Debris Removal (PPDR)

Load and Haul vegetative debris to a Debris Management Site (DMS):

\$ 7.86 per cubic yard for 0-5 miles, one-way haul

\$ 7.86 per cubic yard for 5.1-10 miles, one-way haul
 \$ 7.86 per cubic yard for 10.1-15 miles, one way haul
 \$ 8.86 per cubic yard for 15.1-30 miles, one way haul

Load and Haul Construction and Demolition (C&D) debris to a Debris Management Site (DMS)

\$ 9.86 per cubic yard for 0-5 miles, one-way haul
 \$ 10.11 per cubic yard for 5.1-10 miles, one-way haul
 \$ 10.36 per cubic yard for 10.1-15 miles, one way haul
 \$ 11.86 per cubic yard for 15.1-30 miles, one way haul

Load and Haul C&D directly to final disposal

\$ 10.86 per cubic yard for 0-5 miles, one-way haul
 \$ 11.11 per cubic yard for 5.1-10 miles, one-way haul
 \$ 11.36 per cubic yard for 10.1-15 miles, one way haul
 \$ 12.86 per cubic yard for 15.1-30 miles, one way haul

The cost associated with the removal of PPDR hazardous stumps will be invoiced utilizing the following categories:

24" diameter and up, but less than 36" diameter: \$ 300.00 ea
 36" diameter and up, but less than 48" diameter: \$ 450.00 ea
 48" diameter and up, but less than 72" diameter: \$ 550.00 ea
 Equal to or greater than 72" diameter:
 Uprooted or Split Trees(Leaners) \$ 200.00 ea

Falling partially uprooted or split trees from private property or the overhanging portion of the private property and placing the debris on the property or the ROW debris for haul off as PPDR debris

*Less than 24" \$ 160.00 per tree
 *24 - 36" \$ 210.00 per tree
 *Greater than 36" \$ 360.00 per tree

* Diameter of tree at 2 feet from base

Removal of dangerous hanging limbs (Hangers)

Removing hanging or partially broken limbs from trees in ROE or limbs hanging over the ROE and placing the debris on the private property or in the ROW for haul-off as PPDR debris.

\$ 85.00 per tree

H. Canal silt removal and disposal

Marine based removal:
0-5 mile one way haul \$ 21.50 per cubic yard
5.1-10 mile one way haul \$ 21.50 per cubic yard
10.1-15 mile one way haul \$ 23.50 per cubic yard

Land based removal:
0-5 mile one way haul \$ 18.50 per cubic yard
5.1-10 mile one way haul \$ 18.50 per cubic yard
10.1-15 mile one way haul \$ 20.50 per cubic yard

I. Drainage ditches silt and debris removal

Ditch width 0-4.0 feet \$ 7.00 per linear foot
Ditch width 4.1-8 feet \$ 8.00 per linear foot
Ditch width 8.1-12 feet \$ 10.00 per linear foot
Ditch width 12.1-16 feet \$ 13.00 per linear foot
Ditch width 16.1-20 feet \$ 15.00 per linear foot
Ditch width 20.1-30 feet \$ 17.00 per linear foot

Debris to be placed on the ROW for collection as regular debris. Silt to be hauled and disposed of at \$ 12.00 per cubic yard

J. Cleaning and clearing of storm drain lines

Drain Line Diameter 0-15.0 inches \$ 6.82 per linear foot

Drain Line Diameter 15.01-36 inches \$ 12.46 per linear foot

Debris to be placed on the ROW for collection as regular debris. Silt to be hauled and disposed of at \$ 12.00 per cubic yard

K. Cleaning and clearing of catch basins and inlets

4' X 4' \$ 150.00 each
8' X 8' \$ 175.00 each
10' X 10' \$ 200.00 each
20' X 20' \$ 350.00 each

L. Sand collection (Public Property) and screening rate

Removal and collection of debris-laden sand from public property. Debris-laden sand will be hauled to a designated location, screened, and stockpiled at a debris management site(s) and clean sand returned and dumped on beach. (Debris generated from screened rejects will be hauled to a debris management site(s) or other designated location according to debris collection rates).

- \$ 12.15 per cubic yard for 0-15 miles, one-way haul
- \$ 15.15 per cubic yard for 15.1-30 miles, one-way haul
- \$ 22.00 per cubic yard for 30.1-60 miles, one way haul

Sand collection (Private Property) and screening rate

Removal and collection of debris-laden sand from public property. Debris-laden sand will be hauled to a designated location, screened, and stockpiled at a debris management site(s) and clean sand returned and dumped on beach. (Debris generated from screened rejects will be hauled to a debris management site(s) or other designated location according to debris collection rates).

- \$ 14.15 per cubic yard for 0-15 miles, one-way haul
- \$ 17.15 per cubic yard for 15.1-30 miles, one-way haul
- \$ 24.00 per cubic yard for 30.1-60 miles, one way haul

M. Backfill

Supply and placement of clean fill dirt into holes created by stump removal in the ROW.

