

CITY OF PORT ARANSAS, TEXAS

AGENDA

CITY COUNCIL REGULAR MEETING

Thursday, May 21, 2015 @ 5:00 pm
Port Aransas City Hall, 710 W. Avenue A
Port Aransas, Texas 78373

Notice is hereby given of the Regular Meeting of the City Council of Port Aransas to be held on Thursday, May 21, 2015 beginning at 5:00 pm at: City Hall – Council Chamber, 710 W. Avenue A, Port Aransas, Texas, for the purpose of considering the following agenda items.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. OPENING PRAYER

4. PROCLAMATIONS AND PRESENTATIONS

A. PROCLAMATION in Honor of Former Corpus Christi Police Chief Floyd Simpson

B. Proclamation – Hurricane Preparedness Week, May 24-30, 2015

C. Presentation to out-going City Council Members

- Rick Pratt, Place 1 and
- Glenda Balentine, Place 3

5. CANVASS OF MAY 9, 2015 GENERAL ELECTION

(ESCRUTINIO EL ELECCIONE GENERALE DE 9 DE MAYO DE 2015)

D. Deliberate and take action on Resolution and Order of Canvassing the Returns and Declaring the Results of the Saturday, May 9, 2015 City of Port Aransas, Texas General Election for the Elected Offices of Council Member Place 1, 3, and 5; providing other matters relating to said General Election.

Deliberar y tomar medidas sobre la Resolución y la orden para hacer el escrutinio de los votos y declarar los resultados de las Elecciones Generales a realizarse el sábado 9 de mayo de 2015 en la Ciudad de Port Aransas, Texas, para los cargos concejal para los lugares 1,3 y 5; y para estipular otros asuntos relacionados con dichas Elecciones Generales.

E. Official Oath of Office administered by Justice of the Peace Duncan Neblett, Jr.:

(Juramento oficial del cargo, administrado por el Juez de Paz Duncan Neblett:)

- Wendy Walker Moore, Council Member Place 1 *(Consejale lugar 1)*
- Elizabeth C. “Beth” Owens, Council Member Place 3 *(Consejale lugar 3); and (y)*

- Edwin B. Myers, Council Member Place 5 (*Consejale lugar 5*)

F. Presentation of Certificate of Election to the newly-elected officers by Mayor McMullin.
(*Presentación del certificado de elección a los oficiales recién elegido:*)

G. Deliberate and take action to elect a Mayor Pro-Tem pursuant to Home Rule Charter, Article III “The City Council”, Section 5(b) for a one year term ending May 2016.

6. CITIZEN COMMENTS AND REPORTS: *In accordance with the Open Meetings Act, Council is prohibited from acting or discussing (other than factual responses to specific questions) any items brought before them at this time.*

7. PUBLIC HEARING – The City of Port Aransas, Texas will conduct a Public Hearing to consider the proposed Youth Services Standards of Care Policy to be adopted in compliance with Section 42.041(b)(14) of the Texas Human Resources Code. The Youth Services Standards of Care Policy is intended to be the minimum standards applicable to all elementary age (ages 5 through 13) recreation Programs operated by the City of Port Aransas Parks and Recreation Department (DEPARTMENT). The DEPARTMENT maintains the Marlin Academy After-School-Program and other youth, summer camp and spring break programs which are recreational in nature and are not day care or child care programs. The Youth Services Standards of Care Policy includes staffing ratios and qualifications, facility health and safety standards, monitoring and enforcement provisions, operations, transportation, general administration and other provisions.

8. ITEMS FOR CONSIDERATION

H. Discuss and take action on a Resolution Supporting the Fast-Tracking of Safety and Capacity Improvements to State Highway 361 and all Efforts From the Texas Department of Transportation (TxDOT), Local, Regional, and State Elected Officials, to Procure Funding for a Four-Lane Divided Highway for the Entire Length of the Highway Between Park Road 22 and Beach Access Road 1A.

I. Discuss and take action on first reading of an Ordinance Adopting a Youth Services Standards of Care Policy; Providing that this Ordinance Shall be Cumulative of all Ordinances, and Providing for Severance, Reading, and Effective Date.

J. Discuss and take action to approve the Thursday, April 16, 2015 City Council Meeting Minutes as presented.

K. Discuss and take action to confirm that Dune Permit BFDP 150221 is consistent with the City’s Coastal Management Plan. The dune permit applicant seeks to construct a wire fence at the northwest property lines of Lots 1&2, Block 15, Mustang Island State Land Survey, Port Aransas, Texas. Applicant: James Worth. Property Location: 2829 & 2906 On the Beach.

- L. Discuss and take action to confirm that the “No” Dune Permit BFD 150329, is consistent with the City’s Coastal Management Plan. The dune permit seeks to establish that no Dune Permit is required for construction of improvements at Unit 108 of Gulf Waters Beach Front Resort Condos, Port Aransas, Texas. Applicant: Lisa Mitchell. Property Location: 5601 Hwy 361 Unit 108.
- M. Discuss and take action on Preliminary and Final Replat request # PPLT & FPLT 150295, Final Plat of Beachside Townhomes, Lot 1, Block 1, City of Port Aransas, Nueces County, Texas being a tract of land out of Lot 1, Island Worship Center as recorded in Volume 63, Page 170, Map records of Nueces County, Texas and Lot 9, Mustang Island, as recorded in document No. 2010031329, deed records of Nueces County, Texas and containing 2.73 Acres of Land. Applicant: Western Ocean, Ltd. Property Location: 1800 S Eleventh St.
- N. Discuss and take action on Final Replat request # FPLT 150300, Cinnamon Shore PUD Northwest Corner, being a replat of Lot 5, Block 9, Cinnamon Shore, PUD, Unit 3B, a map of which is recorded in Volume 68, Pages 263-264, Map Records of Nueces County, Texas. Applicant: Cinnamon Shore, LLC. Property Location: Cinnamon Shore, Hwy 361
- O. Discuss and take action to adopt on third and final reading of an Ordinance Amending Chapter 25 “Zoning”, Article I. “In General”, Section 25-1 “Definitions” By Adding Definitions for Bedroom, Sleeping Rooms, Improved Parking Surface and Vehicles; Article IV. “Supplemental District Development and Use Regulations”, Division 2. “Off-Street Parking And Loading”, Section 25-161 “Number Of Off-Street Parking Spaces Required” to Clarify and Update Off-Street Parking Requirements to Provide for Health, Safety and General Welfare of the Public; Providing for Severance, Reading, and Effective Date.
- P. Discuss and take action to adopt on third and final reading of an Ordinance Amending Chapter 21 “Subdivisions”, Article IX. “Requirements for Improvements, Reservations and Design”, Division 10. “NUD Neighborhood Unit Development”, Section 21-243(f) “Minimum Requirements” and Division 11. “CUD Cottage Unit Development”, Section 21-258(f) “Minimum Requirements” to Clarify and Update Off-Street Parking Requirements to Provide for Health, Safety and General Welfare of the Public; Providing for Severance, Reading, and Effective Date.
- Q. Discuss and take action to adopt on third and final reading of an Ordinance Amending Code of Ordinances Chapter 12 “Licenses and Business Regulations”, Article III. “Food Establishments” By Adopting State Food Establishment Rules; Establishing Procedures for Permit Application, Plan Review, Exemptions, Suspension, Revocation, Administrative Process and Remedies; Adding Definitions to Identify Corpus Christi-Nueces County Public Health District as the Regulatory Authority; Providing for Education Requirements; and providing for severance, reading, and effective date.

- R. Discuss and take action on first reading of an Ordinance Amending Chapter 27 “Public Beach”, Article I. “Port Aransas Beach Park”, Division 1 “In General”, Division 2 “Special Events”, and Division 3 “Beach Advisory Committee” by establishing criteria and prohibitions for beach concession, special event permit procedures and setting membership and authority of Beach Advisory Committee; Providing for Severance, Reading, and Effective Date.
- S. Discuss and take action to approve Resolution authorizing the Submission of a Texas General Land Office Grant Application for State Assistance in Cleaning and Maintaining 35,237 linear feet of public beaches abutting the Gulf of Mexico and located within the City’s Jurisdiction for Fiscal Year 2015.
- T. Discuss and take action on a Resolution authorizing installation of a new metal roofing system at the Collection Station Storage Barn to Gill Roofing, Inc. in the amount of \$27,562.00, including a 5-year warranty, 2x4 stripping, and disposal of construction debris as recommended by Staff; Funds for roof for said project from Public Works Funds allocated for rebuilding of ramps at the Collection Station; and authorizing the City Manager to sign all contract documents related to this expenditure.
- U. Discussion on AEP electrical service pertaining to outages.

9. STAFF REPORTS *Presentation and general discussion of the following items including Meeting Minutes of various Boards, Commissions and Committees pursuant to Home Rule Charter and Code of Ordinances:*

- V. Monthly/Quarterly/Annual Reports and Minutes
 - i. March 2015 Monthly Reports
 - a. Finance – Director Darla Honea
 - b. Police – Chief Scott Burroughs
 - ii. Minutes from the following City Committees, Boards/Commissions –
 - 1. Airport Board – February 25 and March 25, 2015
 - 2. Parks & Recreation – March 16, 2015;

10. CITY COUNCIL COMMENTS AND ITEMS FOR FUTURE CONSIDERATION AND/OR OF COMMUNITY INTEREST - *Expressions of thanks, congratulations or condolences; information regarding holiday schedules; honorary recognition of city officials, employees or other citizens; reminders about upcoming events sponsored by the City or other entity that are scheduled to be attended by a city official or city employee.*

11. ADJOURNMENT

NOTICE

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s office at 361-749-4111 or fax 361-749-4101 or email iparker@cityofportaransas.org for further information. Braille is Not Available. The City of Port Aransas reserves the right to convene into Closed Session under Government Code 551.071-551-074 and 551-086.

CERTIFICATION

I, certify that a copy of the Thursday, May 21, 2015 agenda of items to be considered by the Port Aransas City Council was posted on the City Hall bulletin board on Monday, May 18, 2015 @ 4:50 pm.

Irma G. Parker, City Secretary

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the _____ day of _____, 2015.

By: _____ Title: _____

PROCLAMATION

WHEREAS, Texas hurricane season officially begins June 1 and ends November 30; and

WHEREAS, the 624-mile Texas Gulf coastline, our area in particular, and areas of Texas hundreds of miles inland, are vulnerable to the devastating effects of a hurricane or tropical storm; and

WHEREAS, both public and private entities should develop emergency response and recovery plans in accordance with local jurisdictions and local emergency management offices; and

WHEREAS, the National Weather Service and the Texas Division of Emergency Management are designating the week of May 24 through May 30, 2015 as Hurricane Preparedness Week in Texas and the City of Port Aransas; and

WHEREAS, the National Weather Service, the Texas Division of Emergency Management, and the leaders of the City of Port Aransas strongly suggest that all residents and visitors to this area be made aware of the potential dangers of these storms; and

WHEREAS, preparedness and public education is the best defense to prepare our residents about the dangers of high winds, storm surge, flooding and tornadoes that may occur for hundreds of miles in conjunction with a hurricane or tropical storm.

NOW, THEREFORE, BE IT RESOLVED, that the Port Aransas Mayor and City Council, urges all citizens of this county and this community to participate in hurricane preparedness activities, and to pay close attention to watch and warning instructions.

IN OFFICIAL RECOGNITION WHEREOF, I have hereunto set my hand and caused the Seal of the City of Port Aransas, Texas to be affixed this the 21st day of MAY, 2015.

CITY OF PORT ARANSAS, TEXAS

Keith McMullin, Mayor

ATTEST:

Irma G. Parker, City Secretary



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 5-D

Deliberate and take action on Resolution and Order of Canvassing the Returns and Declaring the Results of the Saturday, May 9, 2015 City of Port Aransas, Texas General Election for the Elected Offices of Council Members Place 1, 3, and 5; providing other matters relating to said General Election.

INITIATING DEPARTMENT: City Secretary Irma Parker

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: Resolution No. 2015-R01 was adopted to establish procedures for the Saturday, May 9, 2015 Election for the purpose of electing a Mayor and Council Members for Place 1, 3 and 5 of the City. At the March 19, 2015 City Council Meeting the City Secretary certified that no proposition will appear on the ballot, no person has made a declaration of write-in candidacy, and all of the candidates identified are unopposed. The City Council then declared that all candidates were unopposed in the May 9, 2015 general city election and are hereby elected to their respective office thereby cancelling said General Election.

STAFF RECOMMENDATION: The City Council move to adopt Resolution and Order of Canvassing the Returns and Declaring the Results of the Saturday, May 9, 2015 City of Port Aransas General Election as presented.

RESOLUTION NO. 2015- ____

A RESOLUTION AND ORDER OF CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SATURDAY, MAY 9, 2014 CITY OF PORT ARANSAS, TEXAS GENERAL ELECTION FOR THE ELECTED OFFICES COUNCIL MEMBERS PLACE 1, 3, AND 5; PROVIDING OTHER MATTERS RELATING TO SAID GENERAL ELECTION.

WHEREAS, in accordance with the general laws and Constitution of the State of Texas, and the Charter of the City, Resolution 2014-R01 was adopted at January 15, 2015 City Council Meeting which established procedures for said Saturday, May 9, 2015 Election; and

WHEREAS, the General Election is to be held for the purpose of electing Council Members at-large for Place 1, 3 and 5 of the City; and

WHEREAS, Applications for a Place on the Ballot were received from Place 5 Incumbent Edwin B. Myers, Wendy Walker Moore for Place 1 and Elizabeth C. “Beth” Owens for Place 3; and

WHEREAS, at the March 19, 2015 City Council Meeting the City Secretary certified that no proposition will appear on the ballot at the election, no person has made a declaration of write-in candidacy, and all of the candidates identified are unopposed; and

WHEREAS, the City Council declared that all candidates are unopposed in the May 9, 2015 general city election and are hereby elected to their respective office and authorized the cancellation of said election with adoption of Resolution No 2015-R15; and

WHEREAS, the 2010 U.S. Census Bureau estimates the City of Port Aransas’ population to be 3,480 with the City’s current voter registration list containing 3,091 Registered Voters.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, TEXAS:

Section 1. That the City Council finds that the above stated premises are true and correct, that each person elected has qualified for their respective office in the manner provided by the Texas Constitution and laws of the State of Texas.

Section 2. That the following unopposed candidates are hereby declared elected to office and shall be issued a Certificate of Election on the date of Canvass:

City Council Place 1 – Wendy Walker Moore
City Council Place 3 – Elizabeth C. “Beth” Owens

City Council Place 5 – Edwin B. Myers

Section 3. The City Secretary is directed to transmit the election results in electronic form to the Secretary of State on or before June 9, 2015 and to record said Election Results in the City's Election Register as required by law.

Section 4. The Port Aransas City Council hereby finds, determines, and hereby declares that the meeting at which this Resolution is adopted was open to the Public, that the public notice of time, place, and the subject matter of the public business to be considered was posted as required by law, including this Resolution.

PASSED and **APPROVED** by the Port Aransas City Council, County of Nueces, State of Texas, on this _____ day of **MAY**, 2015.

CITY OF PORT ARANSAS, TEXAS

Keith McMullin, Mayor

ATTEST:

Irma G. Parker, City Secretary



CIUDAD DE PORT ARANSAS, CONDADO DE NUECES, TEXAS

Fecha de la reunión: Jueves, 21 de mayo de 2015

PUNTO DEL ORDEN DEL DÍA: 5-D

PUNTO/TEMA: Deliberar y tomar medidas sobre la Resolución y la orden para hacer el escrutinio de los votos y declarar los resultados de las Elecciones Generales a realizarse el sábado 9 de mayo de 2015 en la ciudad de Port Aransas, Texas, para los cargos de concejal para los lugares 1,3 y 5; y para estipular otros asuntos relacionados con dichas Elecciones Generales.

DEPARTAMENTO DE INICIACIÓN: Secretaria Municipal, Irma Parker

APROBADO PARA ORDEN DEL DÍA: Gerente Municipal, David Parsons

COMENTARIO: La Resolución N.º 2015 - R01 fue adoptada para establecer los procedimientos para las Elecciones del sábado, 9 de mayo de 2015, con el fin de elegir concejales para los lugares 1, 3 y 5 de la ciudad. En la reunión del Concejo Municipal, realizada el 19 de marzo de 2015, la Secretaria Municipal certificó que no aparecería ninguna proposición en la papeleta electoral, que ninguna persona ha hecho una declaración de candidatura de nominación directa por escrito, y que todos los candidatos identificados son candidatos únicos. El Concejo Municipal declaró entonces que todos los candidatos eran candidatos únicos en las elecciones generales del 9 de mayo de 2015 y que por la presente son declarados electos para el cargo respectivo, por lo cual se cancelan las elecciones.

RECOMENDACIÓN DEL PERSONAL: Que el Concejo Municipal adopte la Resolución y la Orden de escrutinio de los votos, y declare los resultados de las Elecciones Generales del sábado 9 de mayo de 2015 en la ciudad de Port Aransas, como se indica.

RESOLUCIÓN N.º 2015- ____

UNA RESOLUCIÓN Y ORDEN PARA HACER EL ESCRUTINIO DE LOS VOTOS Y DECLARAR LOS RESULTADOS DE LAS ELECCIONES GENERALES A REALIZARSE EL SÁBADO 9 DE MAYO DE 2015 EN LA CIUDAD DE PORT ARANSAS, TEXAS, PARA LOS CARGOS DE CONCEJALES PARA LOS LUGARES 1, 3 Y 5; Y PARA ESTIPULAR OTROS ASUNTOS RELACIONADOS CON DICHAS ELECCIONES GENERALES.

CONSIDERANDO QUE: De acuerdo con las leyes generales y la Constitución del estado de Texas, y con el Fuero de la Ciudad, se adoptó la Resolución N.º 2014-R01 en la reunión especial del Concejo Municipal, realizada el 15 de enero de 2015, en la que se establecieron procedimientos para dichas Elecciones del 9 de mayo de 2015; y

CONSIDERANDO QUE: Las Elecciones Generales se van a celebrar con el propósito de elegir concejales en general para los lugares 1, 3 y 5 de la Ciudad; y

CONSIDERANDO QUE: Solicitudes para un lugar en la papeleta electoral del concejal titular para el lugar 5, Edwin B. Myers; Wendy Walker Moore para lugar 1 y Elizabeth C. “Beth” Owens para el lugar 3;

CONSIDERANDO QUE: En la reunión del Concejo Municipal realizada el 19 de marzo de 2015, la Secretaria Municipal certificó que no aparecería ninguna proposición en la papeleta electoral, que ninguna persona ha hecho una declaración de candidatura de nominación directa por escrito, y que todos los candidatos identificados son candidatos únicos; y

CONSIDERANDO QUE: El Concejo Municipal declaró que todos los candidatos son candidatos únicos en las elecciones generales del 9 de mayo de 2015 y por la presente se declaran electos para el cargo respectivo, y autorizó la cancelación de dichas elecciones con la adopción de la Resolución N.º 2015-R15; y

CONSIDERANDO QUE: La Oficina del Censo de EE.UU. de 2010 estima que la población de la ciudad de Port Aransas es de 3,480 habitantes, y la lista actual del registro de electores de la Ciudad contiene 3,091 electores registrados.

AHORA, POR LO TANTO, EL CONCEJO MUNICIPAL DE LA CIUDAD DE PORT ARANSAS, TEXAS, RESUELVE QUE:

Sección 1. El Concejo Municipal considera que las premisas indicadas anteriormente son verdaderas y correctas, que cada persona elegida ha calificado para su cargo respectivo en la forma estipulada por la Constitución de Texas y las leyes del estado de Texas.

Sección 2. Los siguientes candidatos únicos se declaran por la presente electos para el cargo respectivo, y a cada uno se le expedirá un Certificado de elección el día del escrutinio:

Concejal, Lugar 1 – Wendy Walker Moore
Concejal, Lugar 3 – Elizabeth C. “Beth” Owens
Concejal, Lugar 5 – Edwin B. Myers

Sección 3. La Secretaria Municipal tiene la orden de transmitir los resultados electorales en forma electrónica al Secretario de Estado a más tardar el 9 de junio de 2015 y de registrar dichos resultados electorales en el Registro Electoral de la Ciudad, según lo requerido por la ley.

Sección 4. El Concejo Municipal de la Ciudad de Port Aransas decide y determina, y por la presente declara, que la reunión en la cual se adoptó esta Resolución estuvo abierta al público, que la notificación pública de la hora, lugar y tema del asunto de interés público a ser tratado fue publicada como lo requiere la ley, incluyendo esta Resolución.

ACEPTADA y APROBADA por el Concejo Municipal de Port Aransas, condado de Nueces, estado de Texas, en este día _____ de **MAYO** de **2015**.

CIUDAD DE PORT ARANSAS, TEXAS

Keith McMullin, Alcalde

DOY FE:

Irma G. Parker, Secretaria Municipal



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 5-F

Presentation of Certificate of Election to the newly-elected officers by Mayor McMullin.

(Presentación del certificado de elección a los oficiales recién elegido:)

INITIATING DEPARTMENT: Administration/City Secretary

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: After a canvass is completed, the mayor issues a certificate of election to each candidate who is elected at the election [EC §67.016]. No official notification of the outcome of the election is given to losing candidates. The issuance of a certificate of election is a purely ministerial act and a person who is lawfully elected to the office may qualify and take office without having received a certificate. The secretary of state has prescribed the form of the certificate and the city secretary will supply the forms for the mayor's use in complying with the requirement.

The Council Members are officially seated in their seats at the dais as assigned by Mayor McMullin.

STAFF RECOMMENDATION: This is a ceremonial event with no action required.



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 5-G

Deliberate and take action to elect a Mayor Pro-Tem pursuant to Home Rule Charter, Article III "The City Council", Section 5(b) for a one year term ending May 2016.

INITIATING DEPARTMENT: City Secretary Irma Parker

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: The Home Rule Charter dictates that the Mayor Pro Tem is a councilman who is elected by the city council at the first regular city council meeting following each regular city election. The mayor pro tem shall act as mayor during the disability or absence of the mayor and in this capacity shall have the rights conferred upon the mayor.

If both the mayor and mayor pro tem are absent from any meeting of the city council, those city councilmen present at such meeting shall elect one (1) of their number to act for such meeting as mayor.

STAFF RECOMMENDATION: The City Council elect a Mayor Pro-Tem pursuant to Home Rule Charter, Article III "The City Council", Section 5(b) for a one year term ending May 2016 as presented.



CITY OF PORT ARANSAS

Public Hearing Notice

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:

The City of Port Aransas, Texas will conduct a Public Hearing at the regularly scheduled City Council Meeting on Thursday, May 21, 2015 at 5:00 pm in the City Council Chamber, City Hall, 710 W. Avenue A, Port Aransas, Texas to consider the proposed Youth Services Standards of Care Policy to be adopted in compliance with Section 42.041(b) (16) of the Texas Human Resources Code. The Policy is intended to be the minimum standards applicable to all elementary age (ages 5-12) recreational programs operated by the City of Port Aransas Parks & Recreation Department. The City maintains the Marlin Academy After-School-Program and other youth, summer camp and spring break programs which are recreational in nature and are not day care or child care programs. The Policy includes staffing ratios and qualifications, facility health and safety standards, monitoring and enforcement provisions, operations, transportation, general administration and other provisions.

All persons having an interest in these matters are invited to attend and make their views known at this time. Further information may be obtained from Director of Parks & Recreation David Hyde, 739 W. Avenue A, by telephone (361)749-4158, by mail at 710 W. Avenue A, Port Aransas, TX 78373-4128 or via email at dhyde@cityofportaransas.org. A copy of the proposed Youth Services Standards of Care Policy is available on-line on the City's website at www.cityofportaransas.org, at City Hall, 710 W. Avenue A or by contacting the city secretary at (31) 749-4111 or via email at iparker@cityofportaransas.org.

I, the undersigned authority do hereby certify that this Notice was posted in the May 7, 14, and 21, 2015 editions of the *South Jetty*; on the City's website at www.cityofportaransas.org on Thursday, April 30, 2015 and on the bulletin board at the Port Aransas City Hall at 2:30 pm, a place convenient and readily accessible to the general public at all times and said Notice shall remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

CITY OF PORT ARANSAS, TEXAS

Irma G. Parker, City Secretary



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-H

Discuss and take action on a Resolution Supporting the Fast-Tracking of Safety and Capacity Improvements to State Highway 361 and all Efforts From the Texas Department of Transportation (TxDOT), Local, Regional, and State Elected Officials, to Procure Funding for a Four-Lane Divided Highway for the Entire Length of the Highway Between Park Road 22 and Beach Access Road 1A.

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: In February of this year, the City requested the Texas Department of Transportation (TxDOT) recommend funding of the State Highway 361 Project to include expansion and improvements of passing and turning lanes. This two-lane highway serves as the main traffic artery connecting Mustang Island and Port Aransas with the mainland. Our beaches draw thousands of visitors each weekend from Memorial Day through Labor Day making substantial contribution to the State's economy. With the anticipated future growth along that portion of SH 361 we expect to exceed the capacity of the present roadway. These increases and delays in constructing these improvements will result in traffic congestion, decreased access to island businesses and tourist attractions and increased fatalities along this stretch of SH361.

STAFF RECOMMENDATION: City Council approve Resolution Supporting the Fast-Tracking of Safety and Capacity Improvements to State Highway 361 and all Efforts From the Texas Department of Transportation (TxDOT), Local, Regional, and State Elected Officials, to Procure Funding for a Four-Lane Divided Highway for the Entire Length of the Highway Between Park Road 22 and Beach Access Road 1A as submitted.

RESOLUTION NO. 2015-

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL SUPPORTING THE FAST-TRACKING OF SAFETY AND CAPACITY IMPROVEMENTS TO STATE HIGHWAY 361 AND ALL EFFORTS FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), LOCAL, REGIONAL, AND STATE ELECTED OFFICIALS, TO PROCURE FUNDING FOR A FOUR-LANE DIVIDED HIGHWAY FOR THE ENTIRE LENGTH OF THE HIGHWAY BETWEEN PARK ROAD 22 AND BEACH ACCESS ROAD 1A.

WHEREAS, State Highway 361 is a two lane highway being the only road connection between the extremely popular tourist destination of Port Aransas and the large population centers of Corpus Christi, San Antonio, Austin, and Dallas; and

WHEREAS, historical and current traffic records indicate the road is very dangerous due to the high number of fatalities and injuries sustained; and

WHEREAS, in 2015 TxDOT funded the 1.75-mile State Highway 361 improvement project between Beach Access Road 1A and Alister Street for safety and capacity concerns; and

NOW, THEREFORE BE IT RESOLVED, that the City of Port Aransas hereby supports and requests that TxDOT and local, regional, and state legislators immediately look to procure funding from any sources available and with haste, design and construct safety and capacity improvements for a four-lane divided highway for the entire length of the highway between Park Road 22 and Beach Access Road 1A.

PASSED and **APPROVED** by the Port Aransas City Council, County of Nueces, State of Texas, on this _____ day of _____ **2015**.

CITY OF PORT ARANSAS, TEXAS

Keith McMullin, Mayor

ATTEST:

Irma G. Parker, City Secretary



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-1

Discuss and take action on first reading of an Ordinance Adopting a Youth Services Standards of Care Policy; Providing that this Ordinance Shall be Cumulative of all Ordinances, and Providing an Effective Date.

SUBMITTED BY: Parks & Recreation Director David Hyde
Irma Parker, City Secretary

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: The Parks & Recreation Department has successfully conducted the Marlin Academy (Latchkey) After-School-Care Program and summer camps for the youth in our community. At some point in time the Department applied for and received certification from the Texas Department of Family and Protective Services as a 'certified day-care' facility.

With this designation, as a certified day care center, the Department is restricted in the types of educational, creative, and athletic activities provided. In addition, the certification process is cumbersome and with our small staff it has become increasingly difficult to keep up with the on-going required paperwork. The programs provided by the City are recreational in nature not a day care facility. To assist the Department is focusing their energy in program administration versus TDFP rules and regulations, the Parks & Recreation Department is requesting the City Council grant their request to opt-out of the TDFP Certification. Since we were certified, opting out requires the City to adopt Youth Services Standards of Care Policy by ordinance and review on an annual basis. Attached is the Youth Services Standards of Care Policy and sample program administration information (TDFP required). This Policy and Forms have been fashioned from the City of Bridgeport.

1st READING:

2nd READING:

3rd READING:

STAFF RECOMMENDATION: City Council approve first reading of an Ordinance Adopting a Youth Services Standards of Care Policy as presented.

