

**COUNCIL PACKET**  
**May 16, 2016**



Mayor Adan Chapa  
Mayor Pro Tem Phillip Hyatt  
Council Member Vickie Abrego  
Council Member Billy Ellis  
Council Member Carrie Scruggs

## AGENDA

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ARANSAS PASS CITY HALL  
600 W. CLEVELAND BLVD., ARANSAS PASS, TEXAS  
MAY 16, 2016 • 7:00 P.M.

1. Mayor Adan Chapa to call meeting to order.
2. Invocation and Pledge of Allegiance to the United States Flag.
3. **CONSIDER AND ACT ON MAY 7, 2016 GENERAL ELECTION ITEMS:**
  - 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.
  - b. Conduct Swearing In of Newly Elected Council Members.
  - c. Consider and Act on appointing Mayor Pro Tem for ensuing year.
4. **PRESENTATIONS/PROCLAMATIONS:**
  - a. Presentation by Texas A&M University – Corpus Christi/MPA Program – Senior Center.
5. **BOARD AND COMMISSION APPOINTMENTS:**
  - a. Crime Control & Prevention District
6. **CITIZENS 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 Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*
  - 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.

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

- a. Consider and Act on awarding bid for 13<sup>th</sup> Street.
- b. Consider and Act on request from Aransas Pass Chamber of Commerce to temporarily close streets during Shrimporee Event.
- c. Consider and Act on Softball Complex Lease with Roland Pena.
- d. Consider and Act on awarding Request for Proposals for Community Park.

**9. CONSIDER AND ACT ON COMMUNITY ENRICHMENT ITEM(S): (None)**

**10. CONSIDER AND ACT ON DEVELOPMENT SERVICES ITEM(S): (None)**

**Building Department**

**Public Works**

**Planning**

**11. CONSIDER AND ACT ON FINANCE ITEM(S): (None)**

**12. CONSIDER AND ACT ON PUBLIC SAFETY ITEM(S): (None)**

**Police**

**Fire**

**EMS**

**Harbor**

**Emergency Management**

**13. CONSIDER AND ACT ON INFORMATION TECHNOLOGY ITEM(S): (None)**

**14. PUBLIC HEARING(S):**

**CONDITIONAL USE PERMIT**

- a. Public hearing on Application of 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.
- 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 First Addition, Aransas Pass, Texas.

**RE-PLATS**

- 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.

- 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.
- 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.
- 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.

**TEXT AMENDMENTS**

- 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.
- 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.

**15. CITY MANAGER UPDATE(S):**

- a. Platting & Subdivision Ordinance – Reasonable Distance of Water and Sewer Lines.

**16. DEPARTMENT UPDATE(S): (None)**

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

The City Council may recess into Executive Session to discuss the following items pursuant to Chapter 551 of the Texas Government Code:

- 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.

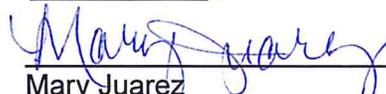
Reconvene in Open Meeting to Consider and Act on Findings of Executive Session.

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

**18. ADJOURNMENT:**

**POSTING STATEMENT:**

I certify that the above notice of meeting was posted at the Aransas Pass City Hall located at 600 W. Cleveland Blvd., Aransas Pass, Texas on May 13, 2016, at 10:40 am

  
\_\_\_\_\_  
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 before the meeting.

For the Council Meeting of May 16, 2016

Roll:

Present Yes/No (Y/N)

- Allen Lawrence
- Adan Chapa
- Phillip Hyatt
- Vickie Abrego
- Billy Ellis
- Carrie Scruggs

— Special Guests:

Certified:

City Secretary

## ITEM 2

INVOCATION BY: (Name), \_\_\_\_\_  
(Title) \_\_\_\_\_

PLEDGE OF ALLEGIANCE: (Name) \_\_\_\_\_  
(Title) \_\_\_\_\_



# CITY OF ARANSAS PASS

**AGENDA MEMORANDUM**  
City Council Meeting of May 16, 2016

**Date:** May 10, 2016  
**To:** Mayor and Council Members  
**From:** Sylvia Carrillo, City Manager  
scarrillo@aransaspasstx.gov

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## **Agenda Item No. 3a**

**Title:** Canvassing of Election Results – May 7, 2016

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### **PURPOSE:**

- 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 for the purpose of electing Council Members for Places 2 and 4, and two Charter Amendments.
- b. Conduct Swearing-in of Newly-Elected Council Members
- c. Consider and Act on appointment Mayor Pro Tem for ensuing year.

### **BACKGROUND AND FINDINGS:**

The purpose of this item is to canvass the returns of the May 7, 2016 General/Special Election. Upon completion of the canvass, the election results become official. In addition, Article III, Section 5, of the City Charter, requires that the first meeting after each regular city election, the Council shall select one of their members to serve as Mayor Pro Tempore.

The City Council ordered that a General and Special Election be held on May 7, 2016. The general election was ordered to elect Council Member Place 2 and Council

Member Place 4. The special election was for the consideration of two (2) Charter Amendments.

**CONFORMITY TO CITY POLICY:**

This item conforms with the Texas Election Code and the City Charter.

**RECOMMENDATION:**

Staff recommends approval of the Resolution.

**LIST OF SUPPORTING DOCUMENTS:**

Resolution



# CITY OF ARANSAS PASS

**AGENDA MEMORANDUM**  
City Council Meeting of May 16, 2016

**Date:** May 11, 2016

**To:** Mayor and City Council

**From:** Sylvia Carrillo, City Manager  
scarrillo@aransaspasstx.gov

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## **Agenda Item No. 5a**

**Title:** Consider and Act on re-appointing/appointing members to the Aransas Pass Crime Control & Prevention District

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### **PURPOSE:**

To appoint directors to the Aransas Pass Crime Control & Prevention District for two-year terms to September 1, 2017.

### **BACKGROUND AND FINDINGS:**

Terms expire for the following members: Terry Stansberry, Earl Buckmaster, Carol Salinas, and Jay Attaway.

The following members are seeking reappointment: Terry Stansberry and Carol Salinas. Their board applications are attached.

Mr. David Harris has submitted a board application for appointment to replace Jay Attaway.

There is still one vacancy and staff will re-advertise for board applications.

### **DEPARTMENTAL CLEARANCES:**

City Council

### **LIST OF SUPPORTING DOCUMENTS:**

Application to follow agenda memo.



# CITY OF ARANSAS PASS

## BOARDS & COMMISSIONS APPLICATION

DATE: 5-9-2016

List the Boards and/or the Commissions on which you want to serve:

1<sup>st</sup> Choice: Planning & Zoning

2<sup>nd</sup> Choice: Crime Control

3<sup>rd</sup> Choice: \_\_\_\_\_

Name: Carol L. Salinas Phone No. 361-758-3685

Address: 858 S. 11<sup>th</sup> St. Alt. Phone: \_\_\_\_\_

City/State/Zip: Aransas Pass, TX 78336

Current Employment: retired

Resident of Aransas Pass 10 years Registered Voter? Yes  No \_\_\_\_\_

Educational Background: Assoc. Degree, Business

Occupational Experience: USDA-FSA County Executive Director 26 years

Additional experience that would qualify you to serve on a City Board or Commission:

City of Portales, NM, Asst City Clerk 10 years

Boards or Commissions you have served on previously and dates served:

Planning & Zoning Oct, 2013 to present

Crime Control Oct 2013 to present

Civic or community activities you have been involved with:

4-H Leader, Portales, NM

Please return completed form to the City Secretary's Office



# CITY OF ARANSAS PASS

## BOARDS & COMMISSIONS APPLICATION

DATE: 5-12-16

List the Boards and/or the Commissions on which you want to serve:

1<sup>st</sup> Choice: CRIME BOARD

2<sup>nd</sup> Choice: \_\_\_\_\_

3<sup>rd</sup> Choice: \_\_\_\_\_

Name: TERRY STANSBERRY Phone No. 758-7071

Address: 927 S. LAMONT Alt. Phone: \_\_\_\_\_

City/State/Zip: ARANSAS PASS TX 78336

Current Employment: OXYCHEM

Resident of Aransas Pass 48 years Registered Voter? Yes  No

Educational Background: APISD, DEL MAR

Occupational Experience: TECH

Additional experience that would qualify you to serve on a City Board or Commission:

\_\_\_\_\_  
\_\_\_\_\_

Boards or Commissions you have served on previously and dates served:

MDD HOUSING AUTHORITY

CRIME BOARD SCHOOL BOARD

Civic or community activities you have been involved with:

Little League

\_\_\_\_\_

**Please return completed form to the City Secretary's Office**

**600 W. CLEVELAND BLVD. - P.O. BOX 2000 - ARANSAS PASS, TEXAS 78335-2000  
PHONE (361) 758-5301 - FAX (361) 758-8188**



# CITY OF ARANSAS PASS

## BOARDS & COMMISSIONS APPLICATION

DATE: 2-2-2016

List the Boards and/or the Commissions on which you want to serve:

1<sup>st</sup> Choice: CRIME Board

2<sup>nd</sup> Choice: \_\_\_\_\_

3<sup>rd</sup> Choice: \_\_\_\_\_

Name: DAVID HARRIS Phone No. 361-230-0098

Address: 435 W. Maddox Ave. Alt. Phone: \_\_\_\_\_

City/State/Zip: ARANSAS PASS, TEXAS 78336

Current Employment: H.E.B

Resident of Aransas Pass 30 years Registered Voter? Yes  No \_\_\_\_\_

Educational Background: H.S. Diploma 1 semester of college

Occupational Experience: GMF Fabricators 27 years

Additional experience that would qualify you to serve on a City Board or Commission:

\_\_\_\_\_  
\_\_\_\_\_

Boards or Commissions you have served on previously and dates served:

\_\_\_\_\_  
\_\_\_\_\_

Civic or community activities you have been involved with:

Volunteer Fire Fighter APFD

\_\_\_\_\_

*Please return completed form to the City Secretary's Office*

600 W. CLEVELAND BLVD. - P.O. BOX 2000 - ARANSAS PASS, TEXAS 78335-2000  
PHONE (361) 758-5301 - FACSIMILE (361) 758-8188

## Citizens Comments

Name:

Address:

Comment:

**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.**

WHEREAS, the City of Aransas Pass, Texas ("City") is an electric utility customer of AEP Texas Central Company ("TCC" or "Company"), and a regulatory authority with an interest in the rates and charges of TCC; and

WHEREAS, the City is a member of the Cities Served by AEP TCC ("Steering Committee"), a membership of similarly situated cities served by TCC that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in TCC's service area; and

WHEREAS, on or about April 6, 2016 TCC filed with the City an Application for Approval of a Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 45787, seeking to increase electric distribution rates by \$54,012,978; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, the Steering Committee is coordinating its review of TCC's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

WHEREAS, the Steering Committee's members and attorneys recommend that members deny the DCRF.

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

Section 1. That the City is authorized to participate in the Steering Committee in PUC Docket No. 45787.

Section 2. That subject to the right to terminate employment at any time, the City of Aransas Pass, Texas hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 3. That the rates proposed by TCC to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 4. That the Company shall continue to charge its existing rates to customers within the City.

Section 5. That the City's reasonable rate case expenses shall be reimbursed in full by TCC within 30 days of presentation of an invoice to TCC.

Section 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 7. That a copy of this Resolution shall be sent to Jay Toungate, American Electric Power Service Corporation, 1201 Elm Street, Suite 800, Dallas, Texas 75270 and to Thomas Brocato, General Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Adan Chapa, Mayor

ATTEST:

\_\_\_\_\_  
Mary Juarez, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Allen S. Lawrence, Jr. City Attorney

**RESOLUTION NO. 2016-781**

**RESOLUTION ADOPTING THE PROVISIONS OF THE NUECES COUNTY  
HURRICANE REENTRY PLAN.**

WHEREAS, the communities of the Coastal Bend acknowledge the benefit of regional collaboration to prepare and respond to major emergencies and disasters; and,

WHEREAS, the Texas Government Code 418.108 provides for the ability of local Emergency Management Directors to mandate evacuations for the preservation of life and control ingress to and egress from a disaster area; and,

WHEREAS, the Texas Government Code 418.050 directs the Texas Division of Emergency Management to develop a phased reentry plan, this plan is intended to outline local requirements and compliment, not supplant local or state authority; and,

WHEREAS, these communities acknowledge the importance of common terminology to clearly articulate a collaborated message to their citizens, responders and other private and public partners; and,

WHEREAS, Each local government maintains its individual autonomy to call for local evacuations and allow for safe and rapid reentry as allowed by law, however, signatories to this plan will abide by the provisions to the extent possible given the incident in which it is applicable. And,

NOW, THEREFORE, BE IT RESOLVED that the Aransas Pass City Council adopts the Nueces County Hurricane Reentry Plan.

DULY ADOPTED BY VOTE OF THE CITY COUNCIL OF ARANSAS PASS,  
TEXAS ON THE 2ND DAY OF MAY, 2016.

