



# **PUBLIC STATEMENT**

## **CITY OF ARANSAS PASS**

(September 23, 2021)

The Aransas Pass City Council met on September 23, 2021 and approved the following statement:

Recently, on September 2, 2021, the Aransas Pass City Council voted to settle two lawsuits that had been brought against the City to challenge three annexation ordinances that the Council had adopted in 2019. It was thought that the settlement disposing of the lawsuits would end the controversy. It apparently has not, however: the interests opposing the annexations have continued their public attacks on the City regarding the annexations and the lawsuits. Accordingly, the City Council is issuing this public statement to respond to those continued criticisms.

The purpose of the 2019 annexations was two-fold: first, to maintain an appropriate balance between industrialization and protection of the environment in the areas adjacent to the City; and second, to protect Aransas Pass from future annexation efforts by the City of Corpus Christi that would have effectively “landlocked” the City of Aransas Pass. The Aransas Pass City Council believed then, and continues to believe to this day, that the 2019 annexation ordinances were in the best interests of the citizens of Aransas Pass and in compliance with legal requirements.

Soon after the annexation ordinances were adopted, private interests opposed to the annexations sued the City to invalidate them. Later, after persuading the district attorneys of San Patricio and Aransas Counties to join them, those same interests brought a second lawsuit to challenge the annexations.

While the trial of the second lawsuit was in progress (the first lawsuit having been placed “on hold” pending the outcome of the second case), the City Council concluded that continuing to defend against the lawsuits was no longer financially feasible. It had simply become too expensive for the City, standing alone, to continue the litigation. Accordingly, at the September 2 meeting, the City Council reluctantly agreed to the settlement of the lawsuits and to the entry of a judgment invalidating the annexations and awarding expenses and attorney’s fees to the opposing parties.

The City Council’s decision to agree to the settlement was purely financial, due to the prohibitive cost of continuing to defend the lawsuits. The City Council maintains that the 2019 annexations were legally proper and in the public interest. The parties aligned against the City did not win because they were right; they won because the City of Aransas Pass could no longer afford to fight them.