

STATE OF TEXAS
COUNTIES OF ARANSAS
SAN PATRICIO AND NUECES
CITY OF ARANSAS PASS

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A Regular Meeting of the Aransas Pass City Council was held on Monday, December 7, 2020 in the Aransas Pass City Hall, 600 W. Cleveland, 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, Jason Knight, Janet Moore (via phone) and Carrie Scruggs were present. Also present was Interim City Manager Sandra Garcia and City Attorney Roxann Pais 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.

3. PRESENTATIONS AND PROCLAMATIONS:

3.I Update by Eric Villarreal, LNV Engineers regarding Water Tower

Mr. Villarreal stated that the Water Tower project is complete and the Certification of Construction Completion has been signed by LNV and Landmark Structures (contractor) and submitted to the city today. He added that the affidavit of bills paid and owner's mails have also been submitted to the city and that the final payment is due and administration close-out of the project.

3.II Update by Russel Soike AG CM Project Manager regarding Conn Brown Harbor Road Project

Mr. Soike provided an update of the project and played a video of the construction at Conn Brown Harbor. He added that the project is 37% complete, and that Phase 3 will begin next week.

3.III Demolition Update - Roxann Pais Cotroneo, City Attorney

Ms. Cotroneo provided a three-month update and stated that a total of 146 structures have been demolished. She displayed photos of the structures, and added that 30 structures have been demolished in the last 3 months.

3.IV Tree Trunk Project - Roxann Pais Cotroneo, City Attorney

Ms. Cotroneo stated that the "Tree Trunk Project" is a new program aimed at tree trunk removal. She added that city staff has identified approximately 10 properties and displayed photos of each tree trunks. Ms. Cotroneo then explained the process that the city would follow to have these trunks removed from the city's easement.

4. BOARD AND COMMISSION APPOINTMENTS:

4.I Planning and Zoning Commission

A motion was made by Council Member to appoint Herb Lancaster, seconded by Council Member Knight, and the motion passed unanimously.

5. CONSENT AGENDA:

A motion was made by Council Member Abrego to approve the minutes of the November 12, 2020 Special Meeting and November 16, 2020 Regular Meeting, seconded by Council Member Scruggs, and the motion passed unanimously.

6. PUBLIC HEARINGS:

There were no public hearing items.

7. CITY MANAGER:

7.I Consider and Act on renewing Interlocal Agreement with San Patricio County to regulate Food Establishment Rules and On-Site Sewage Facilities beginning January 1, 2021 through December 31, 2021.

Sandra Garcia, Interim City Manager explained that this item is to renew the current agreement with San Patricio County for regulating onsite sewage facilities and food establishments for an additional year.

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

7.II Consider and Act on Resolution approving Tax Resale Property, Suit No. S-12-1342, TX, Lots 27 and 28, Block 4, Frick's First Addition, City of Aransas Pass, San Patricio County, Texas. The property is located at 1341 Arch. Bid submitted by Alex Tan in the amount of \$20,000.

Mr. Robert Cuevas, Linebarger Firm stated that this tax resale was previously brought before the council, but a higher bid was submitted and a bid off was conducted. The higher bid for this property was submitted by Alex Tan in the amount of \$20,000. He added that if approved, the city would receive approximately \$5,627 and added that the bidder plans to improve the property. Mr. Cuevas informed the council that in future tax resale brought before the city, they would do their best to find out the bidder's intent of the property.

Mayor Gomez asked the size of the property, and Mr. Cuevas responded approximately .1610 acres.

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

7.III Consider and Act on awarding Request for Proposal for Retail Energy Provider for the period beginning January 1, 2021 and ending December 31, 2023.

Ms. Garcia stated that an RFP was issued and three bids were submitted. She stated that TXU Energy, the current provider, is the lowest bidder, and this would be for thirty-six months.

A motion was made by Council Member Abrego to approve Item 7.III awarding the contract to TXU Energy for thirty-six (36) months, seconded by Council Member Scruggs, and the motion passed with the following vote: Abrego, Knight, Moore and Scruggs voting Aye.

7.IV Consider and Act on authorizing the Mayor to certify to the Texas Secretary of State an authenticated copy of the Charter Amendments under Municipal Seal showing approval by the voters on November 3, 2020.

A motion was made by Council Member Abrego to approve Item 7.IV, seconded by Council Member Scruggs, and the motion passed unanimously.

8. DEVELOPMENT SERVICES:

8.I Consider and Act on approving a Memorandum of Understanding between the City of Aransas Pass and Texas Community Watershed Partners for guidance and development of Recreational Vehicle (RV) parks within the City's jurisdiction.

Osei Amo-Mensah, City Planner stated the purpose of this MOU is to provide guidance to assist with technical advice and develop strategies in the development of RV parks in the city limits. He added that this agreement is through May 31, 2021.

