

**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, August 20, 2018 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 Ramiro Gomez, and Council Members Vickie Abrego, Billy Ellis, Janet Moore and Carrie Scruggs were present. Also present was City Manager Gary Edwards and City Attorney Roxann Cotroneo.

**1. CALL MEETING TO ORDER.**

Mayor Gomez called the meeting to order at 6:00 pm.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Council Member Abrego gave the Invocation and led the Pledge of Allegiance to the United States Flag.

**3. PRESENTATION AND PROCLAMATIONS:**

3.I. Employee Recognition – Kelly Lopez, Aquatic Center Lifeguard.

Sarah Lee, Director of Community Enrichment recognized Ms. Kelly Lopez and presented her with a Certificate of Appreciation for her service over the last five years and added that she was a great role model and thanked her for her service with the city.

3.II. Consider and Act on approving Resolution No. 2018-869 commemorating the one-year anniversary of Hurricane Harvey.

Mayor Gomez read the Resolution in its entirety.

A motion was made by Mayor Pro Tem Ellis to approve Item 3.II, seconded by Council Member Scruggs and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

**4. BOARD AND COMMISSION APPOINTMENTS:**

4.I. Zoning Board of Adjustment.

Mr. Edwards stated that there are two vacancies on the board and an board application was received by Mr. Myron Schroeder, and staff is recommending his appointment.

A motion was made by Mayor Pro Tem Ellis to appoint Myron Schroeder to the Zoning Board of Adjustment, seconded by Council Member Moore, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

**5. CONSENT AGENDA:**

5.I. Approval of Workshop Meeting minutes of July 30, 2018.

A motion was made by Mayor Pro Tem Ellis to approve Item 5.I, seconded by Council Member Scruggs, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and

Scruggs voting Aye.

**6. PUBLIC HEARING:**

There were no Public Hearings.

**7. CITY MANAGER:**

7.I. Consider and Act on awarding the Request for Proposals for the Pelican Cove Bulkhead and Pompano Street Drainage Repair.

Mr. Edwards stated that this project has been worked on for several years and has not yet been completed. He added that an Engineer was hired to present a solution. An RFP was prepared and the engineering firm LNV is recommending awarding the contract to Division 16 Construction, Inc. in the amount of \$65,000.

A motion was made by Council Member Moore to approve Item 7.I. and award to Division 16 Construction in the amount of \$65,000, seconded by Mayor Pro Tem Ellis, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

7.II. Consider and Act on approving Task Order No. 6 to the contract with LNV, Inc. for the Harbor Master Office, cost estimate in the amount of \$3,500.

Mr. Edward stated that the Harbor Master building was completely destroyed by Hurricane Harvey. He added that this Task Order allow the city to order a cost estimate for a replacement building, which is required by FEMA before the design work.

A motion was made by Council Member Abrego to approve Item 7.II, seconded by Council Member Moore and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

**8. COMMUNITY ENRICHMENT:**

There were no Community Enrichment items.

**9. DEVELOPMENT SERVICES:**

9.I. Monthly Building Development Report – July 2018.

Burl Smith, Building Official provided the monthly statistical report for Permitting and Inspections for the month of July 2018, and stated that total permits issued for July 2018 was 54; Total Fees for July 2018 is \$29,883.39 and Work Valuation is \$2,759,459.

**10. FINANCE:**

10.I. Consider and Act on setting a public hearing on the Proposed FY2018-2019 Operating Budget for September 4, 2018 during the Regular City Council meeting beginning at 6:00 pm at City Hall, 600 W. Cleveland, Aransas Pass, Texas.

Ms. Garcia stated that the purpose of this item is to set the public hearing for the operating budget for September 4, 2018.

A motion was made by Council Member Abrego to approve Item 10.I, seconded by Council Member Moore, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

10.II. Consider and Act on motion setting September 17, 2018 as the date of the adoption of the Ad Valorem Tax Rate of \$0.735196 per \$100 valuation.

Ms. Garcia explained that Item 10.II and 10.III relate to setting the Ad Valorem Tax Rate at \$0.735196 and setting the public hearing and date of adoption. Ms. Garcia added that this is the proposed tax rate, and is not final until adoption.

A motion was made by Council Member Abrego to approve Item 10.II, seconded by Mayor Pro Tem Ellis, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

10.II. Consider and Act on setting a public hearing on the Ad Valorem Tax Rate for September 4, 2018 during the Regular City Council meeting beginning at 6:00 pm at City Hall, 600 W. Cleveland.

A motion was made by Council Member Abrego to approve Item 10.II, seconded by Mayor Pro Tem Ellis, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

10.III. Consider and Act on amending the Bank Depository Agreement with Prosperity Bank for an additional year to September 30, 2019.

Ms. Garcia stated that the purpose of this item is to amend the agreement to extend for an additional year to September 2019. She added that the initial agreement was a three year contract to September 2016 with two one-year extension through 2018. She informed the council that an RFP will be issued next year.

Council Member Abrego asked if the cost was the same, and Ms. Garcia responded that this is only for an extension.

A motion was made by Council Member Abrego to approve Item 10.III, seconded by Council Member Moore, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

10.IV. Monthly Financial Report for July 2018.