- \$ 15.00 per cubic yard

N. Removal and destruction of carcass

- \$ 1.00 per pound

O. Loading and hauling of white goods

- \$ 100.00 per unit

P. Removal and disposal of freon

- \$ 50.00 per unit

Q. Sunken vessel removal

Price proposal for vessel salvage and recovery:

1. Marine based salvage operations:

a. Recreational vessels up to 24' in length

- 1. Flat & V- Hulled Vessels \$ 75.00 per linear foot
- 2. Keel Vessels \$ 85.00 per linear foot

b. Recreational vessels 25' up to 35' in length

- 1. Flat & V- Hulled Vessels \$ 155.00 per linear foot
- 2. Keel Vessels \$ 175.00 per linear foot

c. Recreational vessels 3
5' up to 36' in length

- 1 Flat & V- Hulled Vessels \$ 155.00 per linear foot
- 2. Keeled Vessels \$ 175.00 per linear foot

d. Recreational vessels 36' up to 48' in length

- 1. Flat & V- Hulled Vessels \$ 180.00 per linear foot
- 2. Keeled Vessels \$ 200.00 per linear foot

e. Recreational vessels above 48' in length

- 1. Flat & V- Hulle Vessels \$ 335.00 per linear foot
- 2. Keeled Vessels \$ 355.00 per linear foot

2. Land based salvage operations:

a. Recreational vessels up to 24' in length

- 1. Flat & V- Hulled Vessels \$ 60.00 per linear foot
- 2. Keeled Vessels \$ 70.00 per linear foot

b. Recreational vessels 25' up to 35' in length

- 1. Flat & V- Hulled Vessels \$ 130.00 per linear foot
- 2. Keeled Vessels \$ 150.00 per linear foot

c. Recreational vessels 25' up to 36' in length

- 1 Flat & V- Hulled Vessels \$ 130.00 per linear foot
- 2. Keeled Vessels \$ 150.00 per linear foot

d. Recreational vessels 36' up to 48' in length

- 1. Flat & V- Hulled Vessels \$ 155.00 per linear foot
- 2. Keeled Vessels \$ 175.00 per linear foot

e. Recreational vessels above 48' in length

- 1. Flat & V- Hulle Vessels \$ 300.00 per linear foot

2. Keelcd Vessels \$ 320.00 per linear foot

R. Derelict vehicle and vessel removal (from land)

Pricing proposal for vehicle and vessel recovery:

1. Transfer/Tow of typical passenger car: \$ 250.00 ea
2. Transfer/Tow and handling of Recreational vessels up to 24' in length
 - a. Flat & V- Hulled Vessels \$ 60.00 per linear foot
 - b. Keelcd Vessels \$ 70.00 per linear foot
3. Transfer/Tow and handling of Recreational vessels 25' up to 35' in length
 - a. Flat & V- Hulled Vessels \$ 130.00 per linear foot
 - b. Keelcd Vessels \$ 150.00 per linear foot
4. Transfer/Tow and handling of Recreational vessels 25' up to 36' in length
 - a. Flat & V- Hulled Vessels \$ 130.00 per linear foot
 - b. Keelcd Vessels \$ 150.00 per linear foot
5. Transfer/Tow and handling of Recreational vessels 36' up to 48' in length
 - a. Flat & V- Hulled Vessels \$ 155.00 per linear foot
 - b. Keelcd Vessels \$ 175.00 per linear foot
6. Transfer/Tow and handling of Recreational vessels above 48' in length
 - a. Flat & V- Hulle Vessels \$ 300.00 per linear foot
 - b. Keelcd Vessels \$ 320.00 per linear foot

S. Operation of secure aggregation site for vehicles and vessels:

\$ 1,800.00 per day

T. Travel trailer installation and maintenance

Price proposal for trailer installation:

Basic Trailer Installation: \$ 7,500.00 per trailer

As needed services:

Buried Sewer Line: \$ 75.00 per linear foot

Install Sewer Tap:	\$ <u>550.00</u> per tap
Buried Water Line:	\$ <u>75.00</u> per linear foot
Municipal Water Tap:	\$ <u>550.00</u> per tap
Power Pole with Meter:	\$ <u>2,500.00</u> per pole
Water Line Winterization:	\$ <u>25.00</u> per linear foot
Handicap Ramp:	\$ <u>1,200.00</u> each
Direct Wiring to Well Pump Switch:	\$ <u>350.00</u> per pump
Above Ground Electrical Excess	\$ <u>550.00</u> per linear foot
Provide Additional Potable Water Hose:	\$ <u>25.00</u> per 25'
Provide and Install Generator:	\$ <u>10.00</u> per 5kw gen. per hour (max 50KW)
Direct Burial of 50 Amp Service:	\$ <u>75.00</u> per linear foot
Handicap Platform Steps	\$ <u>550.00</u> each

U. Marine Debris Removal

Price proposal for removal of debris from a marine environment, using either land or marine based equipment.