ORDINANCE NO. 2015-

AN ORDINANCE OF THE CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS, ADOPTING A YOUTH SERVICES STANDARDS OF CARE POLICY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port Aransas Parks and Recreation Department maintains an After School Program and other youth programs which are recreational in nature and are not day care or child care programs; and

WHEREAS, the City Council has determined that is necessary to adopt a Youth Services Standards of Care Policy by which the City's Parks and Recreation Department will operate the City's youth programs; and

WHEREAS, the Youth Services Standards of Care Policy includes staffing ratios and qualifications, facility health and safety standards, monitoring and enforcement provisions, operations, transportation, general administration, and other provisions; and

WHEREAS, a notice of public hearing was published in the official city newspaper in Thursday, May 7, 14, and 21, 2015 editions, on the City's website at www.cityofportaransas.org and on the bulletin board at the City Hall of the City of Port Aransas, Texas, a place convenient and readily accessible to the general public on Thursday, April 30 at 12:00 pm and remained so posted continuously for at least 72 hours preceding the scheduled time of said public hearing; and

WHEREAS, a copy of the Youth Services Standards of Care Policy was posted on the City's website at www.cityofportaransas.org and provided to the parents of the children participating in the City's Park and Recreation youth programs along with a copy of the public hearing notice; and

WHEREAS, the City Council conducted a public hearing on May 21, 2015 concerning the adoption of the Youth Services Standards of Care Policy.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS:

Section 1: That the Youth Services Standards of Care Policy attached hereto as Exhibit "A" is hereby adopted to establish guidelines by which the City's Parks and Recreation Department will operate the City's youth programs.

Section 2: This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Port Aransas, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repeals.

Section 3: This ordinance shall be in full force and effect from and after its passage and it is so ordained.

PASSED, ORDAINED, APPROVED and ADOPTED this the ____ day of _____ **2015**.

CITY OF PORT ARANSAS, TEXAS

Keith McMullin, Mayor

ATTEST:

Irma G. Parker

1st Reading:

2nd Reading:

3rd Reading:



City of Port Aransas

Youth Services Standards of Care

Exhibit A – Ordinance No. 2015-

The Standards of Care are intended to be minimum standards by which the City of Port Aransas Parks and Recreation Department will operate the City's Youth Programs. The programs operated by the City are recreational in nature and are not day care programs.

Article I. GENERAL ADMINISTRATION

Section 1.01 Organization

- (a) The governing body of all City of Port Aransas Youth Programs is the Port Aransas City Council.
- (b) Implementation of the Youth Programs Standards of Care is the responsibility of the Parks and Recreation Department Director and Department employees.
- (c) Youth Programs to which these Standards of Care will apply are the Summer Kids Camps, the Marlin Academy - After School Program, Spring Break Camps, and other Youth Camps established by the City in the future.
- (d) Each Youth Program site will have available for public and staff review a current copy of the Standards of Care.
- (e) Parents of participants will be provided a current copy of the Standards of Care during the registration process.
- (f) Criminal background checks will be conducted on prospective staff. No person with a conviction or who is under indictment for, or is the subject of an official criminal complaint alleging violation of any of the crimes listed in the Texas Department of Protective and Regulatory Service's Day Care Center Minimum Standards and Guidelines Appendix II, as same may be amended, or a felony violation of the Texas Controlled Substance Act, may be present while children are in attendance.

Section 1.02 Definitions

- (a) City: The City of Port Aransas.
- (b) City Council: The City Council of the City of Port Aransas.

- (c) Department: The Parks and Recreation Department of the City of Port Aransas.
- (d) Youth Programs or Program: City of Port Aransas Youth Programs consisting of the Summer Kids Camps and Marlin Academy - After School Program.
- (e) Program Manual: Notebook of policies, procedures, required forms, and organizational and programming information relevant to the City of Port Aransas Program.
- (f) Director: City of Port Aransas Parks and Recreation Department Director or his or her designee.
- (g) Coordinator – Community &/or Youth Programs: City of Port Aransas Parks and Recreation Department full-time Coordinator who has been assigned administrative responsibility for a City of Port Aransas Youth Program(s).
- (h) Participant: A youth whose parent(s) have completed all required registration procedures and determined to be eligible for a City of Port Aransas Youth Program.
- (i) Parent(s): This term will be used to represent one or both parent(s), legal guardian(s), or adult(s) who have legal custody and authority to enroll their child(ren)/teen(s) in City of Port Aransas Youth Programs.
- (j) Employee(s): Term used to describe people who have been hired to work for the City of Port Aransas and have assigned responsibility for managing, administering, or implementing some portion of the City Port Aransas Youth Programs.

Section 1.03 Inspections/Monitoring/Enforcement

Complaints regarding enforcement of the Standards of Care will be directed to the Coordinator of Community or Youth Programs. The Coordinator will be responsible to take the necessary steps to resolve each problem. The Coordinator will record complaints regarding enforcement of the Standards of Care and their resolution. The Director will address serious complaints regarding enforcement of the Standards of Care and the complaint and resolution will be noted.

Section 1.04 Enrollment

Before a child can be enrolled, a parent must sign registration forms that contain the child's:

- 1) Name, address & home telephone number;
- 2) Name and address of parents and telephone number during program hours;
- 3) The names and telephone numbers of people to whom the child can be released;
- 4) A statement of the child's special problems or needs;
- 5) Emergency medical authorization;
- 6) Proof of residency when appropriate; and
- 7) A liability waiver.

Section 1.05 Suspected Abuse

Program employees will report suspected child abuse or neglect in accordance with the Texas Family Code.

Article II. OPERATIONS

Section 2.01 Staff-Participant Ratio

In a City of Port Aransas Youth Program, the standard ratio of participants to Leaders will not exceed 20 to 1. In the event a Leader is unable to report to the Program site, a replacement will be assigned.

Section 2.02 Discipline

- (a) Program employees will implement discipline and guidance in a consistent manner based on the best interests of Program participants.
- (b) There must be no cruel or harsh punishment or treatment.
- (c) Program employees may use brief, supervised separation from the group if necessary.
- (d) As necessary, Program employees will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign discipline reports to indicate they have been advised about specific problems or incidents.
- (e) A sufficient number and/or severe nature of discipline reports as detailed in the Program Manual may result in participant being suspended from the Program.
- (f) In instances where there is a danger to participants or staff, offending participants will be removed from the Program site immediately.

Section 2.03 Programming

- (a) Program employees will attempt to provide activities for each group according to the participants' ages, interests, and abilities. The activities must be appropriate to participants' health, safety, and well-being. The activities also must be flexible and promote the participants' emotional, social, and mental growth.

- (b) Program employees will attempt to provide that indoor and outdoor times include:
 - 1) Alternating active and passive activities;
 - 2) Opportunity for individual and group activities; and
 - 3) Outdoor time each day weather permits.

- (c) Program employees will be attentive and considerate of the participants' safety on field trips and during any transportation provided by the Program.
 - 1) During trips, Program employees supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant.
 - 2) Program employees must have a written list of the participants in the group and must check the roll frequently.
 - 3) Program employees must have first aid supplies and a guide to first aid and emergency care available on field trips.

Section 2.04 Communication

- (a) Each Program site will have access to a telephone for use in making emergency calls.

- (b) The Community &/or Youth Coordinator will post the following telephone numbers adjacent to a telephone accessible to all Program employees at each site:
 - 1) Port Aransas Emergency Medical Services;
 - 2) City of Port Aransas Police Department;
 - 3) City of Port Aransas Volunteer Fire Department;
 - 4) Numbers at which parents may be reached; and
 - 5) The telephone number for the site itself.

Section 2.05 Transportation

- (a) First aid supplies and a first aid and emergency care guide will be available in all Program vehicles that transport children.

- (b) All Program vehicles used for transporting participants must have available a 6- BC portable fire extinguisher which will be installed in the passenger compartment of the vehicle and must be accessible to the adult occupants.

Article III. FACILITY STANDARDS

Section 3.01 Safety

- (a) Buildings, grounds, and equipment on the Program site will be inspected, cleaned, repaired, and maintained to protect the health of the participants.

- (b) Program equipment and supplies must be safe for the participant's use.

- (c) Program employees must have first aid supplies readily available at each site, during transportation to an off-site activity, and for the duration of any off-site activity.

- (d) Air conditioners, electric fans, and heaters must be mounted out of participants' reach or have safeguards that keep participants from being injured.

- (e) All swing seats at Program sites must be constructed of durable, lightweight, relatively pliable material.

- (f) Program employees must have first aid supplies readily available to staff in a designated location. Program employees must have an immediately accessible guide to first aid and emergency care.

Section 3.02 Fire

In case of fire, danger of fire, explosion, or other emergency, Program employee's first priority is to evacuate the participants to a designated safe area.

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- 3) Program employees will follow plans to provide emergency care for injured participants with symptoms of an acute illness as specified in the Program manual.
- 4) Program employees will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any participant after a communicable disease.

(b) Medication: Program employees will administer medication only if:

- 1) Parent(s) complete and sign a medication form that provides authorization for staff to dispense medication with details as medication with details as to time and dosages. The form will include a hold harmless clause to protect the City.
- 2) Prescription medications are in the original containers labeled with the child's name, a date, directions, and the physician's name. Program employees will administer the medication only as stated on the label. Program employees will not administer medication after the expired date.
- 3) Nonprescription medications are labeled with the child's name and the date the medication was brought to the Program. Nonprescription medication must be in the original container. Program employees will administer it only according to label direction.
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- 5) Program employees must ensure medications are inaccessible to participants or, if it is necessary to keep medications in the refrigerator (when available), medications will be kept separate from food.

Section 3.04 Toilet Facilities

- (a) The Program site will have inside toilets located and equipped so children can use them independently and Program staff can supervise as needed.
- (b) An appropriate and adequate number of lavatories will be provided.

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- (a) The Program facilities must have adequate light, ventilation, and heat.
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- (c) Program employees must see that garbage is removed from buildings daily.

Article IV. Program Staff

Section 4.01 Youth Program Site Directors Qualifications and Responsibilities

- (a) Site Directors will be part-time or temporary employees who are at least eighteen (18) years of age.
- (b) Site Directors must have experience supervising children.
- (c) Site Directors administer the daily operations of the program in compliance with the adopted standards of care.
- (d) Site Directors recommend for hire, supervise and evaluate counselors.
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Student Information

Personal Information

Full Name: _____
Last *First* *M.I.*

Address: _____
Street Address *Apartment/Unit #*

_____ *City* _____ *State* _____ *ZIP Code*

Home Phone: _____ Please Check: Male Female

Birth Date: _____ Grade: 2015-2016 School Year: _____

School _____ Teacher's Name _____

Emergency Contact Information

Full Name:
(Primary) _____
Last *First* *M.I.*

Address: _____
Street Address *Apartment/Unit #*

_____ *City* _____ *State* _____ *ZIP Code*

Primary Phone: _____ Alternate Phone: _____

Relationship: _____

Full Name:
(Secondary) _____
Last *First* *M.I.*

Address: _____
Street Address *Apartment/Unit #*

_____ *City* _____ *State* _____ *ZIP Code*

Primary Phone: _____ Alternate Phone: _____

Relationship: _____

I hereby authorize that my child may be released to the following persons in addition to the parents/guardians noted above

Name: _____ Phone: _____
Name: _____ Phone: _____
Name: _____ Phone: _____
Name: _____ Phone: _____
Name: _____ Phone: _____

EMERGENCY NUMBERS (if primary & secondary contacts are unavailable)

Name: _____ Phone: _____
Name: _____ Phone: _____
Name: _____ Phone: _____

MEDICAL & MISCELLANEOUS INFORMATION

Allergies: _____
Medications Taken: _____
Swimming Skill: _____

Physician: _____ Dentist: _____
Phone: _____ Phone: _____

RELEASE OF LIABILITY

I hereby give _____ / do not give _____ my consent for my child to participate in aquatic activities.

I hereby give _____ / do not give _____ my consent for my child to be transported to and from the program by staff in the City of Port Aransas and/or Port Aransas Independent School District (PAISD) vehicles. If your answer is NO you must make alternative arrangements for the care of your child on the day(s) in question

In the event that emergency medical attention is deemed necessary, I give the City of Port Aransas permission to provide first aid and/or transport to the nearest emergency medical facility. I also give permission for necessary emergency treatment by a physician and/or hospital/clinic. In consideration of your accepting my child in the program, I hereby for myself, my child, my heirs, executors, and administrators release and discharge all rights, demands, claims and causes of action, whether arising now or in the future, against the City of Port Aransas, the Parks and Recreation Department, its employee(s), agent(s), representative(s), and assigns for any and all property damage and injuries, including death, suffered by my child while enrolled in the program. I acknowledge that I have full knowledge of the risks involved in the program and that I have made my child aware of the risks and those risks are expressly assumed. I will, without limitation, assume and pay any medical and emergency expenses in the event of accident, injury, illness or other incapacity. I state that I have carefully read this release and understand its contents.

I do hereby release, absolve, indemnify, and hold harmless the City of Port Aransas and its employees, activity officials, activity supervisors, any or all of them in the event of any accident, injury or death sustained by the above named participant(s) while being transported to or from an activity, or while participating in this activity, from any liability of any kind whatsoever. I also give permission for any photographs taken during this activity to be utilized for promotional uses by City of Port Aransas now and in the future. I, the parent or legal guardian, of the above named participant, does hereby give my approval for participation in this and all of the programmed activity.

Parent/Guardian Signature _____ Date: _____

Parent/Guardian Printed Name _____

DRAFT



CITY OF PORT ARANSAS
Parks & Recreation Department
Youth Programs Consent Form

**PERMISSION TO APPLY
LOTIONS, OINTMENTS, AND REPELLANTS**

As the parent or guardian of _____, I give permission for Port Aransas' Youth Program employees to apply the following:

(Please check (√) all that is approved)

_____ Sunscreen, applied liberally, when extended amount of time will be spent in the sun.

_____ Aloe Vera, applied only when child complains of skin irritation due to sunburn.

_____ Insect repellent, applied sparingly, only when necessary.

_____ Antiseptic ointment, applied only for minor cut(s) or abrasion(s).

Parent/Guardian Signature _____ Date: _____

Parent/Guardian Printed Name _____

PERMISSION TO VIEW MOVIES

As a parent or guardian of _____, I give permission for my child to view age appropriate movies. I understand that movies are approved by Director prior to showing the selected movie. No movie will be shown with a rating beyond PG. The viewing of a movie by a child will be done under staff supervision as they will be watching the movie with the child the entire time.

Parent/Guardian Signature _____ Date: _____

Parent/Guardian Printed Name _____



CITY OF PORT ARANSAS
Parks & Recreation Department
Immunization Form

I, _____, hereby state that the current immunization report for my child, _____, is on record at (Please check one):

_____ PAISD: H.G. Olsen Elementary School
(361) 749-1212

_____ PAISD: Ancel R. Brundrett Middle School
(361) 749-1209

_____ **OTHER:**
School Name: _____
School Address: _____
City, State, Zip: _____
School Phone Number: _____

Parent/Guardian Signature _____ Date: _____

Parent/Guardian Printed Name _____



**CITY OF PORT ARANSAS
Parks & Recreation Department
Medicine Form**

I, _____, hereby state that my child, _____ (Please check one):

My Child has no medicine that is needed to be administered by the program at this time.

OR

My Child needs medicine administered as noted below:

➤ Name of Medication: _____

➤ Physician's Name: _____

○ Telephone #: _____

➤ Reason for Medication: _____

➤ Dosage Prescribed: _____

○ When it needs to be administered: _____

○ How it needs to be administered: _____

➤ Special Instructions:

○ Refrigeration Required? Yes No

➤ Potential Side Effect/Warnings Associated with this Medication: _____

Parent/Guardian Signature _____ Date: _____

Parent/Guardian Printed Name _____

Welcome to the Marlin Academy After-School-Program for the 2015-2016 School Year. There are some basic rules that we need to cover before we get started.

1. The Marlin Academy After-School-Program phone number is 361-749-5110. This phone will be turned on at 2:45 pm and stay on until 6:00 pm. If you call, please leave a message, sometimes we have patchy service in the gym and cafeteria, so please leave us a message and we will get back to you ASAP. We are also able to accept text messages.
2. If your child will not be attending the program that day, please call the number shown above and let us know. If your child does not come to the program and we have not heard from you, we will call to see where the child is. Whether it is that they stay home for the day, go home sick or you decide at the last minute to pick them up, please call and let us know that you picked them up. Due to privacy issues, the schools cannot tell us if your child was absent for the day.
3. When you call or text us to tell us your child will not be attending that day, please put the child's name and what day of the week it is in your message or voicemail.
4. We do not prorate our fees, but we do offer both weekly and daily fees depending on what is best for you.
5. Payments are due each week your child attends the program. Failure to pay fees on time may result in your child being taken out of the program.
6. There will be a \$1.00 per minute per child late fee for any child picked up after 6:00 pm. This time will be determined by the clock on the program's phone and will include all time up until you sign your child out. This fee must be paid when you pick up your child. If you are going to be late, please call (361) 749-2016 and let us know. Any child still at the program after 6:30 pm will be taken to the Port Aransas Police Department to wait for parents.
7. Since we are a recreation program and not a child care facility, we follow the Port Aransas Independent School District calendar. If the District does not have school, there will be no program that day. If school closes any day before 2:30 pm, there will not be a program that day. On the back of this letter are the current dates that we know there will be no Marlin Academy after-School-Program. As the School District informs us of additional dates, we will let you know.
8. Please make sure to bring a picture ID with you when you pick up your child. We will be asking for it until the staff becomes familiar with the parents and children. If someone else will be picking up your child, please make sure we have their information and they know to bring their picture ID with them.
9. Shoes with wheels are unacceptable on the gym floor. Due to the active activities we have planned, we recommend that tennis shoes be worn. It is difficult to play the games with boots or flip flops. Children will be playing the activities as planned regardless of the shoes that they have on. Also, electronic devices and other toys will not be permitted at the program. The children will not be able to get them out at any time during the program.
10. Monday through Thursday we will have homework time. If your child does not have homework, they will need to bring a book or we will provide a book or something for them to do quietly. This way those that do have homework can get it done. The Marlin Academy After-School-Program is not responsible for accuracy or completeness of homework. If your child tells us that they have no homework, we will not check their bag to make sure.

Thank You!

Marlin Academy After-School-Program

Please remember that the Marlin Academy After-School Program follows the school schedule and holidays. Any day the school releases before 2:30 pm we will not have the program. This is the current school calendar; if anything changes we will let you know. Also, if the school releases early or is canceled due to bad weather, we will not have the program.

2013 - 2014 PORT ARANSAS ISD CALENDAR

| AUGUST 2013 | | | | | | |
|-------------|----|----|----|----|----|----|
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| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |

Nine Week Grading Periods
 1st [Aug. 26 - Oct. 18]
 2nd [Oct. 21 - Dec. 20]
 3rd [Jan. 7 - Mar. 21]
 4th [Mar. 24 - June 5]

| FEBRUARY 2014 | | | | | | |
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| 23 | 24 | 25 | 26 | 27 | 28 | |

PROFESSIONAL DEVELOPMENT
 Student Holidays August 19-22

| SEPTEMBER 2013 | | | | | | |
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| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | | | | | |

STAFF WORKDAY/STUDENT HOLIDAY
 Aug. 23, Jan. 6, June 6

| MARCH 2014 | | | | | | |
|------------|----|----|----|----|----|----|
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| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | 31 | | | | | |

STUDENT & STAFF HOLIDAYS
 Labor Day Sept. 2
 Thanksgiving Nov. 25-29
 Christmas Break Dec. 23 - Jan.3
 Spring Break Mar. 10-14
 Good Friday Apr. 18
 Memorial Day May 26

| OCTOBER 2013 | | | | | | |
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♥ Early Release @1pm ♥
 Oct. 18, Nov. 22, Dec. 20
 Mar. 21, May 30

| APRIL 2014 | | | | | | |
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☼ Bad Weather Makeup Days ☼
 Apr. 18 & May 26

| NOVEMBER 2013 | | | | | | |
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OFYP Optional Flexible Year Program
 Oct. 14 Jan. 20
 Feb. 28 Mar. 24-25
 May 9 June 2-5
 see www.paisd.net for details

| MAY 2014 | | | | | | |
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| DECEMBER 2013 | | | | | | |
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| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | | | | |

LEGEND
 OFYP
 Inservice/Student Holiday
 Staff & Student Holiday
 Reporting Period Begins
 Reporting Period Ends
 Bad Weather Day
 Graduation May 30th 7pm
 Early Release
 New Employee Orientation
 Teacher Workday

| JUNE 2014 | | | | | | |
|-----------|----|----|----|----|----|----|
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| JANUARY 2014 | | | | | | |
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| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
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Visit the PAISD website
 for a detailed event calendar
www.paisd.net

| JULY 2014 | | | | | | |
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2015 IMAGINATION SUMMER CAMP

CITY OF PORT ARANSAS Parks & Recreation Department

Welcome parents and campers to the 2015 Imagination Summer Camp! We plan on having an awesome summer where your student can expect to learn:

- ✚ **COLLABORATION** – students learn to create and produce a play as part of a team, which making new friends.
- ✚ **COMMUNICATION** – students learn to express themselves clearly.
- ✚ **CONFIDENCE** – students take pride and build confidence through performance for friends and family.
- ✚ **CREATIVITY** – with teacher guidance, students create original scenes and stories and learn how to convey them with their voice, body and imagination.

During each weekly camp there will be fun activities like art projects, music and movies that are selected to enhance that week's theme. Many activities will be indoors, but campers will have lots of time to play in the sun as well! Also during every camp, students will be treated to fun filled field trips such as swimming, bowling, hiking on local nature preserve, Texas State Aquarium, USS Lexington Aircraft Carrier Museum, Port Aransas Theatre and more, much more!

Here some basic rules that we need to cover to ensure we have the best summer yet!!!

1. The Imagination Summer Camp phone number is 361-749-_____, facsimile number 361-749-3030 or by email – kyarbrough@cityofportaransas.org. This phone will be turned on at 8:00 am and stay on until 6:00 pm. If you call, please leave a message, and we will get back to you ASAP. We are also able to accept text messages.
2. WE reserve the right to cancel a class if enrollment is insufficient. In this instance any tuition paid will be refunded in full.
3. Discounts are available for multiple weeks and/or multiple family members.
4. TUITION:
 - a. A \$65.0 deposit is required to secure your student's registration.
 - b. Only one (1) deposit is required, and you may register your student for as many camps as you would like.
 - c. The deposit will be applied to the last camp attended by your student.
 - d. Checks should be made payable to: City of Port Aransas – ISC 2015. Or include "ISC 2015" or "Summer Camp" in the check Memo Line.
 - e. Payment is due on each Monday at the start of camp. Payment arrangements can be made by contacting the Parks & Recreation Department office at 361-749-_____.
5. FINANCIAL AID:
 - a. Payment plans are available with a credit or debit card.
 - b. Some scholarship assistance is available for families with demonstrated financial need.
6. Confirmation – you will receive an email confirmation within one (1) week of registration. Further details will be emailed the week before your class begins.
7. Cancellation Policy:
 - a. Cancellations must be submitted in writing and be received two (2) weeks prior to the start of the camp.
 - i. Cancellations received two (2) weeks prior to the start of the camp will be refunded the amount paid less a \$30.00 processing/registration fee.
 - ii. Cancellations received within two (2) weeks of camp cannot be refunded.

- iii. Please note: Students who miss a full week of camp due to illness shall submit a doctor's note and may be eligible for a partial credit based on the individual case.
8. If your child will not be attending camp that day, please call the number shown above and let us know.
 9. Payments are due each week your child attends the program. Failure to pay fees on time may result in your child being taken out of the program.
 10. Early arrival which allows students to be dropped off beginning at 8:00am to 8:30am is available for an additional \$30.00 per camp.
 11. Late pickup which allows students to be picked up at 5:30pm is available for an additional \$30.00 per camp.
 12. Additional Late fees of \$10.00 per each 15 minute increment per child late fee will be assessed for any child picked up after 6:15pm. This time will be determined by the clock on the program's phone and will include all time up until you sign your child out. This fee must be paid when you pick up your child. If you are going to be late, please call (361) 749-_____ and let us know. Any child still at the program after 6:15pm will be taken to the Port Aransas Police Department to wait for parents.
 13. Please make sure to bring a picture ID with you when you pick up your child. We will be asking for it until the staff becomes familiar with the parents and children. If someone else will be picking up your child, please make sure we have their information and they know to bring their picture ID with them.
 14. Shoes with wheels are unacceptable. Due to the active activities we have planned, we recommend that tennis shoes be worn. It is difficult to play the games with boots or flip flops. Children will be playing the activities as planned regardless of the shoes that they have on. Also, electronic devices and other toys will not be permitted. The children will not be able to get them out at any time during the camp.

Thank You!

Summer 2015 Camp Staff

Ready, Set, Go....

DO...come to camp ready to play!

DO...sign your child in/out every day – you can't just drop your child off at the door.

DO...call if you need to get in touch with the camp. Our camp cell phone number is _____. The phone is only on from ____ to _____. We sometimes have patchy service in the building, so please leave a voicemail and we will get back with you ASAP. We do accept text messages if that is easier for you.

DO...bring a lunch every day, athletic clothing & sneakers, bathing suit, towel, drink, snack, a backpack to carry their items, water bottle, hat & sun screen, bug spray.

DO...wear appropriate clothing...we are very active every day!

DO...wear appropriate footwear (children will participate regardless of the shoes they have on).

DO...bring appropriate items on pool and field trip days.

DO...put your child's name on EVERYTHING that is brought to camp.

DO...bring weekly payments (payments are due by the morning of the first day camp is attended).

DO...bring a picture ID when signing your child out...that, until we learn your face.

DO...like our Facebook page, _____, as we will post photos of activities and field trips throughout the summer.



DON'T...come to camp with breakfast...all breakfast must be consumed before entering the building.

DON'T...bring handheld games, MP3, or electronics...we'll be too busy to need them!

DON'T...bring heelies/heelies, roller blades, skateboards or scooters.

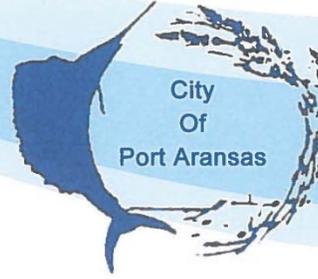
DON'T...come to camp wearing your swim suit under your clothes.

DON'T...show up before 7:30am as we will not open the door until that time.

DON'T...pick up your child late or you will be charged a fee.

If you have any questions, do not hesitate to call the camp cell or _____ at his office at _____.

City of Port Aransas



**ACKNOWLEDGEMENT OF RECEIPT
OF
YOUTH SERVICES STANDARD OF CARE**

I have received a copy of the City of Port Aransas' Youth Services Standards of Care Policy.

Parent/Guardian Name: _____

Signature: _____ Date: _____

Parent/Guardian Name: _____

Signature: _____ Date: _____

Child's Name: _____

Child's Name: _____

Child's Name: _____

CITY OF PORT ARANSAS, TEXAS

MINUTES

CITY COUNCIL REGULAR MEETING

Thursday, April 16, 2015 @ 5:00 pm

Port Aransas City Hall, 710 W. Avenue A

Port Aransas, Texas 78373

On this the 16th day of April, 2015 the Port Aransas City Council convened in Regular Session at 5:00 p.m., at the regular meeting place in City Hall, and notice of meeting giving time, place, date and subject was posted as described in V.T.C.A., Government Code § 551.041.

