

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, March 6, 2017 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 was Interim City Manager Fernando Quintanilla 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 items.

4. **BOARD AND COMMISSION APPOINTMENTS:**

There were no Board Appointment items.

Mayor Chapa stated that he was deviating from the Consent Agenda and referring to Citizens Comments.

13. **CITIZENS COMMENTS:**

Diane Flores, 1215 W. Goodnight, expressed concerns regarding the 10-foot Hike and Bike Trail stating that there would not be enough driveway for the residents in that area; concerned it may become dormant; recommended Wilson, down Avenue A and McMullen towards Charlie Marshall School that is where the necessity is; distributed pictures to the Council of trees that would need to be removed.

Bill Killian, Killian Calderon Disposal, distributed a handout to Council, and referred to the previous motion to table the Solid Waste contract for 120 days; stated that his Company did not have a chance to discuss the benefits of the bid submitted and referred to the franchise fee they are prepared to offer; discussed the RFP point system and unlimited cubic yards, and stated that he supports tabling of the RFP.

Mike Reeves, Republic Services, stated that they have serviced Aransas Pass for 31 years; discussed the impact of changing solid waste service to the residential and business community; the RFP process and the timing allowed for submitting the proposals. Mr. Reeves stated that he supports postponing for 120 days.

William Davis, Absolute Waste, commented on the number of employees and equipment for their company; referred to the number of municipal contracts that they manage; discussed community involvement, house demolitions, recycling, and other services their company provides.

Mark Kinney, ButterChurn, stated that they are concerned with management changes; discussed their front load pick and pick up days stated that because of the nature of their business these are important and timing is critical; and stated that Republic Services has provided impeccable service; and supports postponing for 120 days.

Henri Morales, stated that she is not satisfied with the current provider; current provider has not done a good job in residential area, toters are everywhere and leave the area trashy.

Roy Vasquez, 1003 W. Rhodes, questioned why the RFP was postponed and that the management transition should not affect the RFP process; stated that every Spring season there are brush pick up delays and this has not improved or adjustment made; discussed the driver routine, and asked that the council consider unlimited brush pickups.

5. CONSENT AGENDA:

- 5.I. Ordinance amending the Code of Ordinances of the City of Aransas Pass, Texas, by revising Section 24-4(a), Delegation of Authority for Platting Approval under specific circumstances to the City Manager or Designee and amending the title of the section to include "Minor Plat Provision"; providing a repealer clause; and, providing for an effective date.
- 5.II. Ordinance amending the Zoning Ordinance of the City of Aransas Pass, Texas, by revising Section 400 to provide continuity of intent and application of the allowance of Conditional Use Permits with the City of Aransas Pass.
- 5.III. Ordinance amending the City of Aransas Pass Zoning Ordinance, Part III, Section 12, Off Street Parking Requirements, parking Schedule 12-200, Minimum Parking Requirements for "Auto Laundry".
- 5.IV. Ordinance of the City of Aransas Pass, Texas amending Chapter 2, Division 5 – Memorial Commission, Section 2-28 of the Code of Ordinances of the City of Aransas Pass, providing for an effective date.
- 5.V. Resolution No. 2017-804, authorizing Tax Resale of Property located at Tract No. 1, Lots 10 and 11, Block 408, City of Aransas Pass, Aransas County, Texas.
- 5.VI. Resolution No. 2017-805, authorizing Tax Resale of Property located at Lots 25 and 26, Block 454, Original Townsite, City of Aransas Pass, Aransas County, Texas.
- 5.VII. Resolution No. 2017-806, authorizing Tax Resale of Property located at Tract No. 1, Lot 2, Block 389, City of Aransas Pass, Aransas Pass, Texas.
- 5.VIII. Resolution No. 2017-807, authorizing Tax Resale of Property located at Lots 13 and 14, Block 475, City of Aransas Pass, Aransas County, Texas.
- 5.IX. Resolution No. 2017-808, authorizing Tax Resale of Property located at Tract 2, Lots 4, 5, 6, 7, 8, and 9, Block 389, City of Aransas Pass, Texas.
- 5.X. Resolution No. 2017-809, authorizing Tax Resale of Property located at Lots 17 and 18, Block 455, Original Townsite, City of Aransas Pass, Aransas County, Texas.
- 5.XI. Resolution No. 2017-810, authorizing Tax Resale of Property located at Lots 13, 14, 15 and 16, Block 'G' (NCB 571), Makey's First Addition, City of Aransas Pass, San Patricio County, Texas.

5.XII. Approval of Regular Meeting Minutes of February 6, 2017.

A motion was made by Mayor Pro Tem Ellis to approve the Consent Agenda, Item 5.I through 5.XII, seconded by Council Member Hyatt, and the motion passed with the following vote: Chapa, Abrego, Ellis, Hyatt and Scruggs voting Aye.

6. **PUBLIC HEARING:**

There were no Public Hearing items.

7. **CITY MANAGER**

7.I. Consider and Act on 2017 Fireworks Production Contract between the City of Aransas Pass and Western Enterprises, Inc.

Fernando Quintanilla, Interim City Manager stated that this is the Annual Fireworks Display and added that staff is recommending celebrating on July 1, 2017.

