

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 Tuesday, January 19, 2021 via Video Conferencing livestreamed at <http://youtube.com/user/cityofaransaspas>, as allowed by the Governor's Order issued on March 16, 2020 in an effort to mitigate the spread of COVID-10. 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 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:**

There were no Presentations.

4. **BOARD AND COMMISSION APPOINTMENTS:**

There were no Board and Commission appointments.

5. **CONSENT AGENDA:**

5.1 Approval of Regular Meeting Minutes of January 04, 2021

A motion was made by Mayor Pro Tem Moore to approve Item 5.1, seconded by Council Member Scruggs, and the motion passed unanimously.

6. **PUBLIC HEARINGS:**

There were no public hearing items.

7. **CITY MANAGER:**

7.1 Consider and Act to approve document titled "Action Approving Contract" with Linebarger Goggan Blair & Sampson, LLP for Fine and Fees Collection services.

Sandra Garcia, Interim City Manager stated this item relates to the contract for Municipal Court collection of fines and fees. She stated that recent legislation requires that this notice be approved prior to approval of the agreement, which is the next agenda item.

Steven Saucedo, The Linebarger Firm stated that 2019 legislation requires that contracts entered into with law firms that charge a contingent fee are required to approve the Notice. He further stated that the contract for the collection of municipal court fees is a contingent fee add-

on paid by the defendant. Mr. Saucedo stated that this legislation requires a statement of facts presented to city, titled "Action Approving Contract" with Linebarger Goggan Blair & Sampson.

Council Member Knight asked if the fee was a percentage, and Mr. Saucedo responded the fee is a 30% add-on to the fine owed by the defendant to the city. Mr. Saucedo further stated they only get paid if the amount is settled with the defendant, and none of the monies collected comes from the city.

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

7.II Consider and Act to renew the contract with Linebarger Goggan Blair & Sampson, LLP for Municipal Court Fines And Fees Collection Services for a period beginning on January 19, 2021 through January 19, 2024.

Ms. Garcia stated this item is to approve the contract with Linebarger Goggan Blair & Sampson for a three-year period, with one-year option to renew. Mr. Saucedo stated that since The Linebarger Firm began representing the City of Aransas Pass, they have collected over \$1,268,000 and have a 61% dollar resolution rate; and in the last two years, they have collected over \$242,000 with a 69% dollar resolution rate. He stated they would like to continue to represent the City of Aransas Pass for the collection of fines and fees.

Council Member Abrego suggested that The Linebarger Firm provided monthly or quarterly reports to the Council on the fees collected, and Mr. Saucedo responded that they would be available to report to the council. There was a consensus to begin reporting on a quarterly basis.

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

7.III Monthly Municipal Court Report - December 2020

Henri Morales, Municipal Court Judge reported on monthly totals for December 2020 and noted that they filed 102 cases, 61 convictions; county magistrations totaled 22, Capias Pro Fine issued were 6; Class C Warrants issued was 34; Warrants for CID signed was 8, issued 1 Emergency Protection Order and they had approximately 96 walk-ins. Ms. Morales stated that in-person hearings expired December 31, 2020, and she received an email from the Office of Court Administration on Tuesday, January 4, 2021 informing her of re-certification.

8. COMMUNITY ENRICHMENT:

8.I Monthly Community Enrichment Court Report - December 2020

Sara Lee, Director of Community Enrichment reported that the Civic Center hosted 1 Gun Show; 4 church services, 2 training classes, and 3 private events. She added the audio/visual project is complete with the exception of one speaker. She then reported on the Aquatic Center - the center is closed for the season, staff met with the school district about a possible swim program, and they are planning to open regular hours for the 2021 season. Ms. Lee stated the Library is offering curbside pickup for books and movies, walk up computers available for patrons, and the E-book checkout on Overdrive has increased from last year almost 300%.

9. DEVELOPMENT SERVICES:

- 9.I Consider and Act on awarding Request for Proposal for electrical repair to the Wastewater Treatment Plant to Nyati Services, Inc. for a cost not to exceed \$191,156.52.

Fernando Quintanilla, Director of Public Works stated that six (6) proposals were submitted, and the Engineer, LNV has reviewed the bids and are recommending awarding the bid to the low bidder, Nyati Services, Inc. He added this is a FEMA project and the City's share will be \$4,778.91. Mayor Pro Tem Moore asked where this company was from, and Mr. Quintanilla responded they are a Texas based firm. City Attorney Cotroneo asked that the contract be submitted to her for review before executing.

