

A Regular Meeting of the Aransas Pass City Council was held on Monday, May 3, 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.**

The invocation was delivered by Council Member Abrego and led the Pledge of Allegiance to the United States.

**3. PRESENTATIONS AND PROCLAMATIONS:**

3.I Update by Eric Villarreal, LNV/Ardurra regarding Harbor Master Building

Mr. Villarreal stated that a preliminary walk through was conducted and the project has been deemed substantially complete. He added that city staff will conduct their walk through this week to address any punch list items. Mayor Gomez asked what the final completion date is, and Mr. Villarreal responded that it will depend on when the City conduct the final walk through, and once all issues have been completed, then the project will be declared substantially complete and a Certificate of Final Completion will be issued. Mayor Gomez commented that it is not City's fault that the project was not completed on time.

3.II. Update by Eric Villarreal, LNV/Ardurra regarding Supervisory Control and Data Acquisition (SCADA)

Mr. Villarreal stated this project is for a SCADA city-wide system for city's wastewater lift stations. He stated that a pre-construction meeting was held and they are waiting for panels and other submittal items to be shipped. He further added that the contractor has done behind the scenes work and they were on-site last week. Mr. Villarreal stated that the completion date is mid-January 2022. Mr. Villarreal stated because this is a FEMA project, they will only replace what was there before.

3.III Update by Eric Villarreal, LNV/Ardurra regarding Wastewater Treatment Plant Electrical Project

Mr. Villarreal stated that this is a FEMA project to update the electrical at the Wastewater Treatment Plant. He stated that the contractor is waiting for arrival of the MCC (Motor Control Center), adding that they cannot begin the project until this equipment has been received. Mr. Villarreal stated that this equipment should be delivered by May 31<sup>st</sup>, and will be approximately 4 to 5 weeks of construction, and a contract end date of July 15, 2021. Mayor Gomez added that the contractor make sure they have all the parts needed for this project.

3. IV Update by Russell Soike, AG/CM Project Manager regarding Conn Brown Harbor Roadway Project.

Mr. Soike reported that the concrete work has been completed, but still lacking the asphalt which will be placed this week in conjunction with Phase 4. He stated that Phase III was from the Roundabout to the existing buildings. Mr. Soike stated that they have been coordinating with the businesses in the Conn Brown Harbor area to ensure that they can get in and out, and they have not had any issues.

Mr. Soike stated that in Phase III and Phase IV they will be laying the asphalt, and next will be the illumination, and in the next three weeks will have the lighting. He announced that they are scheduled to be completed on August 17, 2021; however, the contractor is optimistic that they will complete the work by the end of July.

Council Member Knight stated that near the Turnbough and Allen Boulevard area there is cone in the middle of the bike trail, and Mr. Soike responded they have not yet placed the asphalt and do not want traffic going through this area due to safety reasons and have barricaded the area.

#### **4. BOARD AND COMMISSION APPOINTMENTS:**

##### **4.I Coastal Bend Foundation**

A motion was made by Council Member Abrego to reappoint Jay Attaway and Karen Gayle to serve as the city's representatives, seconded by Council Member Scruggs, and the motion passed unanimously.

##### **4.II Zoning Board of Adjustments**

A motion was made by Council Member Scruggs to appoint Michael Moore to serve as a Regular Voting member, seconded by Council Member Abrego, and the motion passed unanimously; Moore abstained.

Mayor Gomez deviated from the agenda and referred to Item 9.I.

#### **9. DEVELOPMENT SERVICES:**

##### **9.I. Consider and act on issuance of a request for proposals for FEMA Storm Pump Station Repairs**

Myron Schroeder, 246 E. Stoddard, stated that he has reviewed the City's Drainage Report and is concerned with what is being recommended for this project. He discussed the Maddox Pump Station (411 acres), and per the drainage study, drainage areas greater than 100 acres should be sized for a 100 year storm, pump station is severely undersized, study recommended a detailed hydrologic study, economic analysis and pump station design, and total pump capacity - 2 pumps. He then discussed the Goodnight Pump Station (80.9) acres, and per the drainage study, drainage areas less than 80 acres should be sized for a 25 year storm, pump station is severely undersized, study recommended a detailed hydrologic study, economic analysis and pump station design, and total pump capacity - 3 pumps.

Mr. Schroeder asked if a hydrologic study was performed, is the detention area large enough, will adjacent streets and property have to handle any overflow, or will the city be diverting water from drainage areas to local streets and property owners, and are adjacent and buildings in danger of flooding from the overflow. He asked that the council consider these issues before approving the request for proposals for this project.