CITY COUNCIL MEMBERS PRESENT

Mayor Keith McMullin
Mayor Pro-Tem Steven Lanoux, Place 6
Council Member Rick Pratt, Place 1
Council Member Beverly Bolner, Place 2
Council Member Glenda Balentine, Place 3
Council Member Charles Bujan, Place 4
Council Member Edwin Myers, Place 5

COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT

City Manager David Parsons
City Secretary Irma Parker
Finance Director Darla Honea
EMS Director Tim McIntosh
Police Chief Scott Burroughs
Public Works Director Johnny White
Planning & Development Director Rick Adams

STAFF MEMBERS ABSENT

City Attorney Michael Morris
Airport Manager Randy Hanson
Gas Superintendent Mitch Ortiz
Parks & Recreation Director David Hyde

EMPLOYEES PRESENT

1. **CALL TO ORDER** - With a quorum of the Council Members present, the Regular Meeting of the Port Aransas City Council was called to order by Mayor McMullin at 5:00 pm on Thursday, April 16, 2015 in the Council Chambers of the Port Aransas City Hall, 710 W. Avenue A, Port Aransas, Texas.
2. **PLEDGE OF ALLEGIANCE** - Mayor McMullin led the Pledge of Allegiance to the Flag.
3. **OPENING PRAYER** – Opening Prayer by Pastor Steve Shullanberger, Community Presbyterian Church, 113 S. Alister.
4. **PROCLAMATIONS AND PRESENTATIONS** –

- a. *Certificate of Appreciation to Eagle Scout-Candidate Jacob White* was presented by Mayor McMillin for contributions made by Jacob in creating the educational bird and animal identification signage at the Leonabelle Turnbull Birding Center as his service project on his journey to attain the highest rank in Scouting – his Eagle Scout.
 - b. *Port Aransas Chamber of Commerce - MAY 2-10, 2015 - Travel and Tourism Week.* Mayor McMullin proclaimed May 2-10 as Travel and Tourism Week in the City of Port Aransas. Ann Bracher Vaughn, President and CEO of the Port Aransas Chamber of Commerce and Tourist Bureau, along with members of the Board and Staff were present to receive the proclamation.
5. **CITIZEN COMMENTS AND REPORTS:** *In accordance with the Open Meetings Act, Council is prohibited from acting or discussing (other than factual responses to specific questions) any items brought before them at this time.*

The following individuals addressed the City Council:

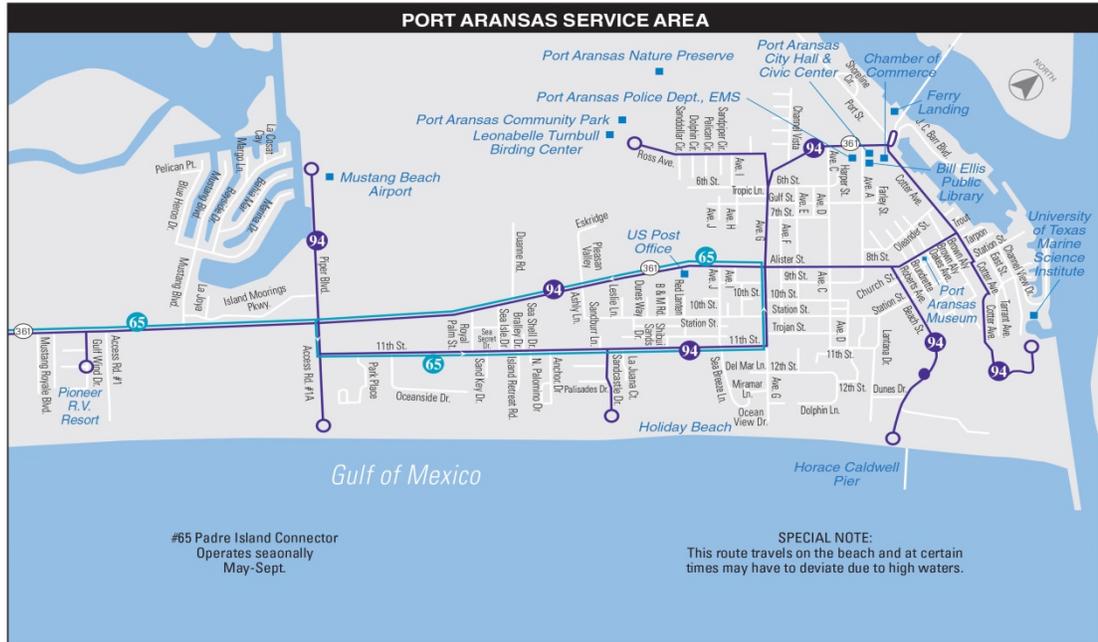
- Affordable Housing: Luke Dailey, 619 E. Avenue B;
- Open Beaches: Marion Sweatt, 639 Lantana;
- Ordinance Amending Chapter 27 “Public Beach”, Article I. “Port Aransas Beach Park”: Stoney McGearld, 3500 Island Moorings Parkway; Elaine Baen, 4813 Sanibel Lane; Julie Gall, 1825 Palisades; Frankie Eicholz, 317 Trojan; Charles Duffly, 194 Bent Grass Drive; Debbie Robsterson, 298 Gasparella; Hazel Donato, 272 Gasparella; Jan Phillips, 282 Gasparella; Jay Friedman, 4821 Sandbel Lane.
- Texting & Driving: Stoney McGerald, 3500 Island Moorings Parkway.

6. **ITEMS FOR CONSIDERATION**

- C. **Presentation and general discussion on updates to Route #65 “Padre Island Connection – Pilot Project” by the City of Corpus Christi Regional Transit Authority.**

The Corpus Christi Regional Transportation Authority representatives - Director of Planning Gordon Robinson and Director of Special Services Terry Klinger addressed the City Council with updates on services to Port Aransas. The Corpus Christi Regional Transportation Authority, or "The B" as it is locally known, began operations in January 1986 and has since provided public transportation services to the citizens of the Coastal Bend, including the cities of Agua Dulce, Banquete, Bishop, Corpus Christi, Driscoll, Gregory, Port Aransas, Robstown, and San Patricio City. The CCRTA Service area covers 830 square miles and provides transit service that supports over six (6) million boardings per year. In addition to fixed route bus services, the CCRTA provides commuter service to employees of the Naval Air Station and Corpus Christi Army Depot and other federal agencies, operates the Corpus Christi Harbor Ferry, provides transportation services to rural communities, assists citizens in creating vanpools and rideshare

programs, and provides demand-response curb-to-curb service for qualified individuals with a disability.



Route 65 has been updated with points of interest including Sunrise & La Palmera Malls, Flour Bluff @ Waldron & Compton Roads, Whataburger Restaurant at Park Road 22 & Jackfish.

D. Discuss and take action to accept FY 2013-2014 Auditor Report.

Wayne R. Beyer, Beyer & Co. – Certified Public Accountants presented the FY 2013-2014 Audit. Management’s Discussion and Analysis is as follows:

FINANCIAL HIGHLIGHTS

- The assets of the City of Port Aransas exceeded its liabilities at the close of the most recent fiscal year by \$31,925,108 (net position). Of this amount, \$9,093,651 (unrestricted net position) may be used to meet the government's ongoing obligation to citizens and creditors.
- Total net position for the City of Port Aransas increased by \$2,212,478 during the fiscal year.
- As of the close of the current fiscal year, the City of Port Aransas governmental funds reported combined ending fund balances of \$12,982,195. Approximately 52.3% of this amount, \$6,785,349 is available for spending at the government's discretion (unassigned fund balance).
- At the end of the current fiscal year, unassigned fund balance for the general fund was 5,072,113 or 59.1% of General Fund expenditures.
- The City of Port Aransas’ total bonded debt had a decrease of \$912,145 during the current fiscal year. Debt was reduced by payment of bonds.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City of Port Aransas' basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements, including information on individual funds.

Government-wide financial statements. The government-wide financial statements include the Statement of Net Position and the Statement of Activities. These statements are designed to provide readers with a broad overview of the City of Port Aransas finances, in a manner similar to a private-sector business.

The statement of net position presents information on all of the City's assets and liabilities, including capital assets and long-term obligations. The difference between the two is reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating. Other indicators of the City's financial position should also be taken into consideration, such as the change in the City's property tax base and condition of the City's infrastructure (i.e. roads and drainage systems), in order to more accurately assess the overall financial condition of the City.

The statement of activities presents information showing how the City's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities of the City of Port Aransas include general administration, legal, financial administration, public facilities, public safety, public transportation, culture and recreation, and interest and fiscal charges. The business-type activities include gas, sanitation, and harbor.

Fund financial statements. The fund financial statements are designed to report information about groupings of related accounts which are used to maintain control over resources that have been segregated for specific activities or objectives. The City of Port Aransas, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance, related legal requirements.

- Some funds are required by State law and by covenants of bonds/certificates of obligation.
- The City Council establishes other funds to control and manage money for particular purposes or to show that it is properly using certain taxes, fees and grants.

Governmental funds-Except for the operations of the Harbor, Gas, and Sanitation funds, the City's services are included in governmental funds. These funds focus on how cash and other

financial assets can readily be converted to available resources and on the available balances left at year-end. This information may be useful in determining what financial resources are available in the near future to finance the City's programs. Other funds are referred to as non-major funds and are presented as summary data.

Because the focus of governmental fund level statements is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. In addition to the governmental fund balance sheet and the statement of revenues, expenditures, and changes in fund balance, separate statements are provided that reconcile between the government-wide and fund level statements.

Information is presented separately in the governmental fund balance sheet and in the government fund statement of revenues, expenditures, and changes in fund balances for the General Fund, Advertising Fund, Beach Cleaning Fund, Recreational Development Fund, Nature Preserve Fund, and the Construction Fund, all of which are considered to be major funds. Data for the other governmental funds are combined into a single, aggregated presentation. Individual fund data for each of the non-major governmental funds is provided in the form of combining statements elsewhere in this report.

Proprietary funds -The City accounts for the harbor, gas and sanitation operations in the Proprietary Funds. Assets exceeded liabilities by \$27,159,196 at the close of the most recent fiscal year of governmental activities and \$4,765,912 for business-type activities.

A large portion of the City's net assets (57.4% in governmental activities and 77.7% in business type activities) reflects its investment in capital assets (e.g. land, buildings, machinery, and equipment); less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

At the end of the current fiscal year, the City is able to report positive balances in all categories of net position, both of the government as a whole, as well as for its separate governmental activities. The same situation held true for the prior fiscal year.

Changes in Net Position. Governmental activities increased the City's net assets by \$1,914,814 and Business-type activities increased the City's net assets by \$297,664 for an increase of \$2,212,478.

Financial Analysis of the Government's Funds

In comparison to the government-wide statements, the fund level statements focus on the key funds of the City. The City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds. The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unreserved fund balance may serve as a useful measure of government's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the City of Port Aransas' governmental funds reported combined ending fund balances of \$12,982,195, an increase of \$146,223 in comparison with the prior year. Approximately 52.3%, or \$6,785,349, constitutes unassigned fund balance, which is available for spending at the government's discretion. The remainder of the fund balance is restricted or committed and is not available for new spending because it has already been committed/restricted to pay for construction (\$1,274,009), debt service (\$230,941), reserved for culture & recreation (\$1,527,490), prepaid items and inventories (\$14,405), public safety (\$61,417), Economic Development (\$2,421,193), and public transportation (\$667,391).

The General Fund is the chief operating fund of the City. At the end of the current fiscal year, unassigned fund balance of the General Fund was \$5,072,113, while total fund balance reached \$5,111,947. As a measure of the general fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total fund expenditures. Unassigned fund balance represents 59.1% of total general fund expenditures, while total fund balance represents 59.6% of that same amount.

The fund balance of the City General Fund increased by \$396,033 during the current fiscal year. Key factors in this increase are as follows:

- Sales Tax increased by \$55,088.
- Licenses and permits increased by \$85,411.
- Property taxes increased by \$273,215
- Charges for services increased by \$405,949
- Expenditures were under budgeted amounts mainly due to shortage of key personnel during the fiscal year which provided a savings in personnel costs.

Budgetary Highlights

The City's budget was amended one time. The General Fund, Hotel/Motel Occupancy Tax Fund, Beach Fund, Harbor Fund and Gas Department Fund had a net change of \$0 (amounts were either shifted between departments or had excess revenue to cover expenses). The General Fund had an increase in expenses of \$322,000 but had corresponding revenues to offset this amount. There were several departments where a salary adjustment was needed due to labor over-runs and an additional transfer to the Street Maintenance Fund was established. The Hotel Motel Fund had an increase of \$380,000 for expenses to transfer excess collections and reserves to the Chamber of Commerce for sales and marketing as required. The Beach Fund was amended for additional expenses for heavy equipment repairs

and heavy seaweed removal efforts. The Harbor Fund had additional expenses for paving a parking lot (bids were higher than initial estimate). The Gas Fund had an increase in the purchase of gas but also had a corresponding increase to the sale of the same gas.

Budget variances are "Favorable" if actual revenues exceed budgeted amounts and if actual expenditures are under budgeted amounts. Variances are "Unfavorable" if actual revenues are under budgeted amounts and if actual expenditures are over budgeted amounts. Favorable variances are indicated by showing amounts without brackets and unfavorable variances are indicated by bracketed amounts.

In the General Fund, during the year, the revenues were \$458,036 higher than budgeted. An increase in all categories except interest was realized.

Capital Asset and Debt Administration

Capital assets. The City's investment in capital assets for all activities as of September 30, 2014 amount to \$30,510,248 (net of accumulated depreciation). This investment in capital assets includes both governmental activities and business type activities such as land, construction in progress, buildings, equipment, fleet, streets, and other infrastructure.

Long-term debt. At the end of the current fiscal year, the City had total bonded debt outstanding of \$14,977,345. The City's total bonded outstanding debt decreased by \$912,145 during the current fiscal year. The key factor in this decrease was the payment of debt.

Economic Factors and Next Year's Budgets and Rates

All of these factors were considered in preparing the City's budget for the 2014-2015 fiscal years.

Certificate of Obligations were issued in the fall of 2014 in order to purchase land to construct a new ferry stacking system. In addition to the C.O.'s is used for this purpose, approximately \$800,000 of General Fund reserves was budgeted for a cash payment for this land.

The tax rate for the year has decreased to 29.9118 cents per hundred. The tax rate has been split with .235228 for maintenance and operations and .063890 for interest and sinking for the retirement of the bonds.

Overall, the General Fund is budgeted to end the fiscal year 2014-2015 with an estimated fund balance of \$4,392,505. This is approximately 51.2% of General Fund operating expenditures.

The following management points will be reviewed as part of next year's audit:

EMS

Finding: Noted that three (3) of approximately 78 runs made in April, 2014 were not billed. Upon discovery, EMS stated that they will bill two (2) of the runs; however, one (1) cannot be billed due to loss of information.

Recommendation: Recommend that the EMS billing reports be reconciled to the run log reports on a monthly basis to ensure all runs are billed thereby preventing loss of revenue.

Mayor McMullin called for any questions and/or comments. There being none, Mayor McMullin called for a motion.

MOTION: Council Member Myers moved to accept FY 2013-2014 Auditor Report from Wayne R. Beyer, Beyer & Co. – Certified Public Accountants as presented. Council Member Bujan seconded the motion. Motion carried by the following vote:

| Name | Yes | No | Abstain | Absent |
|--------------------------|-----|----|---------|--------|
| Mayor McMullin | X | | | |
| Mayor Pro-Tem Lanoux | X | | | |
| Council Member Pratt | X | | | |
| Council Member Bolner | X | | | |
| Council Member Balentine | X | | | |
| Council Member Bujan | X | | | |
| Council Member Myers | X | | | |

E. Discuss and take action on the Thursday, March 19, 2015 City Council Meeting Minutes as presented.

Mayor McMullin called for any questions, comments or a motion to accept the Thursday, March 19, 2015 City Council Meeting Minutes as presented.

MOTION: Council Member Balentin moved to approve the Thursday, March 19, 2015 City Council Meeting Minutes as presented. Council Member Bujan seconded the motion. Motion carried by the following vote:

| Name | Yes | No | Abstain | Absent |
|--------------------------|-----|----|---------|--------|
| Mayor McMullin | X | | | |
| Mayor Pro-Tem Lanoux | X | | | |
| Council Member Pratt | X | | | |
| Council Member Bolner | X | | | |
| Council Member Balentine | X | | | |
| Council Member Bujan | X | | | |
| Council Member Myers | X | | | |

F. TABLED 2/19/2015: Discuss and take action on Dune Permit Application #BFDP-150048 City of Port Aransas Seaweed Maintenance, Dune Permit and Beachfront Construction Certificate which documents solutions and authorized alternatives for the removal and disposal of seaweed within the jurisdictional limits of the Port Aransas Coastal Management Plan and authorize, if needed, the modification of Exhibit B, Sheet 9 of said Application.

Mayor McMullin called for a motion to remove Item F from the Table.

MOTION: Mayor Pro-Tem Lanoux moved to remove Dune Permit Application #BFDP-150048 City of Port Aransas Seaweed Maintenance, Dune Permit and Beachfront Construction Certificate for discussion. Council Member Bujan seconded the motion. Motion carried by the following vote:

| Name | Yes | No | Abstain | Absent |
|--------------------------|-----|----|---------|--------|
| Mayor McMullin | X | | | |
| Mayor Pro-Tem Lanoux | X | | | |
| Council Member Pratt | X | | | |
| Council Member Bolner | X | | | |
| Council Member Balentine | X | | | |
| Council Member Bujan | X | | | |
| Council Member Myers | X | | | |

Staff met in 2007 with GLO staff to discuss acceptable philosophies for beach cleaning operations as it relates to the authority under the State’s beach dune rules. It is the goal of this permit application to provide authorized alternatives for the removal and disposal of seaweed within the jurisdictional limits of the Port Aransas Coastal Management Plan. In compliance with the Plan, the City will insure protection of the critical dunes and provide for the overall balance of the beach/dune system by improving the current seaweed maintenance practices. The GLO is currently reviewing this Application to verify that it is consistent with the Coastal Management Plan. Dune permit submitted by Urban Engineering on January 23, 2015. Since the Permit is for the City regarding Seaweed Maintenance, then no alternative engineering review is necessary. The Planning & Zoning Commission approved the application at the January 26, 2015 meeting and recommends Council approval. The Army Corps of Engineers has authority over lands seaward of the annual high tide line and also requires a permit for certain activities within this area. ACOE Permit No. SWG-2007-01847; GLO renewed their lease for seaweed maintenance activities on state owned lands, valid through 2019.

MOTION: Council Member Bujan moved to approve Dune Permit Application #BFDP-150048 City of Port Aransas Seaweed Maintenance, Dune Permit and Beachfront Construction Certificate which documents solutions and authorized alternatives for the removal and disposal of seaweed within the jurisdictional limits of the Port Aransas Coastal Management Plan as presented. Mayor Pro-Tem Lanoux seconded the motion. Motion carried by the following vote:

| Name | Yes | No | Abstain | Absent |
|--------------------------|-----|----|---------|--------|
| Mayor McMullin | X | | | |
| Mayor Pro-Tem Lanoux | X | | | |
| Council Member Pratt | X | | | |
| Council Member Bolner | X | | | |
| Council Member Balentine | X | | | |
| Council Member Bujan | X | | | |
| Council Member Myers | X | | | |

G. Discuss and take action to confirm that the “No” Dune Permit BFDP 150134 is consistent with the City’s Coastal Management Plan. The dune permit seeks to establish that no Dune Permit is required for construction of improvements at

Lot 3, Corder/Hall Subdivision, Port Aransas, Texas. Applicant: Larry Hall. Property Location: 144 Dunes Dr.

No” Dune Permit request BFD#150134 was submitted by Larry Hall for 144 Dunes Dr. Naismith Engineering reviewed the referenced dune permit on March 18th, 2015 and, after a couple of comments to and responses back from Urban Engineering, found that the subject application is consistent with the City’s Coastal Management Plan. The Planning & Zoning Commission recommends approval of application at the March 30th, 2015 meeting. Natalie Bell of the Texas General Land Office reviewed BFD#150134 on April 10th and approved the application.

MOTION: Council Member Balentine moved to confirm that the “No” Dune Permit BFD#150134 is consistent with the City’s Coastal Management Plan. The dune permit seeks to establish that no Dune Permit is required for construction of improvements at Lot 3, Corder/Hall Subdivision, Port Aransas, Texas. Applicant: Larry Hall. Property Location: 144 Dunes Dr. as presented. Council Member Bujan seconded the motion. Motion carried by the following vote:

| Name | Yes | No | Abstain | Absent |
|--------------------------|-----|----|---------|--------|
| Mayor McMullin | X | | | |
| Mayor Pro-Tem Lanoux | X | | | |
| Council Member Pratt | X | | | |
| Council Member Bolner | X | | | |
| Council Member Balentine | X | | | |
| Council Member Bujan | X | | | |
| Council Member Myers | X | | | |

H. Discuss and take action on third and final reading of an Ordinance Amending Chapter 27 “Public Beach”, Article I. “Port Aransas Beach Park”, Division 1. “In General” Section 27-1 “Definitions” by Adding new definitions; adding a New Article II. “Beach Camping” to Establish Beach Camping Rules, Regulations and Recreational Vehicle Camping Permit Fees, Setting Limitations on Camping, Prohibitions, and Exemptions; and Providing For Severance, Reading, And Effective Date.

During the 2014 Goals Workshop, Council discussed several issues and concerns regarding camping at the Beach. In addition, several citizens have addressed the City Council during the “Citizens to be Heard” to complain about the noise, trash, blocking of beach access that occurs when recreational vehicles set-up a camp at the beach. Police Chief Burroughs has identified several concerns and options for Council consideration at the November 20, 2014 City Council meeting. DRAFT ordinance language was presented at the December, 2014 and January, 2015 council meetings. The proposed ordinance includes all those changes and proposals discussed at previous meetings. This ordinance is presented at 3rd and final reading. There have been no changes to form or content since first reading.

Prior to opening this item for discussion, Mayor McMullin advised that he and other council members had received telephone calls both in favor and against this ordinance. The point made earlier that by changing the areas where camping would be allowed is forcing more camping activity in a large residential area. He has therefore asked the city manager to increase the

number of port-a-potties through-out the beach thus increasing the amenities on the beach. Staff understands that not everyone will be happy with this solution; however, on-going changes and improvements will be made along with enforcement on the beach which should alleviate the issues and concerns expressed. Other suggestions were made to improve upon the conditions of the beach. These concerns will be addressed by an advisory committee of the city

MOTION: Council Member Balentine moved to approve third and final reading of an Ordinance Amending Chapter 27 “Public Beach”, Article I. “Port Aransas Beach Park”, Division 1. “In General” Section 27-1 “Definitions” by Adding new definitions; adding a New Article II. “Beach Camping” to Establish Beach Camping Rules, Regulations and Recreational Vehicle Camping Permit Fees, Setting Limitations on Camping, Prohibitions, and Exemptions; and Providing for Severance, Reading, And Effective Date as presented. Council Member Myers seconded the motion. Motion carried by the following vote:

| Name | Yes | No | Abstain | Absent |
|--------------------------|-----|----|---------|--------|
| Mayor McMullin | X | | | |
| Mayor Pro-Tem Lanoux | X | | | |
| Council Member Pratt | X | | | |
| Council Member Bolner | | X | | |
| Council Member Balentine | X | | | |
| Council Member Bujan | | | X | |
| Council Member Myers | X | | | |

ORDINANCE NO. 2015-03

AN ORDINANCE OF THE PORT ARANSAS CITY COUNCIL AMENDING CHAPTER 27 “PUBLIC BEACH”, ARTICLE I. “PORT ARANSAS BEACH PARK”, DIVISION 1. “IN GENERAL” SECTION 27-1 “DEFINITIONS” BY ADDING NEW DEFINITIONS; ADDING A NEW ARTICLE II. “BEACH CAMPING” TO ESTABLISH BEACH CAMPING RULES, REGULATIONS AND RECREATIONAL VEHICLE CAMPING PERMIT FEES, SETTING LIMITATIONS ON CAMPING, PROHIBITIONS, AND EXEMPTIONS; AND PROVIDING FOR SEVERANCE, READING, AND EFFECTIVE DATE.

- I. Discuss and take action to approve second reading of an Ordinance Amending Chapter 25 “Zoning”, Article I. “In General”, Section 25-1 “Definitions” By Adding Definitions for Bedroom, Sleeping Rooms, Improved Parking Surface and Vehicles; Article IV. “Supplemental District Development and Use Regulations”, Division 2. “Off-Street Parking And Loading”, Section 25-161 “Number Of Off-Street Parking Spaces Required” to Clarify and Update Off-Street Parking Requirements to Provide for Health, Safety and General Welfare of the Public; Providing for Severance, Reading, and Effective Date.**

The current residential use parking requirement is generally two off street parking spaces per dwelling unit, regardless of the number of sleeping areas. Concern has been expressed in those districts allowing for transient rental of dwelling units existing parking requirement is inadequate to protect the health, welfare and safety of the general public, citizens, and visitors occupying the transient dwelling units. Staff recommends that the City should increase the requirement in all districts outside of R-1 and should consider the number of sleeping rooms in determining the number of required off-street parking spaces required. It is advisable to amend the Zoning Ordinance to require for every dwelling unit outside of an R-1, a minimum of one (1) off-street, parking space exclusive of individually owned/assigned enclosed garages, per Sleeping Area

with a minimum of two (2) spaces. No required parking shall be permitted within public right-of-way or access easements as defined by City and State regulations regarding parking. It shall be unlawful for the owner, occupant or person in charge of property used for residential purposes to permit the parking, standing or storing of motor vehicles excluding recreational vehicles, on yards or lawns excluding driveways, improved parking areas, or areas screened from public view by fencing. There have been no changes to form or content since first reading. Mayor McMullin called for any questions and/or comments. Council Member Myers asked for clarification.

MOTION: Council Member Myers moved to approve second reading of an Ordinance Amending Chapter 25 “Zoning”, Article I. “In General”, Section 25-1 “Definitions” By Adding Definitions for Bedroom, Sleeping Rooms, Improved Parking Surface and Vehicles; Article IV. “Supplemental District Development and Use Regulations”, Division 2. “Off-Street Parking and Loading”, Section 25-161 “Number of Off-Street Parking Spaces Required” to Clarify and Update Off-Street Parking Requirements to Provide for Health, Safety and General Welfare of the Public; Providing for Severance, Reading, and Effective Date as presented. Council Member Pratt seconded the motion. Motion carried by the following vote:

| Name | Yes | No | Abstain | Absent |
|--------------------------|-----|----|---------|--------|
| Mayor McMullin | X | | | |
| Mayor Pro-Tem Lanoux | X | | | |
| Council Member Pratt | X | | | |
| Council Member Bolner | X | | | |
| Council Member Balentine | X | | | |
| Council Member Bujan | X | | | |
| Council Member Myers | X | | | |

J. Discuss and take action to approve second reading of an Ordinance Amending Chapter 21 “Subdivisions”, Article IX. “Requirements for Improvements, Reservations and Design”, Division 10. “NUD Neighborhood Unit Development”, Section 21-243(f) “Minimum Requirements” and Division 11. “CUD Cottage Unit Development”, Section 21-258(f) “Minimum Requirements” to Clarify and Update Off-Street Parking Requirements to Provide for Health, Safety and General Welfare of the Public; Providing for Severance, Reading, and Effective Date.

This ordinance compliments the previously discussed proposed ordinance amendment Chapter 25 “Zoning” which also deals with parking requirements. However, since this ordinance amends a different chapter – Chapter 21 “Subdivisions” an additional ordinance is required. There have been no changes since first reading. Staff recommends approval.

MOTION: Mayor Pro-Tem Lanoux moved to approve second reading of an Ordinance Amending Chapter 21 “Subdivisions”, Article IX. “Requirements for Improvements, Reservations and Design”, Division 10. “NUD Neighborhood Unit Development”, Section 21-243(f) “Minimum Requirements” and Division 11. “CUD Cottage Unit Development”, Section 21-258(f) “Minimum Requirements” to Clarify and Update Off-Street Parking Requirements to Provide for Health, Safety and General Welfare of the Public; Providing for Severance, Reading,

and Effective Date as presented. Council Member Bolner seconded the motion. Motion carried by the following vote:

| Name | Yes | No | Abstain | Absent |
|--------------------------|-----|----|---------|--------|
| Mayor McMullin | X | | | |
| Mayor Pro-Tem Lanoux | X | | | |
| Council Member Pratt | X | | | |
| Council Member Bolner | X | | | |
| Council Member Balentine | X | | | |
| Council Member Bujan | X | | | |
| Council Member Myers | X | | | |

K. Discuss and take action to approve second reading of an Ordinance Amending Code of Ordinances Chapter 12 “Licenses and Business Regulations”, Article III. “Food Establishments” By Adopting State Food Establishment Rules; Establishing Procedures for Permit Application, Plan Review, Exemptions, Suspension, Revocation, Administrative Process and Remedies; Adding Definitions to Identify Corpus Christi-Nueces County Public Health District as the Regulatory Authority; Providing for Education Requirements; and providing for severance, reading, and effective date.

The City currently contracts with Corpus Christi-Nueces County Public Health District for food service inspections. Our current Code does not identify who the regulatory authority is nor does it set procedures for receiving a Health Permit. This section of the Code was written before 1980 and has not been reviewed and/or updated. Staff has reviewed ordinances from several neighboring cities to use as a format for updating our Code. In previous action the City Council deleted the requirement for food establishments to pay an annual fee of \$75.00 to the City for inspections.

In compliance with the Interlocal Agreement between the City and Corpus Christi-Nueces County Public Health District, Section 3(b), Staff has developed a form for submittal to the District notifying them to conduct an initial Food Service Operation inspection. Fees are set by the District with no funds retained by the City with the exception of the administrative processing fee. The City does keep record of each establishment and insure that a permit is received prior to issuing a Certificate of Occupancy. Staff provided a copy of the Contract with Corpus Christi-Nueces County Public Health District dated 2006 for Council review and information. Staff recommends approval.