Sandra Garcia, Director of Finance discussed the departments that did not meet their set goal for the month of July 2018 – Water & Sewer Fund, Aquatics Center, and Civic Center. She then stated that the revenue collected is \$14,271,069, and expenditures is \$13,286,812. Ms. Garcia reported that the City has collected \$4,173,858 in Property Taxes, an increase of \$122,177 more than last year, and Sales Tax collected at \$2,135,228, an increase of \$443,733 more year to date than last year.

**11. INFORMATION TECHNOLOGY:**

There were no Information Technology items.

**12. PUBLIC SAFETY:**

12.I. Consider and Act on approving the Chief of Police to renew the Task Force Agreement between the Aransas Pass Police Department and the Federal Drug Enforcement Administration.

Mr. Blanchard stated that this is a renewal of the Task Force Agreement for two detectives. He added that these two officers work primarily with the DEA but on occasion they run local narcotics investigations utilizing federal tools and resources.

A motion was made by Mayor Pro Tem Ellis to approve Item 12.I, seconded by Council Member Scruggs, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

12.II. Consider and Act on approving the Police Chief to renew a Memorandum of Understanding (MOU) between the Aransas Pass Police Department and Connections in Portland, Texas.

Mr. Blanchard stated that this is a renewal of a MOU with Connections for the purpose of assisting with children that are displaced. He added that no funds will be expended.

A motion was made by Council Member Moore to approve Item 12.II, seconded by Council Member Scruggs, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

12.III. Consider and Act on approving the Police Chief to accept a Military Decommissioned Armored Vehicle from the Defense Logistics Agency (1033 Program) via the Texas Law Enforcement Support Office and adapt it for law enforcement use by expending up to \$15,000 from the Federal Drug Seizure Fund.

Mr. Blanchard stated that this item is for the acceptance of a military decommissioned armored vehicle through the 1033 Surplus Program with the Texas Law Enforcement Office. He added that the police department plans to use this vehicle for rescue purposes such as travel down flooded streets, active threat situations and life-saving protection missions. Mr. Blanchard stated that the cost to adapt it for law enforcement is \$15,000 to be funded through the federal drug seizure fund.

A motion was made by Mayor Pro Tem Ellis to approve Item 12.III with expenditures up to \$15,000 from the Federal Drug Seizure Fund, seconded by Council Member Moore, and the motion passed with the following vote: Gomez, Abrego, Ellis, Moore and Scruggs voting Aye.

12.IV. Monthly Police Department Report – July 2018.

Eric Blanchard, Police Department reported the highlights for the CID Division, Patrol Division and discussed the following statistics: accidents, traffic stops, assault report, burglary, criminal mischief, death investigation, fraud, theft and theft motor vehicle for the month of July 2018, and reported that for the Department Feedback they received 8 responses, and the overall survey response was a 10 rating. He added that the report will be posted on the City's website.

**13. CITY COUNCIL OR STAFF ANNOUNCEMENT:**

Mr. Edwards reported that a special council meeting is scheduled for August 28, 2018, and that the City Survey is now complete and will place in a readable form and send it out. He also provided an update on the water leak at Bay Harbor.

Sarah Lee, Director of Community Enrichment provided an update on the modified hours for the Aquatic Pool, and also reported that the City is planning a Free Swim on Friday, August 24, 2018. She also reported that construction at the Civic Center started this week.

Henri Morales, Municipal Court Judge provided an update and reported that 150 offenses have been added, and explained the Water Safety & Enforcement, a new program to the City.

Chuck West, Harbor Master provided an update on Huff Street known as "City Dock" and informed the council they are working on fixing the problem.

**14. CITIZEN COMMENT:**

Felipe Flores, resides on Palm Drive, commented on the problems with flooding on Nelson Street and is concerned that they intend to build more housing. He added that the drain clogs and floods easily after a heavy rain.

Ron Pearson, Palm Drive, commented on the problems with flooding on Nelson Street and added that the drainage, sewage and flooding problems need to be addressed before additional houses are built.

**15. EXECUTIVE SESSION:**

The meeting was recessed into Executive Session at 7:20 pm under the provisions of Section 551, Texas Government Code to discuss the authority of:

15.I. Section 551.072, Deliberations regarding real property and Section 551.087 deliberations regarding Economic Development Negotiations relating to Integrity Development and Mark Farnsworth.

15.II. Section 551.071 of the Texas Open Meetings Act to meet with its Attorney to seek legal advice on a matter in which the duty of the Attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act relating to Fire Safety Fee and Gulf Marine Fabricators.

The council reconvened in open session sat 8:36 pm.

15.I. Section 551.072, Deliberations regarding real property and Section 551.087 deliberations regarding Economic Development negotiations relating to Integrity Development and Mark Farnsworth.

Mayor Gomez announced that no action would be taken on this item.

15.II. Section 551.071 of the Texas Open Meetings Act to meet with its Attorney to seek legal advice on a matter in which the duty of the Attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings aCt relating to Fire Safety Fee and Gulf Marine Fabricators.

Mayor Gomez announced that no action would be taken on this item

**15. ADJOURNMENT**

There being no further business to come before the Council, Mayor Gomez adjourned the meeting at 8:37 pm.

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Ramiro Gomez  
Mayor

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Mary Juarez  
City Secretary

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