

A Special Meeting of the Aransas Pass City Council was held on Monday, February 22, 2021 via Video Conferencing livestreamed at <http://youtube.com/user/cityofaransaspass>, as allowed by the Governor's Order issued on March 16, 2020 in an effort to mitigate the spread of COVID-19. 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 and Carrie Scruggs were present. Also present was City Manager Gary Edwards and City Attorney Roxann Pais Cotroneo.

1. CALL MEETING TO ORDER.

Mayor Gomez called the meeting to order at 5:30 pm.

2. PRESENTATIONS AND PROCLAMATIONS:

2.I Update on Winter Freeze

Gary Edwards, City Manager referred to the following staff members to provide an update on the recent Winter Freeze.

Fernando Quintanilla, Director of Public Works reported that there was a total of 185 private water connection breaks, 9 city water breaks, and there are a couple of breaks that are being worked on. He announced that the Water Boil Notice was lifted today. He then reported on the following - lift stations, delivery of fuel, and water pressure, cost for backup generators, water from San Patricio County Municipal Water District (SPCMWD). Mayor Pro Tem Moore inquired on the cost of water by SPCMWD, and Mr. Quintanilla responded that the City has a meter that records the amount of water entering the tank and that the City will only be billed for the amount of water that enters the tank.

Sandra Garcia, Director of Finance addressed the financial issues and reported on the pending Generator project. She stated that for the Winter Freeze Event, the only category that is open is Category B which covers emergency preparedness such as sheltering, water, meals and overtime. She stated that it does not cover infrastructure damage. Ms. Garcia added that as cities begin reporting their damage assessment, and upon reaching \$36 million statewide, they will open additional items through FEMA.

Lynn Pearce, EOC Coordinator thanked all the Team Members for their hard work during this event. He reported on the distribution of non-potable water, donations distribution of drinkable water, meals, donations for the shelter at Calvary Baptist Church, and the water distribution at the Dialysis Center. Mr. Pearce reported that Texas-Wide, 70 people died during this winter freeze event and discussed assistance available through crisiscleanup.org. Eric Blanchard, Police Chief thanked staff and volunteers for their hard work and contribution during this event. Mr. Blanchard also stated that he plans on doing an After Event De-briefing on how the city can improve and plans to send a survey to the public.

Rosemary Vega, AP Chamber of Commerce discussed the assistance provided by the chamber and recognize the organizations and individuals that provided meals, water and goods to the citizens of Aransas Pass.

2.II Update on Conn Brown Harbor Hike/Bike Path Location

Mr. Edwards stated that the issue of moving the Hike/Bike Path location was discussed at an earlier meeting. Fernando Quintanilla, Director of Public Works stated the cost for construction is approximately \$78,000, for and an additional cost of \$48,000 for design, and that the relocation would delay the project about two weeks.

Mr. Lizardo Ceballos, Dannenbaum explained that moving the Hike/Bike Trail would require realigning the road, address drainage matters and additional materials. He further stated that the construction cost is \$78,000 and the design cost is approximately \$48,000. Mr. Edwards asked if these costs could be covered in the grant, and Mr. Quintanilla responded that the city has exceeded the grant and these cost would need to be covered by the city. Council Member Knight expressed that the cost is high and not sure that the city should be making this change to the project. Mayor Gomez stated that he inquired about the hike and bike path location because he wanted to know why it was not in the initial drawings, but understands the reasoning for selecting this location, which is due to drainage matters.

3. PUBLIC HEARINGS:

3.I Case No. 2012-20, public hearing to consider granting a Conditional Use Permit to Roxanne Ramos to allow a trailer to be placed onto Lot 3 of Block 456, so that her father may care for her grandparents.

Mayor Gomez declared the public hearing open. Mayor Pro Tem Moore asked the size of the grandparents home and number of bedrooms, and Mr. Mensah responded the home is a single family home and minimum size is 1,000 square feet and does not have information on the number of bedrooms. Mr. Ramos stated the home has two bedrooms. Mayor Pro Tem Moore asked if it was a single family home or mobile home, and Ms. Ramos responded it is a mobile home and is requesting to place a second mobile home on an adjacent lot.

