

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, October 3, 2016 in the Aransas Pass City Hall, 600 W. Cleveland Blvd., Aransas Pass, Texas 78336. A notice of the meeting was posted 72 hours in advance in accordance with Section 551, Texas Government Code. Mayor Adan Chapa, and Council Members Vickie Abrego, Billy Ellis, and Carrie Scruggs were present; Council Member Phillip Hyatt was absent. Also present was 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. PRESENTATIONS AND PROCLAMATIONS:

There were no Presentation or Proclamation items.

4. BOARD AND COMMISSION APPOINTMENTS:

There were no Board and Committee items.

5. CONSENT AGENDA:

5.I. Ordinance No. 2016-4168, Ordinance annexing adjacent and contiguous territory to the City of Aransas Pass, Texas , pursuant to Article 43.028, Texas Local Government Code; finding that all necessary and required legal conditions have been satisfied; providing that such area shall become a part of the city and that owners and inhabitants thereof shall be bound by the acts and ordinances now in effect and to be hereinafter adopted, providing a severability clause; and providing an effective date.

5.II. Approval of Special Meeting Minutes of August 29, 2016, and Regular Meeting Minutes of September 6, 2016 and September 19, 2016.

A motion was made by Mayor Pro Tem Ellis to approve Items 5.I and 5.II, seconded by Council Member Abrego, and the motion carried; Hyatt was absent.

6. PUBLIC HEARING:

6.I. Public Hearing on the following Text Amendments to the Zoning Ordinance:

1. Amendment to the Zoning Ordinance, Part I, Section 4, Subsection 103 by removing mobile homes in the R-7B District and updating Part 1, Section 4, Subsection 111 by replacing "Mobile Home" with "Manufactured Home" referencing the Development Services Fees.
2. Amendment to the City of Aransas Pass Zoning Ordinance to update the "MH" Manufactured Home District by revising references to RV Parks.

City Attorney Lawrence declared the public hearing open on Items 1 and 2. City Manager Carrillo stated that these are housekeeping items, and added that in Item No. 1, the term "Mobile Home" is no longer used in the Building Code and is now referred to as "Manufactured Home". She also stated that several years ago the Planning and Zoning Commission and City Council voted to remove Mobile Homes from the R-7B District and only allow in Manufactured Home District and that this amendment is cleaning up the ordinance. Ms. Carrillo stated that Item No. 2, is also a cleanup item to coincide with the recent changes to the RV Park requirements of minimum acreage and minimum standards.

Mayor Chapa asked if the minimum acreage was five acres, and Ms. Carrillo responded that for a mobile home park, the requirement is five acres.

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

6.II. Consider and Act on the following Texts Amendments to the Zoning Ordinance.

1. Amendment to the Zoning Ordinance, Part I, Section 4, Subsection 103 by removing mobile homes in the R-7B District and updating Part 1, Section 4, Subsection 111 by replacing "Mobile Home" with "Manufactured Home" referencing the Development Services Fees.
2. Amendment to the City of Aransas Pass Zoning Ordinance to update the "MH" Manufactured Home District by revising references to RV Parks.

A motion was made by Council Member Abrego to approve Items 1 and 2, seconded by Mayor Pro Tem Ellis, and the motion carried; Hyatt was absent.

6.III. Public Hearing on the following Demolition of Buildings:

City Attorney Lawrence declared the public hearing open on Items 1 through 5.

1. 640 N. Houston Street, Property ID 12689, Lots 26-29 and 25' of Houston, Block 476, Aransas Pass Townsite.

Dale Wells, Building Official stated that the property owner, Christopher Hall contacted the City stating he would like to do something with the property but has not made any attempts to obtain a building permit or demolition permit. He added that the property is not secured, has termite damage and is in bad shape. Mr. Wells stated that the Building Board of Standards and Appeals is recommending demolition of the structure.

2. 802 N. McCampbell Street, Property ID 12529, Lots 9 and 5' of McCampbell, Block 408, Aransas Pass Townsite.

Dale Wells, Building Official stated that a demolition permit has been obtained and a majority of the building has been taken down. Mr. Wells stated that this property is being removed from the request for council action.

3. 728 S. Rife Street, Property ID 329, Lots 25 and 26, Block 442, Aransas Pass Townsite.

