

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 2, 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. **PROCLAMATIONS/PRESENTATIONS:**

There were no Proclamations or Presentations.

4. **BOARD AND COMMISSION APPOINTMENTS:**

a. **Zoning Board of Adjustment.**

Sylvia Carrillo, City Manager explained that terms have expired for Lisa Barker and Armando Garza and they both wish to be considered for reappointment.

A motion was made by Council Member Ellis to reappoint Lisa Barker and Armando Garza, seconded by Mayor Pro Tem Hyatt, and the motion carried.

5. **CITIZEN COMMENTS:**

Mayor Chapa referred to Citizens Comments.

Howard Gillespie, Mayor of Ingleside on the Bay, informed the council that he is running for San Patricio County Commissioner, Precinct 4 and asked for their support.

Oscar Medina, stated he purchased property on Ebert Road and asked that the City re-invest in infrastructure and upgrade water and sewer.

6. **CONSENT AGENDA:**

Mayor Chapa referred to the Consent Agenda, Items 6a and 6b.

- a. **Ordinance No. 2016-4147, approving revisions to Chapter 9, Article II, Sections 9-20, Adoption of Fire Prevention Code of the Aransas pass Code of Ordinances.**
- b. **Approval of regular meeting minutes of March 21, 2016 and April 4, 2016.**

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

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

Mayor Chapa referred to Item 7a.

- a. Consideration and approval of an Ordinance No. 2016-4148 by the City Council of the City of Aransas Pass, Texas authorizing the issuance of "City of Aransas Pass, Texas General Obligation Refunding Bonds, Taxable Series 2016", levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds, authorizing the execution of a Paying Agent/Registrar Agreement, a Purchase and Investment Letter, and an Escrow Deposit Letter; complying with the letter of representation on file with the Depository trust Company; authorizing the execution of any necessary engagement agreements with the City's Financial Advisors and/or Bond Counsel; and providing an effective date.

Andrew Friedman, SAMCO Capital Markets informed the Council that four (4) bids were received for refinancing Series 2007, Taxable Combination Tax Certificates of Obligation and that the winning bid was Zions Bank. Mr. Friedman discussed the summary of refunding results and annual savings for a total of \$805,667.

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

- b. Consider and Act to authorize staff and consultants to proceed with the issuance of Certificates of Obligations for capital improvement projects and approve a financing timetable.

Andrew Friedman, SAMCO Capital Markets stated that this item authorizes SAMCO go out to market the \$3 million to fund the street projects. Ms. Carrillo discussed the street project list and cost for each project. Mr. Friedman discussed the timetable for the Series 2016 Combination Tax and Limited Pledge Revenue Certificates of Obligation.

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

- c. Consider and Act on Resolution to deny the AEP – Texas Central Company's Application for approval of a Distribution Cost Recovery Factor to increase distribution rates in the city.

City Manager Carrillo stated that the purpose of this item is to deny the Distribution Cost Recovery Factor application proposed by AEP.

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

- d. Consider and Act on awarding Request for Proposals for Softball Complex.

City Manager Carrillo stated that the only proposal received was from the current Lessee, Roland Pena. Ms. Carrillo discussed the terms of the proposal submitted by Mr. Pena, monthly fee of \$550, regular use days (Monday and Wednesday), make up days (Tuesday and Thursday), discounts for rain days, and exclusive use of the restroom facilities on Monday and Wednesday.

Council Member Abrego asked if there is a tournament request would it be coordinated with Mr. Pena, and Ms. Carrillo responded that if it is a free day, they would coordinate with city staff.

Ms. Carrillo stated that the cost for the City to maintain is approximately \$1,000 per month, including staff time to empty trash, clean up, and dumpster fees. She stated that she is not recommending giving a discount for rain days.

A motion was made by Council Member Abrego to accept the proposal and remove the discount for rain days, seconded by Mayor Pro Tem Hyatt, and the motion carried.

e. FAILED TO PASS - Consider and Act on awarding Request for Proposals for Community Park.