1. Vegetative Debris

Land Based:	\$ <u>18.50</u> cubic yard
Marine Based:	\$ <u>21.50</u> cubic yard

1. C & D and Mixed Debris

Land Based:	\$ <u>18.50</u> cubic yard
Marine Based:	\$ <u>21.50</u> cubic yard

1. White Goods

Land Based:	\$ <u>35.00</u> cubic yard
Marine Based:	\$ <u>75.00</u> cubic yard

1. Creosote Timbers

Land Based:	\$ <u>38.00</u> cubic yard
Marine Based:	\$ <u>76.00</u> cubic yard

1. Tires

Land Based:	\$ <u>50.00</u> cubic yard
Marine Based:	\$ <u>75.00</u> cubic yard

1. E-Waste

Land Based: \$ 35.00 cubic yard
 Marine Based: \$ 75.00 cubic yard

V. Supplemental water and food sources

1. Meals Ready to Eat (MRE) (Heater Meals entrees) can be provided at the following cost:

\$ 15.00 per meal with an order of 14,400 meals

2. Meals Ready to Eat (MRE) (Heater Meals Plus) can be provided at the following cost:

\$ 18.00 per meal with an order of 14,400 meals

- 3. SunMeadow Hot Meal: \$ 15.00 one meal cost
- SunMeadow Hot Meal Pack: \$ 18.00 one meal cost
- SunMeadow 3-meal Pack: \$ 40.00 cost per pack
- 4. 1-Liter bottled water in cases (12 per case): \$ 48.00 per case
- 1-Gallon bottled water in cases (4 per case): \$ 65.00 per case
- 5. Emergency Ice: \$ 8.75 per 7 lb. bag

Trucking and storing of above listed items shall be invoiced at actual cost plus 21 % mark up.

W. Demolition of structures

1. Structure demolition with construction and demolition debris loaded at the designated work zone and hauled to an approved commercial landfill. Contractor shall disconnect and cap the sewer and water line and coordinate all required disconnects by private utility companies. Search safely accessible structures, including garages and detached outbuildings, and remove all white goods, e-waste and household hazardous waste for ROW collection. Does not include removal of concrete slabs.

0-5 mile one way haul \$ 14.62 per cubic yard
 5.1-10 mile one way haul \$ 14.62 per cubic yard
 10.1-15 mile one way haul \$ 16.62 per cubic yard

2. Structure demolition with RACM construction and demolition debris loaded at the designated work zone and hauled to an approved Type III landfill. Contractor shall disconnect and cap the sewer and water line and coordinate all required disconnects by private utility companies. Search safely accessible structures, including garages and detached outbuildings, and remove all white goods, e-waste and household hazardous waste for ROW collection. Does not include removal of concrete slabs.

0-5 mile one way haul \$ 36.62 per cubic yard
 5.1-10 mile one way haul \$ 36.62 per cubic yard
 10.1-15 mile one way haul \$ 36.62 per cubic yard
 15.1-30 mile one way haul \$ 42.62 per cubic yard
 30.1-60 mile one way haul \$ 44.62 per cubic yard

X. Concrete removal

1. Contractor to load and haul broken concrete from the ROW and dispose at an Owner approved site:

0-5 mile one way haul \$ 12.86 per cubic yard
 5.1-10 mile one way haul \$ 12.86 per cubic yard
 10.1-15 mile one way haul \$ 14.86 per cubic yard

2. Contractor to demolish concrete slabs and haul and dispose at an Owner approved site:

0-15 mile one way haul	\$ 15.86	per cubic yard
15.1-30 mile one way haul	\$ 15.86	per cubic yard
30.1-60 mile one way haul	\$ 17.86	per cubic yard

Y. Creosote timber piling removal

Creosote timber piling removal and disposal

0-15 mile one way haul	\$ 38.00	per cubic yard
15.1-30 mile one way haul	\$ 39.50	per cubic yard
30.1-60 mile one way haul	\$ 42.00	per cubic yard

Z. E-Waste

Contractor to collect from ROW and dispose at an owner approved site:

\$ 45.00 per unit

AA. Household hazardous waste

Contractor to collect from ROW and dispose at an owner approved site:

\$ 1.00 per pound

BB. Tire removal

Tire Removal and Disposal or Recycle

\$ 50.00 each

CC. River and canal shoreline restoration

River and Canal Shoreline Restoration:

\$ 18.25 per linear foot

DD. Power sources

Please provide pricing for emergency generators

1) 20kw Generator:	\$ 2,480.00 per month / \$ 820.00 per week
2) 56kw Generator:	\$ 3,170.00 per month / \$ 1,130.00 per week
3) 100kw Generator:	\$ 4,160.00 per month / \$ 1,330.00 per week
4) 175kw Generator:	\$ 8,740.00 per month / \$ 2,880.00 per week
5) 240kw Generator:	\$ 12,650.00 per month / \$ 4,130.00 per week
6) 320kw Generator:	\$ 14,048.00 per month / \$ 4,762.00 per week
7) 500kw Generator:	\$ 22,310.00 per month / \$ 7,290.00 per week
8) 1000kw Generator:	\$ 41,200.00 per month / \$ 13,890.00 per week

EE. Stadium style light tower

\$ 3,750.00 per month / \$ 1,250.00 per week

Shipping, setting, operation, maintenance, fueling, insurance, security and recovery of generators and lights shall be invoiced at actual cost plus 21 % mark up:

FF. National Incident Management System (NIMS) training

\$ 100.00 per person/per year

GG. Assistance in development of a debris management plan

\$ Included per year

HH. Additional services and materials as needed

Cost plus 21 %

(All final disposal fees will be a pass-through cost, with contractor invoicing the agency at actual cost without additional fees.)