Dale Wells, Building Official stated that the property owners were sent numerous letters and there has been no response or contact. He stated that the property has been neglected and the building is collapsing and a dangerous situation. Mr. Wells stated that the Building Board of Standards and Appeals is recommending demolition of the structure.

4. 742 N. Houston Street, Property ID 12673, Lots 27 – 27 & 25' of Houston, Block 475, Aransas Pass Townsite.

Dale Wells, Building Official stated that at one time a demolition permit was issued to the property owner, and the building structure was removed; however, the wood flooring and construction debris remains at the property. Mr. Wells stated that the recommendation is to proceed with removal of the remaining materials.

5. 1245 W. Johnson Avenue, Property ID 42872, Outlot 45, Tract 4, Aransas Pass Townsite.

Dale Wells, Building Official stated that when this property was being considered by the Building Board of Standards and Appeals, they received a registered letter from the property owner consenting to voluntary demolition of the property and request that it be removed from council consideration.

City Attorney Lawrence clarified that Items 1, 3 and 5 are for demolition and Item 4 is for removal of materials. Council Member Abrego asked if Item No. 5 is being demolish, and Mr. Wells responded that it is a voluntary demolition. Council Member Scruggs asked what happens to the property when it is completed, and Mr. Wells responded that the City will clean the property, and that the property owner is aware of the problem and has the property for sale but is currently incarcerated.

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

6.IV. Consider and Act on the Demolition of the following Demolitions:

1. 640 N. Houston Street, Property ID 12689, Lots 26-29 and 25' of Houston, Block 476, Aransas Pass Townsite.
2. 802 N. McCampbell Street, Property ID 12529, Lots 9 and 5' of McCampbell, Block 408, Aransas Pass Townsite.
3. 728 S. Rife Street, Property ID 329, Lots 25 and 26, Block 442, Aransas Pass Townsite.
4. 742 N. Houston Street, Property ID 12673, Lots 27 – 27 & 25' of Houston, Block 475, Aransas Pass Townsite.
5. 1245 W. Johnson Avenue, Property ID 42872, Outlot 45, Tract 4, Aransas Pass Townsite.

A motion was made by Mayor Pro Tem Ellis to demolish Items 1, 3 and 5, and cleanup in Item 4, seconded by Council Member Scruggs, and the motion carried; Hyatt was absent.

7. CITY MANAGER

- 7.I. Consider and Act on appointing Sandra Garcia, Comptroller as an additional Signatory for the withdrawal of funds from the City Depository.

City Manager Carrillo introduced the new Comptroller/Director of Finance, Sandra Garcia and stated that the purpose of this item is to add Ms. Garcia as an additional signatory for the withdrawal of funds from the city depository.

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

7.II. Consider and Act on Resolution No. 2016-790 of support and participation in the Floodplain Management Plan and recognition of the Floodplain Management Planning Committee.

City Manager Carrillo recognized Ms. Amanda Torres, City of Rockport who stated that this item is for a Countywide Floodplain Management Plan, funded by a grant through the Texas General Land Office. Ms. Torres stated that the City of Rockport, Town of Fulton and Aransas County are participants in the Floodplain Management Plan focused on flooding hazards in each of the entities. Ms. Torres added that as part of the Floodplain Plan, it is necessary to create an Executive Committee and a Planning Sub-Committee.

Ms. Carrillo stated that the City is recommending the appointment of Katherine Comeaux, City Planner, Fernando Quintanilla, Director of Public Works to the Executive Committee, and Randy Hunter, Public Representative; and on the 14 member Planning Committee the following City Staff - Katherine Comeaux, Dale Wells, Fernando Quintanilla, Lynn Pearce, and Sylvia Carrillo; and Planning & Zoning Commission – Randall Freeze, Richard Kubek, Lisa Barker, Elizabeth Dorris, Pat Fenton, Shirley Gallagher, Carol Salinas, Kathleen Sweatt, and Cynthia Vasquez. Ms. Torres stated that they expect to have a draft of the Plan by December 2016, and a completion date of February or March of 2017.

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

7.III. Consider and Act on an agreement with Texas A&M University – Corpus Christi Social Science Research Center.

City Manager Carrillo stated that the Council had previously approved a contract with Texas A&M University for body-worn cameras. She stated that due to a delay with the implementation of the contract, this is to reiterate that the contract is for this fiscal year.

