

A Regular Meeting of the Aransas Pass City Council was held on Monday, March 15, 2021 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, 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 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 Presentation and discussion on the 87<sup>th</sup> Texas Legislature Bills related to Municipalities

Roxann Pais Cotroneo, City Attorney provided an update on the following legislative bills filed that relate to municipalities: Broadband Development, Open Meetings and Virtual Meetings, Annexation of Right-of-Ways Reform, Elections, Public Information Act, Community Censorship, Street Maintenance Sales Tax, Texas Pandemic Response Act and Newspaper Notices.

3.II City's Tree Trunk Removal Project - Roxann Pais Cotroneo, City Attorney

Ms. Cotroneo provided an update on the City's Tree Trunk Removal program. She displayed photos of before and after trunk removal of seven (7) properties. She then displayed a map identifying the properties in the Trunk Removal Program.

**4. BOARD AND COMMISSION APPOINTMENTS:**

4.I Building Board of Standards and Appeals

A motion was made by Council Member Scruggs to reappoint Dan Moore (Realtor) and Michael Moore (Commercial Business Owner), and new appointment of Myron Schroeder (Engineer), seconded by Council Member Abrego, and the motion passed; Moore abstained.

**5. CONSENT AGENDA:**

5.I Approval of Special Meeting Minutes of February 22, 2021; Regular Meeting Minutes of March 1, 2021; and Special Meeting Minutes of March 9, 2021.

A motion was made by Council Member Scruggs to approve Item 5.I, seconded by Mayor Pro Tem Moore and the motion passed unanimously.

**6. PUBLIC HEARING:**

There were no Public Hearing items.

**7. CITY MANAGER:**

7.I Consider and Act on approving Resolution No. 2021-964 suspending the May 3, 2021 effective date of the proposal by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas - South Texas Division to implement Interim GRIP Rate Adjustments for Gas Utility Investment in 2020 and requiring delivery of this Resolution to the company and legal counsel.

Mr. Edwards stated that this item relates to suspending the May 3, 2021 effective date for a gas increase by forty-five (45) days. He added that suspending the effective date is the only action the city can take. Mr. Ron Schaney, CenterPoint added that the GRIP session allows CenterPoint to make rate adjustments based on capital rehabilitation of their systems.

A motion was made by Council Member Abrego to suspend the effective date by forty-five (45) days, seconded by Mayor Pro Tem Moore, and the motion passed unanimously.

7.II Consider and Act on Ordinance No. 2021-4343 extending a Local State of Disaster Declaration due to a Public Health Emergency for ninety (90) calendar days from effective date of ordinance.

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

7.III Monthly Municipal Court Report - February 2021

Mr. Edwards explained that due to COVID-19 the report is being provided in written form.

**8. DEVELOPMENT SERVICES:**

8.I Consider and Act on awarding Request for Proposals for Repairs to Clarifier No. 1 at the Wastewater Treatment Plant to Repair-It Services Group including Alternate Bid for an amount not to exceed \$123,810.00.

Michael Bonner, Project Manager explained that bids were received and the bid being recommended is approximately \$50,000 under projection.

A motion was made by Council Member Scruggs to approve Item 8.I, seconded by Mayor Pro Tem Moore, and the motion passed unanimously.

8.II Consider and Act on rejecting the bids received for repairs to the Digester Clean Out at the Wastewater Treatment Plant and re-advertise.

Mr. Bonner explained that bids received are over budget and staff recommends rejecting the bids and re-advertising. He added that both bids submitted were outside the Texas area, and hopes to receive local participation once the project is re-advertised.

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

8.III Consider and Act on the issuance of a Request for Proposals for Utility Extension to the New Motel 6.

Mr. Edwards stated this project is moving forward and per the Development Agreement with Motel 6, the city is responsible for extending the utility lines.

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

8.IV Consider and Act on the issuance of a Request for Proposals for Stapp & McCampbell Storm Project.

Mr. Edwards explained that the environmental process has been completed and the city can now begin the RFP process. He stated that this project will be funded through the CDBG-DR grant and there are a total of fifteen (15) projects included in this grant.

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

8.V Consider and Act on approving Change Order No. 1 to the contract with Dunn Services, Inc. for the Harbor Master Building Office to add fifty-five (55) days to the contract. There is no cost for this change order.

Mr. Edwards explained that the contract stipulates liquidated damages but granting additional days to the contract, there is less probability for liquidated damages. Mr. Bonner stated that per LNV, the contractor has submitted reports explaining the delays experienced through Manufacture Red Dot but are still on track to complete the project timely. Mr. Bonner added that of the 55 days, 15 are related to weather and 40 are manufacture delays.

Mayor Gomez stated that by granting the additional days would save the contractor monies, and does not support adding additional days. He further stated that upon award of the project, there were delays by the contractor in ordering equipment and the building. Council Member Scruggs asked when the project is scheduled to be completed, and Mr. Bonner responded the substantial completion date is March 29, 2021.

A motion was made by Council Member Abrego to grant extending fifteen (15) bad weather days. The motion died for a lack of second.

A motion was made by Council Member Scruggs to reject the Change Order, seconded by Mayor Pro Tem Moore, and the motion to reject the change order passed with the following vote: Knight, Moore and Scruggs voting Aye; Abrego voting No.