Mayor Pro Tem Moore asked what the current zoning is at the property, and Mr. Mensah responded it is zoned R-7A, Single Family Residential zone and the minimum lot size is 7,000 square feet and allows for only stick built homes and mobile homes. He added that RVs are not allowed, which is the reason for the conditional use permit application. Council Member Knight asked if there was any opposition, and Mr. Mensah responded there was no opposition. Mayor Pro Tem Moore stated perhaps issuing a 6 month permit instead of a one-year permit. In response to a question from Council Member Knights, Mr. Mensah responded the application fee is \$200. Mr. Mensah stated that the Planning and Zoning Commission recommended approval of a one-year permit.

Council Member Abrego stated that the mobile home will have to be removed within a certain period after the permit expires. Mr. Mensah stated that a statement will be included that it is not a permanent structure, and if the use is no longer in effect the RV has to be removed, and will be included as a condition.

There being no further questions, Mayor Gomez declared the public hearing closed.

3.II Consider and Act to approve an Ordinance granting a Conditional Use Permit to Roxanne Ramos to allow a trailer to be placed onto Lot 3 of Block 456, so that her father may care for her grandparents.

A motion was made by Council Member Scruggs to approve the Conditional Use Permit for a one-year period, seconded by Council Member Knight, and the motion passed unanimously.

4. CITY MANAGER:

4.I Consider and Act on approving an Interlocal Agreement between Aransas County, Texas and the City of Aransas Pass for food and drainage improvements through the Texas General Land Office - Contract No. 20-064-098-C270.

Mr. Edwards explained that this relates to an Aransas County grant to address drainage matters within the city limits. Mr. Andrew Gonzales, GrantWorks explained that it is a Texas General Land Office (GLO) grant and will address drainage issues on Hwy 35 (from Mundane to Resendez), and along Kirby, Holden, Johnson, Smith, Armstrong, Murphy, Joslin, Sawyer and A1 Hill Road. He added that they will be installing storm sewers and associated drainage appurtenances and a total of five culverts. Mr. Gonzales stated that the project will be fully funded by the GLO grant and Aransas County, and there is no financial obligation for the City of Aransas Pass.

Mayor Pro Tem Moore asked why this area was selected, and Mr. Gonzales responded that the engineering team identified these areas during the application process as needing drainage work.

A motion was made by Council Member Abrego to approve Item 4.I, seconded by Mayor Pro Tem Moore, and the motion passed unanimously.

4.II Consider and Act on Ordinance amending City Code of Ordinances, Chapter 26 - Streets, Sidewalks and other Public Property, Article VII - Signs, Section 26-144 and Section 26-176, Political Signs: providing a repealer clause; and providing an effective date.

Mr. Edwards stated that this item is recommending elimination of the sign requirement for political signs, and added this is not a state requirement, but rather a local ordinance. Council Member Abrego commented that perhaps when this ordinance was passed there were no LED signs, but that is not the case now. Council Member Knight inquired why this is being proposed during an election, and Council Member Abrego responded that there are other non-local candidate signs and if she had known of the ordinance prohibiting these signs, she would have requested a sooner.

A motion was made by Council Member Scruggs to approve Item 4.II, seconded by Mayor Pro Tem Moore, and the motion passed with the following vote: Abrego, Moore and Scruggs voting Aye; Knight voting No.

4.III Consider and Act on designating a Council Member to serve on the Utility Rate Study Committee to review proposals submitted and make recommendation to the City Council.

Mr. Edwards stated the purpose to have a council member serve on the Utility Rate Committee is to review proposals. Mayor Gomez spoke in support of appointing Council Member Abrego to this committee.

A motion was made by Council Member Scruggs to appoint Council Member Abrego to serve on the Utility Rate Committee, seconded by Mayor Pro Tem Moore, and the motion passed unanimously; Abrego abstained.

4.IV Consider, discuss and take action to approve Ordinance No. 2021-4338, an emergency ordinance of the City of Aransas Pass, Texas extending a Local State of Disaster Declaration due to a Public Health and Safety Emergency known as Severe Winter Weather.