Eric Villarreal, LNV/Ardurra stated that the RFP is for 2 Pump Stations that will be covered by

FEMA, and FEMA will only cover what was damaged. Mr. Villarreal stated that he agreed with Mr. Schroeder regarding the flooding issues in the city, and to address the issues that Mr. Schroeder raised will cost the city millions of dollars. He further added that the drainage study is a recommendation and open to interpretation, and currently the city does not have the funding to do the improvements that were recommended in the drainage study. Mr. Villarreal stated that the two pump stations that were damaged during Hurricane Harvey, FEMA will only cover to replace the same pump that was there before; and further added that they will not cover 5 pumps, or 3 mega pumps. Lastly, he stated that what is before the council is to replace what was damaged by Hurricane Harvey, but with the intent that the city can build upon as additional funds become available.

Mayor Gomez asked what the difference is to bring it to standard so that everything is functional, and Mr. Villarreal responded approximately \$3 million for one pump station. He further added that the cost estimates received from FEMA are very low. Mayor Pro Tem Moore reiterated that FEMA will cover what was damaged, and additional pumps can be added as funding becomes available and it will not be an issue to add additional equipment, and Mr. Villarreal responded that they will design the system to allow for upgrades, and reiterated that FEMA will not cover any upgrades. In response to a question from Mr. Edwards, Mr. Villarreal stated that they can design the system to add another station, and there was council concurrence on this issue.

Mr. Schroeder thanked Mr. Villarreal for his clarification, and reiterated that FEMA will only pay what was there before, but the City can continue improving from year to year.

A motion as made by Council Member Scruggs to approve Item 9.I, seconded by Council Member Abrego, and the motion passed unanimously.

**5. CONSENT AGENDA:**

There were no consent items.

**6. PUBLIC HEARING:**

There were no Public Hearing items.

**7. CITY MANAGER:**

7.I Discussion of Budget Calendar for Fiscal Year 2021-2022

Mr. Edwards presented the budget calendar for the Fiscal Year 2021-2022 and announced that the Budget Strategic Meeting is scheduled for June 18, 2021. He added that at this meeting, department heads will give a presentation highlighting departmental goals, followed by council goal prioritizing, and this tool is then used during the budget meetings. He stated that there is a public hearing on May 17, 2021 to receive comments from the public at the beginning of the budget process, and a mandated public hearing is held at a later date.

7.II Consider and act on request from Ramon Lopez to waive the penalty and interest of weed lot liens for property located at Lot 22, Pile Addition, City of Aransas Pass, San Patricio County

Mr. Edwards explained that this item relates to a 25-foot piece of property that adjoins Mr. Lopez's property which he has maintained for years. He has recently purchased the property and is now requesting council approval to waive the penalty and interest on unpaid liens. Mr. Lopez stated that it is not a buildable lot and he would simply incorporate it with his property. Mayor Pro Tem Moore asked what he paid for the property, and Mr. Lopez responded

approximately \$5,000.

Council Member Abrego stated that the amount of liens owed is \$585.00, and Ms. Juarez stated that is correct, and that Mr. Lopez is requesting approval to waive the penalty and interest in the amount of \$868.00, and he would pay the amount of liens.

A motion was made by Council Member Abrego to approve Item 7.III to waive the penalty and interest and that Mr. Lopez pay the lien amount owed of \$585.00, seconded by Council Member Knight, and the motion passed unanimously.

7.III Consider and act on Resolution of the City of Aransas Pass, Texas finding that AEP Inc.'s application to amend its distribution cost recovery factors to increase distribution rates within the City should be denied; authorizing participation with the cities served by AEP Texas, authorizing hiring of legal counsel, finding that the meeting at which this resolution is passed is open to the public as required by law, requiring notice of this resolution to the company and legal counsel.

Ms. Juarez stated this is a routine item where AEP has filed an application to increase rates and this resolution is denying and authorizing the city to participate with cities, and to authorize the hiring of legal counsel to represent the city. Ms. Cotroneo added that the cost to hire the attorney is not paid by the city.

A motion was made by Council Member Scruggs to approve Item 7.III, seconded by Mayor Pro Tem Moore, and the motion passed unanimously.

7.IV Consider and act to designate a council member to represent the city on the Conn Brown Harbor Economic Task Force.

Mr. Edwards stated this item relates to the development at Conn Brown Harbor and would like to include a council member included in these discussions.

A motion was made by Council Member Abrego to designate Mayor Ram Gomez to serve on this Task Force, seconded by Mayor Pro Tem Moore, and the motion passed unanimously.

7.V TABLED  
Consider and act on resolution approving offer to purchase tax sale property, Suit No. S-13-1038-TX, Lot 9, Block 236, Town of Aransas Pass, San Patricio County, Texas. The property is located on N. 10<sup>th</sup> Street. The bid was submitted by Nathaniel Mayfield in the amount of \$250.00.

Mr. Edwards explained that this bid offer is at 17.01% of the appraised value. Mr. Mayfield stated that he was not aware of the city's policy in regards to the minimum requirement of 30% of the appraised value, and is willing to increase his bid amount. Mr. Steven Saucedo, The Linebarger Firm stated that they will have to re-submit the offer and will bring back at a future meeting.

A motion was made by Council Member Abrego to table Item 7.V, seconded by Mayor Pro Tem Moore, and the motion to table passed unanimously.