ATTESTED BY:

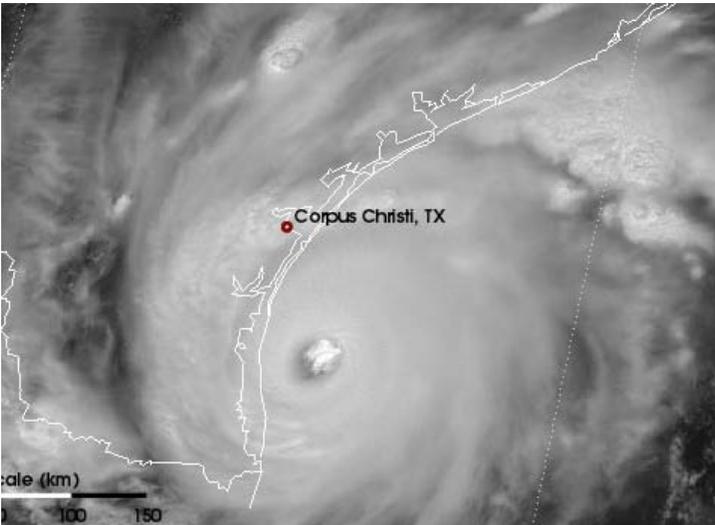
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Adan Chapa, Mayor  
Aransas Pass

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Mary Juarez, City Secretary

# Nueces County Hurricane Reentry Plan



### APPROVAL & IMPLEMENTATION

**This Plan is hereby approved and is effective immediately. This Plan supersedes all other Plans. Various Resolutions support this Plan and its participants TO BE MAINTAINED BY EACH BELOW SIGNATOR. ALL PARTICIPANTS ARE TO BE GIVEN 60 DAYS NOTICE INTENT TO WITHDRAW.**

Nueces County Judge \_\_\_\_\_ Date: \_\_\_\_\_  
Judge Samuel L. Neal

City of Bishop \_\_\_\_\_ Date: \_\_\_\_\_  
Mayor Victor Ramos

City of Corpus Christi \_\_\_\_\_ Date: \_\_\_\_\_  
Mayor Joe Adame

City of Port Aransas \_\_\_\_\_ Date: \_\_\_\_\_  
Mayor Keith McMullen

City of Robstown \_\_\_\_\_ Date: \_\_\_\_\_  
Mayor Rodrigo Ramon

Other:  
Department of Public Safety \_\_\_\_\_ Date: \_\_\_\_\_  
Captain Rhonda Lawson, THP

**APPROVAL & IMPLEMENTATION**

**This Plan is hereby approved and is effective immediately. This Plan supersedes all other Plans. Various Resolutions support this Plan and its participants TO BE MAINTAINED BY EACH BELOW SIGNATOR. ALL PARTICIPANTS ARE TO BE GIVEN 60 DAYS NOTICE INTENT TO WITHDRAW.**

City of Aransas Pass \_\_\_\_\_ Date: \_\_\_\_\_  
Mayor Adan Chapa

DRAFT



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**ATTACHMENTS:**

- ATTACHMENT 1: Tier Definitions Quick Reference**
- ATTACHMENT 2: Evacuation Order Exemption**
- ATTACHMENT 3: Required Agency Credentials**
- ATTACHMENT 4: Proof of Residency**
- ATTACHMENT 5: Security Control Point Procedures**
- ATTACHMENT 6: Emergency Contact Information**
- ATTACHMENT 7: Implementation Plan**
- ATTACHMENT 8: Sample City/County Resolution**
- ATTACHMENT 9: Nueces County Hurricane Reentry Registry**

## AUTHORITY

- a. Government Code 418.108 Local Evacuation Authority
- b. Government Code 418.050 Phased Reentry Plans
- c. Coastal Bend Regional Coordination Plan to Catastrophic Incidents- Coastal Bend Regional Hurricane Reentry Plan Annex

## 2. PURPOSE

To establish countywide reentry procedures for use in the event of a direct hurricane impact when a mandatory evacuation order has been issued and remains in effect to maintain continuity of government and provide for the safe and orderly return of citizens into the impacted area(s). This plan is intended to complement the Coastal Bend Regional Hurricane Reentry Plan Annex to the Coastal Bend Regional Coordination Plan to Catastrophic Incidents maintained by the Coastal Bend Council of Governments and the Regional Response Working Group.

A key component of continuity of government preparedness planning includes deliberate plans to ensure the continuation of essential functions through a wide range of incidents and requires a collaborated and concerted effort to coordinate provisions for federal, state, and local governmental entities, private sector, public sector, volunteer organizations active in disaster (VOAD) and agencies that provide critical services to assist first responders in the execution of their duties and those in direct support of critical infrastructure/key resources.

To promote and facilitate the timely reentry of essential response and recovery personnel, governmental officials, property owners, business owners, media, etc, to speed the recovery of affected jurisdictions within Nueces County and its economy, and to provide uniform guidance following a hurricane impact **for personnel who may require early reentry and access into the impacted area prior to the retraction of the local evacuation order.**

## 3. EXPLANATION OF TERMS

### Acronyms:

CBCOG	Coastal Bend Council of Governments
CI/KR	Critical Infrastructure/Key Resource
DDC	Disaster District Committee
EMD	Emergency Management Director
EOC	Emergency Operations Center
JIC	Joint Information Center
NIMS	National Incident Management System
PIO	Public Information Officer
POD(s)	Point(s) of Distribution
RSA	Resource Staging Area
VOAD	Voluntary Organizations Active in Disaster

**Definitions:**

**Critical Infrastructure/Key Resources (CI/KR)**- The infrastructure and assets vital to national security, governance, public health and safety, economy and public confidence. The following subjects make up the critical infrastructure: Agriculture/Food, Water, Public Health, Emergency Services, Defense Industrial Base, Telecommunications, Energy, Transportation, Banking and Finance, Chemical and Hazardous Materials, and Postal and Shipping.

**Disaster District Committee (DDC)**- The DDC consists of a Chairperson (the local Highway Patrol Captain) and representatives of the state agencies and volunteer groups represented on the State Emergency Management Council with resources in the district. The DDC Chairperson, supported by committee members, is responsible for identifying, coordinating the use of, committing, and directing state resources within the district to respond to emergencies.

**Emergency Management Director (EMD)**- The Chief Elected Official (Mayor/Judge) of each jurisdiction is designed as the EMD. The Emergency Management Coordinator (EMC) is the legally appointed designee of the EMD to carry out the day-to-day functions and responsibilities of the jurisdictions emergency management program.

**Immediate Mass Care**- A series of resources assembled to provide for the distribution of food, water, ice and emergency medical services in an impacted area until such time as the Resource Staging Area (RSA) and Points of Distribution (PODs) are established and the 911 system is reactivated.

**Point of Distribution (POD)**- An area selected and operated by a local government as temporary staging for distribution of basic commodities to citizens following a disaster. PODs are continuous drive through sites at which the public does not get out of their vehicle; rather they drive through the site where volunteers load resources into vehicles and the public can obtain information.

**Reentry**- The process of allowing appropriate agencies and vendors access to damaged areas affected by hurricane-related hazards. Reentry marks the transition from the response phase through landfall and prior to the recovery phase of the disaster. It includes the effort to restore continuity of government and critical infrastructure/key resources to support the community.

**Repopulation**- The process of returning evacuees from shelters in host communities that did not self evacuate. This will occur only after the mandatory evacuation order has been lifted and general population has been allowed to return to the impacted area.

**Tier Definitions:**

- a. Tier ER personnel include Reentry Teams conducting **search and rescue (SAR) and security force operations**. Immediate and unrestricted access will be granted to SAR agents including local Fire/EMS, law enforcement, Texas Military Forces and emergency

response agencies in support of efforts in the affected area. Tier ER personnel are typically uniformed and are in clearly identified emergency response vehicles.

- b. Tier 1 personnel include Reentry Teams conducting **immediate mass care and damage assessment**. Tier 1 personnel should travel in marked company vehicles and must possess valid agency credentials.
  - CI/KR and utilities assessment personnel must be permitted immediate access to ensure essential services, such as water, power and communications, are restored and infrastructure is intact. Municipal utilities and public works personnel are included as well as private organizations active in assessment of major industrial facilities.
  - Official damage assessment teams may include Federal, State and local officials and are required to possess official agency identification credentials.
  - Immediate mass care is typically provided by recognized state agencies such as Texas Military Forces and limited state VOADs such as American Red Cross, Texas Salvation Army and Texas Baptist Men. Most other disaster relief workers are classified as Tier 2.
  - Other personnel at the discretion of the local Emergency Management Director.
- c. Tier 2 personnel include Reentry Team personnel conducting **restoration of essential services, point of distribution (POD) and other support operations**. Essential services include power, infrastructure, public works, wastewater/water and utility repair and restoration. Tier 2 personnel should travel in marked company vehicles and must possess valid agency credentials.
  - Relief workers will be needed to provide food and other supplies for first responders and people that did not evacuate the impacted area (s).
  - Health care agency personnel, which may include hospitals, nursing homes and assisted living facilities and dialysis centers. Credentialed volunteer health professionals possessing valid identification may be included.
  - Insurance agents and adjusters.
  - Reentry of key business operations and media in the impact area may be delayed until major routes are open and the threat to public safety subsides. The local Emergency Management Director will make the decision when to permit business operators into the impacted areas based on an overall evaluation of the situation. An example of businesses that may be allowed reentry as Tier 2 include those that have far reaching impact on recovery such as grocery stores, fuel providers, pharmacies, banking institutions and other “big box” providers (i.e. Wal-Mart, Home Depot, Lowes).
- d. Tier 3 personnel include **business operators not allowed reentry under Tier 2 and residents of the impacted area**, at the discretion of the local Emergency Management Director. Tier 3 operators and residents should be prepared to provide appropriate agency credentials and/or proof of residency as appropriate. A non-inclusive list of approved proof of residency documents is contained in Attachment 4.
  - Other local, state and federal officials requiring reentry may be granted access based on mission and safety considerations.

#### 4. SITUATION AND ASSUMPTIONS

- a. This plan acknowledges that not all citizens have been required to immediately leave the area defined by the evacuation order. The local EMD issuing the order has also defined who has been allowed to stay and has made provisions to ensure their safety to the extent possible. These individuals may include essential government personnel, first responders and limited private organizations in direct support of critical infrastructure/key resources. These individuals and organizations are considered self sufficient and remain in the evacuation area with the understanding that regular and customary access to emergency services does not exist. These individuals and organizations are to be directly coordinated with the local EOC and Office of Emergency Management.
- b. Industry personnel engaged in refining/production shut down operations should be afforded the opportunity to complete these operations for the safety of all personnel and help ensure limited environmental impacts. These companies may need to hold staff over to complete this process even after the mandatory order is issued however companies are to ensure their employees are afforded enough time to evacuate prior to the onset of tropical storm force winds (except for those organizations participating in the evacuation exemption program).
- c. Immediately following landfall of a catastrophic hurricane, a rapid and orderly movement of essential personnel and services into the impact area is essential to aid in rapid recovery. Reentry will occur in a **“tiered approach”** based on key roles in restoring normal operations after the disaster. Events that occur within the specific jurisdiction and/or geographically defined evacuation area will dictate, based on local needs and variable factors, what personnel will potentially need access into the affected area. Safety with regard to public health, travel accessibility, hazardous materials mitigation and rescue operations will be paramount and of crucial importance in determining who is allowed reentry.
- d. Security control points will be established to restrict entry into the impact area as directed by the EMD. The Texas Department of Public Safety will assist in execution of this task at the request of the EMD under the direction of the Disaster District Chairman. However, local jurisdictions will be required to maintain the lead in this effort to the extent possible to avoid conflicts.
- e. Recommended standard security control point procedures are included in Attachment 5 for use as applicable.
- f. Agencies, organizations and companies with a priority need to enter the area to perform essential services or restoration should coordinate the request with the local Emergency Operations Center and to the extent possible, the local Office of Emergency Management prior to hurricane season. Any false or inaccurate information provided may be grounds for refusal of the request.

- g. The State Operations Center will also be coordinating reentry operations for applicable organizations in support of local response actions as allowed by law. Agencies, organizations and companies whose request is determined to meet the criteria for entry by the State Operations Center will be coordinated through the local DDC. Updated applicable plans are to be posted on the Texas Division of Emergency Management website as they become available.
- h. Except in the event of an emergency evacuation, those individuals granted access to a restricted area should depart through the same entry point to ensure accountability and safety of personnel working within the restricted area.
- i. In the event information indicates an entry letter or tier credential is misused, the letter or credential will be immediately confiscated by law enforcement authorities and returned to the issuing agency.
- j. This plan incorporates known best practices along the Texas Gulf Coast following the responses the Hurricanes Rita (2005) and Ike (2008).

## **5. CONCEPT OF OPERATIONS**

### **General**

All personnel shall operate utilizing the National Incident Management System (NIMS) principles and follow the locally established Incident Command System in the impact area. This effort will be coordinated through the local EOC.

Personnel traveling in groups through security control points should all possess the same level of credentialing or greater. Individuals not meeting the requirements for reentry will not be allowed entry. Additionally, family members and friends will not be allowed entry.

All personnel working in the impact area shall carry proper agency credentials on their person at all times and should be aware of locally established curfews and area restrictions. Required documentation is outlined in Attachment 3 of this document.

### **Local Government**

Provide timely updates on status of evacuation and reentry orders to the County EOC, DDC and 211. The Public Information Officer (PIO) appointed by the EMD, working through the Joint Information Center (JIC) if established, will have the primary responsibility for public information for the jurisdiction represented and will disseminate information regarding the reentry check-point process and methods for gaining reentry. Additional information will be provided to the public regarding general safety measures and any additional specific information deemed necessary to ensure the safety of the returning citizens. The JIC will be coordinated with the appropriate EOCs and DDC.