City Manager Carrillo stated that this item is to award a proposal for Community Park improvements which include a dog park, skatepark, and a foundation that would serve for bleachers as well as vendor pads for Shrimporee. Ms. Carrillo discussed the terms of each of the bids received from Lee Construction and R&A Construction.

Mr. Lee further explained the terms of the bid submitted including the start date, amount of time to complete and staging of the project. Mr. Gomez added that he would be available to begin as soon as possible.

A motion was made by Council Member Scruggs to award the bid to Lee Construction, seconded by Mayor Pro Tem Hyatt, Mayor Chapa and Council Members Ellis and Abrego voting "No". The item failed.

A motion was made by Council Member Ellis to award the bid to R&A Construction, seconded by Council Member Abrego; Mayor Chapa, Mayor Pro Tem Hyatt, and Council Member Scruggs, voting "No". The item failed.

f. Consider and Act on issuance of a Request for Proposals for Solid Waste Collection.

City Manager Carrillo stated that the current contract with Republic Services is due to expire April 2017, and added that the purpose of this item is to authorize staff to advertise and solicit for bids for this service.

A motion was made by Council Member Abrego to authorize staff to re-bid for solid waste collection services, seconded by Mayor Pro Tem Hyatt, and the motion carried.

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

There were no Community Enrichment item.

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

a. Presentation on Proposed Text Amendments and Re-zoning of Newly Annexed Areas.

Miguel Saldana, Director of Development Services stated that these items are future items and have not yet been reviewed by the Planning and Zoning Commission. Mr. Saldana referred to a Powerpoint and discussed the re-zoning for Sherwood Forest and the surrounding area which includes Allen Samuels and Butter Churn; proposed amendment to Nonconforming Uses; proposed amendment to Conditional Use Permit for Manufactured Home in the "R-7B", and amendments to the Board of Adjustment.

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

There were no Finance items.

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

- a. Consider and Act on approving a Memorandum of Understanding between the City of Aransas Pass and Bay, Ltd.

Lynn Pearce, Fire Department stated that the purpose of this item is for the installation of sea gates in the event of a storm (as a secondary). He added that there has been no price increase.

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

- b. Consider and Act on approving a Memorandum of Understanding between the City of Aransas Pass and JJ Fox Construction, Inc.

Lynn Pearce, Fire Department stated that this is the primary MOU for the installation of sea gates in the event of a storm. He added that there has been no price increase.

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

- c. Consider and Act on Resolution adopting the provisions of the Nueces County Hurricane Re-Entry Plan.

Lynn Pearce, Fire Department stated that this item is to facilitate an orderly re-entry of emergency services, utilities and citizens, post storm event where an evacuation order has been given. He added that the Re-Entry Plan is for the coastal bend region.

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

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

There were no Information Technology items.

13. PUBLIC HEARING(S):

There were no Public Hearings.

14. CITY MANAGER UPDATE(S):

- a. Aquatic Center Press Party

City Manager Carrillo provided an update on the following matters: Thank You letter received from Aransas Pass HOSA group submitted for the support they received from the City; Downtown clean-up efforts; introduced new Animal Control Officer, Jessica Darby; update on MyAP; budget planning for FY 2016-2017 continues, and the Aquatic Press Party is scheduled for May 4, 2016.

15. DEPARTMENT UPDATE(S):

There were no Department updates.

THE UNIVERSITY OF CHICAGO

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16. **EXECUTIVE SESSION(S):**

The meeting was recessed into Executive Session at 7:56 pm under the provisions of Section 551, Texas Government Code to discuss the authority of:

- a. Section 551.071, Consultation with City Attorney: Gulf Marine.

The council returned from Executive Session at 8:07 pm.

- a. Section 551.071, Consultation with City Attorney: Gulf Marine.

A motion was made by Mayor Pro Tem Hyatt to approve the settlement agreement with Gulf Marine on the water billing dispute, seconded by Council Member Abrego, and the motion carried.

17. **ADJOURNMENT:**

There being no further business to come before the Council, Mayor Chapa adjourned the meeting at 8:08 pm.



Adan Chapa
Mayor



Mary Juarez
City Secretary

Approved on: June 6, 2016

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Subject: [Illegible]

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