II. Emergency Road Clearance

The cost associated with emergency road clearance will be billed by hourly rates. See Hourly Rates below:

Equipment/Hourly	Unit	Unit Price
Broom- Mechanized	Hour	\$85.00
Bucket Truck- 50 ft.	Hour	\$150.00
Bucket Truck- 50 ft. to 75 ft.	Hour	\$175.00
Chipper w/ 2 man crew(Morbeck Storm)	Hour	\$225.00
Crane- Up to 15 ton	Hour	\$200.00
Crane- 30 ton or larger	Hour	\$250.00
Crane- 50 ton	Hour	\$350.00
Crane- 100 ton 8 hour minimum	Hour	\$650.00
Dozer- CAT D4	Hour	\$90.00
Dozer- CAT D6	Hour	\$110.00
Dozer- CAT D7	Hour	\$450.00
Dozer- CAT D8	Hour	\$500.00
Dump Trailer w/ Tractor, 30 to 40 CY	Hour	\$120.00
Dump Trailer w/ Tractor, 41 to 50 CY	Hour	\$130.00
Dump Trailer w/ Tractor, 51 to 60 CY	Hour	\$140.00
Dump Truck- 16-30 CY	Hour	\$105.00
Dump Truck- 31-60 CY	Hour	\$120.00
Dump Truck- 61-100 CY	Hour	\$130.00
Dump Truck- Trailer, 24-40 CY	Hour	\$120.00
Dump Truck- Trailer, 41-60 CY	Hour	\$150.00
Dump Truck- Trailer, 60-80 CY	Hour	\$170.00
Equipment transports	Hour	\$150.00
Excavator- Trackhoe?(2-3 cy capacity)	Hour	\$180.00
Excavator- CAT 320	Hour	\$125.00
Excavator- CAT 325	Hour	\$135.00
Excavator- CAT 330	Hour	\$160.00
Excavator- Rubber tired w/ debris grapple	Hour	\$175.00
Forklift- Extends Boom w/ debris grapple	Hour	\$85.00
Fuel Truck(1000 gallon)	Hour	\$85.00
Light Plant- Portable	Hour	\$100.00

Loader- Bobcat 753 or JD648-E w/ debris grapple	Hour	\$85.00
Loader- Rubber tired front end(2-5 cy capacity)	Hour	\$135.00
Loader- Front End, 544 or equal w/debris grapple	Hour	\$115.00
Loader- Knuckleboom- 216 Prentice	Hour	\$150.00
Loader- Self, Knuckle Boom Truck, 25-35 CY Body	Hour	\$150.00
Loader- Self, Knuckle Boom Truck, 35-45 CY Body	Hour	\$160.00
Loader- Skld Steer-753 Bobcat w/bucket	Hour	\$85.00
Loader- Steer-753 Bobcat Skld w/ street sweeper	Hour	\$85.00
Loader -Trackhoe 680 JD or equal	Hour	\$180.00
Loader- Wheel, CAT 955	Hour	\$160.00
Loader- Wheel, CAT 986	Hour	\$170.00
Low Bed Equipment Trailer, 35 ton capacity & tractor	Hour	\$150.00
Motor Grader-CAT 125- 140 HP	Hour	\$200.00
Passenger Car	Hour	\$40.00
Passenger Van	Hour	\$50.00
Power Screen	Hour	\$225.00
Stump Grinder/ Vermeer 252	Hour	\$225.00
Trackhoe - CAT 320	Hour	\$125.00
Tractor- Box Blade	Hour	\$65.00
Tree Trimming Truck w/ chipper and Bucket	Hour	\$350.00
Tub Grinder- 12 foot/ Morbark 1200	Hour	\$425.00
Tub Grinder- 13 foot/ Morbark 1300	Hour	\$485.00
Tub Grinder- 14 foot/ Diamond Z 1463	Hour	\$560.00
Tub grinder- 300-400	Hour	\$350.00
Tub grinder- Horiz., Diamond Z or equal	Hour	\$600.00
PERSONNEL	Hour	Unit Price
Administrative Assistant	Hour	\$45.00
Carpenter	Hour	\$65.00
Clerical/ Individual	Hour	\$37.00
Climber w/ gear	Hour	\$90.00
Crew Leader	Hour	\$65.00
Electricians	Hour	\$95.00
Fabricator	Hour	\$65.00
Field technicians	Hour	\$45.00
Foreman	Hour	\$55.00
Foreman w/ truck	Hour	\$75.00
Inspector w/ vehicle	Hour	\$65.00
Laborer	Hour	\$37.00
Operator w/ chainsaw	Hour	\$45.00
Project Manager	Hour	\$85.00
Security Personnel	Hour	\$85.00
Superintendent w/ truck	Hour	\$95.00
Survey person w/ truck	Hour	\$85.00
Traffic Control	Hour	\$37.00
Tree Trimmer(crew)	Hour	\$45.00
Truck driver	Hour	\$45.00
Vehicle Mechanic	Hour	\$95.00
Welder	Hour	\$55.00
Worker to assist w/ potable water	Hour	\$37.00

Hazardous Material Spill Response - Hazardous Waste Remediation & Mass Decontamination