### **DDC/State**

Maintain updated and accurate accounting of local evacuation and reentry orders.

## **6. ASSIGNMENT OF RESPONSIBILITIES**

- a. **The EMD will issue evacuation orders and ensure timely and accurate information is disseminated.**
- b. The County EMC will maintain this plan, ensure appropriate approvals are obtained and oversee local implementation of established procedures as outlined in Attachment 7. Process requests for Evacuation Exemption and Tier 1 designation letters and prepare for signature as appropriate.
- c. The City EMC(s) will oversee local implementation of established procedures as outlined in Attachment 7. Process requests for Evacuation Exemption and Tier 1 designation letters and prepare for signature as appropriate.
- d. Law Enforcement will provide general support for implementation of this plan and ensure compliance with evacuation orders as appropriate.

## **7. ADMINISTRATION AND SUPPORT**

The Nueces County Office of Emergency Management agrees to provide administrative services necessary to coordinate this agreement to include notification to participants of new signatories or withdrawals. Also, all participating jurisdictions will be provided with a current list of contact information for all participants.

## **8. PLAN DEVELOPMENT AND MAINTENANCE**

Recommended changes to this plan should be forwarded to the Nueces County Office of Emergency Management for consideration. As needed, this plan will be updated accordingly. To the extent possible, this plan should become part of the jurisdictions state approved Annex E (Evacuation).

### **ATTACHMENTS:**

- ATTACHMENT 1: Tier Definitions Quick Reference**
- ATTACHMENT 2: Evacuation Order Exemption**
- ATTACHMENT 3: Required Agency Credentials**
- ATTACHMENT 4: Proof of Residency**
- ATTACHMENT 5: Security Control Point Procedures**
- ATTACHMENT 6: Emergency Contact Information**
- ATTACHMENT 7: Implementation Plan**
- ATTACHMENT 8: Sample City/County Resolution**
- ATTACHMENT 9: Nueces County Hurricane Reentry Registry**

## **ATTACHMENT 1: Tier Definitions Quick Reference**

*The intent of this reentry policy is to assume immediate and unrestricted access to both Tier ER & 1 personnel as soon as the responding agency feels it safe to begin operations in the impacted area however this policy implementation will be event dependent given numerous unknown variables. The final decision will remain that of the EMD.*

*Responding organizations reenter at their own risk acknowledging that many unknown hazards may still exist that have not yet be identified by local officials. The local Incident Commander will have the responsibility to make determinations where personnel may further be restricted within defined areas in the impact area as outlined in the appropriate City/County Emergency Management Plan. Additionally, organizations entering an impacted area are subject to the check-in procedures established by the local Incident Commander.*

### **Tier ER- Search and rescue (SAR) and security force operations**

Tier ER personnel are typically uniformed and are in clearly identified emergency response vehicles. These organizations are not required to request or carry a reentry authorization letter however should be prepared to provide proof of deployment orders, mission assignment or other similar documentation authorizing work assignment in the impacted area for the designated incident.

- SAR agents include local Fire/EMS, law enforcement, Texas Military Forces and other State and/or Federal emergency response teams such as Texas Task Force One/Two.

### **Tier 1- Immediate mass care and damage assessment.**

Tier 1 personnel should travel in marked company vehicles and must possess valid agency credentials. Personnel in this category are expected request Tier 1 reentry authorization prior to hurricane season and should be prepared to provide proof of deployment orders, mission assignment or other similar documentation authorizing work assignment in the impacted area for the designated incident.

- CI/KR and utilities assessment personnel must be permitted immediate access to ensure essential services, such as water, power and communications, are restored and infrastructure is intact. Municipal utilities and public works personnel are included as well as private organizations active in assessment of major industrial facilities.
- Official damage assessment teams may include Federal, State and local officials and are required to possess official agency identification credentials.
- Immediate mass care is typically provided by recognized state agencies such as Texas Military Forces and limited state VOADs such as American Red Cross, Texas Salvation Army and Texas Baptist Men. Most other disaster relief workers are classified as Tier 2.
- Other personnel at the discretion of the local Emergency Management Director.

**Tier 2- Restoration of essential services, point of distribution (POD) and other support operations.** Essential services include power, infrastructure, public works, wastewater/water and utility repair and restoration. Tier 2 personnel should travel in marked company vehicles and must possess valid agency credentials. These organizations are not required to request or carry a reentry authorization letter however should be prepared to provide proof of deployment

orders, mission assignment or other similar documentation authorizing work assignment in the impacted area for the designated incident.

- Relief workers will be needed to provide food and other supplies for first responders and people that did not evacuate the impacted area (s).
- Health care agency personnel, which may include hospitals, nursing homes and assisted living facilities and dialysis centers. Credentialed volunteer health professionals possessing valid identification may be included.
- Insurance agents and adjusters.
- Reentry of key business operations and media in the impact area may be delayed until major routes are open and the threat to public safety subsides. The local Emergency Management Director will make the decision when to permit business operators into the impacted areas based on an overall evaluation of the situation. An example of businesses that may be allowed reentry as Tier 2 include those that have far reaching impact on recovery such as grocery stores, fuel providers, pharmacies, banking institutions and other “big box” providers (i.e. Wal-Mart, Home Depot, Lowes).

**Tier 3- Business operators not allowed reentry under Tier 2 and residents.**

Tier 3 operators and residents should be prepared to provide appropriate agency credentials and/or proof of residency as appropriate.

*All others not defined previously are considered “general population” and will be allowed reentry after the mandatory evacuation order has been lifted.*

*Any conflict at designated check points will be routed through the local Incident Commander and EOC as appropriate for resolution. The safety of personnel will be the ultimate deciding factor in ALL cases.*

**\*\*Nueces County Tier 1 authorization letters will only be issued on a standardized and recognizable letterhead that has been mutually agreed upon.\*\***

## **ATTACHMENT 2: Evacuation Order Exemption**

In the event of an impending hurricane threat, the local Emergency Management Director issuing the mandatory evacuation order shall approve organizations allowed to remain in the impact zone. These organizations approved for exemption may include essential government personnel, first responders and limited private organizations in direct support of critical infrastructure/key resources. These individuals and organizations are considered self sufficient and remain in the evacuation area with the understanding that access to emergency services does not exist. This effort is to be directly coordinated with the local Emergency Operations Center.

Organizations requesting evacuation exemption should have a written plan to include provisions for adequate food, water, shelter and medical needs for a minimum of 72 hours post landfall. Additionally, these organizations should have back up power and emergency communications capabilities such as satellite phones and/or HAM radio.

All organizations authorized to be exempt from the evacuation order should be prepared to provide an updated list of personnel and the location that that they will be sheltered to the EOC and/or Emergency Management Coordinator upon request.

Emergency services personnel will be conducting search and rescue activities immediately post landfall. Citizens that failed to evacuate must remain the priority however they also acknowledge that they must confirm the safety of those personnel considered exempt. For this reason, it is important for exempt organizations to report status to the EOC as soon as possible after landfall.

For purposes of this plan, all exempt personnel should also be classified as either Tier ER or Tier 1 Essential Personnel and carry appropriate credentials. Evacuation exempt organizations must be cognizant that exemption does not constitute the ability to roam freely in the post disaster environment. Established curfews and subsequent orders must be abided by all to ensure safety and security within the impacted area. Any questions regarding this issue should be directed to the local Office of Emergency Management or EOC.

**\*\*Nueces County evacuation exemption letters will only be issued on a standardized and recognizable letterhead that has been mutually agreed upon.\*\***

### **ATTACHMENT 3: Required Agency Credentials**

All personnel working in the impact area shall carry proper credentials and identification on their person at all times. Recommended agency identification/credentials are established as follows:

#### **All**

- State issued driver's license or identification card
- Proof of deployment orders, mission assignment or other similar documentation authorizing work assignment in the impacted area for the designated incident.

#### **Governmental Employees:**

- Agency Photo Identification.
- Designation of "essential" or "disaster personnel" should be prominently displayed.
- Local volunteer personnel such as fire department/emergency services district personnel should possess applicable locally recognized identification as appropriate.

*(Local governmental and/or voluntary agencies lacking agency identification should contact the Coastal Bend Council of Governments for details regarding available identification solutions)*

#### **Private/VOAD Organizations:**

- Agency identification with photo.
- Tier 1 Level Essential Personnel Authorization Letter and/or company designation letter detailing the employee essential function and to the extent possible defining the geographic area where work is to be performed.

#### **Additional**

- Employees performing work that requires special credentialing/licensing should be prepared to produce credentials as required by the certifying agency. (TCLEOSE, DSHS license/certification, TCEQ, etc.)

#### **ATTACHMENT 4: Proof of Residency**

Tier 3 operators and residents should be prepared to provide appropriate agency credentials and/or proof of residency as appropriate.

Proper identification for resident access should include one or more of the following:

- current state issued driver's license or identification card
- utility bill
- mortgage deed
- property tax documents
- or any governmental document which includes an address or other means that identifies the location of their property.

*~~The City of Port Aransas has issued city identification cards to their citizens and essential personnel. (Program no longer available) Other jurisdictions may add similar requirements and will be added to this plan as made available.~~*

## **ATTACHMENT 5: Security Control Point Procedures**

Security control points will be established to restrict entry into the impact area as directed by the EMD. The Texas Department of Public Safety will assist in execution of this task at the request of the Emergency Management Director under the direction of the Disaster District Chairman. However, local jurisdictions will be required to maintain the lead in this effort to the extent possible to avoid conflicts.

The number of security control points will be determined by the local jurisdiction and will be event dependant. Staffing and equipment support may need to expand and contact as needed to accommodate the overall vehicle volume. Operational shifts and personnel staffing requirements should be clearly defined including adequate provisions for day and night operations. The operating hours and personnel requirements will be based on curfews and other factors.

Due to the regional applicability of security control points, the DDC will be a key coordinating entity.

Current evacuation and reentry orders are to be maintained at the DDC.

### **Recommended equipment for checkpoints:**

- . Light towers
- . Barricades
- . Port-o-potties
- . Portable Message Boards
- . Mobile Command Post
- . Pop Up Tents
- . Rehab Items such as food, water and ice
- . Mosquito Spray
- . White Shoe Polish
- . Fuel

*Area law enforcement agencies should continue to develop traffic control plans/procedures to support this task and may be added to this document at a later date as appropriate.*

**ATTACHMENT 6: Emergency Contact Information**

**Nueces County Judge Neal**

**Office of Emergency Management**

*Serving all unincorporated areas of Nueces County and the Cities of Agua Dulce, Bishop, Driscoll and Petronila*

Danielle Hale, County EMC

[Danielle.hale@co.nueces.tx.us](mailto:Danielle.hale@co.nueces.tx.us)

361-888-0513 Office

361-887-2206 EOC Fax

**City of Aransas Pass**

**Office of Emergency Management**

Lynn Pearce, City EMC

[lpearce@ap-police.com](mailto:lpearce@ap-police.com)

361-758-5301 Office

361-???-???? EOC Fax

**City of Corpus Christi**

**Office of Emergency Management**

Billy Delgado, City EMC

[billyd@cctexas.com](mailto:billyd@cctexas.com)

361-826-1100 Office

361-880-3971 EOC Fax

**City of Port Aransas**

**Office of Emergency Management**

Rick Adams, City EMC

[radams@cityofportaransas.org](mailto:radams@cityofportaransas.org)

361-749-4111 Office

361-749-4723 EOC Fax

**City of Robstown**

**Office of Emergency Management**

Ricardo Gonzales, City EMC

[Rfd@cityofrobstown.com](mailto:Rfd@cityofrobstown.com)

361-387-2522 Office

361-387-9353 EOC Fax

## **ATTACHMENT 7: Implementation Plan**

The signatories to this plan will develop a local implementation process. City/County emergency managers will continue to work towards a county-wide solution however may not be available prior to the 2011 Hurricane Season, therefore, local communities should continue to work towards a local implementation process.

The County Judge will approve letters for companies performing business in the unincorporated areas of the County, the other communities that are signatories to the County Emergency Management Plan (Agua Dulce, Driscoll and Petronila), as well as, those with county-wide responsibility such as utility companies and “big box” stores like HEB.

Each City Mayor will have the responsibility to approve letters for companies performing business within the City limits of their community.

A record should be maintained for each of the businesses issued a letter and be maintained locally for future reference if needed.

