

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.

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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.

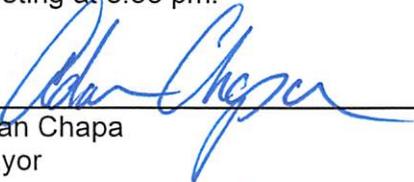
A motion was made by Council Member Hyatt to renew contract for City Secretary until September 30, 2016, seconded by Mayor Pro Tem Ellis, and the motion carried.

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

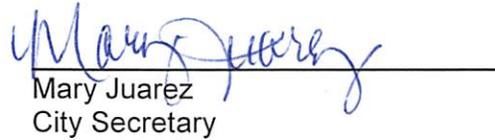
Mayor Chapa announced that no action would be taken on Item 16d.

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: July 11, 2016