MOTION: Council Member Balentine moved to approve second reading of an Ordinance Amending Code of Ordinances Chapter 12 “Licenses and Business Regulations”, Article III. “Food Establishments” By Adopting State Food Establishment Rules; Establishing Procedures for Permit Application, Plan Review, Exemptions, Suspension, Revocation, Administrative Process and Remedies; Adding Definitions to Identify Corpus Christi-Nueces County Public Health District as the Regulatory Authority; Providing for Education Requirements; and providing for severance, reading, and effective date as presented. Council Member Bujan seconded the motion. Motion carried by the following vote:

| Name | Yes | No | Abstain | Absent |
|--------------------------|-----|----|---------|--------|
| Mayor McMullin | X | | | |
| Mayor Pro-Tem Lanoux | X | | | |
| Council Member Pratt | X | | | |
| Council Member Bolner | X | | | |
| Council Member Balentine | X | | | |
| Council Member Bujan | X | | | |
| Council Member Myers | X | | | |

7. **STAFF REPORTS** *Presentation and general discussion of the following items including Meeting Minutes of various Boards, Commissions and Committees pursuant to Home Rule Charter and Code of Ordinances:*

C. Monthly/Quarterly/Annual Reports and Minutes

i. March 2015 Monthly Reports

a. Finance – Director Darla Honea

| | FY 2014-15 | FY 2013-14 | Difference |
|---------------------------------|--------------|--------------|---------------|
| Hotel Occupancy Tax Collections | \$867,405.07 | \$800,143.64 | \$67,261.43 |
| Sales Tax - General Fund | \$512,489.53 | \$443,513.43 | \$68,976.10 |
| Harbor Slip Rental - Monthly | \$373,584.45 | \$394,683.80 | (\$21,099.35) |
| Harbor Slip Rental - Transient | \$49,660.14 | \$42,347.42 | \$7,312.72 |
| Beach Parking Permits | 10,212 | 9,554 | 658 |

b. EMS – Director Tim McIntosh

i. February; and

ii. March

| 2015 | January | February | March | Total |
|------------|-----------|-----------|------------|------------|
| Calls | 54 | 66 | 182 | 302 |
| Transport | 33 | 42 | 8 | 83 |
| Jail | 6 | 7 | | 13 |
| Beach | 3 | 7 | | 10 |
| Other | <u>12</u> | <u>10</u> | <u>174</u> | <u>196</u> |
| 2014 | January | February | March | Total |
| Calls | 78 | 67 | 174 | 319 |
| Transport | 42 | 36 | 50 | 128 |
| Jail | 9 | 4 | 24 | 37 |
| Beach | 2 | 1 | 28 | 31 |
| Other | 25 | 26 | 72 | 123 |
| Difference | | | | |
| Calls | (24) | (1) | 8 | |
| Transport | (9) | 6 | (42) | |
| Jail | (3) | 3 | (24) | |
| Beach | 1 | 6 | (28) | |
| Other | (13) | (16) | 102 | |

c. Police – Chief Scott Burroughs:
i. March Report; and

| 2015 | Jan | Feb | Mar | TOTAL |
|------------------------------------|-------|-------|-------|-------|
| Description | | | | |
| Total Incidents | 2,158 | 1,829 | 3,084 | 7,071 |
| Total Citations | 18 | 24 | | 42 |
| Total Charges | 89 | 175 | 343 | 607 |
| Total Arrests | 39 | 58 | 205 | 302 |
| ARRESTS | | | | |
| Outstanding Warrants | 12 | 13 | 35 | 60 |
| Alcohol Related | 22 | 27 | 27 | 76 |
| Aggravated Assault w/deadly weapon | 0 | | | 0 |
| Aggravated Sexual Assault - Child | 0 | | | 0 |
| Assault | 2 | 5 | 18 | 25 |
| Assault - Sexual | | 1 | 3 | 4 |
| Misdemeanor Assaults | 0 | | | 0 |
| Property Crimes | 0 | | | 0 |
| Burglary | 2 | | | 2 |

d. Spring Break 2015 Update

During 2015 Spring Break Event – March 7-22 the following were noted. Total Incidents: 2,092; Municipal Citations (includes all charges filed by the court): 315 Charges; Total Arrests: 185. The Department arrested 185 people including 35 that were arrested for outstanding warrants, 109 of the arrests were for alcohol related offenses including 14 DWIs and 7 DUIs (under 21). There were 17 arrests for assaults including 2 for sexual assault.

ii. Minutes from the following City Committees, Boards/Commissions –

- 1. Airport – 10/29/2014 and 2/4/2015 Minutes**
- 2. Parks & Recreation – 1/19/2015 Minutes**

- 8. CITY COUNCIL COMMENTS AND ITEMS FOR FUTURE CONSIDERATION AND/OR OF COMMUNITY INTEREST - *Expressions of thanks, congratulations or condolences; information regarding holiday schedules; honorary recognition of city officials, employees or other citizens; reminders about upcoming events sponsored by the City or other entity that are scheduled to be attended by a city official or city employee.***

9. ADJOURNMENT



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-K

Discuss and take action to confirm that Dune Permit BFDP 150221 is consistent with the City's Coastal Management Plan. The dune permit applicant seeks to construct a wire fence at the northwest property lines of Lots 1&2, Block 15, Mustang Island State Land Survey, Port Aransas, Texas. Applicant: James Worth. Property Location: 2829 & 2906 On the Beach.

SUBMITTED BY: Director of Development Services Rick Adams

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: Dune Permit request BFDP#150221 was submitted by James Worth on March 18th, 2015 for 2829 & 2906 On the Beach.

ENGINEERING REVIEW: Urban Engineering reviewed the referenced dune permit on April 8th, 2015 and, after a form was corrected, found that the subject application is consistent with the City's Coastal Management Plan

PLANNING & ZONING COMMISSION RECOMMENDATION: Approved application at the April 27th, 2015 meeting.

GLO REVIEW: Natalie Bell of the Texas General Land Office reviewed BFDP#150221 on April 27th, 2015 and approved the application.

STAFF RECOMMENDATION: Approve Dune Permit BFDP#150221 as presented.

**STW INTERESTS, LTD
& JWI PARTNERS, LTD.
FENCE CONSTRUCTION**

APPLICATION FOR

CITY OF PORT ARANSAS

DUNE PROTECTION PERMIT AND BEACHFRONT CONSTRUCTION

CERTIFICATE APPLICATION

March 10, 2015

**PREPARED IN ACCORDANCE WITH THE
ORDINANCES OF THE CITY OF PORT ARANSAS**

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- EXHIBIT C EXISTING RELIEF MAP
- EXHIBIT D PLAT
- EXHIBIT E SITE PHOTOS
- EXHIBIT F EROSION RATE MAP
- EXHIBIT G FEMA MAP

I. **PROJECT DESCRIPTION**

This project consists of the construction of a wire fence at the back (northwest) property lines of Lots 1 & 2, Block 15, Mustang Island (2829 & 2906 On the Beach). The fence will be an “open” fence constructed of treated wood posts and a combination of “cattle wire” and barbed wire to a height of 5-6ft.

The construction of the proposed fence will be located as shown on Exhibit B . See project location on Exhibit A.

Temporary impacts will be mitigated until the vegetation has re-established. Impacts to critical dunes will be mitigated as shown on Exhibit B2.

The purpose of the fence is to prohibit or at least limit trespassing across Applicants’ properties, both of which are in the protected dune area. The two properties of Applicants have a rear property line totaling 264 feet that abuts four other lots to the northwest on Kaila Court. A home has been built on only one of those lots and it has 66 feet of fence that provides some barrier to Applicants’ lots. However the remaining 198 feet have no barrier and as such people have been consistently using this open space to cross over the dunes to the beach and vice versa. Applicants have observed people walking from as far as the Oceanside Subdivision and the new developments near 11th street directly behind the properties and crossing over the properties. This regular intrusion has developed paths across the dunes that has destroyed vegetation and invited further continued use.

Numerous “privacy” and “no trespassing” signs have perhaps reduced some of this activity but they are still ignored by many and the paths endure. Applicants have observed large groups walking up to the back property line (after trespassing across the lots on Kaila Court), dragging their ice chests, looking at the “No Trespassing” signs, and then walking right by them. Short term rentals are accepted in the subdivision behind the properties and perhaps this exacerbates the problem, but it is not practical to expect the owners to continually control their occupants even if requested to.

Photos attached in Exhibit E include some that show the paths and destruction to the dunes from the trespassing. More can be provided.

In addition, this trespassing is a safety hazard to the occupants of the residence on Lot 1 as once people have transgressed the dunes behind the house they typically walk right through the parking areas and drives of Lot 1. When occasionally such trespassers are asked to turn around and go back some have been polite and complied but many have been rude and at times belligerent and just kept walking across the Applicants' properties. Applicants would rather have a fence, even though they will incur costs, rather than risk aggravating someone by personal confrontation that results in some sort of bodily harm or property damage

Further, one of the main paths that trespassers have been using is through an area that Applicants are attempting to stabilize in accordance with a prior dune permit granted for the installation of utilities onto the subject properties. Vegetation is returning to those areas and applicants have been watering and otherwise tending to such mitigation (as they are required to) and the trespassing continues to conflict with stabilization of these areas.

An example of the proposed fence is as follows (this is not applicants' property but a stock photo):



The fence could be removed once houses are built on the Kaila Court adjoining lots.

In summary, this project is not expected to have any adverse effect on the dune system. It is expected to improve the dunes as it is intended to prohibit the current trespassing that is occurring over these properties which has developed trails through the dunes and destroyed dune vegetation.

II. APPLICATION INFORMATION

A. APPLICANTS INFORMATION

Owners:

Lot 1 JWI Partners, Ltd. (c/o James Worth)
7373 Broadway, Suite 308
San Antonio, TX 78209
(210) 828-3657

Lot 2 - STW Interests LTD. (c/o James Worth)
7373 Broadway, Suite 308
San Antonio, TX 78209
(210) 828-3657

Applicant: James Worth
7373 Broadway, Suite 308
San Antonio, TX 78209
(210) 828-3657

B. PROPERTY DESCRIPTION

Legal Description (also see Exhibit D):

Mustang Island Block 15, Lots 1 & 2 (2820 & 2906 On the Beach)

C. PROPOSED IMPROVEMENTS

HABITABLE AND NON-HABITABLE STRUCTURES:

Only non-habitable construction is proposed. This application is for a fence only.

D. PARKING SPACES

Not Applicable

E. OPEN SPACE --

EXISTING AREA:

| Description | Area | % Open Space |
|-------------|---------|--------------|
| Lot 1 & 2 | 4 sq ft | 100% |

PROPOSED AREA:

| Description | Area | % Open Space |
|-------------|---------|--------------|
| Fence | 4 sq ft | 100% |

F. FLOOR PLAN

Only fence is proposed. See Exhibit B for the proposed site plan and layout.

G. DURATION OF CONSTRUCTION

It is expected that the improvements will be constructed within one month after permit approval and the disturbed area will be re-vegetated by the expiration of the dune permit (36 months after approval).

H. DUNE WALKOVERS AND WALKWAY

EXISTING DUNE WALKOVER AND WALKWAYS:

There are no dune walkovers associated with this project.

PROPOSED DUNE WALKOVER AND WALKWAYS:

There are no dune walkovers to be constructed with this project.

I. GRADING AND LAYOUT PLAN

EXISTING GRADING AND LAYOUT:

The existing topography and site layout is shown in Exhibit B. A Relief Map is also provided, see Exhibit C.

PROPOSED GRADING AND LAYOUT:

No change

J. PHOTOS OF THE EXISITING SITE, DUNES, AND VEGETATION

Photos of the existing site, dunes, and vegetation were taken in late 2014 and early 2015.

See Exhibit E.

K. EFFECT OF ACTIVITY ON BEACH AND/OR DUNE SYSTEM

BEACH SYSTEM:

This project is not expected to have any effects on the beach system.

DUNE SYSTEM:

This project will create a net volume of 6 cubic feet (less than ¼ cubic yard) of sand from the existing dune to accommodate the installation of the fence posts. The 6 cubic feet will be relocated approximately 20 feet south and used as mitigation.

L. MITIGATION PLAN

AVOIDANCE:

Effects to critical dunes were avoided to the fullest extent possible. Since the fence is an open wire fence with 4 inch wood posts it will not impede movement / migration of the dune system. Also, being almost 800 feet from the beach it is in an area with very little current natural migration.

MINIMIZATION:

Temporary impacts will be minimized by using hand equipment and the minimum amount of impact necessary. Total square footage of posts for fence will be less than 3 square feet. No equipment will be introduced into the dune areas. Most of the fence posts will be in dune areas where vegetation has not grown totally back from the utility work done on Lots 1 & 2 in 2014 (per granted dune permit). Workers constructing the fence will also be limiting their access to these open areas. Thus the only expected impact in the dune areas is for disposing of the 6 cubic feet of sand from the holes dug for the fence posts.

MITIGATION:

6 cubic feet of sand will be relocated approximately 20 feet south and used as mitigation for the fence posts. Stabilization and re-vegetation efforts from all impacts will be continuous until stabilized.

FINANCIAL CAPABILITY TO PERFORM MITIGATION

The fence will cost less than \$3,000 and any mitigation will be included in the contract price of the fence.

M. SITE PLAN AND PLAT

The proposed site plan is included in Exhibit B. A survey is included (the lots are not platted) as Exhibit D.

N. LARGE SCALE CONSTRUCTION

The proposed project does not fall under criteria for a Large-Scale Construction Project. The area of the work is less than 5,000 square feet and/or three stories.

No alternatives are proposed. The purpose of this project is to build a fence to minimize trespassing on the dunes. All impacts to critical dunes were avoided and minimized.

O. TOPOGRAPHY AND DRAINAGE

The topography and drainage of the area will not be modified.

P. EROSION DATA

The historical erosion data from the University of Texas Bureau of Economic Geology concerning erosion rates at the project are considered to be nominal to stable. The University of Texas Bureau of Economic Geology concerning erosion rates has been included as Exhibit F. The project is not in an “eroding area” and will not affect erosion rates.

Q. FEMA INFORMATION

The project construction is located in Zone A12. Zone A12 is determined to be an area of 100-year coastal flood with base flood elevation and flood hazard factors determined. A copy of the local FEMA Map is included as Exhibit G.

R. POTENTIAL IMPACT ON NATURAL FLOOD PROTECTION

This project will not have any adverse effects on natural flood protection

S. COMPLIANCE WITH LOCAL GOVERNMENT BEACH ACCESS PLAN

No additional public access is planned or noted in the City’s or County’s Master Plan.

T. COMPLIANCE WITH LOCAL GOVERNMENT DUNE PROTECTION PLAN

The Beachfront Construction Certificate complies with the requirements of the City of Port Aransas and the Texas Administrative Code.

III. EXHIBITS

| | |
|------------------|--|
| EXHIBIT A | VICINITY MAP |
| EXHIBIT B | PROPOSED IMPROVEMENTS, GRADING, AND LAYOUT |
| EXHIBIT C | EXISTING RELIEF MAP |
| EXHIBIT D | SURVEY |
| EXHIBIT E | SITE PHOTOS |
| EXHIBIT F | EROSION RATE MAP |
| EXHIBIT G | FEMA MAP |



**BEACH FRONT CONSTRUCTION
CERTIFICATE APPLICATION
(SHORT FORM PASF-1)**

A. General Information:

Name: STW Interests, Ltd. & J.W.I Partners, Ltd.

Address: 2820 & 2906 On the Beach Port Aransas, TX
78373

Phone: 210-828-3657 Fax: 210-828-7867 Cell: 210-887-3657

Subdivision: MISLS Block: 15 Lot: 142

B. Proposed Construction:

Describe the proposed construction:

Wood Post & Wire Fence across back of 2 lots

C. Location of Proposed Construction:

1. Distance from the seaward edge of the proposed improvements to line of the vegetation ≈ 450 feet.
2. The location of proposed structures has been shown on a copy of Attachment #2 from the Port Aransas Coastal Management Plan and is herein attached.

D. FEMA Standards:

The lowest habitable floor of the proposed structure is N/A which is at or above the FEMA base flood elevation for the area.

Applicant's Signature [Signature]

Date 4/14/15

BEACHFRONT CONSTRUCTION CERTIFICATE APPLICATION

A. General Information:

Name STW Interests, Ltd & JWI Partners, Ltd
Address 7373 Broadway # 308 State TX Zip 78209
Phone Number 210 828 3657 Fax No. 210 828 7867
Lot & Block 2820 1/2 2906 ON THE BEACH, BLOCK 15, LOT 1 1/2

B. Proposed Construction:

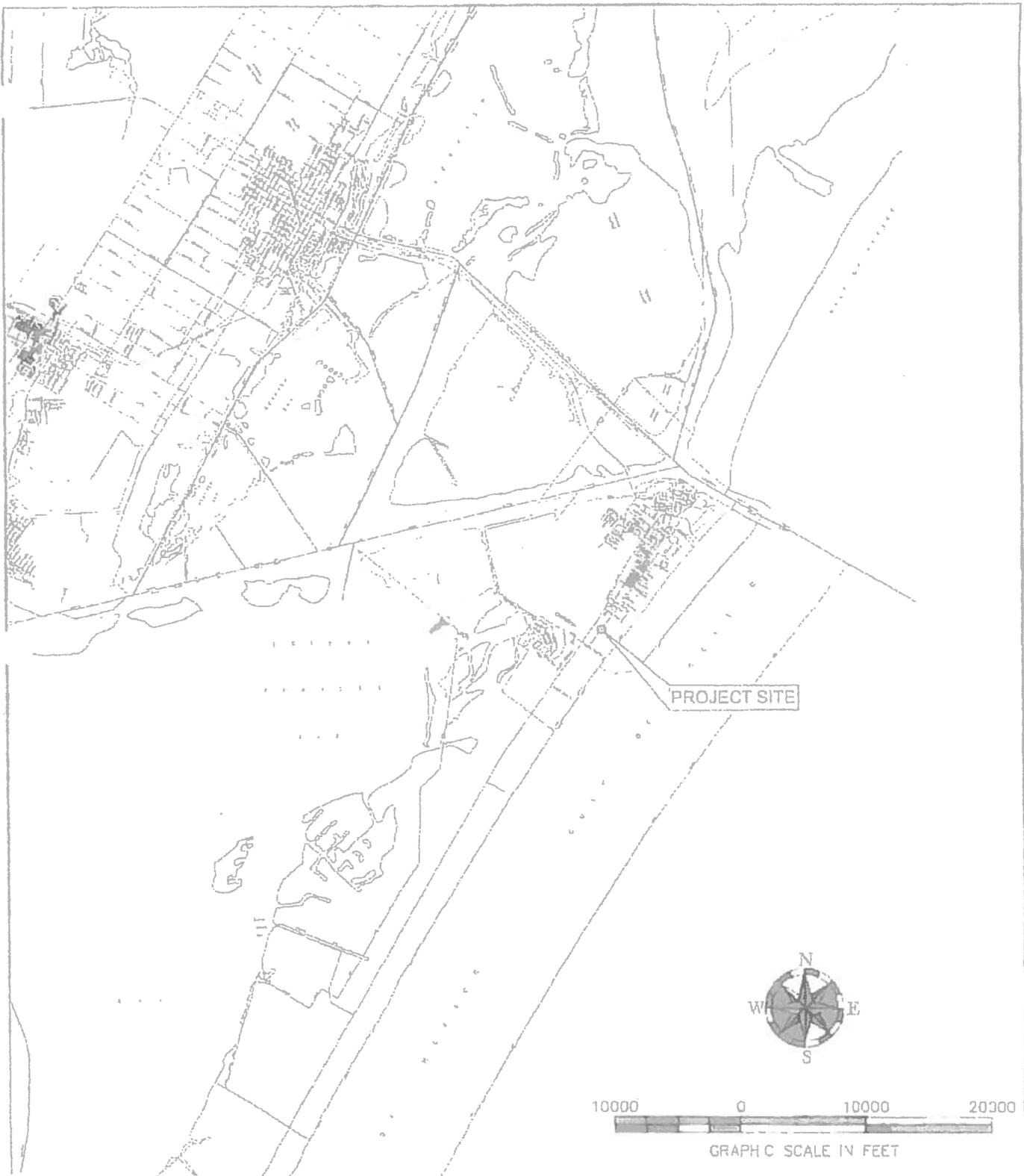
Provide as an attachment to this application, all information required under the appropriate sub-sections of Section IV H (pages 10, 11 & 12) of this plan.

James C. Worth
Applicant James C. Worth

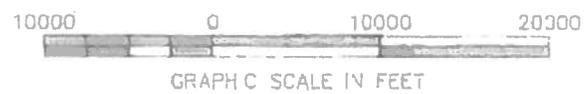
3/11/15
Date

**EXHIBIT A
VICINITY MAP**

See Attachment



PROJECT SITE



GRAPHIC SCALE IN FEET

| | | | | | | | |
|--------------------|------------------------|---|--|--|--|--|---------------------------------------|
| APPR DATE BY | ENGINEER DATE BY | CASE NO. FOR INTERIM REVIEW AREA FOR CONSTRUCTION DRAINAGE OF PAVED PATIOWAYS | DRAWN BY CHECKED BY DATE REVISION NO. 1 | OFFICE LOCATION 1501 Gateway Pl. Corpus Christi, Texas 78411 P.O. Box 2883 Corpus Christi, Texas 78412 (361) 811-6200 |  | EXHIBIT A - VICINITY MAP WATER & SANITARY SEWER UTILITY INSTALLATION JAMES C. WORTH PORT NEARNS, TEXAS | SHEET NO. A Sheet 1 of 1 |
|--------------------|------------------------|---|--|--|--|--|---------------------------------------|



Exhibit B:
Sheet 6 of 9



U.E. JOB NO. 4000235.00
JAN 22, 2015 DW/
© 2015 by Urban Engineering



NOTES:
1. EROSION LINE DEPICTED ON THIS DOCUMENT IS AS SHOWN ON CITY OF PORT ARANSAS AND HAS NOT BEEN REVISED TO REFLECT THE NEW BEG EROSION RATES.
2. AERIAL PHOTOGRAPHY IN THESE EXHIBITS IS FROM 2009.
3. EROSION RATES SHOWN ARE AS ISSUED BY BEG AND HAVE NOT BEEN REVIEWED FOR CONSISTENCY OR ACCURACY.

EXHIBIT B:
CITY OF PORT ARANSAS
SEAWEEED MAINTENANCE AREAS (2015)

- LEGEND
- 2015 DESIGNATED DISPOSAL AREA
 - BEACH ACCESS (VEHICULAR)
 - 1000' DUNE PROTECTION LINE
 - EROSION LINE
 - VEGETATION LINE

* -2.30 BEG EROSION RATE 1950s-2012 (FT/YR)

EXHIBIT B
PROPOSED IMPROVEMENTS, GRADING, AND LAYOUT

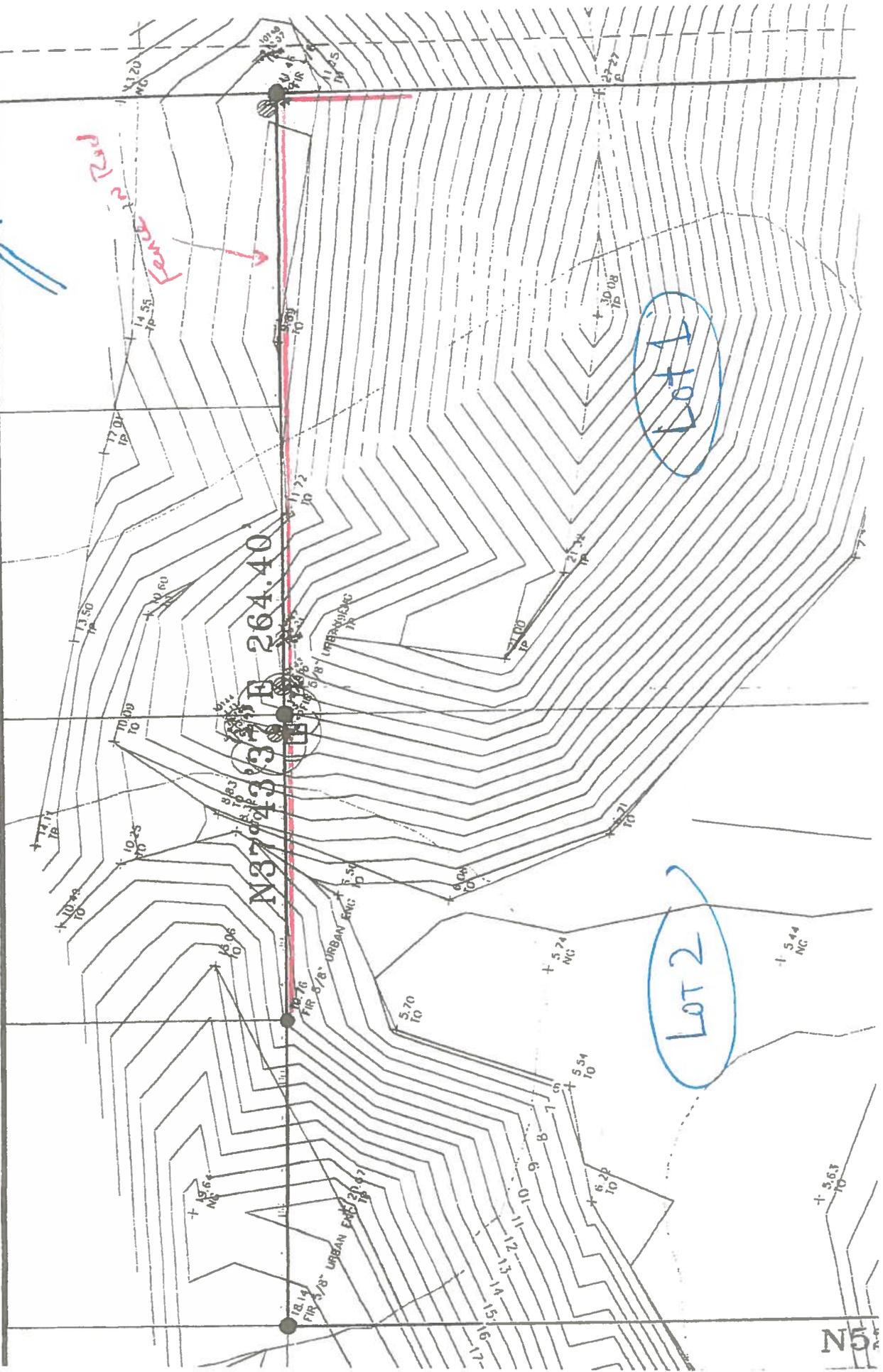
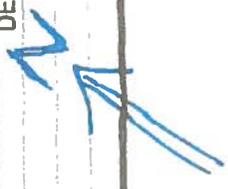
See attachment

DESCRIPTION

STW Interests Ltd. / JWI Partners Ltd.

ID DATE APPR.