Possible implementation options may include:

- online auto-fill form accessible through City/County website
- hand filled form accessible at City Hall/Courthouse
- manually entered database of entities being issued forms
- online portal for electronic submission/approval process
- WebEOC board to maintain data

**ATTACHMENT 8: Sample City/County Resolution**

**RESOLUTION ADOPTING THE PROVISIONS OF THE NUECES COUNTY HURRICANE REENTRY PLAN.**

**WHEREAS**, the communities of the Coastal Bend acknowledge the benefit of regional collaboration to prepare and respond to major emergencies and disasters; and,

**WHEREAS**, the Texas Government Code 418.108 provides for the ability of local Emergency Management Directors to mandate evacuations for the preservation of life and control ingress to and egress from a disaster area; and,

**WHEREAS**, the Texas Government Code 418.050 directs the Texas Division of Emergency Management to develop a phased reentry plan, this plan is intended to outline local requirements and compliment, not supplant local or state authority; and,

**WHEREAS**, these communities acknowledge the importance of common terminology to clearly articulate a collaborated message to their citizens, responders and other private and public partners; and,

**WHEREAS**, Each local government maintains its individual autonomy to call for local evacuations and allow for safe and rapid reentry as allowed by law, however, signatories to this plan will abide by the provisions to the extent possible given the incident in which it is applicable. And,

**NOW, THEREFORE, BE IT RESOLVED that the Nueces County Commissioners Court adopts the Nueces County Hurricane Reentry Plan.**

**DULY ADOPTED BY VOTE OF THE COMMISSIONERS COURT OF NUECES COUNTY, TEXAS ON THE ???TH DAY OF ???, 2011.**

\_\_\_\_\_  
**SAMUEL L. NEAL, JR.**  
Nueces County Judge

\_\_\_\_\_  
**MIKE PUSLEY**  
Commissioner, Precinct 1

\_\_\_\_\_  
**JOE A. GONZALEZ**  
Commissioner, Precinct 2

\_\_\_\_\_  
**OSCAR ORTIZ**  
Commissioner, Precinct 3

\_\_\_\_\_  
**JOE MCCOMB**  
Commissioner, Precinct 4

ATTEST:

\_\_\_\_\_  
**DIANA T. BARRERA**, County Clerk  
**AUTHORITY**

## ATTACHMENT 9: Nueces County Hurricane Reentry Registry

To meet the intent of Attachment 7, Nueces County developed a regionally available hurricane reentry registry through the Coastal Bend Coordination and Alert Network (CBCAN) managed by the South Texas Chapter of the Alliance for Community Solutions. The registry was funded through a grant provided by the Coastal Bend Regional Advisory Council to support the timely reentry of medical professionals throughout the area.

The Nueces County Hurricane Reentry Registry was implemented in 2014 to manage Evacuation Exempt organizations and personnel being issued Tier 1 Level Essential Personnel letters under the responsibility of Nueces County Office of Emergency Management. As a security feature, the enhanced letters are issued to the specific individual pre-identified by the authorized organization representative, can be evocated in real-time and is field verifiable. The secure registry is tied to a mass notification system to alert participants of potential or imminent evacuation orders and reentry status. The system also allows for real-time secure information sharing between participating EOCs.

New for 2016 is the issuance of a vehicle placard as an attachment to the letter. The placard color and format is based on the state recommendations in the State Emergency Management Plan Responder Reentry Annex.

Ongoing efforts include the implementation of the regional responder standard identification. In future years, it is desired to remove the requirement to maintain a Tier 1 letter for personnel in possession of the regional ID. Current participants include Nueces County Emergency Services Districts, Refinery Terminal Fire Company and the Nueces County Medical Society.

For additional information, contact the Nueces County Office of Emergency Management, Coastal Bend Council of Governments or the Coastal Bend Regional Advisory Council.

### SAMPLE LETTER:

 <b>Nueces County</b>	
<b>Tier 1 Level Essential Personnel</b> <small>This document certifies that Valero Oil Company has been granted permission to provide this authorization letter to the person identified below requiring reentry into Nueces County as defined in the Nueces County Hurricane Reentry Plan. This letter is based solely on the list of recognized critical and essential personnel submitted by Valero Oil Company.</small>	
<small>In addition to possession of this letter, the person listed is required to have and may be required to provide appropriate agency identification and the valid driver's license or photo ID corresponding to the number referenced below. All personnel are expected to abide by all applicable rules and curfews as they are established for specific restricted areas as directed by local officials.</small>	
<b>Acme Utility Company</b> Corpus Christi Operations Center 1234 Main St. Robstown, TX 78401  Access Authorized for: <b>Frank Ashton</b> DL/ID# 45290541 <b>EXPIRES: 6/30/12</b>  Orig Contact: John Adamson Phone: 1-800-VERIFY	 SCAN TO VALIDATE
<small>In the event of attempts to misuse this document, it will immediately be confiscated by designated authorities and returned to the issuing agency.</small>	
Danielle Hale Nueces Co. EMC Phone: (361) 888-0513	<i>Loyd Neal</i> Honorable Loyd Neal County Judge
	6/11/2012 Activated

### SAMPLE PLACARD:

		<b>Disaster Response Vehicle Placard</b>
<small>Placard Expiration Date: 6/30/12</small>		
<b>Hurricane "X"</b> <b>NUECES COUNTY</b>		<b>Tier 1</b>
<b>Acme Utility Company</b>		
<b>Frank Ashton</b>	<b>1-800-VERIFY</b>	

### SAMPLE ID:

	Level: MD, PEDS, EP
Agency: <b>Nueces County Medical Society</b>	
<b>Jasmin Marsh</b> <b>Physician</b>	
	
R20-CBD 2015-Dec-31	
	

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, April 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, 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:**

a. Employee Recognition – Nat Borrego

Sylvia Carrillo, City Manager and William Cox, Fire Chief recognized Nat Borrego and presented him with an Employee Certificate and thanked him for his exceptional work and commitment to the city.

b. Recognition of Coastal Bend Family Worship Center

Eric Blanchard, Police Chief and Henrie Morales, Municipal Court Judge recognized Coastal Bend Family Worship Center for their cleaning projects, and for all they do for the community.

4. **BOARD AND COMMISSION APPOINTMENTS:**

There were no board appointments.

5. **CITIZEN COMMENTS:**

Mayor Chapa referred to Citizens Comments.

Helen Mary Nagel, 408 Payne, commented on the items that the Council discusses in executive session, and the candidates platform for the upcoming city council election.

Daniel Jimenez, 140 N. Arch, distributed copies to the Council regarding R-7A and R-7B zoning and read a section of the Zoning Ordinance.

Patricia Lister, Aransas Pass Chamber of Commerce Leadership Class, spoke of refurbishment efforts, and presented Flags to the City to be installed in the month of May.

Jerry Marquez, spoke of trash at Veterans Memorial Park and suggested installing security cameras at the park.

Oscar Medina, spoke of property on Ebert Road and commented on the caliche road and asked if the waterline will be replace and pavement of the road.

6. **CONSENT AGENDA:**

There were no Consent Agenda items.

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

The meeting was recessed into Executive Session at 7:16 pm under the provisions of Section 551, Texas Government Code to discuss the authority of:

- a. Section 551.071, Consultation with City Attorney: Industrial District Agreements.
- b. Section 551.071, Consultation with City Attorney: Legal Matters.

The council returned from Executive Session at 7:50 pm.

- a. Section 551.071, Consultation with City Attorney: Industrial District Agreements.

Mayor Chapa announced that no action is required on Item 7a.

- b. Section 551.071, Consultation with City Attorney: Legal Matters.

Mayor Chapa announced that no action is required on Item 7b.

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

- a. Consider and Act on Temporary Stating Agreement with AEP.

City Manager Carrillo stated that the purpose of this item is to allow AEP to use the Community Park area in the event of a natural disaster, and that contractual agreements will require AEP to leave the area in the same condition it was when occupied.

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

- b. ~~Consider and Act on request for donation from Veterans of Foreign Affairs (VFW) Post 2932 of Aransas Pass in the amount of \$750 for the Memorial Day Ceremony.~~

City Manager Carrillo stated that the VFW did not receive assistance from industry, and are therefore requesting \$750 from the City for assistance with their Memorial Day activities.

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

After the vote was taken, Council Member Abrego expressed an interest in assisting the VFW with a donation.

A motion was made by Council Member Abrego to re-open discussions on Item 8b, seconded by Council Member Ellis, and the motion carried.

Council Member Abrego stated that she is interested in donating half of the donation request, due to unavailable funds in the council's discretionary fund. Council Member Ellis also stated that the Car Show group is interested in assisting the VFW. Mayor Pro Tem Hyatt stated he is also interested in providing assistance.

A motion was made by Council Member Abrego to deny the request in lieu of donations from private businesses, seconded by Mayor Pro Tem Hyatt, and the motion carried.

c. Consider and Act on amendment to contract with Aransas Pass Little League.

City Manager Carrillo stated that staff met with Aransas Pass Little League regarding the lease. She stated that the current lease is missing three key items: 1) the length of the contract, and that after discussions with the League it was decided to change to seven (7) months instead of twelve (12) months, 2) the contract has a ceiling limit of \$3,000 for lighting, recommend updating language to include health and safety concerns, and 3) the current contract does list a contact person on who to contact in the event of a concern, recommend to amend the contract to include that the League will address issues to the City Manager.

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

d. Consider and Act on Participation Agreement with Pedro and Irma Elizondo.

City Manager Carrillo explained that this item is to assist with street reconstruction costs for 12<sup>th</sup> Street and McClung. Council Member Abrego inquired on the cost amount, and Ms. Carrillo responded that the approximate cost is \$6,500.

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

e. Consider and Act on engineering amendments with LJA Engineering.

City Manager Carrillo stated that the current contract with LJA Engineering has various contracts that have been approved by council. The purpose of this item is to reallocate funds amount the existing engineering contracts, but that the bottom line funding remains the same.

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

f. Consider and Act on contract with Texas A&M University to apply for a grant to study the Aransas Pass Police Department.

g. Consider and Act on Resolution authorizing Texas A&M University to apply for a grant to study the Aransas Pass Police Department.

City Manager Carrillo stated that Items 8f and 8g are for a review and analysis of the Police Department and to apply for a grant.

A motion was made by Council Member Ellis to approve Items 8f and 8g, seconded by Council Member Abrego, and the motion carried.

h. Consider and Act on Ordinance No. 2016-4145 amending Ordinance No. 93-3532 authorizing the designation of land areas located within the extraterritorial jurisdiction of the City of Aransas Pass, Texas as industrial districts, reserving and preserving all rights, powers and duties of the City council and providing a saving clause.

i. Consider and Act on Ordinance No. 2016-4146 approving Industrial Development Area Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 and authorizing the making of contracts establishing within said areas Industrial District Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10.

City Manager Carrillo stated that Item 8h is an ordinance creating the Industrial District area, and Item 8i is to approve industrial district agreements which discusses the payment schedule and prevents them from being annexed.

A motion was made by Council Member Ellis to approve Items 8h and 8i, seconded by Council Member Abrego, and the motion carried.

- j. Consider and Act on Ordinance No. 2016-4147 annexing designated areas along FM 2725.

City Manager Carrillo stated that there is an outstanding industry and it may be necessary to call a special council meeting on Friday.

A motion was made by Council Member Abrego to call a special meeting, if necessary, seconded by Council Member Ellis, and the motion carried.

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

There were no Community Enrichment items.

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

There were no Finance items.

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

- a. Consider and Act on awarding a service agreement for Emergency Incident Management Software to Emergency Reporting Systems (ERS).

Fire Chief William Cox stated that this item is for an emergency incident management reporting software within the Fire department. He added that the current incident management program is not meeting the demands of the department.

Mayor Pro Tem Hyatt inquired on the cost of the software, and Mr. Cox responded that the agreement has a prorated amount of \$865.00 and a one-time set up fee of \$999.00.

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

- b. Consider and Act on approving revisions to Chapter 9, Article II, Section 9-20, Adoption of Fire Prevention Code of the Aransas Pass Code of Ordinances.

Fire Chief Cox explained that this item is amending the Fire Code to adopt language and include appendices for enforcement.

A motion was made by Council Member Ellis to approve Item 11b, 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):**

Mayor Chapa referred to the Public Hearings.

- a. Public hearing on Plat 1603002-NP01, Harbor Heights Subdivision OCL (Preliminary – 83.65 acres), located north of W. Highland Avenue and west of S. Avenue-A.

City Attorney Allen Lawrence declared the public hearing opened for Item 13a, Plat 1603002-NP01, Harbor Heights Subdivision.

Miguel Saldana, Director of Development Services stated that the applicant is proposing to plat 83.65 acres into single-family residential lots, and that it is a low impact development. He added that the Planning & Zoning Commission recommended approval.

Helen Mary Nagel asked if this would be in the city limits, and Ms. Carrillo responded that it is. She added that it would occur in phases as they build.

Roy Vasquez, stated that if the plan is to build 325 homes, are there plans for park development. Mr. Trey Summers, Hogan Homes referred to a map depicting planned parks in the three acre area.

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

- b. Consider and Act on Plat 1603002-NP01, Harbor Heights Subdivision OCL (Preliminary – 83.65 acres), located north of W. Highland Avenue and west of S. Avenue-A.

A motion was made by Council Member Abrego to approve Item 13b, seconded by Council Member Ellis, and the motion carried.

- c. Public hearing on Plat 1604001-NP01, Mobil Village, Lots 17-R and 18-R, Block 3 (Final – 0.110 acres), located north of McCampbell Street and west of Munson Drive.

City Attorney Lawrence declared the public hearing opened for Item 13c, Plat 1604001-NP01, Mobil Village.

Mr. Saldana, Director of Development Services stated that the applicant proposes to re-plat Lots 17 and 18, and reduce Lot 17 and enlarge Lot 18, and that the corner lot is larger. He added that the Planning & Zoning Commission recommend approval of the plat.

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

- d. Consider and Act on Plat 1604001-NP01, Mobil Village, Lots 17-R and 18-R, Block 3 (Final – 0.110 acres), located north of McCampbell Street and west of Munson Drive.

A motion was made by Council Member Ellis to approve Item 13d, seconded by Mayor Pro Tem Hyatt, and the motion carried.

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

- a. Consider and Act on Development Agreement between the City of Aransas Pass, Baybreeze Development, L.P., and Gallagher Builders, Inc.