Ms. Garcia stated that this was the same agency that assisted with the City's wetland ordinance, and the city is once again recommending to partner with TCWP to provide assistance in the location of RV parks in the city. Council Member Abrego asked if there is a cost to the city, and Ms. Garcia responded there is no cost associated with this service. Mr. Mensah added that assistance is needed and that joint meetings would be held with the City Council, Planning and Zoning Commission, and Zoning Board of Adjustment.

A motion as made by Council Member Scruggs to approve Item 8.I, seconded by Council Member Abrego, and the motion passed unanimously.

8.II Consider and act on approving Amendment No. 1 to Task Order 18 for engineering professional consulting services between City and LNV, Inc. for the CDBG-DR Drainage and Wastewater projects.

Mr. Eric Villarreal, LNV stated that the purpose of this amendment is to correct a typo in the Task Order to reduce the fee by \$5.99 to match the amount submitted to the Texas General Land Office.

A motion was made by Council Member Scruggs to approve Item 8.II, seconded by Council Member Abrego, and the motion passed unanimously.

8.III Consider and Act on approving Change Order No. 5 with Landmark Structures for the Elevated Storage Tank in the amount of \$3,868.00.

Mr. Villarreal stated that the work on the change order was done during the installation of the fencing at the site. He added when the survey was conducted, since the fence had been destroyed by the storm there was no record of a fence (Wilson Avenue) and it was not included. The fence was added and is covered by FEMA at 90%, and the State covers 75% of the City's 10% which the City's cost is \$86.70.

A motion was made by Council Member Scruggs to approve Item 8.III, seconded by Council Member Abrego, and the motion passed unanimously.

8.IV Consider and Act on Resolution No 2020-958 waiving Water and Sewer Tap Fees for an area known as Sherwood Forest for customers who meet certain criteria; containing various provisions relating thereto; and an effective date.

Mr. Quintanilla stated the grant was done in 2004 for Oak Lane and for the remaining streets in 2007. The grant paid for the connections for those residents residing in this area, everything was pre-tapped. He stated that there are 22 properties that still do not have water in this area, and they are pre-tapped.

Council Member Abrego asked if there is a time limit, and Ms. Garcia responded that the resolution states a time limit of six (6) months. Ms. Abrego then asked if these residents will be notified and how, and Ms. Garcia responded that they could send information through the mail or leave a door knocker at their residence. Council Members expressed the importance of informing the residents. Mr. Quintanilla clarified that this is only for water.

A motion was made by Council Member Abrego to approve Item 8.IV, seconded by Council Member Knight, and the motion passed unanimously.

9. COMMUNITY DEVELOPMENT:

There were no Community Development items.

10. FINANCE:

There were no Finance Department items.

11. INFORMATION TECHNOLOGY:

There were no Information Technology items.

12. PUBLIC SAFETY:

There were no Public Safety items.

13. CITY COUNCIL OR STAFF ANNOUNCEMENT:

Ms. Garcia stated that a Workshop Meeting is scheduled for December 10, 2020 and will include the following items: ATVs, Pandhandling and Parking in Unimproved Areas. After discussion, there was a consensus to re-schedule the meeting to December 15, 2020.

14. CITIZEN COMMENTS:

Donald Brummett commented on the replacement of the storm drains once the Bigelow project was complete and that they have been filled with concrete and dirt. Mr. Quintanilla stated he would look into the matter.

15. EXECUTIVE SESSION:

The meeting was recessed into Executive Session at 7:12 pm under the provision of Section 551, Texas Government Code to discuss the authority of:

15.1.1 Section 551.071, Industrial District Agreement No. 10 between the City and P&R Development, LLC for a term beginning January 1, 2016 and continuing until December 31, 2030.

15.1.2 Section 551.071, Telecommunication Easement and Lease - TPA IV, LLC

15.1.3 Section 551.071, City Legislative Agenda

- 15.II Section 551.071, Economic Development Negotiations related to City Owned Property commonly known as LWR Property on Ransom Road, also known as Nueces County Appraisal District No. 380310
- 15.III Section 551.071, Economic Development Negotiations related to an RV Park on Avenue A - Mark Marlowe
- 15.IV Section 551.074, Municipal Court Judge

The council reconvened in open session at 9:29 pm.

- 15.VI Consider, discuss and take action to assign Industrial District Agreement No. 10 from P&R Development, LLC to 2072 FM, LLC to be known as Industrial District Agreement 10a.

A motion was made by Council Member Scruggs to assign Industrial District Agreement No. 10 from P&R Development to 2072 FM, LLC to be known as Industrial District Agreement No. 10a, seconded by Council Member Abrego, and the motion passed unanimously.

- 15.VII ~~Consider, discuss and take action, if any, to enter into a Telecommunication Easement and Lease agreement between the City and TPA, IV, LLC (often referred to as "Towerpoint) for real property at 235 W. Wilson Street, Aransas Pass, Texas commonly known as the City's Water Tower.~~

17. ADJOURNMENT:

There being no further business to come before the Council, Mayor Gomez adjourned the meeting at 9:16 pm.

 Ramiro Gomez
 Mayor

 Mary Juarez
 City Secretary

Approved on: _____