DESCRIPTION



Fence 22nd

Lot 1

Lot 2

N37°43'33" E 264.40

N5

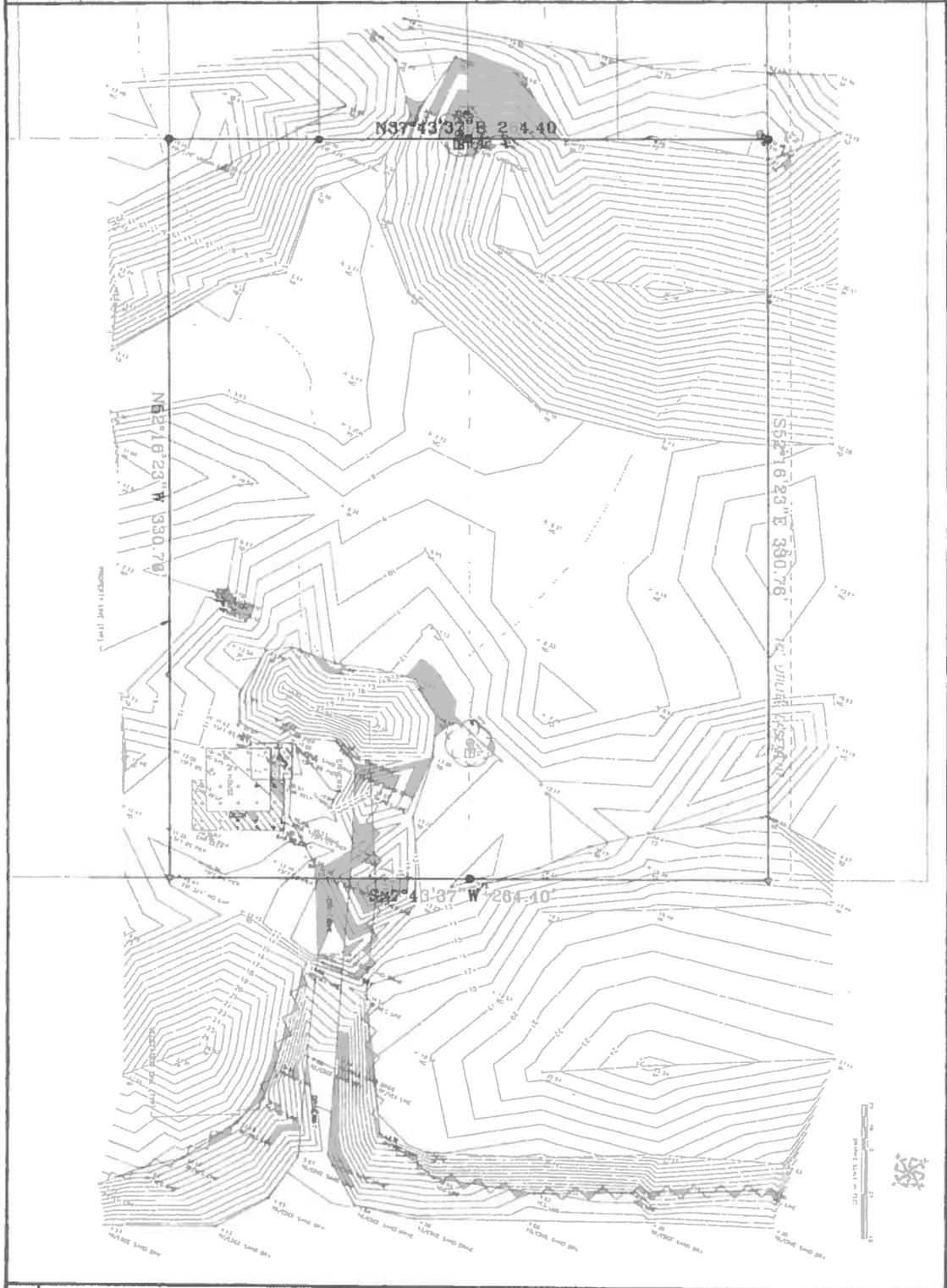
MITIGATION PROCEDURE

1. The existing topsoil and native vegetation that will be stripped during the construction will be stored in mounds on the property. This material, comprised of sand and vegetative matter of the same type as is found in the naturally occurring critical dunes, shall be used to construct the mitigated dunes and dune vegetation described in this permit application.
2. The required volume of stockpiled native material shall be transported to the mitigation site and used to construct the new dunes. This material containing the sand, roots, seedpods and nutrients of the naturally occurring vegetation native to the dunes will be the best source of indigenous dune vegetation. The dunes will be constructed in size and shape such that the resulting mitigated dune volume is on a one to one ratio with the impacted critical dune volume. Once the new dunes have been formed using the stockpiled material, the contractor shall insure that the top layers of the native soil, vegetation and seed mixture from the stockpile are not dried out. There should be adequate soil in the mixture to keep the dormant vegetation in place. The buried material below will serve as nutrients for the reestablishing vegetation. A mat of vegetation material shall be placed on top of the newly formed dunes to reduce wind erosion and help retain moisture.
3. The contractor shall be careful not to damage any existing critical dunes or dune vegetation outside of the restoration areas. Any critical dunes or dune vegetation that are altered during the construction of manmade dunes or improvements shall be repaired to a level that at least matches the original state using the guidelines identified in items 1 and 2 above.
4. The area will be inspected periodically after the mitigation construction process has been completed.
5. Watering will be conducted as deemed necessary to achieve revegetation within the three year time period.
6. The mitigation site will be monitored and maintained until the vegetation cover matches or exceeds the level of vegetation on the surrounding naturally formed dunes.
7. ~~Attachment # B~~ depicts the critical dunes, critical dune impacts, and restoration sites.
Exhibit B

**EXHIBIT C
EXISTING RELIEF MAP**

See Attachment

| DATE | DESCRIPTION | BY | DATE | APP'D | DESCRIPTION |
|------|-------------|----|------|-------|-------------|
| 2004 | | | | | |



| | | | |
|-----------------------|---|---|--|
| SHEET 1 OF 1 | TOPOGRAPHIC MAP | Naismith Engineering Inc. <small>ARCHITECTURE • ENGINEERING • ENVIRONMENTAL SURVEYING</small> <small>1000 WILLOW ROAD • SUITE 200 • DALLAS, TEXAS 75243 • (214) 343-1100</small> <small>1000 WILLOW ROAD • SUITE 200 • DALLAS, TEXAS 75243 • (214) 343-1100</small> | FOR INTERIOR REVIEW <small>NOT FOR PERMITTING</small> <small>CONSTRUCTION OR RECORDING</small> <small>PURPOSES</small> |
| | STEHLING BEACH HOUSE <small>PORT ARANSAS, TEXAS</small> | | |

**EXHIBIT D
SURVEY**

See Attachment

TAKEN WITH PIPELINE MARKERS
INDICATING BURIED LINES NOT ON
RECORD.

S37°43'37"W 264.40'

I, Stacey King Mora, Registered Professional Land Surveyor, hereby certify that this survey was prepared from an actual on the ground survey made under my direction and supervision, and represents the facts found at the time of survey, and that this survey substantially complies with the current standards adopted by the Texas Board of Professional Land Surveying.

Stacey King Mora
Stacey King Mora
Registered Professional Land Surveyor
Texas Registration No. 6166

Naismith Engineering, Inc.

Date: August 24, 2012



Naismith Engineering, Inc
ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING
4501 GOLLIHAR RD. CORPUS CHRISTI, TEXAS 78411 PH: 361 814 - 9800
TYPE FIRM #00355 TBPLS FIRM #100395-00



BOUNDARY SURVEY OF LOTS
OF THE STATE LAND SURVEYS (C
PORT ARANSAS, NUECES (C

| | | | | | | | | | |
|-------------|-----|--------------|----------|-----------|----------|--------------|------|-------|----|
| DRAWN BY: | BWB | APPROVED BY: | SKM | DATE: | 08/18/12 | PROJECT NO.: | 8416 | REV.: | 00 |
| CREATED BY: | SKM | DATE: | 08/22/12 | FILE NO.: | 8416.dwg | | | | |

2.0 ACRES TRACT

STW INTERESTS, LTD.
DOCUMENT #2008009435
DEED RECORDS OF NUECES COUNTY, TEXAS

LOT 2, BLOCK 15
STATE LAND SURVEYS ON MUSTANG ISLAND

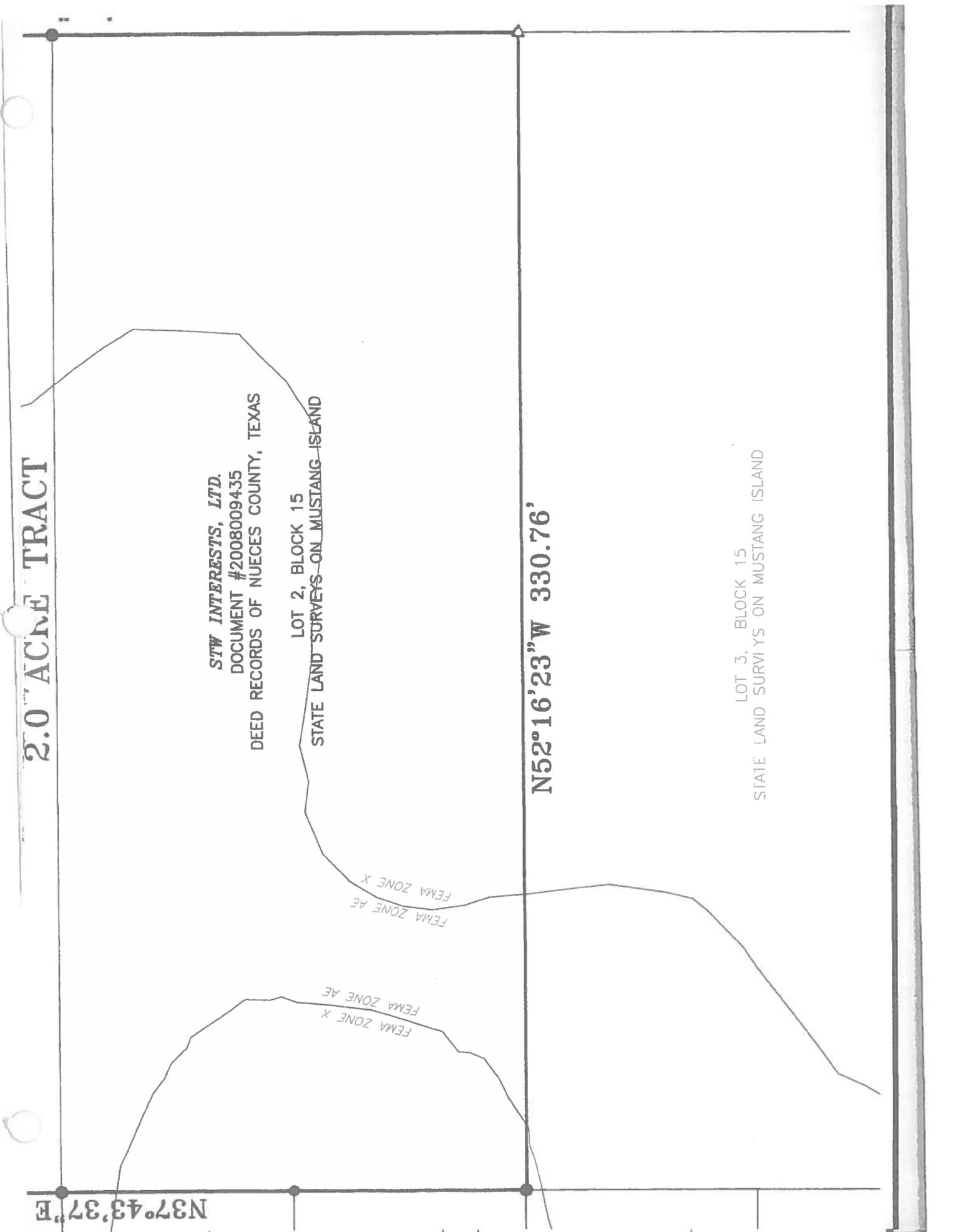
N52°16'23"W 330.76'

LOT 3, BLOCK 15
STATE LAND SURVEYS ON MUSTANG ISLAND

N37°43'37"E

FEMA ZONE X
FEMA ZONE AE

FEMA ZONE X
FEMA ZONE AE



S52°16'23"E 330.76' 10' UTILITY EASEMENT

FEMA ZONE AE
FEMA ZONE X

*JWF Partners Ltd.
BY ~~FINN MOODY~~*

VOLUME 1986, PAGE 503,
DEED RECORDS OF NUECES COUNTY, TEXAS

LOT 1, BLOCK 15
STATE LAND SURVEYS ON MUSTANG ISLAND

2.0 ACRE TRACT

STW INTERESTS, LTD.
DOCUMENT #2008009435
DEED RECORDS OF NUECES COUNTY, TEXAS

FEMA ZONE X
FEMA ZONE AE

N37°43'37"E 264.40'

EXHIBIT E

SITE PHOTOS



Above and Below – Typical Worn Trails from Trespassers.





**Worn Trail Near New Utility Poles
(Mounds are from ground hogs)**



From Property Line of Lot 2 looking to Kaila Court Northwest



From Kaila Court Looking Southeast towards back of Lot 1

Next 3 Photos are panorama from left to right showing rear property lines from lot 2 to lot 1. First picutre shows 688 Kaila Ct on right.



Location of Proposed Fence – Photo 1 – Back of Lot 2 – northeast 50%. Fence would start where large dune flattens out near where southeast corner of 688 Kaila Ct lot adjoins middle of back property line of Lot 2.



Location of Proposed Fence - Photo. 2 - Back of Lot 1 and Lot 2 near Property Line – Looking Northwest to Lots adjoining Kaila Court. Corners of Lots 1 and 2 meet just right of middle utility Pole.



Location of Proposed Fence – Photo 3 – Back of Lot 1 – northwest section – looking toward Oceanside subdivision. Red portion is along northeast side of Lot 1 and would stop part way up dune to minimize view impact but enough to provide some barrier to trespassers just walking around the end of the fence portion in blue.

EXHIBIT F
EROSION RATE MAP

See Attachment



April 8, 2015

Transmitted via email

Nicole Boyer
Code Compliance/Permit Clerk
City of Port Aransas
710 West Avenue A
Port Aransas, Texas 78373

Subject: #BFDP-150221; Lot 1 & 2, Block 15, MISLS

Nicole,

I have reviewed the subject "Dune Permit" with regards to the requirements established in the Port Aransas Coastal Management Plan and recommend approval. Additionally I offer the following comments:

1. Please have applicant fill out the Item C(1) of BCC Short Form PASF-1 identifying distance from proposed construction to Line of Vegetation.

If you have any questions, please contact me at your convenience.

Sincerely,
URBAN ENGINEERING

A handwritten signature in blue ink that reads "Daniel Mazoch". The signature is written in a cursive, flowing style.

Daniel Mazoch, E.I.T.

DEM/



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

April 27, 2015

Via Electronic Mail

Rick Adams
Director of Development Services
City of Port Aransas
710 W. Avenue A
Port Aransas, Texas 78373-4128

Dune Protection Permit and Beachfront Construction Certificate Application

Site Location: 2906 and 2829 On the Beach, Port Aransas
Legal Description: Lots 1 & 2, Block 15, Mustang Island
Applicant: STW Interests LTD & JWI Partners LTD, c/o James Worth
GLO ID No.: BDPARA-15-0148

Dear Mr. Adams:

The General Land Office (GLO) has reviewed the application materials for a dune protection permit and beachfront construction certificate for the above-referenced location. The applicant proposes to construct a wood post and wire fence along the landward edge of Lots 1 and 2, and to mitigate for approximately six cubic feet of dune volume affected by installation of the fence posts. The proposed construction is located approximately 470 feet landward of the line of vegetation. According to the most recent data from the Bureau of Economic Geology, the proposed construction is largely located in an area that is considered stable.

Based on the materials forwarded to our office for review, we have the following comments:

- The City must ensure the proposed activity will minimize impacts on natural hydrology and will not cause erosion of adjacent properties, critical dune areas, or the public beach.¹

If you have any questions, please contact me at (512) 463-0413 or at natalie.bell@glo.texas.gov.

Sincerely,

Natalie Bell
Beach Access & Dune Protection Program
Coastal Resiliency and Recovery
Texas General Land Office

¹ 31 Tex. Admin. Code § 15.6(g).



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-L

Discuss and take action to confirm that the “No” Dune Permit BFDP 150329, is consistent with the City’s Coastal Management Plan. The dune permit seeks to establish that no Dune Permit is required for construction of improvements at Unit 108 of Gulf Waters Beach Front Resort Condos, Port Aransas, Texas. Applicant: Lisa Mitchell. Property Location: 5601 Hwy 361 Unit 108.

SUBMITTED BY: Director of Development Services Rick Adams

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: “No” Dune Permit request BFDP#150329 was submitted by Lisa Mitchell via Urban Engineering on April 13th, 2015 for 5601 Hwy 361 Unit 108.

ENGINEERING REVIEW: Naismith Engineering reviewed the referenced dune permit on April 23rd, 2015 and found that the subject application is consistent with the City’s Coastal Management Plan.

PLANNING & ZONING COMMISSION RECOMMENDATION: Approved application at the April 27th, 2015 meeting.

GLO REVIEW: GLO declared that a Dune Protection Permit is needed rather than a “No” dune permit.

STAFF RECOMMENDATION: Staff recommends approval as presented.

UNIT 108, GULF WATERS RV RESORT CONDO

Request for “Finding of No Dune Permit Required”

A. Introduction

This is the application for Lisa Mitchell (“Owners”) to establish, that no Dune Permit is required for construction of improvements at 5601 SH 361, Unit 108, Texas 78373 in accordance with the restrictions of the Application.

B. Legal Description:

Gulf Waters Beach Front Resort Condo, Unit 108.

C. Applicant/ Owner:

Lisa Mitchell
9202 Elk Mountain Ct
Missouri City, TX 77459
Phone: (713) 857-7088

Prepared By:

Daniel Mazoch, E.I.T.
Urban Engineering
Phone: (361) 854-3101
Email: danielm@urbaneng.com

D. Description of Proposed Construction

The owners propose to construct a single family residence and typical residential improvements (i.e. decks, driveways, utilities, fence, irrigation lines, and associated landscaping, etc.). Construction shall not adversely affect any critical dunes.

E. Site Map

A site map showing limits of construction has been included as Exhibit A. Distance from the Limits of Construction to the Erosion Line is 86 ft.

F. Site Photographs

Site photographs taken April 2015 are included as Exhibit B.

NO DUNE PERMIT REQUIRED DETERMINATION

On April 3, 2015, Daniel Mazoch, E.I.T. of Urban Engineering and representative for Lisa Mitchell (applicant) submitted a request of *No Dune Permit Required Determination* for Unit 108, Gulf Waters Beach Front Resort Condo, Port Aransas, Nueces County, Texas. The Port Aransas Building Official has investigated the site and determined that no critical dunes conflict with the proposed construction. The Planning and Zoning Commission, therefore, finds that no dune permit is required.

A *No Dune Permit Required Determination* remains in effect for an indefinite period of time; if at any time the City Building Official (or his delegate(s)) makes the determination that critical dunes have possibly re-established on said property, the City Building Official shall cause the property owner to submit a new Dune Permit application to the City.

Signed:


Applicant- Lisa Mitchell

Date: 4-6-15

Signed:

Chairman of Port Aransas Planning & Zoning Commission

Date: _____

Application# _____ 5601 SH 361, Unit 108

Signed:

Mayor- City of Port Aransas

Date: _____

UNIT 108, GULF WATERS RV RESORT CONDO
BEACHFRONT CONSTRUCTION CERTIFICATE APPLICATION
(SHORT FORM PASF-1)

A. General Information:

Name: **Lisa Mitchell c/o Urban Engineering**
Address: **9202 Elk Mountain Ct**
Missouri City, TX 78459
Phone: **(713) 857-7088**
Description: **Unit 108, Gulf Waters RV Resort Condo**
Port Aransas, Nueces County, Texas.

B. Describe the Proposed Construction:

The owners propose to construct a single family residence and typical residential improvements (i.e. decks, driveways, utilities, fence, irrigation lines, and associated landscaping, etc.). Construction shall not adversely affect any critical dunes.

C. Location of Proposed Construction:

- 1.) **The distance from the most seaward building line to the line of vegetation is approximately 314 feet.**
- 2.) **The site location has been shown on a copy of sheet 1 of 9 from Attachment #2 from the Port Aransas Coastal Management Plan herein attached.**

D. FEMA Standards:

The lowest habitable floor of the existing structure is at or above the FEMA base flood elevation for the area.

Lisa Mitchell
Applicant

4-6-15
Date

**BEACHFRONT CONSTRUCTION CERTIFICATE
(FOR PASF-1)**

The following items must be accomplished. Check box to indicate completion of item or that the statement is true.

The project has been located on a copy of Attachment #2 of the Coastal Management Plan and the location of the construction is not on an existing or future access easement. A drawing is herein attached.

The construction does not functionally support or depend on, or otherwise relate to, proposed or existing structures that encroach on the public beach.

The construction, if within 200 feet landward of the line of vegetation, does not include a retaining wall or improved surfaces.

The construction is landward of the 60 year erosion line, as depicted in Attachment #2 of the Port Aransas Coastal Management Plan.

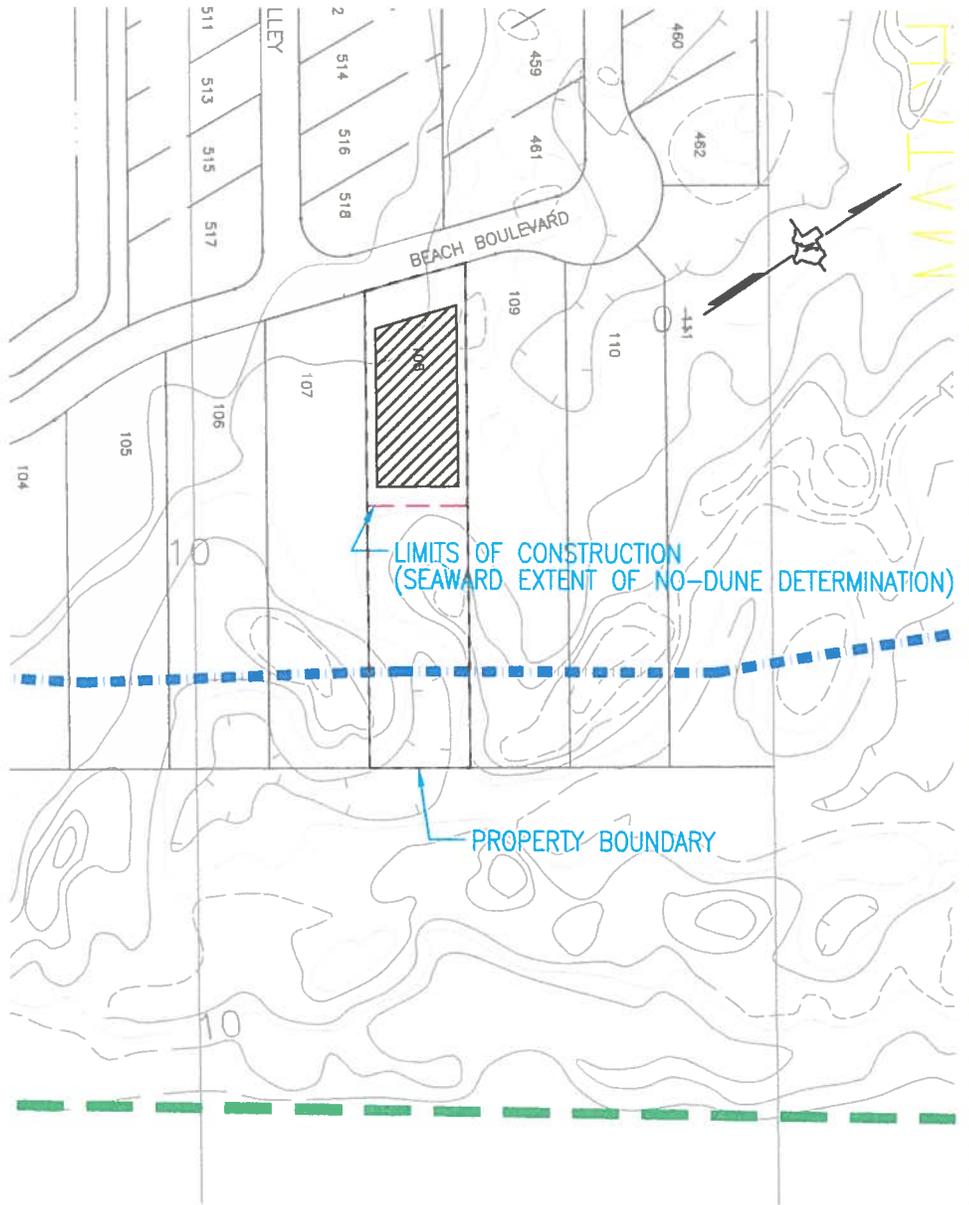
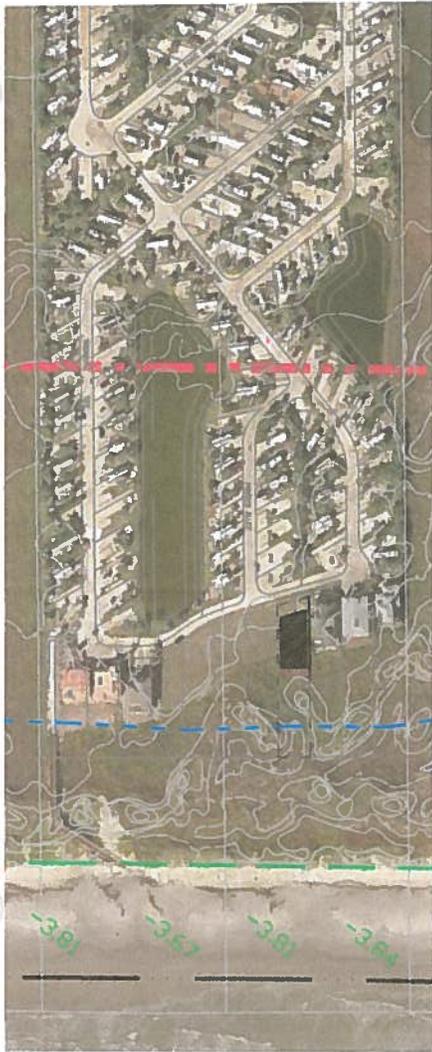
The applicant has been informed of the need to obtain a dune permit if the construction is within 1000 feet from mean high tide.

I, _____ as the City of Port Aransas building inspection representative herein certify that I have reviewed the information presented above and any other information necessary to establish that the proposed construction is consistent with the City of Port Aransas Coastal Management Plan and that the proposed construction will not adversely affect the public access to and from the public beach.

Signed: _____ Date: _____
Port Aransas Building Official

Certificate # _____ 5601 SH 361, Unit 108

Expiration Date: _____



LEGEND

- LIMITS OF CONSTRUCTION (PER CONDO DOCS)
- BUILDING ENVELOPE: AREA REPRESENTING ALLOWABLE EXTENTS OF RESIDENTIAL FOUNDATION FOOTPRINT
- 1000' DUNE PROTECTION LINE
- EROSION LINE
- VEGETATION LINE
- -2.30 BEG EROSION RATE 1950s--2012 (FT/YR)

| DISTANCE FROM PROPOSED CONSTRUCTION | |
|--|----------|
| MEAN HIGH WATER LINE | - 500 FT |
| VEGETATION LINE | - 314 FT |
| EROSION LINE | - 86 FT |
| DUNE PROTECTION LINE | - 374 FT |

NOTE: IT IS THE INTENT OF THIS PERMIT TO ALLOW HOME OWNERS TO CONSTRUCT NON-PERMANENT IMPROVEMENTS BEYOND THE BUILDING ENVELOPE AND WITHIN THE LIMITS OF CONSTRUCTION. (i.e. FENCES, IRRIGATION, & LANDSCAPING). ANY CONSTRUCTION SEAWARD OF THE EROSION LINE SHALL COMPLY WITH SECTION VII.E OF THE COASTAL MANAGEMENT PLAN AND THE EROSION RESPONSE PLAN

**EXHIBIT A: SITE MAP
& LIMITS OF CONSTRUCTION**

UNIT 108
PORT ARANSAS, TEXAS
APRIL, 2015



TYPE FIRM NO. 145, TEPUS FIRM NO. 10032400
2725 SWINNEY DR., CORPUS CHRISTI, TX 78404
PHONE: 361.854.3101 WWW.URBANENG.COM

U.E. JOB NO. 42613.B5.01
APRIL 3, 2015 DM/
© 2015 by Urban Engineering

Exhibit B: Photos



Photo from Beach Boulevard toward Unit 108.



Photo along rear of Unit 108.



Naismith Engineering, Inc

ARCHITECTURE ■ ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING

...

ESTABLISHED 1949

April 23rd 2015

66 years of Engineering Excellence

Nicole Boyer
City of Port Aransas
710 W. Avenue A
Port Aransas, TX 78373-4128

**RE: No Dune Permit BFDP-150329
Unit 108 Gulf Waters RV Beach Front Resort, Port Aransas, Texas**

Dear Ms. Boyer,

Naismith Engineering, Inc. (NEI) has reviewed the referenced No Dune Permit for compliance with Coastal Management Plan. We offer the following comment:

- From the information and photographs provided by the Engineer in the application, it appears that the site has been previously graded and disturbed, and it also appears that construction will not affect any dunes. If it is determined at a later time that the construction limits will encroach dunes, then a revised Dune Permit Application should be submitted.

If you have any questions or need additional information, please do not hesitate to call. NEI appreciates the opportunity to provide these services to the City of Port Aransas.

Sincerely,

NAISMITH ENGINEERING, INC.

A handwritten signature in blue ink that reads "Jay Gardner". The signature is written in a cursive, flowing style.