Mr. Saldana, Director of Development Services stated this item is for a Development Agreement with Baybreeze and Gallagher Builders to develop Plat 1603002-NP01, Harbor Heights Subdivision which was approved at today's meeting. He added that the properties will be developed as stated in the City's subdivision regulations and the Zoning Ordinance. Mr. Saldana

then discussed the terms of the development agreement.

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

**15. DEPARTMENT UPDATE(S):**

Ms. Carrillo provided the Council an update on MyAP Areas 3 and 4; 13<sup>th</sup> Street; informed the Council on the Sherwood Forest Re-Zoning hearing dates; discussed the Transfer Station Voucher to be used by residents; upcoming Public Work projects; the HEB sponsorship for the July 2th event; informed the Council that election day results will occur at City Hall; and further discussed the request from AEP to use Community Park as a temporary staging area – which was approved in today’s agenda.

**16. DEPARTMENT UPDATE(S):**

Police Chief Eric Blanchard provided a report on the statistics for the month of March 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 March there were a total of two internal complaints. Mr. Blanchard also discussed the highlights for the Patrol Division, CID Division, Training Division, EMC Division and the Animal Control Division.

**17. ADJOURNMENT:**

There being no further business to come before the Council, Mayor Chapa adjourned the meeting at 8:30 pm.

\_\_\_\_\_  
Adan Chapa  
Mayor

\_\_\_\_\_  
Mary Juarez  
City Secretary

Approved on: \_\_\_\_\_



# CITY OF ARANSAS PASS

**AGENDA MEMORANDUM**  
City Council Meeting of May 16, 2016

**Date:** May 13, 2016  
**To:** City Council  
**From:** Sylvia Carrillo, City Manager

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**Agenda Item No. 8a**

Title: Consider and Act on awarding bid for 13th Street.

---

**PURPOSE:** To award a construction contract for 13<sup>th</sup> street drainage repairs

**BACKGROUND AND FINDINGS:** 13<sup>th</sup> street area near Matlock and the Aransas Pass Housing Authority faces serious street problems with deep potholes and base failure. However, before the underlying street issue could be tackled, staff was faced with determining root cause analysis. Root cause was determined to be drainage. An RFP for drainage improvements was approved by the council a few months ago. Bids were received and the lowest bid was JJ Fox Construction at approximately \$182,043.

**ALTERNATIVES:**

Deny the bid  
Re-advertise the RFP

**FINANCIAL IMPACT:**

Operating

Revenue

Capital

Not applicable

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

Fund(s):

**Comments: Funds would be used from savings in other Capital Improvements projects**

**RECOMMENDATION:**

Approve the bid

**LIST OF SUPPORTING DOCUMENTS:**

Bid documents



- E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.
- F. Based on the information and observations referred to in Paragraph 3.01.E above, Bidder does not consider that further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

**ARTICLE 4 – BIDDER’S CERTIFICATION**

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
  - 1. “corrupt practice” means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
  - 2. “fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

**ARTICLE 5 – BASIS OF BID**

Bidder will complete the Work in accordance with the Contract Documents for the following price(s): **BASE BID**

Item	DESCRIPTION	QTY	UNIT	UNIT PRICE	AMOUNT
1	Mobilization and Bonds. Complete and in place per Lump Sum.	1	LS	\$ 10,000.00	\$ 10,000.00
2	Stormwater Pollution Prevention Controls and Plan. Complete and in place per Lump Sum.	1	LS	\$ 7500.00	\$ 7500.00
3	Demolish curb inlet and RCP pipe. Complete and in place per Each.	8	EA	\$ 3,000.00	\$ 24,000.00
4	Demolish grate inlet top. Complete and in place per Each.	1	EA	\$ 2,000.00	\$ 2,000.00
5	Demolish curb and gutter. Complete and in place per Linear Foot.	134	LF	\$ 20.00	\$ 2,680.00
6	Demolish valley gutter. Complete and in place per Square Foot.	354	SF	\$ 11.00	\$ 3,894.00
7	Demolish existing asphalt pavement. Complete and in place per Square Foot.	544	SF	\$ 6.00	\$ 3,264.00
8	Demolish existing 48" RCP ditch crossing. Complete and in place per Lump Sum.	1	LS	\$ 4,000.00	\$ 4,000.00
9	Remove vegetation along curb and gutter. Complete and in place per Lump Sum.	1	LS	\$ 4,000.00	\$ 4,000.00
10	Install curb inlet. Complete and in place per Each.	7	EA	\$ 7,500.00	\$ 52,500.00
11	Install curb and gutter. Complete and in place per Linear Foot.	153	LF	\$ 25.00	\$ 3,825.00
12	Install valley gutter. Complete and in place per Linear Foot.	55	LF	\$ 70.00	\$ 3,850.00
13	Install full depth pavement repair. Complete and in place per Square Yard.	56	SY	\$ 75.00	\$ 4,200.00
14	Install Junction Box (Matlock Street). Complete and in place per Each.	1	EA	\$ 13,500.00	\$ 13,500.00
15	Install Post Inlet Junction Box at outfall. Complete and in place per Each.	1	EA	\$ 10,000.00	\$ 10,000.00
16	Install Post Inlet. Complete and in place per Each.	1	EA	\$ 3,000.00	\$ 3,000.00
17	Install grate inlet top. Complete and in place per Linear Foot.	1	EA	\$ 3,000.00	\$ 3,000.00
18	Install 6'x5' RC box culvert. Complete and in place per Linear Foot.	12	LF	\$ 1,000.00	\$ 12,000.00
19	Install 24" RCP. Complete and in place per Linear Foot.	35	LF	\$ 80.00	\$ 2,800.00
20	Install 5" Sloped Concrete Riprap. Complete and in place per Square Foot.	389	SF	\$ 20.00	\$ 7,780.00
21	Install roadside swale and revegetate. Complete and in place per Linear Foot.	85	LF	\$ 50.00	\$ 4,250.00
				TOTAL	\$ 182,043.00

Unit Prices have been computed in accordance with Paragraph 11.03.B of the General Conditions.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

#### **ARTICLE 6 – TIME OF COMPLETION**

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

#### **ARTICLE 7 – ATTACHMENTS TO THIS BID**

- 7.01 The following documents are submitted with and made a condition of this Bid:
- A. Required Bid security in the form of \_\_\_\_\_;
  - B. List of Proposed Subcontractors;
  - C. List of Proposed Suppliers;
  - D. List of Project References;
  - E. Evidence of authority to do business in the state of the Project; or a written covenant to obtain such license within the time for acceptance of Bids;
  - F. Required Bidder Qualification Statement with Supporting Data; and

#### **ARTICLE 8 – DEFINED TERMS**

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

**ARTICLE 9 – BID SUBMITTAL**

9.01 This Bid is submitted by:

If Bidder is:

An Individual

Name (typed or printed): \_\_\_\_\_

By: \_\_\_\_\_  
(Individual's signature)

Doing business as: \_\_\_\_\_

A Partnership

Partnership Name: \_\_\_\_\_

By: \_\_\_\_\_  
(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

A Corporation

Corporation Name: J J Fox Construction Inc. (SEAL)

State of Incorporation: TEXAS

Type (General Business, Professional, Service, Limited Liability): \_\_\_\_\_

By: [Signature]  
(Signature -- attach evidence of authority to sign)

Name (typed or printed): Tommy Fox

Title: Pres.  
(CORPORATE SEAL)

Attest \_\_\_\_\_

Date of Qualification to do business in Texas is 1/5/1970

A Joint Venture

Name of Joint Venture: \_\_\_\_\_

First Joint Venturer Name: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
(Signature of first joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Title: \_\_\_\_\_

Second Joint Venturer Name: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
(Signature of second joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Title: \_\_\_\_\_

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

Bidder's Business Address P.O. Box 2708  
Rockport TX 78381

Phone No. 361-537-0575 Fax No. \_\_\_\_\_

E-mail JJFoxConstruction@yahoo.com

SUBMITTED on May 6, 2006.

State Contractor License No. \_\_\_\_\_ . [If applicable]

# STATEMENT OF BIDDER'S QUALIFICATIONS

All questions must be answered and the data given must be clear and comprehensive. This statement must be notarized. If necessary, questions may be answered on separate attached sheets. The Bidder may submit any additional information he desires.

Name of Bidder: JJ Fox Construction Inc Date Organized: 1-5-1970  
 Address: P.O. Box 2508 Date Incorporated: 3-5-1993  
Rockport Tx 75381

Number of Years in contracting business under current name: 46

Are you a Section 3 business? (see below)  Yes  No

Section 3 Business Concerns:

- a) Businesses that are 51 percent or more owned by Section 3 residents;
- b) Businesses whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the firm were Section 3 residents;
- c) Businesses that provide evidence of a commitment to subcontract in excess of 25 percent of the dollar amount of all subcontracts to be awarded to businesses that meet the qualifications described above; or
- d) Businesses located within the Grant Recipient's jurisdiction that identify themselves as Section 3 Business Concerns because they provide economic opportunities for low- and very low income persons.

## CONTRACTS ON HAND:

Contracts	Dollar Amount	Completion Date
<u>Wandering Oaks</u>	<u>2,650,000.00</u>	<u>Aug 2016</u>
<u>Highland Johnson</u>	<u>1,800,000.00</u>	<u>Oct 2016</u>

Type of work performed by your company: Underground utilities  
 Have you ever failed to complete any work awarded to you? NO  
 Have you ever defaulted on a contract? NO

List the projects most recently completed by your firm (include project of similar importance):

Project	Dollar Amount	Mo/Yr Completed
<u>Captain Cove</u>	<u>926,000.00</u>	<u>March 2016</u>
<u>Southside Drainage</u>	<u>878,000.00</u>	<u>Feb 2016</u>

Major equipment available for this contract:

All

Attach resume(s) for the principal member(s) of your organization, including the officers as well as the proposed superintendent for the project.

Credit available: \$ \_\_\_\_\_ Bank reference: Frost Bank

The undersigned hereby authorizes and requests any person, firm, or corporation to furnish any information requested by the \_\_\_\_\_ in verification of the recitals comprising this Statement of Bidder's Qualifications.

Executed this 6 day of May, 19 2016.

by: [Signature] (Signature) Pres. (Title)



RLI Insurance Company  
 P.O. Box 3967 Peoria IL 61612-3967  
 Phone: 309-692-1000 Fax: 309-692-8637

# BID BOND

KNOW ALL MEN BY THESE PRESENTS,

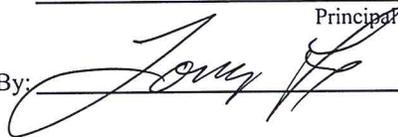
That We, J.J. Fox Construction, Inc.  
 of Rockport, Texas  
 as Principal, and RLI Insurance Company, of Peoria,  
Illinois, as Surety, an Illinois corporation duly licensed to  
 do business in the State of Texas, are held and firmly bound unto  
City of Aransas Pass Texas, as Obligee, in the penal sum of  
Five Percent (5%) of the greatest amount bid by principal ( 5% GAB ),  
 for the payment of which the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and  
 assigns, jointly and severally, firmly by these presents.

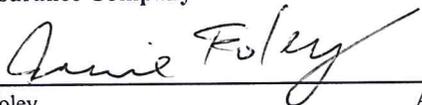
THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas the Principal has submitted, or is about to submit, a  
 proposal or a bid to the Obligee on a contract for 13th Street Storm Sewer Improvements.

NOW, THEREFORE, if the aforesaid principal shall be awarded the contract, the said principal will within the period specified  
 therefore, or if no period be specified, within ten (10) days after the notice of such award enter into a contract and give bond for  
 the faithful performance of the contract, then this obligation shall be null and void, otherwise the principal and the surety will  
 pay unto the obligee the difference in money between the amount of the bid of said principal and the amount for which the  
 obligee may legally contract with another party to perform the work if the latter amount be in excess of the former, in no event  
 shall the liability hereunder exceed the penal sum hereof.

PROVIDED AND SUBJECT TO THE CONDITION PRECEDENT, that any suits at law or proceedings in equity brought or to  
 be brought against the Surety to recover any claim hereunder must be instituted and service had upon the Surety within ninety  
 (90) days after the acceptance of said bid of the Principal by the Obligee.

SIGNED, SEALED AND DATED this 6 day of May, 2016.

J.J. Fox Construction, Inc.  
 Principal  
 By: 

RLI Insurance Company  
 By:   
 Annie Foley Attorney in Fact

**ADDRESS ALL CORRESPONDENCE TO:**

P.O. Box 3967  
 Peoria, IL 61612  
 309-692-1000



9025 N. Lindbergh Dr. | Peoria, IL 61615  
Phone: (800)645-2402 | Fax: (309)689-2036

# POWER OF ATTORNEY

## RLI Insurance Company Contractors Bonding and Insurance Company

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That this Power of Attorney may be effective and given to either or both of **RLI Insurance Company** and **Contractors Bonding and Insurance Company**, required for the applicable bond.

That **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company**, each Illinois corporations (as applicable), each authorized and licensed to do business in all states and the District of Columbia do hereby make, constitute and appoint:

Kerry Woods, Kevin G. Keetch, Lonna Pokrant, Annie Foley, Vickie Trbula, jointly and severally

in the City of Corpus Christi, State of Texas, as Attorney in Fact, with full power and authority hereby conferred upon him/her to sign, execute, acknowledge and deliver for and on its behalf as Surety, in general, any and all bonds, undertakings, and recognizances in an amount not to exceed Ten Million Dollars (\$10,000,000.00) for any single obligation.