Mr. Edwards stated this action is extending the declaration for another seven (7) days.

A motion was made by Mayor Pro Tem Moore to approve Item 4.IV, seconded by Council Member Scruggs, and the motion passed unanimously.

4.V TABLED

~~Consider, discuss and take action to approve Ordinance No. 2021-4339 removing the operation of Competitive Bidding Requirements to the applicable competitive bidding procedures of the City of Aransas Pass, Texas during the declared State of Emergency; making various findings and provisions related to the subject and providing for an effective date.~~

A motion was made by Mayor Pro Tem Moore to table Item 4.V, seconded by Council Member Abrego, and the motion passed unanimously.

5. **PUBLIC SAFETY:**

5.I Racial Profiling Report - 2020

Mr. Blanchard presented the 2020 Racial Profiling Report and council is required to acknowledge receipt of the report. He stated that they have met all the legal requirements under State law, reporting statistics as required by law, and policy meets State and Federal law. Mr. Blanchard stated that there have been no racial profiling reports over the last year and they remain in compliance.

6. **DISCUSSION ITEM:**

6.I POSTPONED
Bird Scooter Company

6.II Driving in Unimproved Areas - Conn Brown Harbor

Mr. Edwards stated that there are concerns with people driving through the new roads and curbs at Conn Brown Harbor. Council Member Scruggs stated she has observed cars driving through the new roads and curbs as a means to get to the water on the intra-coastal side of Harbor (on the top part of the Harbor), and suggested having an ordinance to enforce this type of activity. She also stated that she has heard of complaints that fishing has been taken away.

Council Member Scruggs stated that there are fishing tables at the boat ramps and there is access to get to the water without going over the curb and hike/bike trail. Council Member Knight asked why this was not addressed during the engineering of the project because this area has been traditionally used for fishing for years. Council Member Scruggs discussed alternatives such as park their vehicle and walk to the location, fish at the inner Harbor, and fish along the pier. Ms. Scruggs further stated that developing the harbor would bring revenue to the city. City Attorney Cotroneo referred to a section in the Transportation Code that prohibits driving on a sidewalk or a hike/bike trail.

Mr. Edwards stated that he would discuss this matter with Dannenbaum Engineering and get back to council with possible options.

6.III Signage at Lighthouse Lakes

Council Member Scruggs discussed the increase of boat traffic at Lighthouse Lakes and the need for large billboard signs on each side of the channel, on the inland park side and across

the other side of the channel for caution, alert, etc. Mayor Pro Tem Moore suggested having lighted signs to address traffic at night. Dana Smith stated the park (fishing, swimming, wade fishing) is very dark and agrees there should be some type of signage but also suggested public outreach and education. Albert Flores stated that he also agrees with the placement of signs.

After further discussion, there was a consensus from the Council that City Manager Edwards; Council Member Scruggs; Chuck West, Harbor Master; Nat Kelley, Fire Chief; Dana Smith and Albert Flores meet to determine the language and what type of signage should be placed at Lighthouse Lakes.

7. CITY COUNCIL OR STAFF ANNOUNCEMENT:

There were no council announcements.

8. EXECUTIVE SESSION:

The meeting was recessed into Executive Session at 7:09 pm under the provision of Section 551, Texas Government Code to discuss the authority of:

8.1 Section 551.087 Deliberations Regarding Economic Development Negotiations Related To Starbucks Coffee Company.

The council reconvened in open session at 7:17 pm.

A motion was made by Mayor Pro Tem Moore to approve Resolution No. 2021-963 to authorize the creation of the Chapter 380 Economic Development Program to be known as Starbucks and the negotiation and execution of the Chapter 380 Economic Development Agreement between the City of Aransas Pass, Texas and Seis-OH AP, LLC, seconded by Council Member Abrego and the motion passed unanimously.

9. ADJOURNMENT:

There being no further business to come before the Council, Mayor Gomez adjourned the meeting at 7:18 pm.

Ramiro Gomez
Mayor

Mary Juarez
City Secretary

Approved on: _____