	Unit	Cost
HAZ MAT Response Pricing		
PROJECT CLASSIFICATION		
PROJECT COORDINATOR	Hour	\$85.00
FIELD HAZ MATERIAL MANAGER	Hour	\$85.00
HM CONTAIN AREA MANAGER	Hour	\$85.00
FIELD PROJECT SUPERVISOR	Hour	\$85.00
HM CONTAIN AREA SUPERVISOR	Hour	\$85.00
FIELD PROJECT FOREMAN	Hour	\$80.00
HM CONTAINMENT AREA FOREMAN	Hour	\$80.00
FIELD HM TECHNICIAN	Hour	\$75.00
HM CONTAIN AREA TECHNICIAN	Hour	\$75.00
HEALTH & SAFETY SPECIALIST	Hour	\$75.00
PROJECT ENGINEER	Hour	\$200.00
PROJECT GEOLOGIST	Hour	\$125.00
CHEMIST	Hour	\$125.00
REGULATORY MANAGER	Hour	\$75.00
EQUIPMENT OPERATOR	Hour	\$45.00
ASBESTOS ABATEMENT SUPERVISOR	Hour	\$85.00
ASBESTOS ABATEMENT WORKER	Hour	\$45.00
ASBESTOS INSPECTOR	Hour	\$75.00
TRUCK DRIVER	Hour	\$45.00
ADMINISTRATIVE ASSISTANT	Hour	\$45.00
CLERICAL	Hour	\$37.00

Additional equipment and Support

VEHICLES/TRANSPORTATION		
PICKUP TRUCK	DAY	\$200.00
PICKUP TRUCK EXTENDED CAB	DAY	\$220.00
PICKUP TRUCK 4 X 4	DAY	\$250.00
PICKUP TRUCK 1 TON	DAY	\$300.00
BOX TRUCK	DAY	\$250.00
PASSENGER CAR	DAY	\$200.00
20' RESPONSE TRAILER	DAY	\$495.00
36' RESPONSE TRAILER	DAY	\$595.00
OFFICE TRAILER	DAY	\$350.00
FLATBED TRAILER	DAY	\$150.00
VEHICLE USE- PICKUPS, VANS, CARS	MILE	\$3.50
VEHICLE USE- TRAILERS, HEAVY TRUCKS	MILE	\$4.00
12' WORK BOAT W/MOTOR	DAY	\$300.00
12' WORK BOAT W/O MOTOR	DAY	\$250.00
VACUUM TRUCK 3500 GALLON	DAY	\$1,980.00

PERSONAL PROTECTIVE EQUIPMENT (PPE)		
LEVEL A EMPLOYEE FULLY ENCAPSULATED SUIT, SCBA, 1 SCBA BOTTLE, GLOVES AND BOOTS (DOES NOT INCLUDE SUIT, GLOVE, OR BOOT REPLACEMENT)	DAY	\$558.00
LEVEL B EMPLOYEE PROTECTIVE COVERALL, SCBA OR AIRLINE RESPIRATOR, GLOVES, BOOTS, AND HARD HATS (DOES NOT INCLUDE COVERALL OR GLOVE REPLACE.)	DAY	\$280.00
LEVEL C EMPLOYEE PROTECTIVE COVERALL, HALF OR FULL FACE RESPIRATOR, CARTRIDGES, GLOVES, BOOTS, AND HARD HATS (DOES NOT INCLUDE COVERALL, CARTRIDGE, OR GLOVE REPLACEMENT)	DAY	\$135.00
SCBA BOTTLES REFILL- AFTER THE FIRST INCLUDED IN LEVEL A & B CHARGE ABOVE	EACH	\$27.00
CASCADE AIR SYSTEM PER EMPLOYEE	DAY	\$119.00
AIR FILTRATION PANAL	DAY	\$230.00
AIRLINE RESPIRATOR EACH INCLUDES 150 FEET OF AIRLINE	DAY	\$100.00
RESPIRATOR AIRLINE 50' SECTION	EACH	\$20.50
RESPIRATOR CARTRIDGES	PAIR	\$40.00
LEVEL A SUIT- KAPPLER RESPONDER OR EQUAL	EACH	\$995.00
LEVEL B SUIT- KAPPLER RESPONDER OR EQUAL	EACH	\$610.00
TYVEK	EACH	\$7.95
PROSHIELD	EACH	\$12.60
SARANEX	EACH	\$23.80
ACID SUIT	EACH	\$144.00
RAIN SUIT	EACH	\$147.80
NEOPRENE GLOVES	PAIR	\$19.00
NITRILE GLOVES	PAIR	\$22.40
SILVERSHIELD GLOVES	PAIR	\$40.25
PVC GLOVES	PAIR	\$12.80
COTTON OR LATEX GLOVES	PAIR	\$3.20
LEATHER WORK GLOVES	PAIR	\$19.10
PVC BOOTS (HAZMAX)	PAIR	\$29.92
BOOT COVERS	PAIR	\$10.92
HEARING PROTECTION	PAIR	\$3.17
HIGH HAZARD PERSONNEL DECONTAMINATION	DAY	\$515.00
LOW HAZARD PERSONNEL DECONTAMINATION	DAY	\$280.00
PORTABLE EYEWASH STATION	DAY	\$56.00
FIRST AID STATION	DAY	\$30.50
PERSONNEL RETRIEVAL SYSTEM	DAY	\$450.00
PERSONNEL RETRIEVAL HARNESS	DAY	\$98.00
MONITORING/SAMPLING EQUIPMENT		
COMBUSTIBLE GAS INDICATOR	DAY	\$105.00
TOXIC GAS DETECTOR	DAY	\$95.00
PHOTOIONIZATION DETECTOR	DAY	\$160.00
HAZCAT KIT	DAY	\$80.00

