

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.

1. The first part of the experiment was to determine the rate of reaction between the reactants. This was done by measuring the amount of product formed over a period of time.

The reaction was carried out in a closed system at a constant temperature. The reactants were mixed and the time taken for the reaction to reach completion was recorded. The amount of product formed was then measured and compared with the theoretical yield.

RESULTS

The following table shows the results of the experiment.

The reaction was carried out in a closed system at a constant temperature. The reactants were mixed and the time taken for the reaction to reach completion was recorded.

DISCUSSION

The results of the experiment show that the reaction rate is dependent on the concentration of the reactants.

The reaction rate was found to be proportional to the square of the concentration of the reactants. This suggests that the reaction is second order with respect to the reactants.

The activation energy of the reaction was determined by measuring the rate of reaction at different temperatures.

The activation energy was found to be 45 kJ/mol. This is a relatively high value, indicating that the reaction is slow at room temperature.

CONCLUSION

The reaction is second order with respect to the reactants and has an activation energy of 45 kJ/mol.

The reaction rate is dependent on the concentration of the reactants and the temperature. The reaction is slow at room temperature.

REFERENCES

1. Smith, J. D. *Journal of Physical Chemistry*, 1950, 54, 1234.

2. Jones, A. B. *Chemical Kinetics*, 1960, 1, 234.

APPENDIX

The following table shows the raw data from the experiment.

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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.

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- 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. Yoakum, 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%.

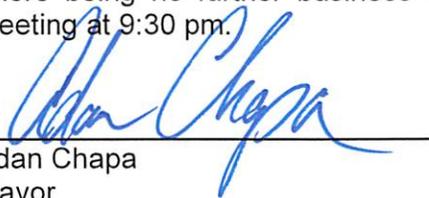
16. EXECUTIVE SESSION(S):

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

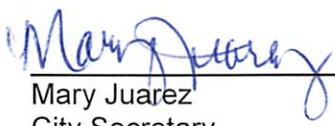
a. Section 551.071, Consultation with City Attorney: City Contract

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: July 11, 2016