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

**RLI Insurance Company** and **Contractors Bonding and Insurance Company**, as applicable, have each further certified that the following is a true and exact copy of the Resolution adopted by the Board of Directors of each such corporation, and now in force, to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the Corporation shall be executed in the corporate name of the Corporation by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Corporation. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the Corporation. The signature of any such officer and the corporate seal may be printed by facsimile or other electronic image."

IN WITNESS WHEREOF, **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company**, as applicable, have caused these presents to be executed by its respective Vice President with its corporate seal affixed this 11th day of January, 2016.



**RLI Insurance Company**  
**Contractors Bonding and Insurance Company**

Barton W. Davis

Vice President

State of Illinois }  
County of Peoria } SS

### CERTIFICATE

On this 11th day of January, 2016, before me, a Notary Public, personally appeared Barton W. Davis, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company**, and acknowledged said instrument to be the voluntary act and deed of said corporation.

I, the undersigned officer of **RLI Insurance Company**, and/or **Contractors Bonding and Insurance Company**, each Illinois corporations, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company** this 6 day of May, 2016

**RLI Insurance Company**  
**Contractors Bonding and Insurance Company**

Barton W. Davis

Vice President

Jacqueline M. Bockler Notary Public





RLI Insurance Company  
P.O. Box 3967 Peoria IL 61612-3967  
Phone: 309-692-1000 Fax: 309-692-8637

## TEXAS COMPLAINT NOTICE

### IMPORTANT NOTICE

To obtain information or make a complaint:

You may call **RLI Insurance Company's** toll free telephone number for information or to make a complaint at 800-483-9754 .

You may also write to **RLI Insurance Company** at:

909 Lake Carolyn Parkway, Suite 800  
Irving, TX 75039  
FAX # 972-241-6225

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at 1-800-252-3439 .

You may write the Texas Department of Insurance

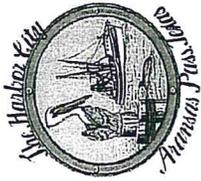
P.O. Box 149104  
Austin, TX 78714-9104  
FAX # (512) 475-1771  
Web: <http://www.tdi.state.tx.us>  
E-mail: [ConsumerProtection@tdi.state.tx.us](mailto:ConsumerProtection@tdi.state.tx.us)

### PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim, you should contact **RLI Insurance Company** first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

### ATTACH THIS NOTICE TO YOUR POLICY:

This notice is for information only and does not become a part or condition of the attached document.



**BID TABULATION FOR  
13<sup>th</sup> STREET STORM SEWER DRAINAGE IMPROVEMENTS  
PROJECT NO. 16011  
Bid Opening: May 6, 2016, at 3:15 PM, Arkansas Pass City Hall**

Company Name	Bid Bond	Total Base Bid <sup>A</sup>
J.J. Fox Construction	5%	182,043 <sup>00</sup> / <sub>XX</sub>

<sup>A</sup>BASE BID. This project consists of removing and replacing 11 inlets, installing a junction box curb inlet, installing a junction box post inlet, installing new box outfall, and installing sloped concrete rip-rap at ditch along 13th Street.

Read by: Carlos Martinez  
 Tabulated by: \_\_\_\_\_  
 Checked by: \_\_\_\_\_  
 Date: May 6, 2016



# CITY OF ARANSAS PASS

**AGENDA MEMORANDUM**  
City Council Meeting of May 16, 2016

Date: May 10, 2016  
To: Mayor and Council  
From: Sylvia Carrillo, City Manager  
scarrillo@aransaspasstx.gov

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## **Agenda Item No. 8b**

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

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### **PURPOSE:**

To temporarily close streets during the Shrimporee Event scheduled for June 9, 2016 through June 12, 2016.

### **BACKGROUND AND FINDINGS:**

On February 15, 2016, the city council approved the request from the Aransas Pass Chamber of Commerce to use of Community Park aka "Shrimporee Grounds" event scheduled for June 9 – 12, 2016.

### **ALTERNATIVES:**

Do not approve.

### **DEPARTMENTAL CLEARANCES:**

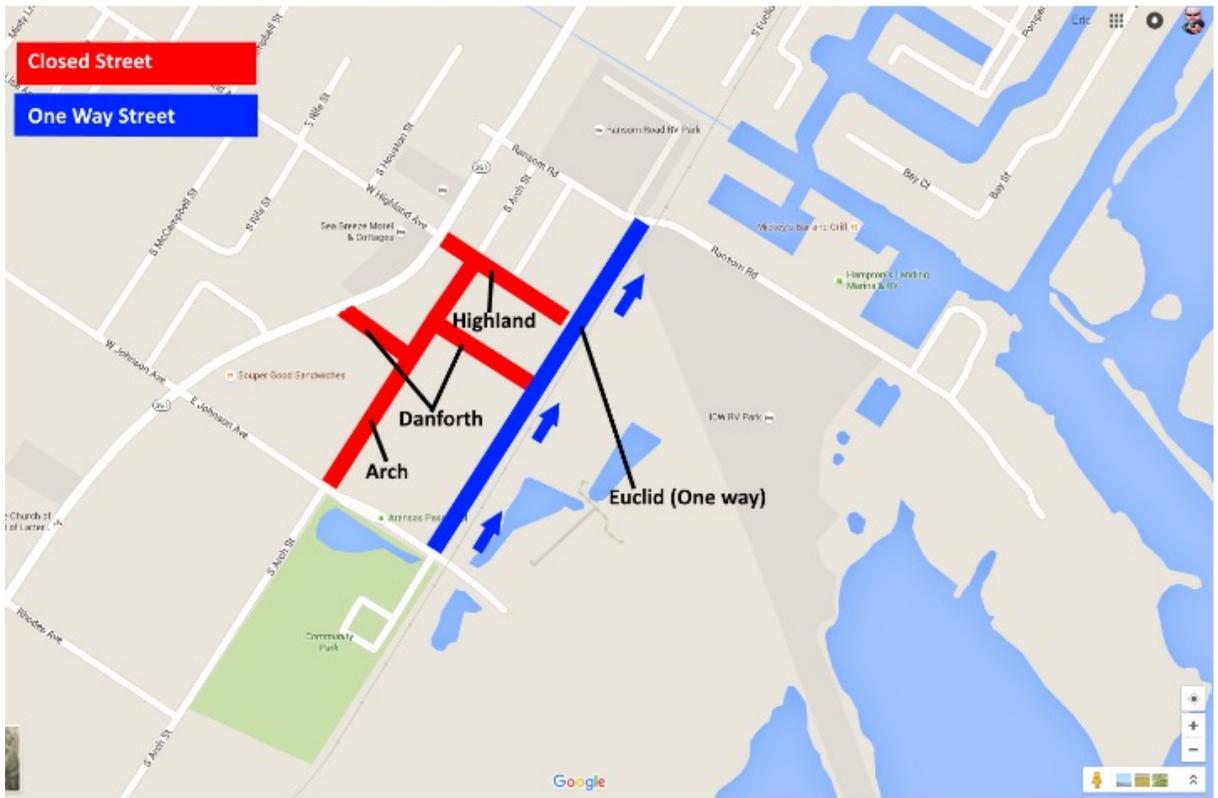
City Manager.

**RECOMMENDATION:**

Approve the closure of streets.

**LIST OF SUPPORTING DOCUMENTS:**

Rendering.



# ROLAND PENA

[http://Captainpena44@gmail.com](mailto:Captainpena44@gmail.com)

1514 South McCambell

Aransas Pass, TX 78336

(361)332-1668

## Aransas Pass City Council

600 W. Cleveland BLVD Aransas Pass, TX 78336

### Dear Recipient:

I would like to request to be put on the City Council agenda in regards to my rental fee submitted on May 10<sup>th</sup>, given that this fee was paid as stated in the contract the no prorated reimbursements would be made due to weather conditions. Since I was not granted the use of the fields from the first of the month I am requesting the prorated amount be deducted from June 1<sup>st</sup> lease fee due to me only having been granted the use of the fields for three weeks not the full month.

~As per Contract: The League will submit a rental fee payment of \$550.00 per month for fields during contract term to the cashier in the utility department located at the City of Aransas Pass City Hall due on or before the 1st of each month. No prorated reimbursement based on the total number of field uses is authorized for game days cancelled due to weather conditions. There are no partial day reimbursements. Should the League fail to pay the rental amount on or before the 5th day of the month the City, at its option, may terminate this agreement immediately.

Best regards,

Roland Pena



# CITY OF ARANSAS PASS

**AGENDA MEMORANDUM**  
 City Council Meeting of May 16, 2016

**Date:** May 16, 2016  
**To:** Mayor and Council  
**From:** Sylvia Carrillo, City Manager  
 scarrillo@aransaspasstx.gov

**Agenda Item No. 8d**

**Title:** Consider and Act on awarding request for proposals for Community Park

**PURPOSE:**

To review and award proposal for Community Park improvements which include a dog park, skate park base, as well as a foundation plan that would serve double duty for bleachers as well as vendor pads for Shrimporee

**BACKGROUND AND FINDINGS:**

The City received two bids as follows:

	Concrete			Underground		Total
	Dog Park	Skate Park	Vendor Pad	Electrical	Plumbing	
Lee Construction Services	\$ 26,150.00	\$ 47,500.00	\$ 56,000.00	\$ -	\$ -	\$ 129,650.00
R&A Construction	\$ 29,732.00	\$ 46,465.00	\$ 57,960.00			\$ 134,157.00
R&A Construction					\$12,000.00	\$ 12,000.00
Q&A	Lee	R&A				
Disposal Fees?	Not Included	Included				
Plumbing or Electrical	Not Included	Not Included				
Staining or Landscaping	Not Included	Included				

While Lee Construction is the lowest bid, the bid from R&A Construction will include disposal fees and any landscaping required to leave the property in turn key condition.

**ALTERNATIVES:**

Do not award a bid and re-advertise.

**CONFORMITY TO CITY POLICY:**

Conforms to City Policy

**EMERGENCY/NON-EMERGENCY:**

**DEPARTMENTAL CLEARANCES:**

Finance, City Manager

**LIST OF SUPPORTING DOCUMENTS:**

Bid tabulation sheets

## Community Park Concrete Bids

	Concrete			Underground		Total
	Dog Park	Skate Park	Vendor Pad	Electrical	Plumbing	
Lee Construction Services	\$ 26,150.00	\$ 47,500.00	\$ 56,000.00	\$ -	\$ -	\$ 129,650.00
R&A Construction	\$ 29,732.00	\$ 46,465.00	\$ 57,960.00			\$ 134,157.00
R&A Construction					\$12,000.00	\$ 12,000.00

	Q&A	Lee	R&A
Disposal Fees?		Not Included	Included
Plumbing or Electrical		Not Included	Not Included
Staining or Landscaping		Not Included	Included



# CITY OF ARANSAS PASS

**AGENDA MEMORANDUM**  
for the City Council Meeting of **May 16, 2016**

Date: May 11, 2016

To: Sylvia Carrillo  
City Manager

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

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## **Agenda Item (Public Hearing) – Item 14a**

### ZONING

**Case No. 1604-01 – Tammy Solis:** Application for a Conditional Use Permit for a Bar, Lounge or Tavern in the “GB” General Business District for the property located at 1152 S. Commercial Street (SH 361).

The property is described as Lots 32 through 35, Block 7, Fricks First Addition, 0.562 acres, 1152 S. Commercial Street (SH 361), Aransas Pass, Texas.

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### **PURPOSE:**

To consider and act on the conditional use permit request of Tammy Solis to operate a bar at 1152 S. Commercial Street (SH 361).

### **BACKGROUND AND FINDINGS:**

Tammy Solis, on behalf of Karen Rowe, has requested a conditional use permit to operate a bar at 1152 S. Commercial Street (SH 361). 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 operated as a bar, formerly known as the Timeout Bar & Grill, in the past and would not vary from previous uses of the facility. The conditional use permit must be approved prior to getting any building permits.

The subject property backs up to an existing residential area. In order to provide protection to the residential area, a solid screening fence of not less than 6 feet should be placed along their west property line. The fence would provide privacy to the residential area, reduce noise and screen the commercial area from the residential area. No access onto the rear alley should be allowed. 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. Parking spaces must be striped to city standards, 10 feet wide and 20 feet deep. Property must be maintained in a neat and kept state at all times.

Notice was published in the Coastal Bend Herald on April 21, 2016, and 22 adjacent property owner mailouts were sent on April 20, 2016. As of April 27, one dissent letter was received.

**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				
<b>BALANCE</b>				

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 installed and maintained along the west property line.
3. **ACCESS:** Access onto the alley shall be prohibited.
4. **LIGHTING:** Any lighting must be shielded and directional and located so as to minimize light spill over onto the residential area.
5. **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.
6. **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.
7. **MAINTENANCE:** The property must be maintained in a neat and clean state at all times.
8. **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.
9. **TIME LIMIT:** The Conditional Use Permit for a bar, lounge, or tavern shall expire 12 months from the date of the ordinance.