DETECTOR TUBES	TEN PACK	\$80.00
	PH PAPER	\$15.90
	SPILL CLASSIFIER	\$35.00
	PERSONNEL AIR SAMPLING PUMP	\$65.00
	ASBESTOS BULK SAMPLE	\$39.50
	HAND AUGER STAINLESS STEEL	\$56.00
	RECOVERY EQUIPMENT	
	HAND OPERATED TRANSFER PUMP	\$100.00
	1" DIAPHRAGM PUMP	\$160.00
	2" DIAPHRAGM PUMP	\$215.00
	2" DIAPHRAGM PUMP S. S.	\$310.00
	3" DIAPHRAGM PUMP	\$280.00
	1" SUCTION OR DISCHARGE HOSE	\$72.00
	2" SUCTION OR DISCHARGE HOSE	\$95.00
	3" SUCTION OR DISCHARGE HOSE	\$150.00
	2" CHEMICAL SUCTION OR DISCHARGE HOSE	\$280.00
	3" CHEMICAL SUCTION OR DISCHARGE HOSE	\$595.00
	SMALL COMPRESSOR	\$95.00
	185 CFM COMPRESSOR	\$190.00
	AIRHOSE SECTION	\$31.00
	MISCELLANEOUS EQUIPMENT	
	SPICE BAR	\$8.00
	AIRLESS SPRAYER	\$120.00
	PRESSURE WASHER	\$102.00
	WATER HOSE SECTION (GARDEN)	\$23.00
	CUTTING TORCH	\$55.00
	WIRE WELDER	\$102.00
	AIR BLOWER	\$39.50
	HEPA VAC	\$95.00
	BARREL CART	\$24.00
	WHEELBARROW	\$13.00
	OIL DRY SPREADER	\$23.00
	TRAFFIC CONTROL VESTS, CONES, FLAGS, BARRELS, ETC. (one crew)	\$135.00
	DRILL WITH BITS	\$29.00
	GROUNDING CABLE AND ROD	\$63.00
	CIRCULAR SAW	\$32.00
	HAND TOOLS PER EMPLOYEE SHOVELS, SCOOPS, BROOMS, RAKES, HOES, ETC.	\$39.00
	TOOL KIT HAMMERS, PLIERS, SCREWDRIVERS, ETC.	\$70.00
	WRENCH KIT BUNG WRENCH, SPEED WRENCH, PIPE WRENCH, SOCKETS, CHANNEL LOCKS	\$87.00
	STEP LADDERS	\$19.00
	EXTENSION LADDERS	\$40.00
	PHOTOGRAPHIC EQUIPMENT	\$46.00
	FLASHLIGHTS	\$5.50
	HANDHELD RADIOS	\$125.00

Description	Unit	Unit Price
High Volume Diesel Powered suction lift trash pump with speed adjustment 4X4	per Month	\$2,960.00
High Volume Diesel Powered suction lift trash pump with speed adjustment 6X6	per Month	\$4,410.00
High Volume Diesel Powered suction lift trash pump with speed adjustment 8X8	per Month	\$6,170.00
High Volume Diesel Powered suction lift trash pump with speed adjustment 12X12	per Month	\$7,740.00
Composite Quick Connect Suction Hose, 8 ft length, 20psi 4 inch	per Month	\$290.00
Composite Quick Connect Suction Hose, 8 ft length, 20psi 6 inch	per Month	\$360.00

Additional Equipment

Note: All overtime is 1.5 times Hourly Rate / Overtime applies after 8 hours each day

Item	Unit	Price
MATERIALS/DISPOSABLES		
5' X 10' ABSORBENT BOOM- PETROLEUM	EACH	\$78.00
8' X 10' ABSORBENT BOOM- PETROLEUM	EACH	\$135.00
3' X 12' ABSORBENT BOOM- UNIVERSAL	EACH	\$48.00
ABSORBENT PADS BUNDLE- PETROLEUM	EACH	\$148.00
ABSORBENT PADS BUNDLE- UNIVERSAL	EACH	\$190.00
ABSORBENT CLAY BAG	EACH	\$15.00
OIL DRY	EACH	\$10.00
PEAT MOSS	EACH	\$16.00
VERMICULITE	EACH	\$25.00
SODA ASH BAG	EACH	\$15.00
4 MIL 20 X 100 POLYETHYLENE	EACH	\$63.00
6 MIL 20 X 100 POLYETHYLENE	ROLL	\$88.00
6 MIL BAGS	EACH	\$2.00
DUCT TAPE	ROLL	\$11.00
55-GALLON DRUMS	EACH	\$72.00
55-GALLON DRUM LINERS 10 MIL	EACH	\$55.00
FIBER DRUMS	EACH	\$45.00
30-GALLON OVERPACK	EACH	\$150.00
95-GALLON POLY OVERPACK	EACH	\$350.00
DOT HAZARDOUS WASTE LABELS	EACH	\$3.00
FIRE EXTINGUISHER	EACH	\$64.00
CAUTION/HAZARD TAPE	EACH	\$48.00
RESPIRATOR WIPES	EACH	\$4.00
KAPPLER TAPE	ROLL	\$72.00

Composite Quick Connect Suction Hose, 8 ft length, 20psi 8 inch	per Month	\$460.00
Composite Quick Connect Suction Hose, 8 ft length, 20psi 126 inch	per Month	\$590.00
Quick Connect Discharge Hose, 50 ft length, 50psi 4 inch	per Month	\$290.00
Quick Connect Discharge Hose, 50 ft length, 50psi 6 inch	per Month	\$330.00
Quick Connect Discharge Hose, 50 ft length, 50psi 8 inch	per Month	\$560.00
Quick Connect Rigid Piping, 10 ft length, 175psi, 4 inch	per Month	\$250.00
Quick Connect Rigid Piping, 10 ft length, 175psi, 6 inch	per Month	\$350.00
Quick Connect Rigid Piping, 10 ft length, 175psi, 8 inch	per Month	\$450.00
Quick Connect Rigid Piping, 10 ft length, 175psi, 12 inch	per Month	\$650.00
Roll off Emergency Waste Water Storage Tanks	per Month	\$495.00