A motion was made by Mayor Pro Tem Moore to approve Item 9.I, seconded Council Member Scruggs, and the motion passed with the following vote: Abrego, Knight, Moore and Scruggs voting Aye.

- 9.II Consider and Act on awarding Request For Proposal for SCADA Improvement Project to Dedicated Controls, LLC for a cost not to exceed \$339,198.00.

Mr. Quintanilla stated that this is a FEMA project, and a total of 10 proposals were submitted. He added that the Engineer, LNV has reviewed the proposals and they are recommending Dedicated Controls, LLC. Mayor Pro Tem Moore asked the city's share cost, and Ms. Garcia responded it is \$4,479.95. Council Member Abrego asked how long for completion of the project, and Mr. Quintanilla responded about 3 to 4 months. He added that they will have the City Attorney review the contract prior to signing.

A motion was made by Mayor Pro Tem Moore to approve Item 9.II, seconded by Council Member Scruggs, and the motion passed with the following vote: Abrego, Knight, Moore and Scruggs voting Aye.

- 9.III Consider and Act on approving a contract with Haas-Anderson, Ltd. to extend the Concrete Apron for the Boat Ramps at Conn Brown Harbor for an amount not to exceed \$59,509.29

Ms. Garcia explained the City recently received a settlement agreement and Council has expressed utilizing these funds at the Harbor. The project being presented is to extend the concrete apron for the Boat Ramps at the Harbor. Mr. Quintanilla stated this is being submitted as emergency work because the contractor will be starting the work at the CBH Parking Lot at the Harbor and this is good timing and should minimize cost. He added that there will be cost savings on the road project due to using concrete instead of asphalt, and that this project will be billed separately from the EDA grant.

Mr. Quintanilla then displayed a photo showing the existing concrete and the extension. Ms. Garcia reiterated that the funds being used for this project are funds from the settlement agreement from the boat ramps and parking lot. City Attorney Cotroneo asked the timeframe for the project, and Mr. Quintanilla responded approximately two weeks.

A motion was made by Council Member Scruggs to approve Item 9.III, seconded by Mayor Pro Tem Moore, and the motion passed with the following vote: Abrego, Knight, Moore and Scruggs voting Aye.

- 9.IV Consider and Act On Renewing Lease Agreement With Aransas Pass Little League Beginning January 1, 2021 and Ending On December 31, 2021.

Mr. Quintanilla stated the purpose of this item is to allow the League to use the little league fields. He stated that at a recent workshop meeting, the Council indicated that the City begin to

maintain the fields. Mr. Quintanilla stated he will begin the process to include in next fiscal year budget. Mayor Pro Tem Moore stated that she had fundraising ideas that she would discuss with Mr. Quintanilla.

Council Member Abrego asked if the City is maintaining the fields inside or just outside, and Mr. Quintanilla responded that currently the agreement places the responsibility on the League, but for the next fiscal year the plan is for the City to assume the responsibility of maintaining the fields and will include in next fiscal year's budget. He further stated that currently the City maintains the restrooms, and the League pays the city a monthly fee. Council Member Abrego stated she can understand bringing the fields up to par, but maintaining while games are played requires a lot of work to maintain. Mayor Gomez stated that it should be the city's responsibility to maintain.

A motion was made by Council Member Scruggs to approve Item 9.IV, seconded by Mayor Pro Tem Moore, and the motion passed with the following vote: Abrego, Knight, Moore and Scruggs voting Aye.

9.V Consider and Act on the Issuance Of A Request For Proposal For Use Of The Softball Field Complex.

A motion was made by Council Member Abrego to approve Item 9.V, seconded by Council Member Scruggs, and the motion passed with the following vote: Abrego, Knight, Moore and Scruggs voting Aye.

9.VI Monthly Public Works Report - December 2020

Fernando Quintanilla, Director of Public Works provided an update on work orders for the Utility Department and Streets & Drainage. He then provided an update on the following major projects: Conn Brown Harbor Bulkhead, Harbor Master building, City Hall Roof, Electrical Work at Harbor Point Park, Storm Pump Station No. 1 and 2, CDBG-DR (Staph and McCampbell), SCADA, Water Tower Road Paving, Clarifier, CBH Road Project, Concrete Apron at CBH, City Hall/Municipal Court/Police Department Flooring, Newbury Park.