8.VI Monthly Public Works Report - February 2021

Mr. Edwards explained that due to COVID-19 the report is being provided in written form.

8.VII Monthly Building Department Report - February 2021

Mr. Edwards explained that due to COVID-19 the report is being provided in written form.

9. **COMMUNITY ENRICHMENT:**

There were no Community Enrichment items.

10. **FINANCE:**

10.I Monthly Finance Department Report - January 2021

Mr. Edwards explained that due to COVID-19 the report is being provided in written form.

**11. INFORMATION TECHNOLOGY**

There were no Information Technology items.

**12. PUBLIC SAFETY:**

12.I Consider and Act on approving the Police Chief to enter into a contract for the purchase of lab related supplies for policing from the Texas Department of Public Safety's General Stores.

Eric Blanchard, Police Chief stated this item relates to the purchase of lab supplies that can only be obtained through Texas DPS general stores for DWIs, DNA, etc.

A motion was made by Mayor Pro Tem Moore to approve Item 12.I, seconded by Council Member Scruggs, and the motion passed unanimously.

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

Mr. Edwards announced that it will be necessary to hold a special council meeting later in the month for the presentation of the Audit Report. He then referred to Osei Amo-Mensah, City Planner who provided an update on the Texas Community Watershed Partners regarding RV parks. Mr. Mensah stated that the purpose was to develop an RV District in the zoning ordinance and identify areas in the city designated as RV district.

He added that they have been meeting with TCWP since January and have discussed the following: Scoping and Background Research, Land Use Planning Considerations, Regulatory Updates, Land Use and Location, and Design Standards. Mr. Mensah stated that they anticipate having a draft ordinance by May 2021. Mayor Pro Tem Moore stated that in previous discussions they indicated that they did not want RV parks in the four entrances to the city.

**14. CITIZEN COMMENTS:**

Eric Blanchard, Police Chief provided an update on the recent fire that occurred on Bay Street where two homes were lost. He discussed the fire department's response to the fire location, mutual aid provided by surrounding areas, situation with the ladder truck and why the AP ladder truck was not used, deactivation of power lines, and fire hydrants. Mr. Blanchard discussed recent comments on returning to a Volunteer Service or Combined Services (volunteer and full-time), but he does not feel that a Volunteer Service is a way to go. Mr. Blanchard stated that use of a Fire Boat may have made a difference in this fire. He also stated that in the last two or three budget cycles, the Fire Department has requested additional staff to have the ability of two crews. Mr. Blanchard then read a statement pertaining to comments made on social media regarding the fire incident.

Carol Salinas spoke of a medical emergency and the length of time for a response, and stated that she is glad that the city has a paid fire department.

Dean Thomas spoke of previous administrations and commented that as of now, the neighborhoods are cleaner and safer than in the past; thanked the fire department for their service; and spoke of the disservice that occurred on social media pertaining to the fire.

Carol Salinas commented that a Fire Boat is a great idea but due to the cost and the small number of residents it would service, it is not good way of spending tax payer dollars.

Don McElroy thank for the Fire Department for the great job they did putting out the fire on Bay Street.

Chuck West spoke of an incident out in the Country who had a Volunteer Fire Department and added they did more damage to the home. He stated he supports the Aransas Pass Fire Department for their hard work.

Council Member Abrego spoke of an incident in Aransas Pass involving a fire and at that time, the city had a Volunteer Fire Department, and due to the length of time it took to verify that a fire truck was needed, the church burned down.

Clayton Scruggs addressed the close “no loop” water system and discussed how this could be fixed by using directional drilling to have a loop system to improve the water flow. He added that it is a cheaper, shorter and easier method for tie-in.

**15. EXECUTIVE SESSION:**

The meeting was recessed into Executive Session at 7:30 pm under the provision of Section 551, Texas Government Code to discuss the authority of:

15.I Section 551.071, 551.072, Commercial Contract with 630 Ransom Island Partners, LLC (formerly known as Bluewater Partners, LLC) for unimproved property with an Addendum of Special provisions for Nueces CAD No. 380310, a 28.61 acres of land on Ransom Island Tr. 7, commonly known as 630 E. Ransom Road, Aransas Pass, Texas 78336.

15.II Section 551.087, Chapter 380 Economic Development Agreement between the City of Aransas Pass and Seis-OH AP, LLC.

The council reconvened in open session at 8:00 pm.

15.IV Consider and Act to approve an amendment to a Commercial Contract with 630 Ransom Island Partners, LLC (formerly known as Bluewater Partners, LLC) for unimproved property with an addendum of special provisions for Nueces CAD No. 380310, a 28.61 acres of land on Ransom Island Tr. 7, commonly known as 630 E. Ransom Road, Aransas Pass, Texas 78336.

A motion was made by Mayor Pro Tem Moore to approve Item 15.IV, seconded by Council Member Scruggs, and the motion passed unanimously.

15.V Consider and Act to approve an amendment to the Chapter 380 Economic Development Agreement between the City and Seis-OH AP, LLC approved on February 22, 2021.

A motion was made by Mayor Pro Tem Moore to approve Item 15.V, seconded by Council Member Scruggs, and the motion passed unanimously.

**16. ADJOURNMENT:**

There being no further business to come before the Council, Mayor Gomez adjourned the meeting at 8:02 pm.

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Ramiro Gomez  
Mayor

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Mary Juarez  
City Secretary

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