

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, July 18, 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, and Carrie Scruggs were present; Council Member Phillip Hyatt was absent. 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:**

3.I. **Shrimporee Update by Rosemary Vega, Executive Director, Aransas Pass Chamber of Commerce.**

Rosemary Vega, Director of Aransas Pass Chamber of Commerce provided an update on the 68<sup>th</sup> Annual Shrimporee. She reported that the recent rain was a factor with the low turnout at the event. Ms. Vega stated that this year, the event raised \$46,000 as compared to \$57,000 for last year, and discussed the events that the Chamber conducts throughout the year. Ms. Vega also reported on the Chamber sponsors and the amount of internet view. She thanked the City for their continued support.

4. **BOARD AND COMMISSION APPOINTMENTS:**

4.I. **Planning and Zoning Commission**

City Manager Carrillo stated that there is one vacancy on the Planning and Zoning Commission. She stated that Ms. Cynthia Vasquez has submitted a board application.

A motion was made Council Member Hyatt to appoint Cynthia Vaquez, seconded by Mayor Pro Tem Ellis, and the motion carried.

5. **CONSENT AGENDA**

5.I. **Ordinance No. 2016-4155, amending Ordinance No. 1308, Zoning Ordinance, by amending Part IV, Section 15, Non-Conforming Uses; and providing for a repealer clause.**

5.II. **Ordinance No. 2016, 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 and Manufactured Home Dwelling District; providing for a repealer clause and an effective date.**

- 5.III. Ordinance No. 2016-4157, 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.
- 5.IV. Ordinance No. 2016-4158, Ordinance of the City of Aransas Pass approving a Conditional Use Permit for a Bar, Lounge, or Tavern subject to a site plan and eight conditions on Lots 13 through 16, Block 558, Aransas Pass Townsite to Kevin and Samantha Simon.
- 5.V. Ordinance No. 2016-4160, Ordinance amending Chapter 10, Article II, "Food Establishment Regulations" of the Code of Ordinances, regarding the regulation of Food Establishments including Food Service Establishments, Retail Food Stores, Temporary Food Establishments, Mobile Food Units, and Roadside Food Vendors; repealing Article III of Chapter 10 entitled "Food Service Establishments"; providing a severability clause; and providing for an effective date.

A motion was made by Council Member Hyatt to approve the Consent Agenda, Items 5.I through 5.V, seconded by Council Member Abrego, and the motion carried.

## 6. PUBLIC HEARINGS:

- 6.I. Public hearing on the following Plats: A. Plat No. 1607008-P05, Aransas Pass Townsite, Block 425, Lots 15R and 16R (Final – 0.386 acre); B. Plat No. 1607009-P06, Wilke Estates, Block 1, Lots 1R and 5 (Final – 4.662 acres); C. Plat No. 1607010-P07, Aransas Pass Townsite, Block 262, Lots 14R, 15R and 16R (Final – 0.654 acre).

City Attorney Allen Lawrence opened the public hearing on the following Plats: Plat No. 1607008, Aransas Pass Townsite, Block 425, Lots 15R and 16R, .0386 acre; Plat No. 1607009-P06, Wilke Estates, Block 1, Lots 1R and 5, 4.662 acres; and Plat No. 1607010-P07, Aransas Pass Townsite, Block 262, Lots 14R, 15R, and 16R (0.654 acre).

Miguel Saldana, Director of Development Services referred to Plat No. 1607008-P05 and stated that the property owners, Dwayne and Sandra Townsend are requesting to replat their property and reorient the property to the side street of W. Magnolia. He added that the proposed re-plat meets all of the requirements of the Zoning Ordinance and State Law, and the Planning and Zoning Commission recommend approval.

City Attorney Lawrence asked if there were any objections, and Mr. Saldana stated that there were no. There being no further comments from the audience, Mr. Lawrence declared the public hearing closed.