Mayor Chapa asked how the contract works, and Ms. Carrillo stated that the University will review three years of current footage to develop best practices and training videos to be used by police departments around the country, and that the Aransas Pass Police Department is one of ten that is utilizing body worn cameras.

Mayor Chapa asked if the City will be paying \$20,000, and Ms. Carrillo responded that the City will pay \$20,000, and that \$10,000 will come from the Police Department Drug Seizure Fund and \$10,000 from the City General budget.

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

7.IV. Consider and Act on water adjustment of Marci Garcia.

City Manager Carrillo stated that resident, Ms. Garcia is handling the estate of her deceased mother and is requesting a water adjustment to her account. She stated that there are multiple units on one lot for a large water leak and has isolated a leak but has not yet fully identified nor corrected the problem. Ms. Carrillo stated that she has paid toward the delinquent amount, but a balance of approximately \$1,600 still remains and has agreed to pay 50 percent of amount owed immediately. Ms. Carrillo added that a new meter was installed and it still shows a small leak.

Council Member Abrego asked if there were other units with people renting in the area, and Ms. Carrillo stated that the area is multi-family with apartments, mobile homes, main home and an additional structure. Ms. Carrillo referred to an aerial map depicting the area.

A motion was made by Council Member Abrego to deny the request, seconded by Mayor Pro Tem Ellis, and the motion carried; Scruggs voting No; Hyatt was absent.

8. COMMUNITY ENRICHMENT:

There were no Community Enrichment Items.

9. DEVELOPMENT SERVICES:

There were no Development Services Items.

10. FINANCE:

There were no Finance items.

11. INFORMATION TECHNOLOGY:

There were no Information Technology items.

12. PUBLIC SAFETY:

12.I. Consider and Act on approving Section 18-13, Urinating and Defecating in Public, Prohibited, of Chapter 18, Part II, of Aransas Pass, Texas – Code of Ordinances.

Police Chief Blanchard discussed the problems with campers and that camping sites are usually not equipped with a restroom. He added that the proposed ordinance basically states that urinating and defecating can only occur in a toilet or designated restroom.

A motion was made by Mayor Pro Tem Ellis to approve Item 12.I, seconded by Council Member Abrego, and the motion carried; Hyatt was absent.

12.II. Consider and Act on approving the renewal of the City's Curfew in Part 2, Chapter 18, Sections 18-4 and 18-7 of the Aransas Pass Code of Ordinances.

Police Chief Blanchard stated that the City is required to renew the curfew ordinance every three years. He stated that the City has issued 139 curfew violation citations over the last three years.

A motion was made by Mayor Pro Tem Ellis to approve Item 12.II, seconded by Council Member Abrego, and the motion carried; Hyatt was absent.

13. CITIZEN COMMENTS:

Howard Gillespie, stated that he is a candidate for County Commissioner, Precinct 4 and introduced his Campaign Chairman.

Megan Arispe, stated that she resides in the Pelican Cove area and spoke of her Senior Project involving the renovation of the Old Administration Building into a Museum as a means to preserve the history of Aransas Pass and asked for the council's support.

Donald Brummet, 902 S. Rife, asked the Council to consider another cable company.

14. **EXECUTIVE SESSION:**

14.I. The meeting was recessed into Executive Session at 7:45 pm under the provisions of Section 551, Texas Government Code to discuss the authority of:

- a. Section 551.071 – Consultation with City Attorney: Lamas Lawsuit

The Council returned from Executive Session at 7:55 pm

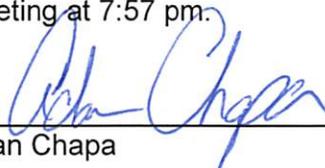
- a. Section 551.071 – Consultation with City Attorney: Lamas Lawsuit

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

Before adjournment of the meeting, City Manager Carrillo informed the Council of the following: 1) Texas Commission on Environmental Quality regarding landfill issues and collection station, and 2) the City's nominee to the Nueces County Appraisal District is being passed on due to not enough notice given to the city for recruitment.

15. **ADJOURNMENT**

There being no further business to come before the Council, Mayor Chapa adjourned the meeting at 7:57 pm.



Adan Chapa
Mayor



Mary Juarez
City Secretary

Approved on: Nov. 7, 2016