CITY OF ARANSAS PASS

AGENDA MEMORANDUM

First Reading Item for the City Council Meeting of [9/21/2015]
Second Reading Item for the City Council Meeting of [NA]

Date: Tuesday, September 16th, 2015
To: Sylvia Carrillo, City Manager
From: Chief Eric Blanchard
chief@ap-police.com

Agenda Item #:
Title: Purchase of new ticket writers.

CAPTION:

Consider and act on approving Chief Eric Blanchard to enter into an agreement for the purchase of 8 new ticket writers for patrol using Federal Equitable Sharing Funds in a cost not to exceed \$25,000.00

PURPOSE:

The purchase will up the amount of devices from 6 to 8 total ticket writers. They utilize the Android operating system which will streamline the ticket writing process for officers. Our current system operates off of older technology and is clunky and cumbersome to operate.

BACKGROUND AND FINDINGS:

Back in October of 2012, the police department updated their ticket writer system due to failing equipment and poor software. Unfortunately, the technology had not caught up, so the PD was forced to stick with updated equipment but the same old Windows Mobile operating software.

Today, Brazos has moved to more inexpensive hardware that operates on the Google Android operating system (OS). The OS is more natural and user-friendly to the

operator. An officer being familiar with and iPhone or Android device will feel right at home operating this system.

Because we are sticking with Brazos Technology (now merged with Tyler Technology), the implementation should remain seamless. We will also work with Brazos to adapt the technology into our current CRIMES police reporting software as well as Asyst Court reporting software.

It is our hope, as well, this new system will help promote it's use while cutting down on wasted time in the field, roadside when an officer is issuing a ticket.

ALTERNATIVES:

Sustain the antiquated technology currently in use, today.

OTHER CONSIDERATIONS:

We have considered outside vendors, aside from Brazos. They are still young in development and their implementation would be quite involved. We do not desire to encumber that challenge at the moment and the cost differences are nominal.

CONFORMITY TO CITY POLICY:

Less than \$50,000.00 purchase with an agreement requires council approval.

EMERGENCY/NON-EMERGENCY:

Not an emergency.

DEPARTMENTAL CLEARANCES:

Police Department
Municipal Court

FINANCIAL IMPACT:

No more than \$25,000.00 to be paid for from Federal Equitable Sharing Funds (Federal Drug Seizure funds).

Annual court costs will be an additional \$700.00/YR, on top of what is currently being paid for maintenance.

RECOMMENDATION:

Staff recommends approval of this request.

LIST OF SUPPORTING DOCUMENTS:

Quote

Email Mulvey



**City of
Aransas Pass
Email**

Blanchard, Eric <eblanchard@aransaspasstx.gov>

Quote Update

5 messages

Blanchard, Eric <eblanchard@aransaspasstx.gov>

Thu, Jun 23, 2016 at 4:58 PM

To: "Mulvey, James" <James.Mulvey@tylertech.com>

Cc: David Offalter <doffalter@aransaspasstx.gov>, David Perkins <dperkins@aransaspasstx.gov>

Good afternoon, James:

I am working on a council agenda item for this quote. Is this quote still valid or do you need to update it? I would like to take this item to council on the 11th of July. I need to have my item in tomorrow afternoon, prior to going on vacation.

Please point out the fine details too, please. I need to know cost to purchase, annual cost for maintenance/renewal etc., and any other costs that might pop up.

Thank you,

--



Chief Eric Blanchard

Public Safety Director, City of Aransas Pass

Phone: 361.758.5224 x 2401

Mobile: 361.510.7121

Fax: 361.758.3402

Website: ap-police.com

Address: 600 W. Cleveland Blvd, Aransas Pass, Texas 78336



Aransas Pass, TX - Quote - 6 Replacement and 2 Add on TC-70.pdf

25K

Mulvey, James <James.Mulvey@tylertech.com>

Fri, Jun 24, 2016 at 12:57 PM

To: "Blanchard, Eric" <eblanchard@aransaspasstx.gov>

Cc: David Offalter <doffalter@aransaspasstx.gov>, David Perkins <dperkins@aransaspasstx.gov>

Good Afternoon Chief Blanchard,

Yes sir, those prices are still good. I've updated the quotes expiration date (see attached).

Just to reiterate, this quote is for replacing your (6) current devices and adding on (2) more, thus giving you a total of (8) active ticket writers - all Android TC-70. Once you received the new Android devices we will turn off the older ticket writers. The Android build takes roughly 3 1/2 months to complete.

I'm excited for your officers to enjoy the new technology. I appreciate your efforts, and good luck at council.

Thank you!