Miguel Saldana, Director of Development Services referred to Plat No. 1607009-P06, and stated that the property owners, Donald Wilke is requesting to replat four and a half acres into two lots, leaving one lot of .2 acres which extends from W. Beasley to W. Rhodes, the other lot of .3 acre will be at the corner of Saunders and Beasley. He added that Lots 2, 3, and 4 were previously approved by Council. Mr. Saldana stated that the proposed replat meets all of the requirements of the Zoning Ordinance and State law, and the Planning and Zoning Commission recommend approval.

City Attorney Lawrence asked if there were any objections. Mr. Jerry Wellman, 1869 S. Saunders asked if the lot line matched the lot line across the street, so not to offset lots or houses, and asked about the housing requirements.

Rosita Gonzalez, resides at the corner of Saunders and Rhodes and expressed concern with the long stretch of lots behind the land and asked about the future plans for that area. City Manager Carrillo stated that changes in zoning would have to go through the Planning and Zoning Commission and explained the process.

Donnie Parack, 1857 S. Saunders, stated that the public notice received was for Lot 1, and commented on a recent for sale sign for that property, and opposes the replat.

A discussion ensued about what is allowed in that area, plans for area, previous council action on the lots. City Manager Carrillo stated that if the city receives an application for rezoning, instead of providing the required notice within 200 feet, the City will extend to provide notice within 5,000 feet.

There being no further comments from the audience, City Attorney Lawrence declared the public hearing closed.

Miguel Saldana, Director of Development Services referred to Plat No. 1607008-P05, and stated that property owners, Lizbeth and Martha Ugorji are requesting to replat the property to make the property wider and will give them an additional 60 feet to work with. Mr. Saldana stated that the proposed replat meets all of the requirements of the Zoning Ordinance, State law and the Planning and Zoning Commission recommend approval.

City Attorney Lawrence clarified that the right-of-way was 60 feet, and they are acquiring their 30 half, and Mr. Saldana concurred.

There being no further comments from the audience, City Attorney Lawrence declared the public hearing closed.

6.II Consider and Act on the following Plats: A. Plat No. 1607008-P05, Aransas Pass Townsite, Block 425, Lots 15R and 16R (Final – 0.386 acre); B. Plat No. 1607009-P06, Wilke Estates, Block 1, Lots 1R and 5 (Final – 4.662 acres); C. Plat No. 1607010-P07, Aransas Pass Townsite, Block 262, Lots 14R, 15R and 16R (Final – 0.654 acre).

A motion was made by Mayor Pro Tem Ellis to approve items 6.II (A, B, C), and to provide public notice for the Wilke Estates (Plat No. 1607009-P06) within 5,000 feet, seconded by Council Member Hyatt, and the motion carried.

## **7. CITY MANAGER**

7.I. Consideration of bids relating to the sale of obligations designated as “City of Aransas Pass, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2016”, consideration and approval of Financial Advisor’s recommendation concerning this matter; and other matters in connection therewith.

Mark McLinney, SAMCO Capital Markets stated that the Council previously approved SAMCO to proceed with Notice of Intention of \$3 million dollars in Certificates of Obligation, and to receive bids and bring results to Council to authorize the ordinance to issue Certificates of Obligation. He added that bids were due today at Noon, and five total bids were received, two from out of state, and three from within the state. Mr. McLinney stated that the bid submitted by William Blair & Company, LLC with an average interest rate over the time of the twenty year loan of 2.39 percent, which is the lowest ever sold. Mr. McLinney then discussed the bids submitted by the other companies, the total payback, the tax rate, and the structure of the loan. Mr. McLinney stated that they are recommending that the bonds be awarded to William Blair and Company, LLC.

- 7.II. Consideration and approval of Ordinance No. 2016-4159 authorizing the issuance of "City of Aransas Pass, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2016"; providing for the payment of said certificates by the levy of an Ad Valorem Tax upon all taxable property within the City and further securing said certificates by a lien on and pledge of the pledges revenues of the system; providing the terms and conditions of said certificates and resolving other matters incident and relating to the issuance, payment, security, sale and delivery of said certificates, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a Paying Agent/Registrar Agreement and an official bid form; complying with the requirements of the letter of representations previously executed 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.