Jay Gardner
Environmental Scientist, NEI

Z:\6606-Port A Review\PROJECTS\SUBMITTED\20150423 Unit 108 Gulf Waters RV condo.doc



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

May 8, 2015

Via Electronic Mail

Rick Adams
Director of Development Services
City of Port Aransas
710 W. Avenue A
Port Aransas, Texas 78373-4128

No-Dune-Permit-Required Status and Beachfront Construction Certificate Application

Site Location: 5601 State Highway 361, Unit 108
Legal Description: Gulf Waters Beach Front Resort Condo, Unit 108
Applicant: Lisa Mitchell
GLO ID No.: BDPARA-15-0169

Dear Mr. Parsons:

The General Land Office (GLO) reviewed the application for a No-Dune-Permit-Required status for the above-referenced location. The proposed construction is located approximately 300 feet from the line of vegetation. According to the Bureau of Economic Geology, the proposed activity is located in an area that is eroding at a rate of three to four feet per year.

The materials forwarded to our office for review did not include enough information to determine if there were dunes on the most landward portion of the lot. The permit application is administratively incomplete with the following information not found:

- Adequate photographs or detailed elevation data of the property showing that no dunes exist landward of the "limits of construction" demarcation on the materials provided. The photographs provided do not show a view facing directly seaward.

If you have any questions, please contact me at (512) 463-0413 or by email at natalie.bell@glo.texas.gov.

Sincerely,

Natalie Bell
Beach Access & Dune Protection Program
Coastal Resiliency and Recovery
Texas General Land Office



May 11, 2015

Natalie Bell
Beach Access & Dune Protection Program
Coastal Resiliency and Recovery
Texas General Land Office

Subject: Response to GLO comments regarding Unit 108, Gulf Waters RV Resort Condo – Request for finding of no dune permit required

Natalie,

We have reviewed the comments provided pertaining to the subject Request for “Finding of No Dune Permit Required” Application. **Response from Urban Engineering appearing below in bold.** The following feedback is intended to clarify and address such comments and should be considered an addition to the Application itself.

1. The materials forwarded to our office for review did not include enough information to determine if there were dunes on the most landward portion of the lot. The permit application is administratively incomplete with the following information not found: Adequate photographs or detailed elevation data of the property showing that no dunes exist landward of the “limits of construction” demarcation on the materials provided. The photographs provided do not show a view facing directly seaward.

Please find attached additional photographs of the site from additional angles. The “most landward portion of the lot” appears flat, grassed, and void of any dune structures.

If you have any questions, please contact me at your convenience.

Sincerely,

URBAN ENGINEERING

Daniel Mazoch
Daniel E. Mazoch, E.I.T.

DEM/

Exhibit B: Photos (cont.)



Photo from Beach Boulevard across Unit 108 facing Gulf.



Photo from Beach Boulevard toward Unit 108.



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

May 11, 2015

Via Electronic Mail

Rick Adams
Director of Development Services
City of Port Aransas
710 W. Avenue A
Port Aransas, Texas 78373-4128

No-Dune-Permit-Required Status and Beachfront Construction Certificate Application

Site Location: 5601 State Highway 361, Unit 108
Legal Description: Gulf Waters Beach Front Resort Condo, Unit 108
Applicant: Lisa Mitchell
GLO ID No.: BDPARA-15-0169a

Dear Mr. Adams:

The General Land Office (GLO) has reviewed the additional materials for the No-Dune-Permit-Required status for the above-referenced location. The proposed construction is located approximately 300 feet from the line of vegetation. According to the Bureau of Economic Geology, the proposed activity is located in an area that is eroding at a rate of three to four feet per year.

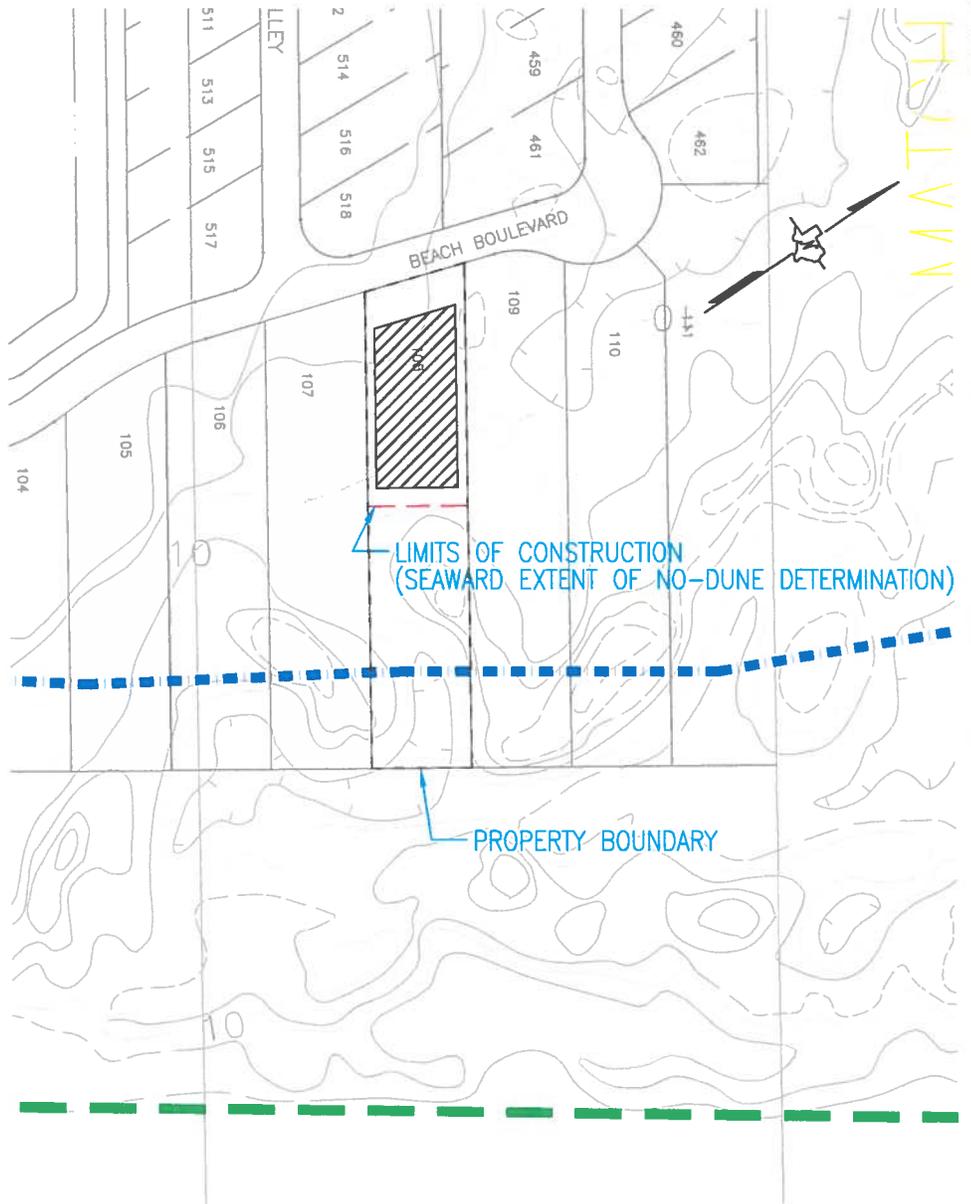
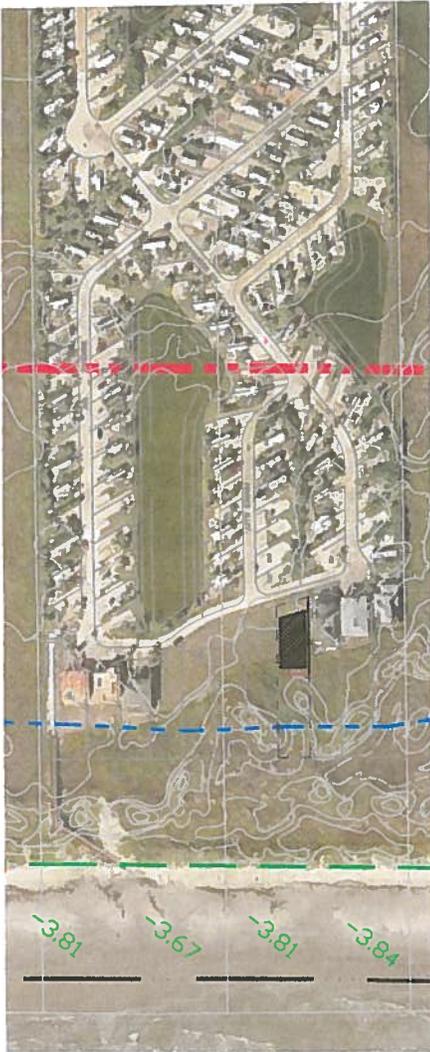
The GLO received updated photographs of the lot, including a view facing directly seaward. Dunes are located on the most seaward portion of the lot. In the aerial photograph provided with the original application materials, the "limits of construction" clearly extends into the dune area. From the information provided, the GLO has determined that dunes exist on the construction site and the applicant must apply for a Dune Protection Permit.¹

If you have any questions, please contact me at (512) 463-0413 or by email at natalie.bell@glo.texas.gov.

Sincerely,

Natalie Bell
Beach Access & Dune Protection Program
Coastal Resiliency and Recovery
Texas General Land Office

¹ Port Aransas CMP, Section IV (G)(1)



LEGEND

- - - - LIMITS OF CONSTRUCTION (PER CONDO DOCS)
- BUILDING ENVELOPE: AREA REPRESENTING ALLOWABLE EXTENTS OF RESIDENTIAL FOUNDATION FOOTPRINT
- 1000' DUNE PROTECTION LINE
- - - - EROSION LINE
- - - - VEGETATION LINE
- * -2.30 BEG EROSION RATE 1950s-2012 (FT/YR)

DISTANCE FROM PROPOSED CONSTRUCTION

| | |
|----------------------|----------|
| MEAN HIGH WATER LINE | - 500 FT |
| VEGETATION LINE | - 314 FT |
| EROSION LINE | - 86 FT |
| DUNE PROTECTION LINE | - 374 FT |

NOTE: IT IS THE INTENT OF THIS PERMIT TO ALLOW HOME OWNERS TO CONSTRUCT NON-PERMANENT IMPROVEMENTS BEYOND THE BUILDING ENVELOPE AND WITHIN THE LIMITS OF CONSTRUCTION. (i.e. FENCES, IRRIGATION, & LANDSCAPING). ANY CONSTRUCTION SEAWARD OF THE EROSION LINE SHALL COMPLY WITH SECTION VII.E OF THE COASTAL MANAGEMENT PLAN AND THE EROSION RESPONSE PLAN

EXHIBIT A: SITE MAP & LIMITS OF CONSTRUCTION

**UNIT 108
PORT ARANSAS, TEXAS
APRIL, 2015**



TYPE FIRM NO. 145, TEMPL FIRM NO. 10032400
2725 SWARTNER DR. COMPTON CHRISTI, TX 75404
PHONE: 361.654.3101 WWW.URBANENG.COM

U.E. JOB NO. 42613.B5.01
APRIL 3, 2015 DM/
© 2015 by Urban Engineering



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-M

Discuss and take action on Preliminary and Final Replat request # PPLT & FPLT 150295, Final Plat of Beachside Townhomes, Lot 1, Block 1, City of Port Aransas, Nueces County, Texas being a tract of land out of Lot 1, Island Worship Center as recorded in Volume 63, Page 170, Map records of Nueces County, Texas and Lot 9, Mustang Island, as recorded in document No. 2010031329, deed records of Nueces County, Texas and containing 2.73 Acres of Land. Applicant: Western Ocean, Ltd. Property Location: 1800 S Eleventh St.

SUBMITTED BY: Director of Development Services Rick Adams

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: FPLT#150295 was submitted by Western Ocean Ltd via Naismith Engineering on April 3rd, 2015 for the Beachside Townhomes.

ENGINEERING REVIEW: Urban Engineering reviewed the referenced plat on April 9th, 2015, worked out some details with Naismith Engineering and city staff, and found that the subject plat meets the platting requirements outlined in Chapter 21 of the Code of Ordinances.

UTILITY REVIEW:

- Nueces County Water District #4—approved 4-16-15 with comments
- Centurylink of Port Aransas—approved 4-6-15
- AEP Texas Central Company
- COPA Gas Department—approved 4-6-15 with comments

PUBLIC HEARING DATE: Public Hearing notice published in the South Jetty on April 9th, 2015. Hearing held Monday, April 27th, 2015.

PLANNING & ZONING COMMISSION RECOMMENDATION: Approved application at the April 27th, 2015 meeting.

STAFF RECOMMENDATION: Approve Final replat request #FPLT#150295, Final Plat of Beachside Townhomes as presented.

**APPLICATION
FOR
FINAL PLAT APPROVAL**

Section 1. General. The undersigned Applicant (Applicant is synonymous with owner) makes this Application for Final Plat Approval in accordance with Chapter 21, Port Aransas Code and in particular, Section 21-38 thereof. If there is insufficient room on this Application to completely answer any item, attach an exhibit. This Application has to be signed under Section 5 by the Applicant and the engineer or surveyor.

Section 2. Application. If you have already completed and filed an Application for Preliminary Plat Approval, then under this section of the Final Plat Application, you only need to specify the changes, if any, in the information provided in the Preliminary Plat Application. State whether there are or are not any changes. If there are any changes, explain them:

If you have not completed a Preliminary Plat Application, then provide the following information, as required by Section 21-38.A (1) and Section 21-37.A, Port Aransas, Code:

- (1) State the name, business addresses and telephone numbers of the owners, engineer and surveyor.

For Owners/Developers

Engineer/Surveyor

Western Ocean, Ltd

HAISMITH ENGINEERING, INC.

5926 So. Staples, Ste. A

4501 GOLLHAR

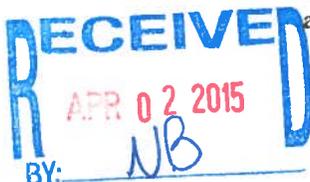
Corpus Christi TX 78413

CORPUS CHRISTI, TX 78411

361-533-7286

(961) 814-1100

- (2) Describe the legal ownership interest of all owners in the tract.
- (3) The information required in this Section 2 shall cover all property covered by the final plat and all of the applicant's contiguous property.
- (4) State whether the development is Staged Development or Major Development. It is staged if Applicant owns contiguous property not being finally platted under this final plat.
- (5) By signing this Application, you are acknowledging that you are aware that, if your property encompasses "wetlands" as determined by the Corp of Engineers, it may be subject to certain development restrictions mandated by State and / or Federal law.
- (6) State the source for water service, whether water well or Water District.
- (7) State the source for sewer service whether septic or Water District.
- (8) Provide a full legal description of the property covered by the Final Plat and include all of applicant's contiguous property.
- (9) State whether or not there are any private covenants or restrictions applicable to the land or any part of it, and, if there are, attach a copy of all private covenants and restrictions applicable to the land.



- (10) Attach to this Application a written memorandum from the Water District stating that the District's authorized agent has received a copy of the Preliminary Plat, that the District concurs in the preliminary illustration of water and sewer utilities and either objects to or approves of the proposed plat.

Section 3. Map. You must submit with this Application a final plat map, in compliance with and containing all information and being in the form required by Section 21-38B, Port Aransas Code, which section requires that the Final Plat Map shall include the following:

- (1) The title or name by which the subdivision is to be identified, north arrow, the scale of the map, and the seal and name of the State Registered professional land surveyor responsible for preparation of the map.
- (2) A definite legal description and identification of the tract being subdivided. This description shall be sufficient for the requirements of title examination.
- (3) The boundaries of the subdivided property, the location or designation of all streets, alleys, parks, and other areas intended to be dedicated or deeded to public use with proper dimensions. The boundaries of the subdivision shall be indicated by a heavy line equivalent to a No. 5 Reservoir pen and shall be tied by dimension to the established centerline of all existing boundary streets.
- (4) The location of all adjacent streets and alleys, with their names, and the names of adjoining subdivisions with exact location and designation by number of lots and blocks.
- (5) All lot, block, and street boundary lines, with blocks and lots numbered or lettered consecutively. The area of each lot in square feet or acreage, building lines, required yards adjacent to streets, and easements shall be shown and shall be defined by dimension. Actual widths of all street right-of-way shall be shown, measured at right angles or radially, where curved. All principal liens shall have the bearing, and any deviations from the norm shall be indicated.
- (6) Accurate dimensions, both linear and angular, of all items on the plat. The boundary survey on the site shall close within one (1) in ten thousand (1:10,000). Linear dimensions shall be expressed in feet and decimals of a foot. Angular dimensions may be shown by bearings. Curved boundaries shall be fully described an all-essential information given. Circular curves shall be defined by actual length of radius and not be degree of curve. Complete dimensional data shall be given on fractional lots.
- (7) The location and description of all lot and block corners and permanent survey reference monuments. The plat shall reflect whether such corners or monuments have been found or set by the surveyor. All new corners and monuments shall be of three-quarter (3/4) inch iron pipe or five-eighths (5/8) inch iron rod and shall meet the following standards:
 - (a) Lot corners shall be twenty-four to thirty (24-30) inches long with the top set flush with ground.
 - (b) Block corners shall be twenty-four to thirty (24-30) inches long with the top set flush with ground and shall include the beginning and end of all curves within each block.
 - (c) Reference points shall be twenty-four to thirty (24-30) inches long, placed one (1) foot below the surface of the finished ground elevation at suitable locations throughout the subdivision. There shall be at least as many reference points as there are blocks in the subdivision, but not less than two, add the distance between successive monuments along any street or reference line shall not be greater than one thousand (1,000) feet. Reference points shall be other than and in addition to markers set for block or lot corners.

- (8) Public Improvement Dedication certificate substantially as follows: "The undersigned, being all of the owners of the property covered by this plat map, hereby dedicate to and for the public and the City of Port Aransas, in perpetuity, the public areas, shown on this plat map, including all easements rights-of-way, streets, alleys, squares, parks, and other public parts of the tract." This certificate shall be signed and acknowledged by all owners of any interest in said land. The form of acknowledgment shall be as required for the acknowledgement of deeds. Written, signed approval and acceptance of such dedication by all lien holders shall be included.
- (9) A certificate by the responsible surveyor in charge, duly authenticate, that the plat is true and correct and in accordance with the determination of surveys actually made on the ground. If the surveyor who prepared the plat did not make the boundary survey, this fact should be noted in the certificate. Also, the certificate should show whether or not the tract is within the City limits or extra territorial jurisdiction of Port Aransas, unless the information is shown in suitable manner elsewhere on the face of the plat
- (10) The Final Plat Map shall be signed by all owners of the platted tract and their signatures shall be acknowledged in the manner required for deed recordation. Section 212.004 (c).
- (11) The Final Plat Map shall be signed by all lien holders in approval and their signatures shall be acknowledged in the manner required for deed recordation.
- (12) In addition to other required certificates, the following signed certificates shall be on the plat map preceding the certificate of the County Clerk:

(a) STATE OF TEXAS
 COUNTY OF NUECES

This Final Plat of the herein described property approved by the City Engineer for the City of Port Aransas, Texas.

This the _____ day of _____, 20_____.

 City Engineer

(b) STATE OF TEXAS
 COUNTY OF NUECES

This Final Plat of the herein described property was approved on behalf of the City of Port Aransas, Texas by the Planning and Zoning Commission on the ____ day of _____, 20_____.

 Chairman of P&Z Commission

 City Secretary

Engineer or Surveyor Signature. The engineer and / or surveyor preparing the plat map must sign this statement on the signature line provided below. Section 21-38.A (2), Port Aransas Code. The undersigned, the registered engineer or land surveyor preparing the plat map, affirm that I have, to the best of my ability, designed the subdivision in accordance with the city ordinances and regulations governing the development, platting and subdivision of land, except where a variance is requested, the reasons for which are hereinafter stated. If there are no variances requested, state "None". If there are variances requested, describe the variances and the reasons for each.

NO VARIANCES REQUESTED

Signed the 2nd day of APRIL, 2015.


CRAIG B. THOMPSON, P.E.

ENGINEER / SURVEYOR
TX: 89496



For Building Official Use Only

The Application is not filed unless and until it (including the map) complies with the requirements of Section 21-38, Port Aransas Code, and contains all information above required.

Filed on _____, 20__.

Building Official
City of Port Aransas

**FINAL PLAT OF
BEACHSIDE TOWNHOMES
LOT 1, BLOCK 1**

A TRACT OF LAND OUT OF LOT 1, ISLAND WORSHIP CENTER,
AS RECORDED IN VOLUME 63, PAGE 170,
MAP RECORDS OF NUECES COUNTY, TEXAS
& LOT 9, MUSTANG ISLAND, AS RECORDED IN DOCUMENT NO. 2010031329,
DEED RECORDS OF NUECES COUNTY, TEXAS
AND CONTAINING 2.73 ACRES OF LAND



**LOCATION MAP
NOT TO SCALE**

STATE OF TEXAS
COUNTY OF NUECES

Western Ocean, LTD hereby certifies that we, the owners of the lands embraced within the boundaries of the foregoing plat, that it has said lands surveyed and subdivided as shown, that easements as shown are dedicated to the public use for the installation, operation and use of public utilities, that the water and sewer utilities are installed and dedicated in accordance with the Resolution Establishing Criteria for the Dedication of Lines and Conveyance of Easements from the Developers of Real Property within the Geographic Boundaries of the Nueces County Water Control and Improvement District No. 4; and that this map was made for the purpose of description and dedication.

This the _____ day of _____, 2015.

By: _____ Owner

STATE OF TEXAS
COUNTY OF NUECES

This instrument was acknowledged before me, by _____, proven to me to be the person whose signature is made on the foregoing instrument of writing, and he acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity stated.

Given under my hand and seal of office, this the _____ day of _____, 2015.

Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF NUECES

I, Stacy King Mora, Registered Professional Land Surveyor, hereby certify that this survey map was prepared from an actual on the ground survey made under my direction and supervision, and represents the facts found at the time of survey, and that this survey substantially complies with the current standards adopted by the Texas Board of Professional Land Surveying.

Stacey King Mora
Registered Professional Land Surveyor
Texas Registration No. 6196

Naismith Engineering, Inc.
Date: _____

STATE OF TEXAS
COUNTY OF NUECES

This plat of the herein described property was approved by the City Engineer for the City of Port Aransas, Texas.

This the _____ day of _____, 2015.

City Engineer _____

STATE OF TEXAS
COUNTY OF NUECES

This plat of the herein described property was approved on behalf of the City of Port Aransas, Texas by the Planning and Zoning Commission on the _____ day of _____, 2015.

Chairman of P&Z Commission _____

City Secretary _____

STATE OF TEXAS
COUNTY OF NUECES

This plat of the herein described property was approved on behalf of the City of Port Aransas, Texas by the City Council on the _____ day of _____, 2015.

Mayor _____

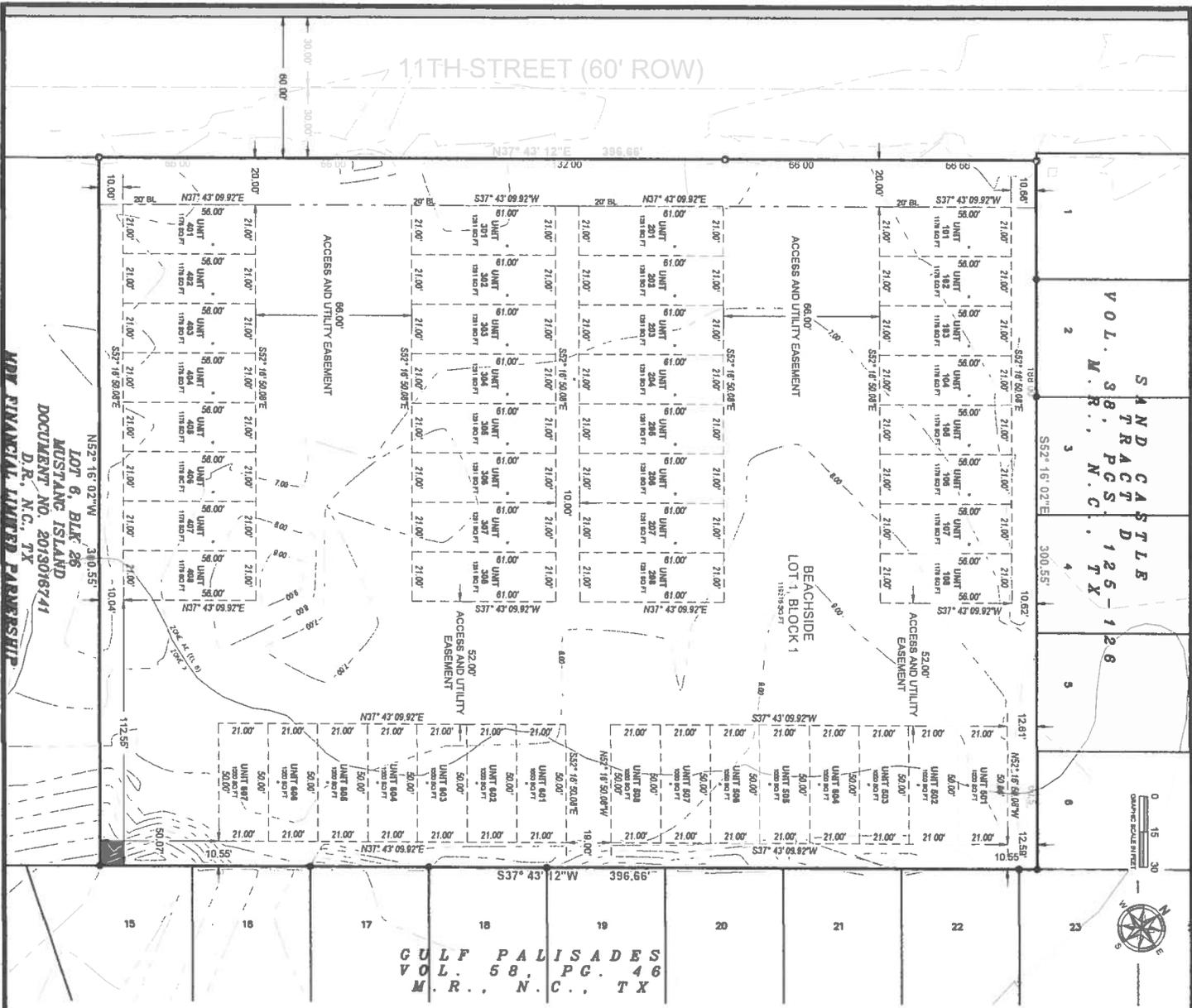
City Secretary _____

STATE OF TEXAS
COUNTY OF NUECES

I, Kara Sands, Clerk of the County Court in and for said County, do hereby certify that the foregoing instrument dated the _____ day of _____, 2015, with its certificate of authentication was filed for record in my office the _____ day of _____, 2015, at _____ o'clock _____ M., and duly recorded the _____ day of _____, 2015, at _____ o'clock _____ M., in the map records of said County in Volume _____ Page _____ Instrument Number _____.

Witness my hand and seal of the County Court in and for said County at office in Corpus Christi, Nueces County, Texas, this day and year last written.

By: _____ Deputy
Kara Sands, Clerk
County Court
Nueces County, Texas



SANDCASTLE TRACT D 125-126
VOL. 58, P. 38
M.R., N.C., TX

GULF PALISADES
VOL. 58, PG. 46
M.R., N.C., TX



FINAL PLAT OF BEACHSIDE TOWNHOMES LOT 1, BLOCK 1

NOTES:

1. TOTAL PLATTED AREA CONTAINS 2.73 ACRES OF LAND, INCLUDING PRIVATE DRIVE.
2. COMMON AREA, 64,153 SQ. FT.
3. FEMA INFORMATION:
PLOTTING THE PROPERTY BY SCALE ON FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NO. 485488 0003 F MAP REVISED SEPTEMBER 30, 1992, INDICATES THE PROPERTY IS LOCATED IN FLOOD ZONE AE(1), DEFINED AS AREAS SUBJECT TO INUNDATION BY THE 1-PERCENT ANNUAL-CHANCE FLOOD EVENT DETERMINED BY DETAILED METHODS, AND ALSO IN FLOOD ZONE X, DEFINED AS ANNUAL RISK AREAS OUTSIDE THE 1-PERCENT AND 2-PERCENT ANNUAL-CHANCE FLOODPLAINS.
- THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE ENGINEER OR SURVEYOR.
4. ALL BEARINGS ARE GRID BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM FOR THE LAMBERT SOUTH ZONE (NAD 1983) AND ALL DISTANCES ARE SURFACE DISTANCES.
5. EASEMENT AND RIGHT-OF-WAY DATED JUNE 27, 1986 BY AND BETWEEN HEARTLAND FELLOWSHIP, PENECCOSTAL CHURCH OF GOD AND CENTRAL POWER AND LIGHT COMPANY, RECORDED UNDER CLERK'S FILE NO. 1998038619, OFFICIAL PUBLIC RECORDS OF NUECES COUNTY, TEXAS, BLANKET EASEMENT.
6. EASEMENT AND RIGHT-OF-WAY DATED JANUARY 9, 2008 BY AND BETWEEN ISLAND WORSHIP CENTER AND AEP TEXAS CENTRAL COMPANY, RECORDED UNDER CLERK'S FILE NO. 2008021735, OFFICIAL PUBLIC RECORDS OF NUECES COUNTY, TEXAS, BLANKET EASEMENT.