Council Member Scruggs asked if there was going to be fencing around the Newbury Park, and Mr. Quintanilla responded this has been discussed, it is in a high traffic area, and they are working with Keep Aransas Pass Beautiful for landscaping and are discussing with a third party about a project, and city is recommending "decorative fencing" around the park. Council Member Abrego asked the trees would be trimmed, and Mr. Quintanilla stated they plan to trim lower hanging limbs. Ms. Abrego inquired about the lights in the downtown area, and Mr. Quintanilla responded they have had issues with the lights in front of Bank of America and they have hired a contractor. He further stated the issues are with the lights on top, and they are waiting on quotes to replace the light fixtures, and the problems is not electrical. Ms. Abrego also commented that there are several street lights that are out and need to be reported to AEP.

9.VII Monthly Building Department Report - December 2020

Burl Smith, Building Official reported that a total of 107 permit were issued in the month of December, and total collected fee for December was \$18,988.64. Mr. Smith stated that the Apartment Complex on Wheeler is approximately 75% complete and ready to lease; Starbucks obtained permits last week, and the high school will begin work on the Concession Stand.

10. FINANCE:

10.I Monthly Finance Department Report - November 2020

Sandra Garcia, Interim City Manager reported that actual revenues exceeded budget revenues, and actual expenditures were less than budgeted expenditures, with the exception of hotel/motel and displayed a graph showing the revenues and expenditures. She then reported Property Sales Tax collected for October 1, 2020 to November 30, 2020 is \$801,661. Ms. Garcia then discussed the Sales Tax collected for the same period for CCPD is \$181,970, MDD is \$184,930, and City is \$411,817.

10.II First Quarter Report (October-December)

Ms. Garcia provided the 1st Quarter Investment Report and stated the city had a total of \$7.7 million to invest and earned \$3,474 in interest; return on investment is 0.18%, and benchmark of 0.09%. She reported the city's monies are in three banks: 23% is in Prosperity Bank, 44% in TexPool, and 33% in Texas Class.

11. INFORMATION TECHNOLOGY:

There were no Information Technology items.

12. PUBLIC SAFETY:

12.I Monthly Public Safety Report - December 2020

Eric Blanchard, Director of Public Safety reported the highlights for the CID Division, Patrol Division and discussed the following statistics: accidents, traffic stops, assault report, burglary, criminal mischief, death investigation, fraud, theft and theft motor vehicles for the month of December 2020. He stated that have two new dispatchers, Kalle Simpson and Christy Generali, and two officers Jeffrey Cooper and Steve Torres.

12.II Monthly Fire Department Report - December 2020

Nathan Borrego, Assistant Fire Chief stated that in the month of December they had 54 calls with 12 of these calls being fires; they had 13 inspections, and 112 personnel training hours and 22 class training hours. He then reported that for the Year 2020 they had 752 calls, with 409 being medical and 114 were fires; 1,535 training hours, and 110 inspections.

13. CITY COUNCIL OR STAFF ANNOUNCEMENT:

Ms. Garcia announced that the Employee of the Year is scheduled for January 29, 2021 during the Annual Chamber of Commerce banquet, and a Special Council Meeting is scheduled for January 25, 2021.

14. CITIZEN COMMENTS:

There were no citizen comments.

15. EXECUTIVE SESSION:

The meeting was recessed into Executive Session at 7:19 pm under the provision of Section 551, Texas Government Code to discuss the authority of:

15. I Section 551.074, City Manager

15.II Section 551.071, deliberations regarding Industrial District Agreement No. 7 between City and Dagger Island Partners, LLC for a term beginning January 1, 2016 and continuing until December 31, 2030

The council reconvened the meeting in open session at 7:42 pm.

A motion was made by Mayor Pro Tem Moore to assign San Patricio County Appraisal District No. 70762 under Industrial District Agreement No. 7 from Dagger Island Partners, Ltd. To South Texas Gateway Terminal, LLC to be known as Industrial District Agreement No. 7a, which is applicable 468.64 acres tract of land, seconded by Council Member Scruggs, and the motion passed with the following vote: Abrego, Knight, Moore and Scruggs voting Aye.

16. ADJOURNMENT:

There being no further business to come before the Council, Mayor Gomez adjourned the meeting at 7:43 pm.

Ramiro Gomez
Mayor

Mary Juarez
City Secretary

Approved on: _____