Mr. McLinney stated that this item is approving the ordinance to issue the Certificates of Obligation and tied to 2.39 percent as submitted by William Blair and Company, LLC. He added that the low interest rate reflects on how well the City is managing finances and implementation of plans.

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

- 7.III Consider and Act on canceling the August 1, 2016 Regular Council Meeting.

City Manager Carrillo stated that due to the statutory requirements to set the tax rate by a certain date, Workshop Meetings are being held on July 16 and July 30, 2016, and she is recommending canceling the August 1<sup>st</sup> council meeting, and hold council meetings on August 15 (Regular), August 22 (Special), and August 29 (Special).

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

- 7.IV. Consider and Act on request from St. Mary's Star of the Sea Catholic Church to temporarily close Rife Street, from Goodnight to Wilson on October 16, 2016, from 10:00 am to 7:00 pm for the 8<sup>th</sup> Annual Fall Festival.

City Manager Carrillo stated that this is a request for a temporary street closure for the 8<sup>th</sup> Annual Fall Festival. The applicant, Mr. John Mullenax stated that this is more of a safety issue to temporarily close the street.

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

- 7.V. ~~Consider and Act on directing staff to implement an Ordinance on Utility Vehicles within the City limits.~~

Police Chief Blanchard stated that utility vehicles cannot be added into the ordinance since there is no statutory authority. He stated that the only exception is for a Commissioner's Court to add to an unincorporated area, which will still exclude the city.

There was no action on this item.

**8. COMMUNITY ENRICHMENT:**

There were no Community Enrichment items.

**9. DEVELOPMENT SERVICES:**

There were no Development Services items.

**10. FINANCE:**

There were no Finance items.

**11. INFORMATION TECHNOLOGY:**

There were no Information Technology items.

**12. PUBLIC SAFETY:**

**12.I. Police Department Stats for June 2016.**

Police Chief Blanchard provided a report on the statistics for the month of June 2016. He discussed the traffic stops, citations issued, violations cited, arrests, juvenile detentions, and code enforcement. In addition, he reported that in the month of June there was 1 complaint filed and it was external. He added that there were three staff recognitions, and a total of 360 training hours. Mr. Blanchard also discussed highlights for the Patrol Division, CID Division, Training Division, EMC Division and Animal Control Division.

**13. CITIZEN COMMENTS:**

Mayor Chapa referred to Citizen Comments.

Jerry Wellman, 1869 S. Saunders, commented on the need to pave streets in town, reduce septic systems, and improve drainage.

Rosita Gonzales, resides at Saunders and Rhodes, stated that directly across her home, a pine tree forest was cleared and the culvert that in that area was covered. She asked that the city look into the matter.

Prior to going into Executive Session, City Manager Carrillo stated that there is a Workshop Meeting on Saturday, July 23, 2016, and the Coalition on Domestic Violence is scheduled for tomorrow.

**14. EXECUTIVE SESSION**

The meeting was recessed into Executive Session at 7:48 pm under the provisions of Section 551, Texas Government Code to discuss the authority of:

- a. Section 551.071 – Deliberation regarding Real Property: Contract.

The Council returned from Executive Session at 8:03 pm.

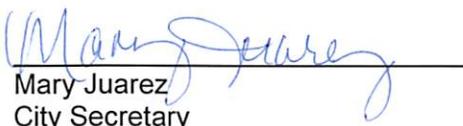
- a. Section 551.071 – Deliberation regarding Real Property: Contract.

A motion was made by Council Member Hyatt to authorize the City Manager to terminate discussions on the real property at Conn Brown Harbor, seconded by Council Member Abrego, and the motion carried.

15. ADJOURNMENT

There being no further business to come before the Council, Mayor Chapa adjourned the meeting at 8:03 pm.

  
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Adan Chapa  
Mayor

  
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Mary Juarez  
City Secretary

Approved on: August 23, 2011