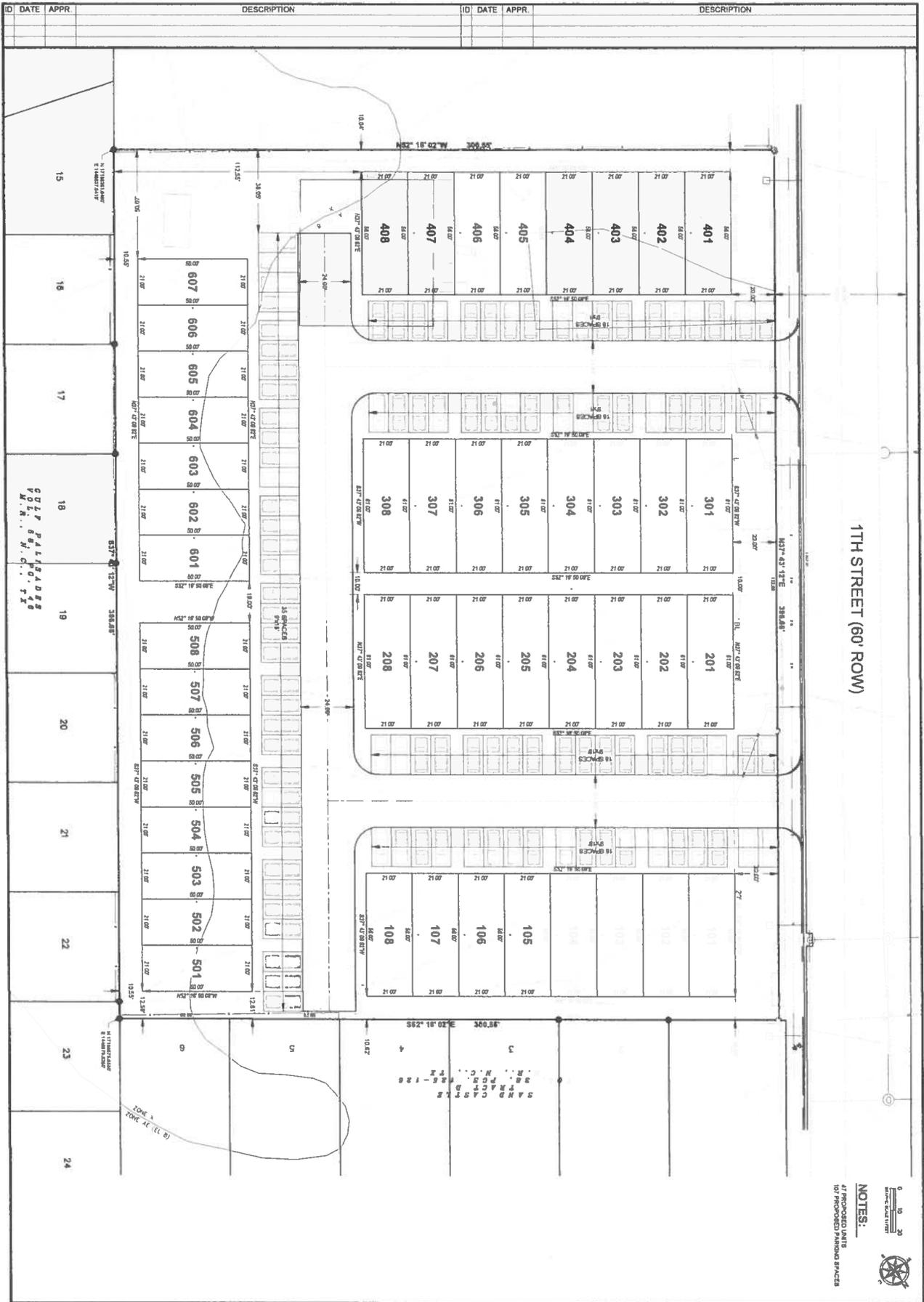
LEGEND

- ① IRON ROD FOUND
- BLOCK SYMBOL
- PROPERTY LINE
- UTILITY EASEMENT - U.E.
- YARD REQUIREMENT - Y.R.
- DRAINAGE EASEMENT - D.E.
- ROAD CENTERLINE - R.C.
- ACCESS EASEMENT - A.E.
- M.R.
- MAP RECORDS

FINAL PLAT OF BEACHSIDE TOWNHOMES LOT 1, BLOCK 1
A TRACT OF LAND OUT OF LOT 1, ISLAND WORSHIP CENTER, AS RECORDED IN VOLUME 03, PAGE 170, MAP RECORDS OF NUECES COUNTY, TEXAS & LOT 9, MUSTANG ISLAND, AS RECORDED IN DOCUMENT NO. 2010031329, DEED RECORDS OF NUECES COUNTY, TEXAS AND CONTAINING 2.73 ACRES OF LAND

| | | | |
|---|--|--|--|
| Naismith Engineering Inc ARCHITECTURE ■ ENGINEERING ■ ENVIRONMENTALS ■ SURVEYING 4501 OLLIHAR ROAD, SUITE 200, FORT WORTH, TX 76104 PH: (817) 814-9800 FAX: (817) 708-9322 CORPUS CHRISTI, TX 78411 AUSTIN, TX 78701 BROWNSVILLE, TX 77823 VICTORIA, TX 77901 PH: (361) 814-9800 PH: (512) 708-9322 PH: (956) 541-1185 PH: (800) 877-2833 TBAE F-13553 TBPE F-255 TBPG F-50017 TEPLE F-100095-00 | | ENGINEER/SURVEYOR STACEY MORAN 361-814-9800 stacey@naismith-engineering.com 8452 | FILE NO. 301-814-4401 DRAWN BY CBT CHECKED BY SAJ DATE 03/20/15 |
|---|--|--|--|

ORDER 2 OF 2



NOTES:
 1/ PROPOSED LOTS
 10/ PROPOSED PARKING SPACES



SHEET 1 OF 2
 C-1300

ACCESS AND PARKING LAYOUT
 BEACHSIDE TOWNHOMES
 PORT ARANSAS, NUECES COUNTY, TEXAS

NaismithEngineering Inc
 ARCHITECTURE ENGINEERING & ENVIRONMENTAL SURVEYING
 405 W HOWES AVE
 WACO, TX 76798
 TEL (817) 874-9888 FAX (817) 798-4522
 WWW.NAISMITHENGINEERING.COM

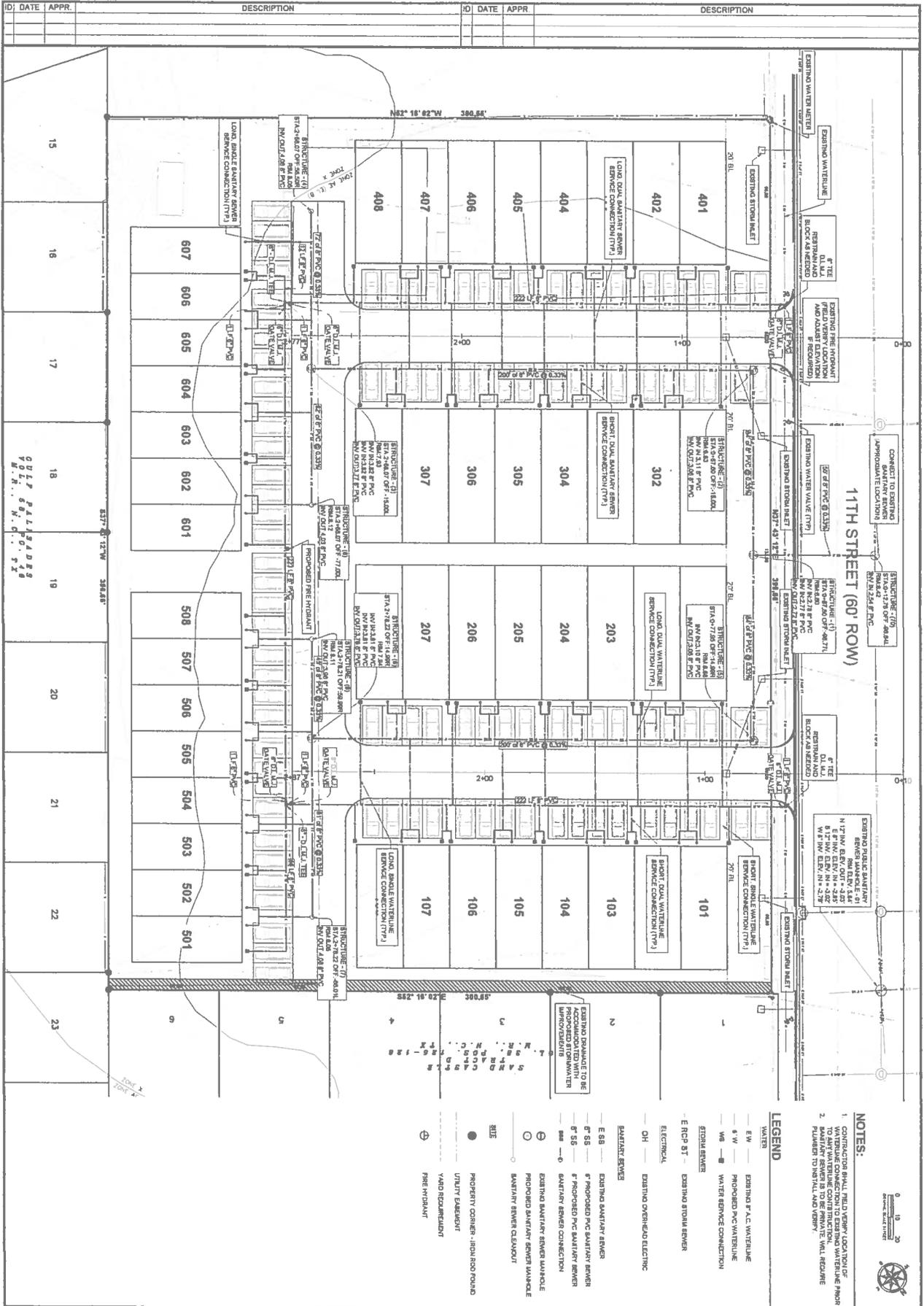
FOR INTERIM REVIEW
 NOT FOR PERMITTING,
 CONSTRUCTION OR BIDDING
 PURPOSES

CRAIG B. THOMPSON, P.E.
 TEXAS LICENSE NO. 68488
 DATE: 04/20/15

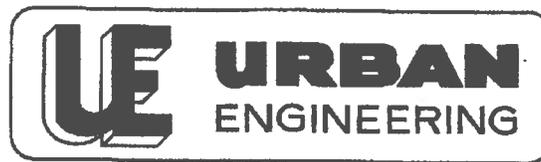
DRAWN BY: CMP CHECKED BY: TBT APPROVED BY: CBT
 PROJECT ID: 0402 DATE: 04/20/15 REVISION NO

FOR INTERIM REVIEW
 NOT FOR PERMITTING,
 CONSTRUCTION OR BIDDING
 PURPOSES

CRAIG B. THOMPSON, P.E.
 TEXAS LICENSE NO. 68488
 DATE: 04/20/15



| | | | |
|---|---|--|--|
| <p>C4000</p> <p>SHEET 2 OF 2</p> | <p>UTILITY LAYOUT</p> <p>BEACHSIDE TOWNHOMES</p> <p>PORT ARANSAS, NUECES COUNTY, TEXAS</p> | <p>NaismithEngineering, Inc.</p> <p>ARCHITECTURE • ENGINEERING • ENVIRONMENTALS • SURVEYING</p> <p>400 W. 8TH STREET, SUITE 200, PORT ARANSAS, TX 78373 1000 W. 12TH STREET, SUITE 100, PORT ARANSAS, TX 78373 1000 W. 12TH STREET, SUITE 100, PORT ARANSAS, TX 78373</p> <p>PHONE: (361) 874-8888 FAX: (361) 874-8888 WWW.NAISENG.COM</p> | <p>FOR INTERIM REVIEW</p> <p>CONSTRUCTION OR BIDDING PURPOSES</p> <p>CRAIG B. THOMPSON, P.E.</p> <p>TEXAS LICENSE NO. 66888 DATE: 04/20/13</p> |
| <p>DATE: 04/20/13</p> | | <p>APPROVED BY: CBT</p> | |



April 9, 2015

Transmitted via email

Nicole Boyer
Code Compliance/Permit Clerk
City of Port Aransas
710 West Avenue A
Port Aransas, Texas 78373

Subject: #FPLT-150295; Lot 1, Block 1, Beachside

Nicole,

I have reviewed the subject Plat concerning requirements established in the City of Port Aransas Codes (Chapter 21) and recommend the following be addressed before approval.

1. We have not seen a preliminary plat for the proposed plat; if this is intended to be the preliminary plat we need a roadway and utility layout to be shown or accompany this document.
2. The name of the Plat should include the name of the townhome development and the word "townhome or condominium" as applicable.
3. Only the units which are being constructed at this time should be recorded on the final plat; all other units may be shown dashed as proposed/future.
4. Evidence that the layout accommodates the City's parking requirements for both off and on-site.
5. The adjoining property to the south lacks a legal description and record information. If this property is under the same ownership as this plat it should be fully shown/ on the preliminary plat.

If you have any questions, please contact me at your convenience.

Sincerely,
URBAN ENGINEERING

A handwritten signature in cursive script that reads 'Daniel Mazoch'.

Daniel Mazoch, E.I.T.

SPG/dem



NaismithEngineering,Inc
ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING

ESTABLISHED 1949

April 21, 2015

Nicole Boyer
Planning Assistant – Code Compliance
City of Port Aransas
710 West Avenue A
Port Aransas, Texas 78373

Re: #FPLT-150295; Lot 1, Block 1, Beachside **Townhomes**
Comment Resolution

Nicole,

Please find attached the revised Final Plat with two (2) exhibits - Access and Parking Layout and Utility Layout - addressing the April 13, 2015 e-mail which include the comments from Urban Engineering. Our comment responses are as follows:

1. We have not seen a preliminary plat for the proposed plat; if this is intended to be the preliminary plat we need a roadway and utility layout to be shown or accompany this document. ***During our pre-application discussions with City staff it was understood that we would not be required to submit both a preliminary and final plat since this project is to be completed as a single-phase project and all utilities and drainage are available within 11th Street. That said, we have included 2 attachments for reference – (1) Access and Parking Layout and (2) Utility Layout.***
2. The name of the Plat should include the name of the townhome development and the word “townhome or condominium” as applicable. ***The word “townhomes” has been added to the name of the development on the plat and other pertinent sheets.***
3. Only the units which are being constructed at this time should be recorded on the final plat: all other units may be shown dashed as proposed/future. ***All units will be constructed within a single phase.***
4. Evidence that the layout accommodates the City’s parking requirements for both off and on-site. ***We have attached an Access and Parking Layout exhibit to show the required spaces.***
5. The adjoining property to the south lacks a legal description and record information. If this property is under the same ownership as this plat it should be fully shown/on the preliminary plat. ***The legal description and record information for the adjacent property to the south has been added to the plat.***

If you have any questions please feel free to contact me.

Sincerely,
NAISMITH ENGINEERING, INC. - TBPE Firm #355

Craig B. Thompson, P.E.
Project Engineer



April 29, 2015

Transmitted via email

Nicole Boyer
Code Compliance/Permit Clerk
City of Port Aransas
710 West Avenue A
Port Aransas, Texas 78373

Subject: #FPLT-150295; Lot 1, Block 1, Beachside

Nicole,

I have reviewed the subject Plat concerning requirements established in the City of Port Aransas Codes (Chapter 21) and recommend the following be addressed before approval.

1. Please provide indication that each site will share one or more common walls with an adjacent unit in order to conform for townhome classification within city ordinances.
2. The Access and Parking Layout does not show an emergency vehicle path/ turning radii. This information should be included in order to ensure adequate street width and turning radii. Additionally, there is a concern that owners or renters decide to double-park (parallel along the street edge) this may pose a problem for emergency vehicle access. We feel striping and or signage may be required to ensure adequate access width in turns. Most specifically this applies to frontage of lots 107-108, 207-208, 307-308, 407-408, 502-507, 603-607.

If you have any questions, please contact me at your convenience.

Sincerely,
URBAN ENGINEERING

A handwritten signature in black ink that reads 'Daniel Mazoch'.

Daniel Mazoch, E.I.T.

SPG/dem



CITY OF PORT ARANSAS
UTILITY COMPANY RESPONSE FORM
FINAL PLAT REQUEST
April 3rd, 2015

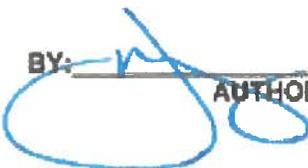
SCHEDULED PLANNING AND ZONING COMMISSION PUBLIC HEARING DATE: MONDAY, April 27th, 2015, AT 3:00 P.M. IN COUNCIL CHAMBERS AT CITY HALL, 710 WEST AVENUE A, PORT ARANSAS, NUECES COUNTY, TEXAS.

SUBJECT: PUBLIC COMMENT WILL BE HEARD ON FINAL PLAT APPLICATION FPLT-150295, Beachside Lot 1, Block 1, a tract of land out of Lot 1, Island Worship Center as recorded in Volume 63, Page 170, Map records of Nueces County, Texas & Lot 9, Mustang Island, as recorded in document No. 2010031329, deed records of Nueces County, Texas and containing 2.73 Acres of land.

| | <u>APPROVE</u> | <u>PROTEST</u> |
|-----------------------------------|-------------------------------------|--------------------------|
| NUECES CO. WATER DISTRICT #4 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| CENTURYLINK OF PORT ARANSAS | <input type="checkbox"/> | <input type="checkbox"/> |
| AEP TEXAS CENTRAL COMPANY | <input type="checkbox"/> | <input type="checkbox"/> |
| CITY OF PORT ARANSAS GAS DIVISION | <input type="checkbox"/> | <input type="checkbox"/> |

COMMENTS:

EASEMENTS FOR PUBLIC WATER AND/OR WASTEWATER
WILL NEED TO BE BY SEPERATE INSTRUMENT

BY:  AUTHORIZED SIGNATURE DATE: 4-16-2015



**CITY OF PORT ARANSAS
UTILITY COMPANY RESPONSE FORM
FINAL PLAT REQUEST
April 3rd, 2015**

SCHEDULED PLANNING AND ZONING COMMISSION PUBLIC HEARING DATE: MONDAY, April 27th, 2015, AT 3:00 P.M. IN COUNCIL CHAMBERS AT CITY HALL, 710 WEST AVENUE A, PORT ARANSAS, NUECES COUNTY, TEXAS.

SUBJECT: PUBLIC COMMENT WILL BE HEARD ON FINAL PLAT APPLICATION FPLT-150295, Beachside Lot 1, Block 1, a tract of land out of Lot 1, Island Worship Center as recorded in Volume 63, Page 170, Map records of Nueces County, Texas & Lot 9, Mustang Island, as recorded in document No. 2010031329, deed records of Nueces County, Texas and containing 2.73 Acres of land.

| | <u>APPROVE</u> | <u>PROTEST</u> |
|--|----------------|----------------|
| NUECES CO. WATER DISTRICT #4 | _____ | _____ |
| CENTURYLINK OF PORT ARANSAS | _____ | _____ |
| AEP TEXAS CENTRAL COMPANY | _____ | _____ |
| CITY OF PORT ARANSAS GAS DIVISION | <u> X </u> | _____ |

COMMENTS:

Approval is subject to complying with the Port Aransas, Texas, Code of Ordinance; Chapter 21-Subdivisions,
Article IX-Requirements for improvements, reservations, and designs, Division 8-Utilities, Sections 21-226 -
Installation & 21-227 - Gas Utility. Placement of underground gas lines shall be furthest from the building line
were other utilities exist within the established boundaries of a Utility Easement. Gas Line installation shall comply
with minimum requirements in the latest addition of the City of Port Aransas Gas Department Specifications for Gas
Pipe Installation. A copy of the Specifications for Gas Pipe Installation can be obtained by contacting the Gas Dept.

BY:  DATE: April 06, 2015
 AUTHORIZED SIGNATURE



CITY OF PORT ARANSAS
UTILITY COMPANY RESPONSE FORM
FINAL PLAT REQUEST
April 3rd, 2015

SCHEDULED PLANNING AND ZONING COMMISSION PUBLIC HEARING DATE: MONDAY, April 27th, 2015, AT 3:00 P.M. IN COUNCIL CHAMBERS AT CITY HALL, 710 WEST AVENUE A, PORT ARANSAS, NUECES COUNTY, TEXAS.

SUBJECT: PUBLIC COMMENT WILL BE HEARD ON FINAL PLAT APPLICATION FPLT-150295, Beachside Lot 1, Block 1, a tract of land out of Lot 1, Island Worship Center as recorded in Volume 63, Page 170, Map records of Nueces County, Texas & Lot 9, Mustang Island, as recorded in document No. 2010031329, deed records of Nueces County, Texas and containing 2.73 Acres of land.

| | <u>APPROVE</u> | <u>PROTEST</u> |
|-----------------------------------|--|----------------|
| NUECES CO. WATER DISTRICT #4 | _____ | _____ |
| CENTURYLINK OF PORT ARANSAS |  | _____ |
| AEP TEXAS CENTRAL COMPANY | _____ | _____ |
| CITY OF PORT ARANSAS GAS DIVISION | _____ | _____ |

COMMENTS:

BY:  DATE: 4/6/15

AUTHORIZED SIGNATURE



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-N

Discuss and take action on Final Replat Request # FPLT 150300, Cinnamon Shore PUD Northwest Corner, being a replat of Lot 5, Block 9, Cinnamon Shore, PUD, Unit 3B, a map of which is recorded in Volume 68, Pages 263-264, Map Records of Nueces County, Texas. Applicant: Cinnamon Shore, LLC. Property Location: Cinnamon Shore, Hwy 361.

SUBMITTED BY: Director of Development Services Rick Adams

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: FPLT#150300 was submitted by Cinnamon Shore via Urban Engineering on April 3rd, 2015 for the Northwest Corner of Cinnamon Shore PUD.

ENGINEERING REVIEW: Naismith Engineering reviewed the referenced plat on April 6th, 2015 and found that the subject plat meets the platting requirements outlined in Chapter 21 of the Code of Ordinances.

UTILITY REVIEW:

- Nueces County Water District #4—approved 4-16-15 with comments
- Centurylink of Port Aransas—approved 4-6-15
- AEP Texas Central Company
- COPA Gas Department—approved 4-6-15

PUBLIC HEARING DATE: Public Hearing notice published in the South Jetty on April 9th, 2015. Hearing held Monday, April 27th, 2015.

PLANNING & ZONING COMMISSION RECOMMENDATION: Approved application at the April 27th, 2015 meeting.

STAFF RECOMMENDATION: Approve Final replat request #FPLT#150300, Final Plat Cinnamon Shore PUD Northwest Corner, Nueces County as presented.

**APPLICATION
FOR
FINAL PLAT APPROVAL**

Section 1. General. The undersigned Applicant (Applicant is synonymous with owner) makes this Application for Final Plat Approval in accordance with Chapter 21, Port Aransas Code and in particular, Section 21-38 thereof. If there is insufficient room on this Application to completely answer any item, attach an exhibit. This Application has to be signed under Section 5 by the Applicant and the engineer or surveyor.

Section 2. Application. If you have already completed and filed an Application for Preliminary Plat Approval, then under this section of the Final Plat Application, you only need to specify the changes, if any, in the information provided in the Preliminary Plat Application. State whether there are or are not any changes. If there are any changes, explain them:

If you have not completed a Preliminary Plat Application, then provide the following information, as required by Section 21-38.A (1) and Section 21-37.A, Port Aransas, Code:

- (1) State the name, business addresses and telephone numbers of the owners, engineer and surveyor.

| <u>For Owners/Developers</u> | <u>Engineer/Surveyor</u> |
|------------------------------|-----------------------------|
| Cinnamon Shore, LLC | Urban Engineering |
| 290 Westland Way | 2725 Swantner Drive |
| Marietta, Georgia 30064 | Corpus Christi, Texas 78404 |
| (678)977-5833 | (361) 854-3101 |
- (2) Describe the legal ownership interest of all owners in the tract.
Cinnamon Shore, LLC - 100% interest
- (3) The information required in this Section 2 shall cover all property covered by the final plat and all of the applicant's contiguous property.
- (4) State whether the development is Staged Development or Major Development. It is staged if Applicant owns contiguous property not being finally platted under this final plat. Major Development
- (5) By signing this Application, you are acknowledging that you are aware that, if your property encompasses "wetlands" as determined by the Corp of Engineers, it may be subject to certain development restrictions mandated by State and / or Federal law.
- (6) State the source for water service, whether water well or Water District.
Water District
- (7) State the source for sewer service whether septic or Water District.
Water District
- (8) Provide a full legal description of the property covered by the Final Plat and include all of applicant's contiguous property. re-plat of Lot 5, Block 9, Cinnamon Shore, P.U.D. Unit 3B, a map of which is recorded in Volume 68, Pages 263-264, Map Records of Nueces County, Texas.
- (9) State whether or not there are any private covenants or restrictions applicable to the land or any part of it, and, if there are, attach a copy of all private covenants and restrictions applicable to the land.
None

- (10) Attach to this Application a written memorandum from the Water District stating that the District's authorized agent has received a copy of the Preliminary Plat, that the District concurs in the preliminary illustration of water and sewer utilities and either objects to or approves of the proposed plat.

Section 3. Map. You must submit with this Application a final plat map, in compliance with and containing all information and being in the form required by Section 21-38B, Port Aransas Code, which section requires that the Final Plat Map shall include the following:

- (1) The title or name by which the subdivision is to be identified, north arrow, the scale of the map, and the seal and name of the State Registered professional land surveyor responsible for preparation of the map.
- (2) A definite legal description and identification of the tract being subdivided. This description shall be sufficient for the requirements of title examination.
- (3) The boundaries of the subdivided property, the location or designation of all streets, alleys, parks, and other areas intended to be dedicated or deeded to public use with proper dimensions. The boundaries of the subdivision shall be indicated by a heavy line equivalent to a No. 5 Reservoir pen and shall be tied by dimension to the established centerline of all existing boundary streets.
- (4) The location of all adjacent streets and alleys, with their names, and the names of adjoining subdivisions with exact location and designation by number of lots and blocks.
- (5) All lot, block, and street boundary lines, with blocks and lots numbered or lettered consecutively. The area of each lot in square feet or acreage, building lines, required yards adjacent to streets, and easements shall be shown and shall be defined by dimension. Actual widths of all street right-of-way shall be shown, measured at right angles or radially, where curved. All principal liens shall have the bearing, and any deviations from the norm shall be indicated.
- (6) Accurate dimensions, both linear and angular, of all items on the plat. The boundary survey on the site shall close within one (1) in ten thousand (1:10,000). Linear dimensions shall be expressed in feet and decimals of a foot. Angular dimensions may be shown by bearings. Curved boundaries shall be fully described an all-essential information given. Circular curves shall be defined by actual length of radius and not be degree of curve. Complete dimensional data shall be given on fractional lots.
- (7) The location and description of all lot and block corners and permanent survey reference monuments. The plat shall reflect whether such corners or monuments have been found or set by the surveyor. All new corners and monuments shall be of three-quarter (3/4) inch iron pipe or five-eighths (5/8) inch iron rod and shall meet the following standards:
 - (a) Lot corners shall be twenty-four to thirty (24-30) inches long with the top set flush with ground.
 - (b) Block corners shall be twenty-four to thirty (24-30) inches long with the top set flush with ground and shall include the beginning and end of all curves within each block.
 - (c) Reference points shall be twenty-four to thirty (24-30) inches long, placed one (1) foot below the surface of the finished ground elevation at suitable locations throughout the subdivision. There shall be at least as many reference points as there are blocks in the subdivision, but not less than two, add the distance between successive monuments along any street or reference line shall not be greater than one thousand (1,000) feet. Reference points shall be other than and in addition to markers set for block or lot corners.