**LIST OF SUPPORTING DOCUMENTS:**

Site Plan  
Proposed Ordinance



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 9 CONDITIONS ON LOTS 32 THROUGH 35, BLOCK 7, FRICKS FIRST ADDITION TO TAMMY SOLIS, SUBJECT TO A SITE PLAN AND CONDITIONS.**

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**WHEREAS**, on the request by Tammy Solis, 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 16th day of May, 2016, and the action and recommendation of the Planning and Zoning Commission of the 9th day of May, 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 32 through 35, Block 7, Fricks First Addition, 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. **ACCESS:** Access onto the alley shall be prohibited.
4. **LIGHTING:** Any lighting must be shielded and directional and located so as to minimize light spill over onto the residential area.
5. **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.
6. **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.

7. **MAINTENANCE:** The property must be maintained in a neat and clean state at all times.
8. **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.
9. **TIME LIMIT:** The Conditional Use Permit for a bar, lounge, or tavern shall expire 12 months from the date of the ordinance.

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

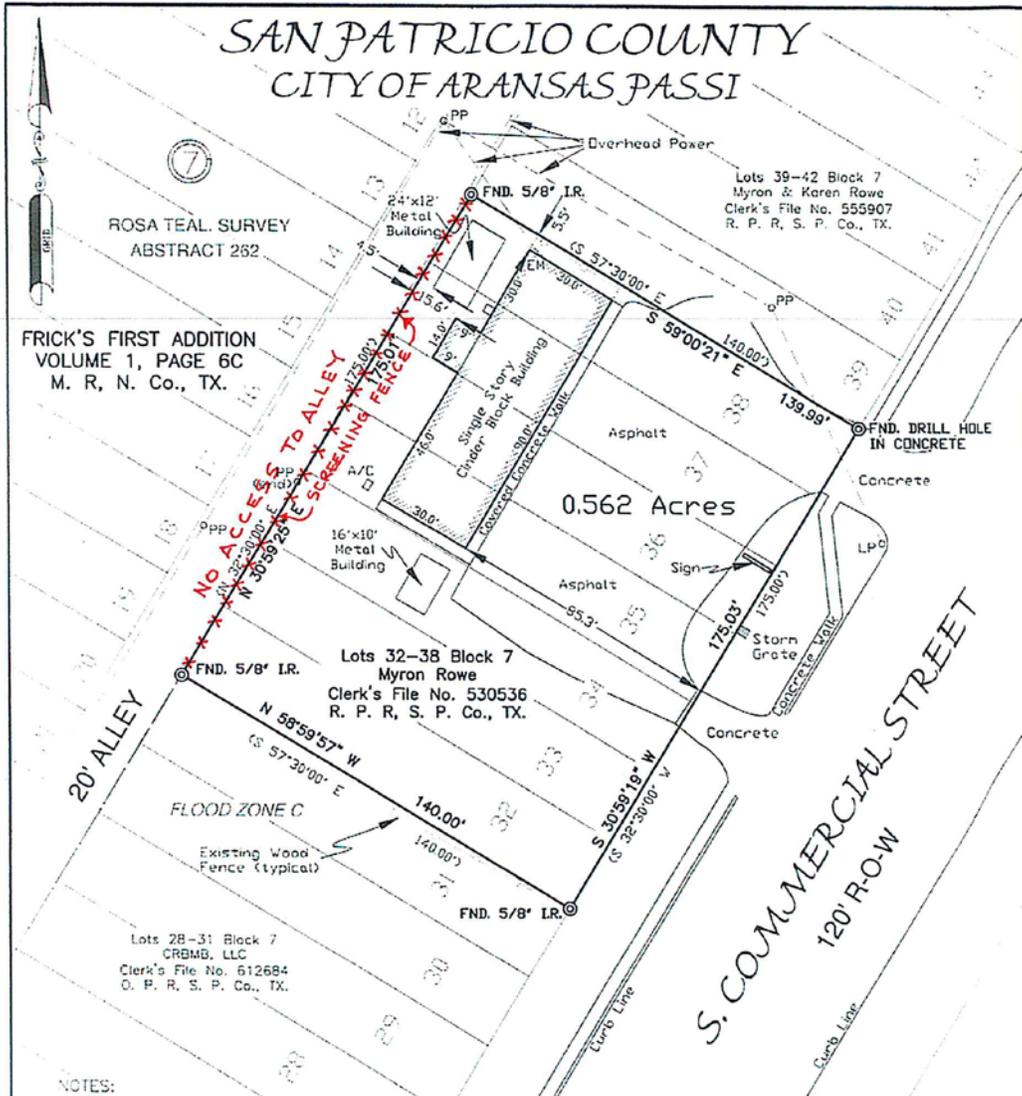
ATTEST:

\_\_\_\_\_  
Mary Juarez, Interim City Secretary

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Allen S. Lawrence, Jr.

SAN PATRICIO COUNTY  
CITY OF ARANSAS PASS

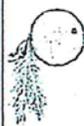


NOTES:

- 1) Distances are measured at surface and bearings are based on a GPS survey conducted in the Texas Coordinate System, South Zone, NAD 1983, in US Feet. Combined Scale Factor: 1.00001961.
- 2) There may be existing pipelines not shown on this map. Notify the Texas One Call System (811) to locate existing pipelines before performing any excavation on this property.
- 3) Determined by graphical methods only, this property lies within Flood Zone C, an area of minimal flooding, as shown on FEMA Flood Map No. 485453 0019 B, dated March 4, 1985.

PLAT SHOWING SURVEY OF PROPERTY LOCATED AT  
1152 S. COMMERCIAL ST., ARANSAS PASS, TX.  
BEING LOTS 32 THROUGH 38, BLOCK 7, OF FRICK'S FIRST ADDITION  
AS SHOWN ON MAP RECORDED IN VOLUME 1, PAGE 6C  
OF THE MAP RECORDS OF SAN PATRICIO COUNTY, TEXAS  
CONVEYED TO MYRON ROWE BY DEED  
RECORDED IN CLERK'S FILE NO. 530536 OF THE  
REAL PROPERTY RECORDS OF SAN PATRICIO COUNTY, TEXAS  
SCALE 1" = 40 FEET

I, Michael J. Macinnis, Registered Professional Land Surveyor of Texas, do hereby state that this plat represents an actual survey made on the ground, under my direction, to the best of my knowledge and ability, this the 17th day of February, 2016.



Native Survey Co.  
7092 County Road 4167  
Taft, Texas 78390  
Phone/Fax: 361-528-4233  
Cell: 361-244-2043  
TX Firm No. 10044900



Registered Prof. Land Surveyor  
Texas Registration No. 5874

C:\Projects\2016\160205

EXHIBIT A



# CITY OF ARANSAS PASS

**AGENDA MEMORANDUM**  
for the City Council Meeting of **May 16, 2016**

Date: May 11, 2016

To: Sylvia Carrillo  
City Manager

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

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## **Agenda Item (Public Hearing)**

### RE-PLATS

**14c.** Public hearing on Application for Re-Plat of Glen and Jane Dubois for the property described as 0.321 acre of land being Lots 9 and 10, Block 748, Aransas Pass Townsite, San Patricio County, Texas.

**14e.** 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.

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## **PURPOSE:**

To consider and act on the proposed replats by Glen and Jane Dubois and Lisa Coy.

## **BACKGROUND AND FINDINGS:**

Mr. & Mrs. Dubois wish to replat 2 of their 4 lots into one lot. They intend to construct a carport on the property containing their house. The remaining 2 lots will remain vacant at the current time.

Ms. Coy wishes to replat her lots in order to expand the existing structure.

## **PLANNING & ZONING COMMISSION RECOMMENDATION (05/09/2016):**

Approval of both plats.

## 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. 1605001-NP01 (Non-Public Notice Plat)

ARANSAS PASS TOWNSITE, LOT 21-R, BLOCK 507 (FINAL – 0.562 ACRES)

Located north of E. McClung Avenue and west of S. Commercial Street.

Applicant: Lisa Coy  
Engineer: Griffith & Brundrett

The applicant proposes to re-plate Lots 21, 22, 23, 24, 25, 26 and 27 into one lot in order to comply with building site regulations.

1. Refer to S. Commercial as State Highway 361 on the plat.
2. Correct recording information on adjacent lots.

### b. 1605002-P01 (Public Notice Plat)

ARANSAS PASS TOWNSITE, LOT 9-R, BLOCK 748 (FINAL – 0.321 ACRES)

Located north of W. Greenwood Avenue and west of S. 12<sup>th</sup> Street.

Applicant: Glen & Jane Dubois  
Engineer: Griffith & Brundrett

The applicant proposes to re-plate Lots 9 and 10 into one lot in order to comply with building site regulations.

1. Correct recording information on adjacent lots.

SURVEYOR CERTIFICATION

State of Texas  
County of Aransas

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. I and all have been engaged to set all lot and block corners and reference points and complete such operations with care and accuracy.

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 San Patricio

GLEN LOUIS DUBOIS  
JANE ANN DUBOIS

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.

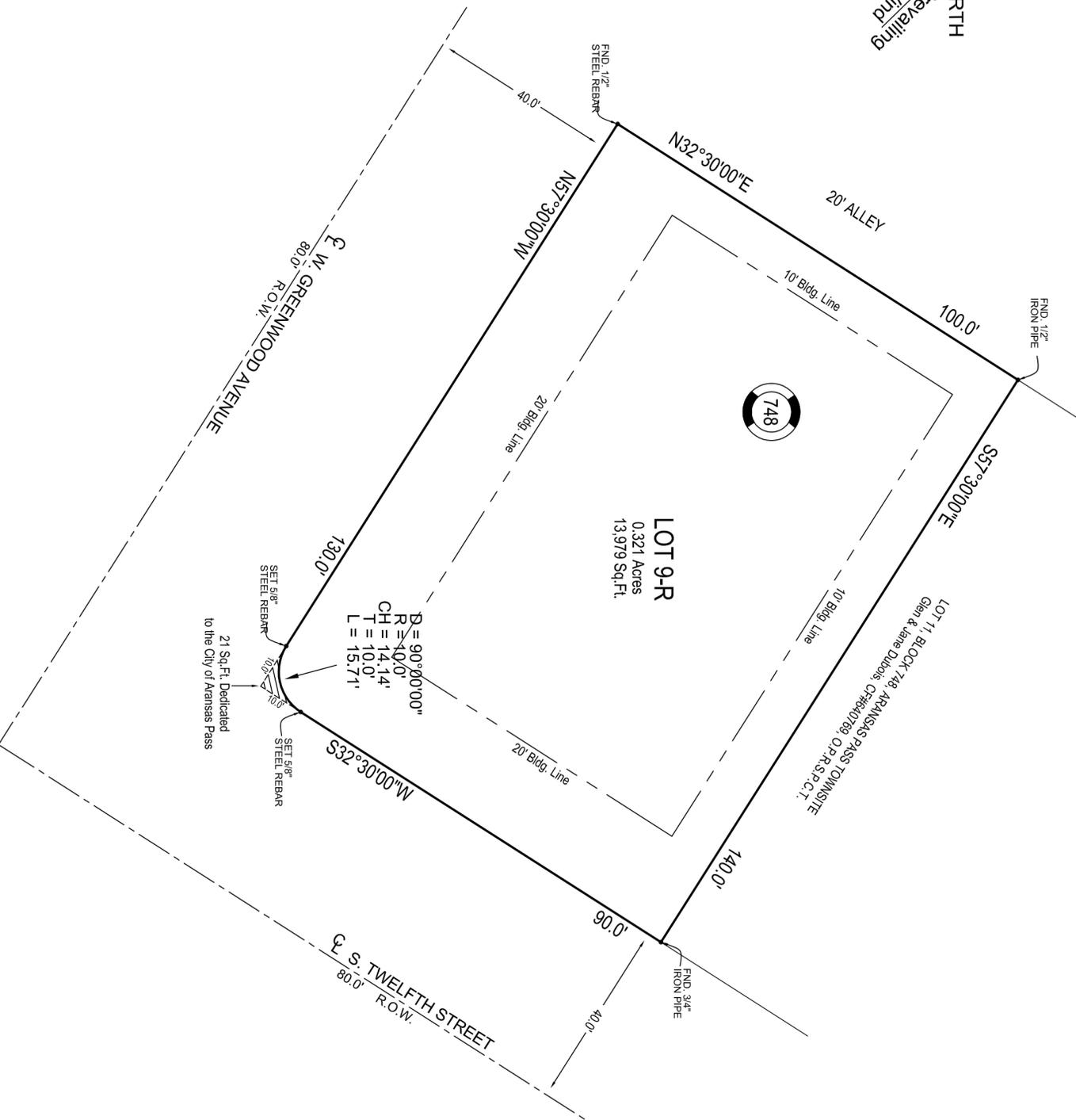
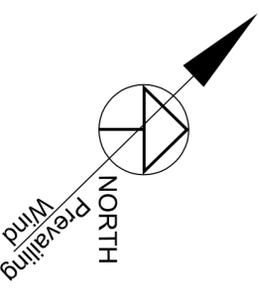
GLEN LOUIS DUBOIS JANE ANN DUBOIS

State of Texas  
County of San Patricio

This instrument was acknowledged before me by:  
GLEN LOUIS DUBOIS JANE ANN DUBOIS

This the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2016.

Notary Public in and for the State of Texas



Final Plat of:

LOT 9-R, BLOCK 748

ARANSAS PASS TOWNSITE

CITY OF ARANSAS PASS, SAN PATRICIO COUNTY, TEXAS  
Being a replat of Lots 9 and 10, Block 748, Aransas Pass Townsite, City of Aransas Pass, San Patricio County, Texas, according to the plat recorded in Volume 3, Page 41, Map Records of San Patricio County, Texas.