A motion was made by Mayor Pro Tem Ellis to approve Item 7.I, the Fireworks Contract with Western Enterprises for the fireworks display on July 1, 2017 for an amount not to exceed \$20,000, seconded by Council Member Hyatt, and the motion passed with the following vote: Chapa, Abrego, Ellis, Hyatt and Scruggs voting Aye.

7.II. Consider and Act on issuance of Request for Proposals for Mulching and Grinding Services at the Collection Station.

Mr. Quintanilla stated this is requesting approval to re-advertise an RFP for the Mulching Services at the collection site. He added that a previous contract had been awarded but was later canceled due to metals found in the brush. Mr. Quintanilla stated that this RFP will include a mandatory onsite pre-bid meeting to inform interested bidders that they are bidding as is on the field.

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

7.III. Consider and Act on granting an Easement and Right-of-Way to AEP Texas, Inc. at 300 E. Johnson Avenue.

Mr. Quintanilla stated that this is a request from AEP to grant an easement for the foundation built in the covered area at the Shrimporee Grounds to provide electricity.

A motion was made by Council Member Hyatt to approve Item 7.III, seconded by Mayor Pro Tem Ellis, and the motion passed with the following vote: Chapa, Ellis, Hyatt and Scruggs voting Aye; Abrego abstained.

7.IV. Consideration of request to Reconsider awarding the RFP for Solid Waste and Garbage Collection Services.

Mr. Quintanilla stated that a request was received from two council members to reconsider the Request for Proposals for Solid Waste.

A motion was made by Mayor Pro Tem Ellis to approve Item 7.IV, to reconsider the request for RFP for Solid Waste, seconded by Council Member Hyatt, and the motion passed with the following vote: Abrego, Ellis, Hyatt and Scruggs voting Aye, Chapa voting No.

7.V. Consider and Act on awarding RFP for Solid Waste and Garbage Collection Services.
(This item will only be considered if the request to Reconsider is approved)

Mr. Quintanilla stated that this item is related to the award of the RFP for Solid Waste and Garbage Services.

Council Member Hyatt asked what type of trucks will be used. Mr. Killian responded that the proposal was for front load service and that is what they bid on, but they have rear and side loaders as well. He added that they currently do not have enough trucks and would need to purchase additional trucks. Mr. Davis responded they would be newly purchased and that they currently have six front load trucks, and also does commercial side load. Mayor Chapa asked the year of the vehicles, and Mr. Davis responded 2011, but depends on the condition of the truck.

Mayor Chapa asked where they dispose of the trash. Mr. Davis responded that they dispose at the City of Corpus Christi Cefe Valenzuela Landfill. Mr. Killian responded that they dispose at City of Corpus Christi Cefe Valenzuela Landfill and El Centro. Council Member Hyatt asked how long have they been in business, and Mr. Killian responded two years. Mr. Reeves responded that Republic Services has been in business for 31 years

A discussion ensued and council members asked questions regarding front loaders, side loaders, number of fleet vehicles, unlimited trash, number of carts, trash totes, customer complaint response time, current contract expiration, franchise fees, difference between and RFP and a bid, and the RFP process.

Mr. Quintanilla stated that the City is recommending the lowest bidder.

A motion was made by Council Member Hyatt to award the bid to Absolute Waste Recycling, seconded by Mayor Pro Tem Ellis, and the motion passed with the following vote: Abrego, Ellis, and Hyatt voting Aye; Chapa and Scruggs voting No.

8. **COMMUNITY ENRICHMENT:**

There were no Community Enrichment Items.

9. **DEVELOPMENT SERVICES:**

There were no Development Service 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 the Mayor to enter into a Memorandum of Understanding (MOU) between the City of Aransas Pass and Tri-County Service Center.

Police Chief Blanchard stated this item is for a Memorandum of Understanding between the Police Department and Tri County Christian Service Center to assist with emergency management for the handling of incoming donations.

In response to a question from Council Member Hyatt, Mr. Lynn Pearce stated that Tri County has a system in place to track donations and that in the event of an emergency, they would be referred to Tri County.

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

14. EXECUTIVE SESSION:

The meeting was recessed into Executive Session at 7:58 pm under the provisions of Section 551, Texas Government Code to discuss the authority of:

1. Section 551.071, Consultation with City Attorney: Naismith Lawsuit.
2. Section 551.074, Personnel Matters: City Manager Recruitment.

The Council returned from Executive Session at 8:25 pm.

1. Section 551.071, Consultation with City Attorney: Naismith Lawsuit.

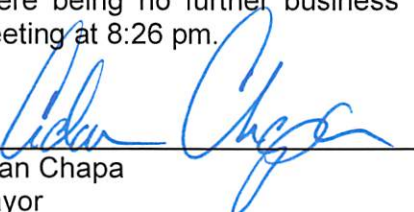
A motion was made by Council Member Hyatt to allow authorization to set a mediation date for the Naismith Lawsuit, seconded by Mayor Pro Tem Ellis, and the motion passed the with following vote: Chapa, Abrego, Ellis, Hyatt and Scruggs voting Aye.

2. Section 551.074, Personnel Matters: City Manager Recruitment.


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

15. ADJOURNMENT

There being no further business to come before the Council, Mayor Chapa adjourned the meeting at 8:26 pm.



Adan Chapa
Mayor



Mary Juarez
City Secretary

Approved on: April 3, 2017