7.VI TABLED  
Consider and act on resolution approving offer to purchase tax sale property, Suit No. S-02-1271-TX, 1.06 Acres, more or less, out of Lot 1, Land Block 211, Burton and Danforth Subdivision, San Patricio County, Texas. The Property is located on Avenue A. The bid offer was submitted by Nathaniel Mayfield in the amount of \$4,000.00.

Mr. Edwards explained that this bid offer is a 24.35% of the appraised value. Mr. Mayfield explained that he owns the adjacent land, and again was not aware of the 30% minimum bid requirement, and would be willing to increase his bid offer to 30%.

A motion was made by Council Member Abrego to table Item 7.VI, seconded by Mayor Pro Tem Moore, and the motion to table passed unanimously.

Mayor Gomez announced that Item 7.VII through 7.IX are being removed from the agenda.

7.VII ~~Consider and act on resolution approving offer to purchase tax sale property, Suit No. 10-1159-TX, Lot 1, Block 425, City of Aransas Pass, San Patricio County, Texas. The property is located on W. Magnolia (Corner). The bid offer was submitted by Invictus Management, LLC in the amount of \$10,000.00~~

7.VIII ~~Consider and act on resolution approving offer to purchase tax sale property, Suit No S-05-1093-TX, Lots 25 and 26, Original Townsite of the City of Aransas Pass, San Patricio County. The Property is located on Rife Street. The bid offer was submitted by Invictus Management in the amount of \$8,000.00~~

7.IX. ~~Consider and act on resolution approving offer to purchase tax sale property, Suit No. S-12-1046-TX, Lot 27, Block 350, Original Townsite, City of Aransas Pass, San Patricio and Aransas County. The bid offer was submitted by Travis L. Kelley in the amount of \$4,000.00~~

**8. COMMUNITY ENRICHMENT:**

8.I. ~~Consider and act on award request for proposals for fireworks contractor for the City of Aransas Pass Annual Independence Celebration and select a date.~~

Sara Lee, Director of Community Enrichment stated that bids were issued and one bid was submitted. She added staff is recommended awarding the bid to Western Enterprises in the amount of \$22,000, and the location site will be at the Harbor and recommended two event dates - July 2<sup>nd</sup> and July 3<sup>rd</sup>.

A motion was made by Council Member Abrego to award the bid to Western Enterprises in the amount of \$22,000 to hold the Fireworks Celebration on July 3, 2021, seconded by Mayor Pro Tem Moore, and the motion passed unanimously.

**10. FINANCE:**

There were no Finance department items.

**11. INFORMATION TECHNOLOGY:**

There were no Information Technology department items.

**12. PUBLIC SAFETY:**

12.I ~~Consider and Act on authorizing the police chief to accept a cash donation in an amount not to exceed \$10,000.00 from the Disbanded Tri-City 100 Club to be used for needed police services or supplies as designated by the police chief~~

Mr. Blanchard stated that a group of San Patricio County residents formed the Tri-City 100 to benefit Aransas Pass, Ingleside and Gregory police departments, but the organization never

took off. He added they are dispersing the funds to these agencies in equal amounts. Mr. Blanchard stated the City would receive between \$3,000 and \$4,000.

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

12.II TABLED

~~Consider and act on awarding request for proposal for mowing and clean-up of violation properties to the Marathon Group for a one-year term beginning May 3, 2021 through May 3, 2022.~~

Mr. Cory Elrod, Code Enforcement Officer stated that request for proposals was issued and three bids were received. He stated that Marathon Group was the lowest bidder and staff is recommending award to the Marathon Group.

Council Member Abrego asked if during the bidding process, were photos of the type of properties were provided, and Mr. Elrod responded that a list of properties was provided for bidders to view. Council Member Knight asked since the Marathon Group is based in San Antonio, how often would they be coming to Aransas Pass, and Mr. Elrod responded it is based on the amount of properties they are assigned. Mayor Pro Tem Moore asked if references were checked, and Mr. Elrod stated that they are not checked. City Attorney Cotroneo stated the concern is with the heavy debris removal and the time frame for the contractor to remediate the property.

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

**13. CITY COUNCIL OR STAFF ANNOUNCEMENT**

Mr. Edwards stated that a Special Council Meeting is scheduled for May 11, 2021 to canvass the results of the May 1, 2021 election.

**14. CITIZEN COMMENTS:**

Carol Salinas commented that the Animal Control department is not open on the weekends. She added that there are loose animals on weekends and it is necessary to have staff on-call.

Greg Farrar spoke about the condition of the city's streets, annexation and industry coming into the city and we all need to work together.

**15. EXECUTIVE SESSION:**

There were no executive session items.

**16. ADJOURNMENT:**

There being no further business to come before the Council, Mayor Gomez adjourned the meeting at 7:41 pm.

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Ramiro Gomez  
Mayor

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Mary Juarez  
City Secretary

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