February 23, 2016 Scale 1" = 20'



CITY COUNCIL

State of Texas  
County of San Patricio

This plat of the Lot 9-R, Block 748, Aransas Pass Townsite, City of Aransas Pass, 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 hereafter.

Adan Chapa, Mayor  
Mary Juarez, Secretary

NOTES:

- 1.) 5/8" Steel Rebar's found or set at all property corners unless otherwise shown. All set 5/8" steel rebar set capped with J.L. Brundrett R.P.L.S.#2133.
- 2.) Plat bearing of Aransas Pass Townsite, along the Westerly R.O.W. of Twelfth Street used for Directional Control.
- 3.) Total platted area contains 0.321 acres or 13,979 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.
- 5.) Lot contains existing Non-conforming improvements. If 50% or more of the existing improvements are destroyed, any new building structure must comply with current set-back requirements.

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 \_\_\_\_\_ located in a "Special Flood Hazard Area."  
Flood Zone C Base Elevation N/A  
Parcel No. 00168  
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: 361-729-6499  
Fax: 361-729-6499  
Email: jbrundrett@griffithsurvey.com  
Website: www.griffithsurvey.com  
TBP.L.S. FIRM NO. 10004800

COUNTY CLERK'S CERTIFICATION:

State of Texas  
County of San Patricio  
I, Gracie 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 \_\_\_\_\_.

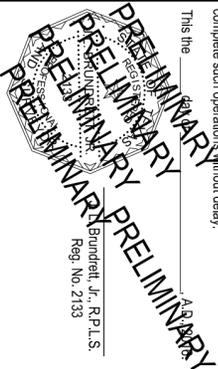
Witness my hand and seal of the County Court, in and for San Patricio County, Texas, at office in Sinton, Texas, the day and year last written above.  
Gracie Almirz Gonzales  
By: \_\_\_\_\_ Deputy  
Clerk's File No. \_\_\_\_\_

SURVEYOR CERTIFICATION

State of Texas  
County of Aransas

I, J. L. Burdett, 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.



OWNER CERTIFICATION

State of Texas  
County of Aransas

LISA COY

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.

LISA COY

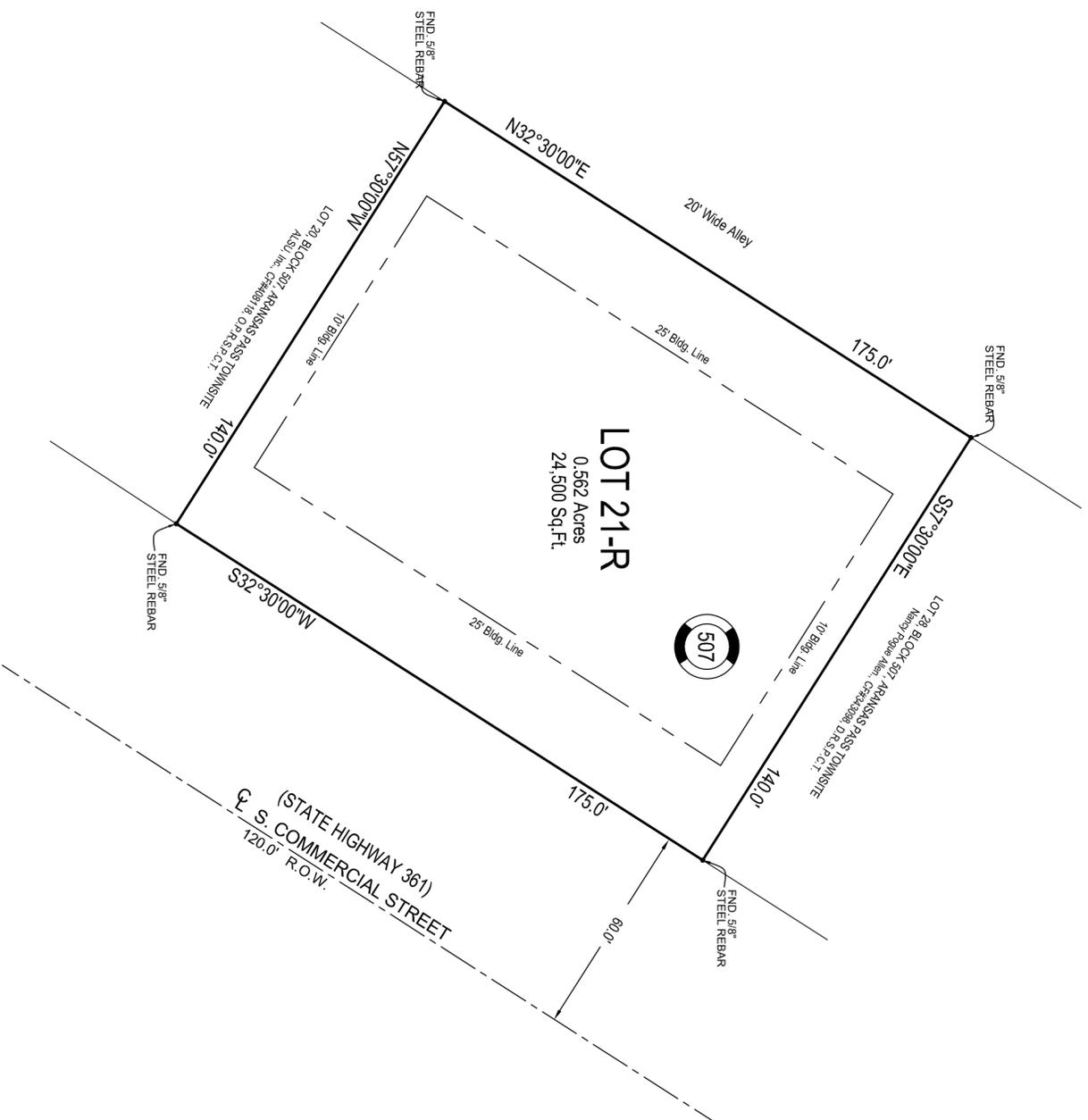
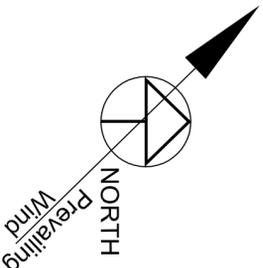
State of Texas  
County of Aransas

This instrument was acknowledged before me by:

LISA COY

This the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2016.

Notary Public in and for the State of Texas



Final Plat of:

**LOT 21-R, BLOCK 507**

**ARANSAS PASS TOWNSITE**

CITY OF ARANSAS PASS, SAN PATRICIO COUNTY, TEXAS

Being a replat of Lots 21, 22, 23, 24, 25, 26 and 27, Block 507, Aransas Pass Townsite, City of Aransas Pass, San Patricio County, Texas, according to the plat recorded in Volume 3, Page 41, Map Records of San Patricio County, Texas.

March 10, 2016 Scale 1" = 30'



CITY COUNCIL

State of Texas  
County of San Patricio

This plat of the Lot 21-R, Block 507, Aransas Pass Townsite, City of Aransas Pass, was approved by the City Council of the City of Aransas Pass, Texas, on this \_\_\_\_\_ 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 hereafter.

Adan Chapa, Mayor  
Mary Juarez, Secretary

NOTES:

- 1.) 5/8" Steel Rebars found or set at all property corners unless otherwise shown. All set 5/8" steel rebar set capped with J.L. Burdett R.P.L.S #2133.
- 2.) Plat bearing of Aransas Pass Townsite, along the Western R.O.W. of Commercial Street used for Directional Control.
- 3.) Total platted area contains 0.562 acres or 24,500 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. 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 & Burdett**  
Surveying & Engineering, Inc.  
411 S. Pearl St., P.O. Box 2322  
Rockport, Texas 78381  
Phone: 361-729-6499  
Fax: 361-729-6499  
Email: info@griffithandburdett.com  
Website: www.griffithandburdett.com  
TBPLS FIRM NO. 10004800

COUNTY CLERK'S CERTIFICATION:

State of Texas  
County of San Patricio  
I, Gracie Alantz 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 Sinton, Texas, the day and year last written above.

Gracie Alantz Gonzales  
By: \_\_\_\_\_ Deputy  
Clerk's File No. \_\_\_\_\_



# CITY OF ARANSAS PASS

**AGENDA MEMORANDUM**  
for the City Council Meeting of **May 16, 2016**

Date: May 10, 2016

To: Sylvia Carrillo  
City Manager

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

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## **Agenda Item (Public Hearing) – Item 14g**

### TEXT AMENDMENT

Amendment to 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.

---

### **PURPOSE:**

To amend the Zoning Ordinance in order to give the Board of Adjustment to vary location and height of signs and authorize the Director of Development Service an administrative adjustment.

### **BACKGROUND AND FINDINGS:**

The current rules for the Board of Adjustment do not allow them to address signs. If a company wished to erect a sign taller than allowed, the company would have no avenue in which to have their issue heard. The maximum height of a pole sign in the City of Aransas Pass is 35 feet. The construction site of the new McDonalds on W. Wheeler Avenue, the developer wished to have a pole sign taller than 35 feet. The contractor applied to the Board of Adjustment for a variance to erect a taller sign. After reviewing the rule for the Board of Adjustment, it was noted that the Board has no jurisdiction when it comes to signs. The proposed amendment would grant the Board that authority. The application would be for a special exception when it came to signs. The process still requires notification of the surrounding property owners and a public

hearing before the Board. As a Special Exception, it would give the Board more latitude when reviewing sign requests.

The second part of the text amendment is to grant the Director of Development Services the authority to grant administrative adjustments not to exceed 10 percent. This authority would come into play when a structure is inadvertently built into a required setback. If the required setback were 20 feet and the structure was built at 19 feet, the property owner or developer would have to apply to the Board of Adjustment for a 1 foot variance. With the authority granted to the Director of Development Services, the issue could be resolved in the office without any additional cost or time delay to the property owner or developer. In reviewing variances, the Board has a very narrow scope to whether to approve a variance request.

**ALTERNATIVES:**

Deny the proposed amendment.

**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):**

Staff recommends approval of the amendment.

**LIST OF SUPPORTING DOCUMENTS:**

Proposed Ordinance

ORDINANCE \_\_\_\_\_

**ORDINANCE 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.**

**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, April 11, 2016, during a meeting of the Planning and Zoning Commission, and on Monday, May 16, 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 16**

**BOARD OF ADJUSTMENT**

\* \* \* \* \*

-155

Grant a special exception for signs as it relates to location and height. The special exception does not include modifying the allowable square footage of a sign. When determining whether to grant or deny a special exception, the Board may consider the location and height of the surrounding signs. The Board may impose conditions, such as increased setbacks, to protect abutting residential areas, scenic views and/or major thoroughfares. The action of the Board should take into account potential adverse impacts to surrounding properties.

\* \* \* \* \*

Administrative Adjustments. The Director of Development Service has the authority to vary the requirements established by this Zoning Ordinance. The administrative adjustment authorized cannot exceed ten (10%) percent.

\* \* \* \* \*

**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



# CITY OF ARANSAS PASS

**AGENDA MEMORANDUM**  
for the City Council Meeting of **May 16, 2016**

Date: May 11, 2016

To: Sylvia Carrillo  
City Manager

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

---

**Agenda Item: 15a**

Discussion of redefining the term of "reasonable distance" from one mile to ½ mile.

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**PURPOSE:**

Consider reducing the requirement to extend public facilities if the proposed development is within one mile from the public facility.

**BACKGROUND AND FINDINGS:**

The current Platting and Subdivision Ordinance as listed in the City Code of Ordinances defines reasonable access as within one mile. Section 24-15 (5) Water Lines, a. states that "Where an approved public water supply is reasonably accessible or procurable, each lot within the subdivided area shall be provided with access to such water supply." It continues to state that "Reasonable access is within one mile of the public water line." In Section 24-5 (6) Sanitary Sewers requires that each lot be provided with public sanitary sewer if reasonably accessible. However, reasonable accessible is not defined in this section. Since it is defined in the previous section, the interpretation is that if the property is within one mile of public sanitary sewer than it is required to be extended to serve the lots.

The one mile requirement can be vary onerous to a development, especially a single lot development. The issue gets more problematic when it comes to sanitary sewer. Since sewer is mostly gravity lines, the one mile requirement makes it very difficult and very expensive due to possible requirement of a lift station.

Considering to reduce the requirement to ½ mile would greatly decrease the possibility of a lift station. For instance, for development in the Sherwood Forest area, there are 3 existing lift stations that can serve the area. One is the lift station behind Walgreens which can provide service for a distance of approximately 3,000 feet. The lift station in the Iron Gator Subdivision can provide service for up to 5,800 feet and the station in front of Public Works yard, up to 2,000 feet. The distances mentioned above are by using 8-inch sewer lines. If 10-inch or 12-inch lines are used, the distances are increased.

If the consensus is to redefine “Reasonable access” to ½ mile, it will require the amendment to be published in the newspaper 15 days prior to the City Council hearing. It is staff’s recommendation that the item be placed on the City Council agenda of June 6, 2016.

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

Recess Open Meeting and Retire to Executive Session pursuant to Chapter 551 of the Texas Government Code.

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

Reconvene in Open Meeting to Consider and Act on Findings of Executive Session(s):

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