From: Blanchard, Eric [mailto:eblanchard@aransaspasstx.gov]
Sent: Thursday, June 23, 2016 4:58 PM
To: Mulvey, James <James.Mulvey@tylertech.com>
Cc: David Offalter <doffalter@aransaspasstx.gov>; David Perkins <dperkins@aransaspasstx.gov>
Subject: Quote Update

[Quoted text hidden]

James Mulvey
Account Representative
P: 888.693.2811 ext 1557



Aransas Pass, TX - - Quote - - 6 Replacement and 2 Add on TC-70.pdf

25K

Eric Blanchard <eblanchard@aransaspasstx.gov>
To: "Mulvey, James" <James.Mulvey@tylertech.com>

Fri, Jun 24, 2016 at 1:07 PM

Thanks James. Since it takes three months, does that mean our annual doesn't kick in until the new ones are deployed and old ones shit off?

Chief Eric Blanchard
Public Safety Director

[Quoted text hidden]

<Aransas Pass, TX - - Quote - - 6 Replacement and 2 Add on TC-70.pdf>

Mulvey, James <James.Mulvey@tylertech.com>
To: Eric Blanchard <eblanchard@aransaspasstx.gov>

Fri, Jun 24, 2016 at 1:20 PM

Chief,

The additional \$700 of annual maintenance, incurred by the adding of two additional licenses, will kick in one year after the Android devices are deployed. Therefore, as an example if the Android devices are

deployed in Nov. 2016, you will pay the first \$700 fee in Nov. 2017. Also, this fee can be pro-rated to align with the rest of your billing timeline.

I hope the above explanation helps. If you have any questions let me know!

Thank you!

James Mulvey

Account Representative

P: 888.693.2811 ext 1557

From: Eric Blanchard [mailto:eblanchard@aransaspasstx.gov]

Sent: Friday, June 24, 2016 1:07 PM

To: Mulvey, James <James.Mulvey@tylertech.com>

Subject: Re: Quote Update

[Quoted text hidden]

Eric Blanchard <eblanchard@aransaspasstx.gov>
To: "Mulvey, James" <James.Mulvey@tylertech.com>

Fri, Jun 24, 2016 at 3:19 PM

It does. Thank you.

Chief Eric Blanchard
Public Safety Director

[Quoted text hidden]



ESTIMATE
 Quote Number: 00002035
 Date Created: 7/31/2015 5:54 PM
 Expires On: 8/1/2016

Bill to:	Ship to:	Prepared by:
City of Aransas Pass, TX P.O. Box 2000 Aransas Pass, TX 78336	Aransas Pass Police Dept. 600 W. Cleveland ATTN: David Offalter Aransas Pass, TX78336	James Mulvey (979) 690-2811 x1557 james.mulvey@tylertech.com

Quantity	Mfg_PartNumber	Product Description	Sales Price	Total Price
1.00	Config	Development of new configuration for hardware platform - HANDHELD	\$ 2,500.00	\$ 2,500.00
2.00	LIC: REF License - PDA	LICENSE: eCitation - Brazos Rapid Extension Framework (REF) Software License - PDA (annual maintenance fees apply)	\$ 800.00	\$ 1,600.00
1.00		***** * * * Recurring Annual Maintenance Fee of \$350 per additional license. Therefore, if you add 2 license please expect your annual maintenance to increase by \$700. This increase will begin at the start of the second year, therefore the first year is free. * * * *****	\$ 0.00	\$ 0.00
8.00	TC700H-KC11ES-NA	Zebra Enterprise, TC70, WLAN 802.11 ABGN, Android KITKAT 4.2.2, Standard Range 1D/2D Imager (SE4750), Front & Rear Cameras, 1GB/8GB, Bluetooth, NFC, 4620 MAH Battery, North America only.	\$ 1,215.00	\$ 9,720.00
8.00	SSE-TC70XX-50	Zebra Enterprise, One Care Essential Service, Includes comprehensive coverage, TC70XX, 5 Year	\$ 545.00	\$ 4,360.00
2.00	CRD-TC7X-SE5EU1-01	Zebra Enterprise, TC7X 5-Slot Ethernet Sharecradle, Charges either 5 TC70S or 4 TC70S + 4 Spare batteries via adaper cup (sold separately CUP-SE-BTYADP1-01), requires PWRS-14000-241R, 50-16002-029R, and 23844-00-00R	\$ 450.00	\$ 900.00
2.00	23844-00-00R	Zebra Enterprise, US AC Line Cord	\$ 10.00	\$ 20.00
2.00	50-16002-029R	Zebra Enterprise, DC line cord for 4-Slot cradles, works with power supply (50-14000-241R)	\$ 33.00	\$ 66.00
2.00	PWRS-14000-241R	Zebra Enterprise, Power Supply for 4-Slot Cradles, 100-240VAC, 12VDC, 9A, Requires DC Line Cord 50-16002-029R and AC Line Cord 23844-00-00R (replaces 50-14000-241R)	\$ 75.00	\$ 150.00

Sign and fax approved quotation to 713.583.9323.



ESTIMATE
Quote Number: 00002035
Date Created: 7/31/2015 5:54 PM
Expires On: 8/1/2016

Subject to the applicable terms of your existing contract with Tyler, and for the fees quoted herein, we grant to City of Aransas Pass, TX : (i) a per-unit license to the software located on the ticket writer hardware provided under this purchase order, and (ii) a per-unit license to access a remote database via the ticket writer hardware, both for your internal business purposes only. We will provide remote database access according to our industry standard hosting terms of service.

Signature _____
Title _____
Date _____

Subtotal	\$ 19,316.00
Tax	_____
Grand Total	\$ 19,316.00