- (8) Public Improvement Dedication certificate substantially as follows: "The undersigned, being all of the owners of the property covered by this plat map, hereby dedicate to and for the public and the City of Port Aransas, in perpetuity, the public areas, shown on this plat map, including all easements rights-of-way, streets, alleys, squares, parks, and other public parts of the tract." This certificate shall be signed and acknowledged by all owners of any interest in said land. The form of acknowledgment shall be as required for the acknowledgement of deeds. Written, signed approval and acceptance of such dedication by all lien holders shall be included.
- (9) A certificate by the responsible surveyor in charge, duly authenticate, that the plat is true and correct and in accordance with the determination of surveys actually made on the ground. If the surveyor who prepared the plat did not make the boundary survey, this fact should be noted in the certificate. Also, the certificate should show whether or not the tract is within the City limits or extra territorial jurisdiction of Port Aransas, unless the information is shown in suitable manner elsewhere on the face of the plat
- (10) The Final Plat Map shall be signed by all owners of the platted tract and their signatures shall be acknowledged in the manner required for deed recordation. Section 212.004 (c).
- (11) The Final Plat Map shall be signed by all lien holders in approval and their signatures shall be acknowledged in the manner required for deed recordation.
- (12) In addition to other required certificates, the following signed certificates shall be on the plat map preceding the certificate of the County Clerk:

(a) STATE OF TEXAS
 COUNTY OF NUECES

This Final Plat of the herein described property approved by the City Engineer for the City of Port Aransas, Texas.

This the _____ day of _____, 20_____.

 City Engineer

(b) STATE OF TEXAS
 COUNTY OF NUECES

This Final Plat of the herein described property was approved on behalf of the City of Port Aransas, Texas by the Planning and Zoning Commission on the _____ day of _____, 20_____.

 Chairman of P&Z Commission

 City Secretary

(c) STATE OF TEXAS
COUNTY OF NUECES

This Final Plat of the herein described property was approved on behalf of the City of Port Aransas, Texas by the City Council on the _____ day of _____, 20_____.

Mayor

City Secretary

(d) If a subdivision is located in an area not served by a sanitary sewer system and septic tanks are to be used, the following form shall be included on the plat:

COUNTY OF NUECES

Approved by the Nueces County Health Department on the _____ day of _____, 20_____. Any private water supply and / or sewage system shall be approved by the Nueces County Health Department prior to installation.

Section 4. Hearing. The Applicant agrees and consents to Planning and Zoning Commission hearing this Final Plat Application on the last Monday of the calendar month next following the 30th day after the Application is filed.

Section 5. Signatures.

Owners Signature. The owners must sign this statement on the signature line provided below. Section 21-38.A (3), Port Aransas Code. The undersign, being the owners of the land, affirm that all information contained in or submitted as part of the platting process is true and correct, and that all public improvements required as part of the development will be constructed in accordance with the Final Plat and in accordance with all ordinances, rules and regulations of the City governing the development, platting and subdivision of land. If an agent is signing for owner, state name and capacity.

Signed this 2ST day of APRIL, 2015.

Harry Brent Lankein
OWNER
MANAGER.

OWNER

Engineer or Surveyor Signature. The engineer and / or surveyor preparing the plat map must sign this statement on the signature line provided below. Section 21-38.A (2), Port Aransas Code. The undersigned, the registered engineer or land surveyor preparing the plat map, affirm that I have, to the best of my ability, designed the subdivision in accordance with the city ordinances and regulations governing the development, platting and subdivision of land, except where a variance is requested, the reasons for which are hereinafter stated. If there are no variances requested, state "None". If there are variances requested, describe the variances and the reasons for each.

Signed the 3rd day of April, 2015.



ENGINEER / SURVEYOR

For Building Official Use Only

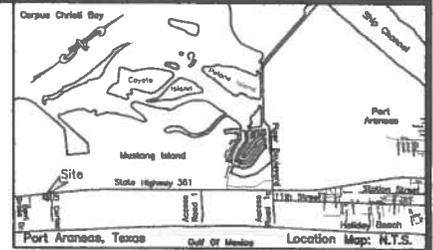
The Application is not filed unless and until it (including the map) complies with the requirements of Section 21-38, Port Aransas Code, and contains all information above required.

Filed on _____, 20__.

Building Official
City of Port Aransas

Notes.

- 1.) Total platted area contains 2.12 acres of land.
- 2.) Bearings are based on the recorded plat of Cinnamon Shore, P.U.D. Unit JA, a map of which is recorded in Volume 67, Pages 516-517, Map Records of Nueces County, Texas.
- 3.) By graphic plotting only, this property is in Zones "AE (D 9)" on Flood Insurance Rate Map, Community Panel No. 485498 0007 F, City of Port Aransas, Texas, which bears an effective date of September 30, 1992 and it is located in a Special Flood Hazard Area.
- 4.) All side yards will conform to the International Residential Code.
- 5.) The homeowners association will maintain private streets and drainage in perpetuity. (Lots 5K and 5L, Block 9)
- 6.) Lots 5K and 5L, Block 9 are to be retained as utility easements.
- 7.) Lot 5B shall be an 8 unit town home development.
- 8.) Centerline dimensions shown for Wild Horse Drive and Horse Lane are to the center of right-of-way, not the centerline of paving.



State of Texas

County of Nueces

This final plat of the herein described property was approved by the City Engineer for the City of Port Aransas, Texas.

This the _____ day of _____ 20____

City Engineer

State of Texas

County of Nueces

This final plat of the herein described property was approved on behalf of the City of Port Aransas, Texas by the Planning and Zoning Commission.

This the _____ day of _____ 20____

Chairman of Planning and Zoning Commission

City Secretary

State of Texas

County of Nueces

This final plat of the herein described property was approved on behalf of the City of Port Aransas, Texas by the City Council.

This the _____ day of _____ 20____

Meyer

City Secretary

State of Texas

County of Nueces

I, Kara Sands, Clerk of the County Court in and for said County, do hereby certify that the foregoing instrument dated the _____ day of _____ 20____ with its certificate of authentication was filed for record in my office the _____ day of _____ 20____ at _____ o'clock _____ M., and duly recorded the _____ day of _____ 20____ at _____ o'clock _____ M., in said County in Volume _____ Page _____ Map Records.

Witness my hand and seal of the County Court, in and for said County, at office in Corpus Christi, Texas, the day and year last written.

No. _____

Filed for Record

at _____ o'clock _____ M.

of _____ 20____

Kara Sands, County Clerk

Nueces County, Texas

By: _____

Deputy

State of Texas

County of Nueces

I, Dan L. Urban, a Registered Professional Land Surveyor for Urban Engineering, have prepared the foregoing map from a survey made on the ground under my direction and is true and correct to the best of my knowledge, information and belief; I have been engaged under contract to set all Lot and Block corners as shown hereon and to complete such operations with due and reasonable diligence consistent with sound professional practice.

This the _____ day of _____ 20____

Don L. Urban, R.P.L.S.
Texas License No. 4710



DATE: April 3, 2015
SCALE: 1"=30'
JOB NO.: 39978.B5.04
SHEET: 1 of 2
DRAWN BY: XG

Plat of
Cinnamon Shore, P.U.D.
Northwest Corner

Being a re-plot of Lot 5, Block 9, Cinnamon Shore, P.U.D. Unit 3B, a map of which is recorded in Volume 68, Pages 283-284, Map Records of Nueces County, Texas.

State of Georgia
County of Fulton

We, Cinnamon Shore, LLC, a Delaware limited liability company, hereby certify that we are the owner of the lands embraced within the boundaries of the foregoing plat; that we have had said lands surveyed and subdivided as shown; that easements as shown are dedicated to the public use for the installation, operation and use of public utilities (however, the streets are private and are not dedicated to the public use); that the water and sewer utilities are installed and dedicated in accordance with the Resolution Establishing Criteria for the Dedication of Lines and Conveyance of Easements from the Developers of Real Property within the Geographic Boundaries of the Nueces County Water Control and Improvement District No. 4; and that this map was made for the purpose of description and dedication of utility easements.

This the _____ day of _____ 20____

By: Sea Dots Management, LLC, a Florida limited liability company, its Manager

By: Harry Brent Lammik, its Manager

State of Georgia
County of Fulton

This instrument was acknowledged before me by Harry Brent Lammik, as Manager of Sea Dots Management, LLC, a Florida limited liability company, Manager of Cinnamon Shore, LLC, a Delaware limited liability company, on behalf of said company.

This the _____ day of _____ 20____

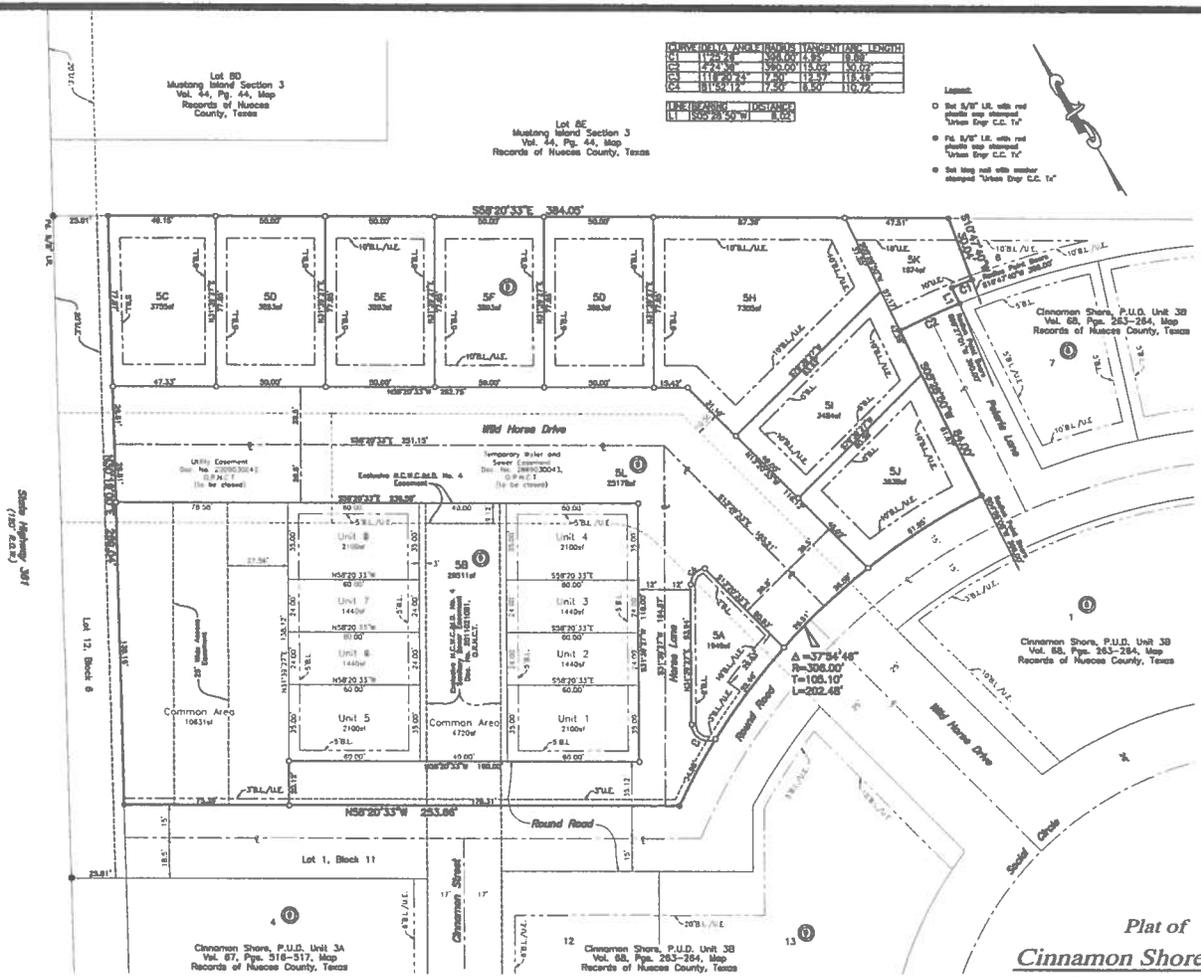
Notary Public in and for the State of Georgia

Lot 8D
Mustang Island Section 3
Vol. 44, Pg. 44, Map
Records of Nueces County, Texas

Lot 8E
Mustang Island Section 3
Vol. 44, Pg. 44, Map
Records of Nueces County, Texas

| LINE | BEARING | DISTANCE | AREA | PERIMETER | LENGTH |
|------|-------------|----------|------|-----------|--------|
| 1 | S59°20'33"E | 384.00' | | | |
| 2 | S71°20'00"W | 230.00' | | | |
| 3 | N11°52'12"W | 7.50' | | | |
| 4 | N11°52'12"W | 18.50' | | | |
| 5 | S59°20'33"E | 384.00' | | | |

- Legend:
- Set 5/16" I.R. with red photo sup. stamped "Union Eng. C.C. 14"
 - Set 5/16" I.R. with red photo sup. stamped "Union Eng. C.C. 14"
 - Set map not with number stamped "Union Eng. C.C. 14"



Plat of
Cinnamon Shore, P.U.D.
Northwest Corner

Being a re-plot of Lot 5, Block 8, Cinnamon Shore, P.U.D. Unit 3B, a map of which is recorded in Volume 66, Pages 263-264, Map Records of Nueces County, Texas.



DATE: April 3, 2015
SCALE: 1"=30'
JOB NO.: 39978.B5.04
SHEET: 2 of 2
DRAWN BY: JD



Naismith Engineering, Inc

ARCHITECTURE ■ ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING

ESTABLISHED 1949

OVER 60 YEARS OF ENGINEERING EXCELLENCE

April 6, 2015

Mrs. Nicole Boyer, Planning Assistant
City of Port Aransas – Planning & Development
710 W. Avenue A
Port Aransas, TX 78373-4128

Re: RE-PLAT REVIEW
#FPLT-150300, Cinnamon Shore, PUD Northwest Corner, Port Aransas, Nueces County,
Texas

Mrs. Boyer:

Naismith Engineering, Inc. (NEI) has reviewed the referenced plat, for compliance with the City of Port Aransas City Code, Chapter 21- Subdivisions for the City of Port Aransas and offer the following comments:

- 1) Provide dimensions and reference ties for the easements (see attached sheet).
- 2) Provide signature information for N.C.W.I.D. #4.
- 3) If easement closures are completed prior recording Plat, copies of the easement closure documents with recording information shall be submitted.

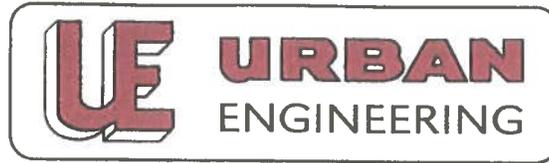
NEI appreciates the opportunity to provide these services to the City of Port Aransas. Should you have any questions please feel free to contact our offices.

Sincerely,

Thomas Tiffin, P.E.
Project Manager

TBAE Firm 13553 ■ TBPE Firm 355 ■ TBPG Firm 50017 ■ TBPLS Firm 100395-00

4501 Gollihar Road. **Corpus Christi, TX** 78411 ■ 800-677-2831 361-814-9900 Fax 361-814-4401 ■ naismith-engineering.com



JOB NO. 39978.B5.04

April 24, 2015

Mrs. Nicole Boyer
Building Clerk, City of Port Aransas
710 W. Avenue A
Port Aransas, TX 78373

Subject: Cinnamon Shore, P.U.D. Northwest Corner

Mrs. Boyer,

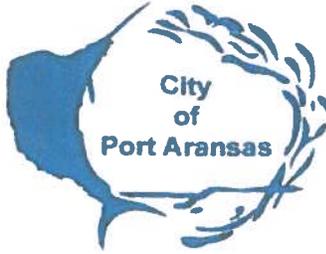
Below are our responses to Naismith's comments for the above referenced plat:

- 1) Provide dimensions and reference ties for the easements. **We have provided the dimensions as requested.**
- 2) Provide signature information for N.C.W .I.D. #4. **Per discussions with the Water District, the signature block will not be required.**
- 3) If easement closures are completed prior recording Plat, copies of the easement closure documents with recording information shall be submitted. **Once existing Water District easements are closed, a copy of the closure document will be provided.**

Thank you,

A handwritten signature in blue ink, appearing to read 'Xavier Galvan', is written over the typed name. The signature is fluid and cursive.

Xavier Galvan



**CITY OF PORT ARANSAS
UTILITY COMPANY RESPONSE FORM
FINAL PLAT REQUEST
April 3rd, 2015**

SCHEDULED PLANNING AND ZONING COMMISSION PUBLIC HEARING DATE: MONDAY, April 27th, 2015, AT 3:00 P.M. IN COUNCIL CHAMBERS AT CITY HALL, 710 WEST AVENUE A, PORT ARANSAS, NUECES COUNTY, TEXAS.

SUBJECT: PUBLIC COMMENT WILL BE HEARD ON: Final Replat request #FPLT-150300, Cinnamon Shore, PUD Northwest Corner, being a replat of Lot 5, Block 9, Cinnamon Shore, PUD, Unit 3B, a map of which is recorded in Volume 68, Pages 263-264, Map Records of Nueces County, Texas

| | <u>APPROVE</u> | <u>PROTEST</u> |
|--|----------------|----------------|
| NUECES CO. WATER DISTRICT #4 | _____ | _____ |
| CENTURYLINK OF PORT ARANSAS | _____ | _____ |
| AEP TEXAS CENTRAL COMPANY | _____ | _____ |
| CITY OF PORT ARANSAS GAS DIVISION | <u> X </u> | _____ |

COMMENTS: None

BY:  DATE: April 06, 2015
AUTHORIZED SIGNATURE



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-O

Discuss and take action to adopt on third and final reading of an Ordinance Amending Chapter 25 “Zoning”, Article I. “In General”, Section 25-1 “Definitions” By Adding Definitions for Bedroom, Sleeping Rooms, Improved Parking Surface and Vehicles; Article IV. “Supplemental District Development and Use Regulations”, Division 2. “Off-Street Parking And Loading”, Section 25-161 “Number Of Off-Street Parking Spaces Required” to Clarify and Update Off-Street Parking Requirements to Provide for Health, Safety and General Welfare of the Public; Providing for Severance, Reading, and Effective Date.

INITIATING DEPARTMENT: Building & Development Director Rick Adams

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: The current residential use parking requirement is generally two off street parking spaces per dwelling unit, regardless of the number of sleeping areas. Concern has been expressed in those districts allowing for transient rental of dwelling units existing parking requirement is inadequate to protect the health, welfare and safety of the general public, citizens, and visitors occupying the transient dwelling units. Staff recommends that the City should increase the requirement in all districts outside of R-1 and should consider the number of sleeping rooms in determining the number of required off-street parking spaces required. It is advisable to amend the Zoning Ordinance to require for every dwelling unit outside of an R-1, a minimum of one (1) off-street, parking space exclusive of individually owned/assigned enclosed garages, per Sleeping Area with a minimum of two (2) spaces. No required parking shall be permitted within public right-of-way or access easements as defined by City and State regulations regarding parking. It shall be unlawful for the owner, occupant or person in charge of property used for residential purposes to permit the parking, standing or storing of motor vehicles excluding recreational vehicles, on yards or lawns excluding driveways, improved parking areas, or areas screened from public view by fencing.

1st Reading: March 16, 2015

2nd Reading: April 16, 2015 approved with amendment – see Footnote 1

3rd Reading: **Expansion of definitions for Sleeping Room/Unit – See Footnote 2**

STAFF RECOMMENDATION: City Council adopt on third and final reading of an Ordinance Amending Chapter 25 “Zoning”, Article I. Section 25-1 and Article IV. Division 2. Section 25-161 as submitted.

ORDINANCE NO. 2015-

AN ORDINANCE OF THE PORT ARANSAS CITY COUNCIL AMENDING CHAPTER 25 “ZONING”, ARTICLE I. “IN GENERAL”, SECTION 25-1 “DEFINITIONS” BY ADDING DEFINITIONS FOR BEDROOM, SLEEPING ROOMS, IMPROVED PARKING SURFACE AND VEHICLES; ARTICLE IV. “SUPPLEMENTAL DISTRICT DEVELOPMENT AND USE REGULATIONS”, DIVISION 2. “OFF-STREET PARKING AND LOADING”, SECTION 25-161 “NUMBER OF OFF-STREET PARKING SPACES REQUIRED” TO CLARIFY AND UPDATE OFF-STREET PARKING REQUIREMENTS TO PROVIDE FOR HEALTH, SAFETY AND GENERAL WELFARE OF THE PUBLIC; PROVIDING FOR SEVERANCE, READING, AND EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, NUECES COUNTY, STATE OF TEXAS

SECTION 1. AMENDMENT

That Chapter 25 “Zoning”, Article I. “Definitions”, Section 25-1 “Definitions” is amended to wit:

Sec. 25-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * * * *

Bedroom unit is any room in a dwelling unit in which fixtures or furnishings are provided for sleeping. This shall not be interpreted to include a room in which furniture such as fold down beds or convertible couches are provided on a permanent basis for regular accommodation of residents, temporary or otherwise See Sleeping Room.

* * * * *

Improved Parking Surface – means an all-weather surface, such as concrete, asphalt and gravel (gravel surface must be maintained at a level of three (3”) inches), which is clearly delineated by curbs, landscaping or other feature to distinguish the parking area from the remainder of the yard.

* * * * *

Sleeping Room/Unit means any enclosed habitable space within a dwelling unit which complies with the minimum room dimension requirements of the adopted International Residential Code and has:

- 1. A closet; or
- 2. An area that is usable as a closet; or
- 3. An area that is readily convertible for use as a closet.

This shall not be interpreted to include living rooms, family rooms and other similar rooms in which furniture such as fold-down beds or convertible couches are provided on a permanent basis for regular accommodation or residents, temporary or otherwise. Occupancy loads to be determined by administrator.

* * * * *

Vehicle – means any conveyance in or by which people or objects are transported, especially one fitted with wheels, and propelled or drawn by mechanical power. This term includes but is not limited to motorcycles, recreational vehicles, motor homes, commercial vehicles, boats.

* * * * *

SECTION 2. AMENDMENT

That Chapter 25 “Zoning”, Article IV. “Supplemental District Development and Use Regulations”, Division 2. “Off-Street Parking and Loading” Section 25-161 “Number of off-street parking spaces required” is amended to wit:

Sec. 25-161. - Number of off-street parking spaces required.

In computing the number of parking spaces required, the following rules shall govern:

- (1) ~~Parking requirements based on square footage shall be based upon the gross floor area, unless otherwise stated. Service areas such as mechanical rooms, restrooms, and closets shall be included in the calculation of "gross floor area" for determining required parking spaces;~~ **Off-street parking spaces shall be provided upon the erection of any building or structure. Whenever a building or use constructed or established after the effective date of this section is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, floor area or otherwise, parking requirements shall be met on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this section is enlarged, the enlarged building or increased use shall then and thereafter comply with the parking requirements set forth herein;**
- (2) ~~Where fractional spaces result in computing required parking spaces, the required number of spaces must be increased to the nearest whole number;~~ **In all zoning districts off-street parking requirements are exclusive of individually owned/assigned enclosed garages. Common use covered garage spaces (example: a parking garage) in multi-family uses shall be counted towards parking requirements;**
- (3) ~~In all zoning districts off street parking requirements are exclusive of individually owned/assigned enclosed garages. Common use covered garage spaces (example: a parking garage) in multi family uses shall be counted towards parking requirements;~~ **The parking space requirements for a use not specifically listed shall be the same as those for the most similar to the proposed use, as determined by the administrator;**
- (4) ~~The parking space requirements for a use not specifically listed shall be the same as those for the most similar to the proposed use, as determined by the administrator;~~ **Where fractional spaces result in computing required parking spaces, the required number of spaces must be increased to the nearest whole number;**
- (5) ~~Whenever a building or use constructed or established after the effective date of this article is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise, parking requirements shall be met on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this chapter is enlarged, the enlarged building or increased use shall then and thereafter comply with the parking requirements set forth herein;~~ **In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately;**
- (6) ~~In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately;~~ **When a developer presents an alternative development plan (i.e. PUD, CUD, NUD) and can demonstrate that such development will require fewer parking spaces than required by the standards of this section without endangering the health, safety and general welfare of the public, the administrator may permit a reduction in the number of required parking**

spaces for the development. Such a reduction in parking spaces shall be justified through the development of a parking study prepared by a professional engineer or transportation planner and submitted to the administrator. The balance of the land necessary to meet these requirements shall be held in reserve as an undeveloped area, to meet any future needs generated by an expansion of the business, a change in land use, or underestimated parking demand;

(7) Where requirements are established on the basis of the number of seats, such requirements shall be based on the seating capacity as determined by the building official; **Stacked parking shall be permitted for residential dwelling units only, where the required parking can be assigned to a particular dwelling unit. The stacking of parking for a commercial use shall be prohibited except where expressly allowed. Additional parking approved in a separately designated area or by an approved Alternative Park Plan as described in this Division, must be within two hundred fifty (250') feet of the lot or property for which the parking is being required.**

(8) When the developer of a large scale development can demonstrate that such development will require fewer parking spaces than required by the standards of this section the administrator may permit a reduction in the number of required parking spaces for the development. Such a reduction in parking spaces shall be justified through the development of a parking study prepared by a professional engineer or transportation planner and submitted to the administrator. The balance of the land necessary to meet these requirements shall be held in reserve as an undeveloped area, to meet any future needs generated by an expansion of the business, a change in land use, or underestimated parking demand; **Parking is expressly prohibited in any location that introduces into the public right-of-way (including sidewalks) or obstructs visibility from adjacent driveways or street corners or results in a safety issue for city emergency response vehicles;**

(9) ~~Stacked parking shall be permitted for residential dwelling units only, where the required parking can be assigned to a particular dwelling unit. The stacking of parking for a commercial use shall be prohibited except where expressly allowed; Except as provided in this Division, it shall be unlawful to park, stand or store any vehicle excluding Recreational Vehicles, on an unimproved surface or vegetated landscaped area within the Front or Side Yards of a Residential Area property. The provisions of this section shall not apply to:~~

- ~~a) Property in a Residential Area currently served by a driveway which does not constitute an Improved Parking Surface at the time this ordinance is adopted. Parking in this instance shall continue to use material similar to the existing onsite driveway material however, at such time there is a change in use or such existing residence is completely rebuilt, or improvements to the same real property constitute 50 percent or more of the property's total assessed value, compliance with this section shall be required.; or~~
- ~~b) Vehicles parked in the Rear Yard or located in the Side Yard completely screened from public view by the use of manmade or natural screening; or~~
- ~~c) Vehicles left standing for forty eight (48) hours or less due to a mechanical defect which makes it unsafe to move such Vehicle; or~~
- ~~d) The owner or operator of the Vehicle is in the actual course and scope of loading or unloading goods or equipment; or~~
- ~~e) The owner or operator is in the actual course and scope of washing or cleaning the Vehicle.ⁱⁱ~~

(9) **Parking requirements based on square footage shall be based upon the gross floor area, unless otherwise stated. Service areas such as mechanical rooms, restrooms, and closets shall be included in the calculation of "gross floor area" for determining required parking spaces; Where requirements are established on the basis of the number of seats, such requirements shall be based on the seating capacity as determined by the administrator or building official; Where the basis for parking requirements are the number of bedrooms/sleeping areas, such requirements shall be based on a determination by the administrator or building official.**

Minimum Off-Street Parking Requirements: **SA – Sleeping Area; DU – Dwelling Unit**

| USE | CATEGORY | UNIT | PARKING SPACES PER UNIT | PLUS SPACES FOR: ADDITIONAL INFORMATION |
|--------------------|---|--------------------------|---|--|
| Residential | R-1 Single-Family Dwelling | DU | 2.0 | No transient rental allowed. |
| | Townhouse | DU | 2.0 | |
| | Multi-Family: | - | | |
| | 1 Bedroom | BR | 1.5 | |
| | 2 Bedroom | BR | 2.0 | |
| | 3 Bedroom + | BR | 2.25 | |
| | Duplex Single Family Detached Condominium | DU | 2.0 | |
| | HUD-Code Manufactured Home | DU | 2.0 | Transient rental of HUD Manufactured Home is not allowed. |
| | Studio/One Bedroom Efficiency | per Bedroom | 1.0 | |
| | All Dwelling Units (A.D.U.) Other than R-1 | per Bedroom SA | 1.0 | 2 space minimum per dwelling unit excluding ADU see section. Occupancy load to be determined by administrator. |
| Bed & Breakfast | per Bedroom SA | 1.0 | 1 Additional parking space required for proprietor | |
| Commercial | Arcades, Game Room | | 1.0 | For every 250 SF of Gross Floor Space |
| | Airport | | | As determined by the Administrator |
| | Auto - Repair, Sales, Rentals | | 1.0 | For every 400 SF of gross floor area. |
| | Auto - Service Station | | 2.0 | Four (4) spaces for each service bay. |
| | Auto - Wash | Wash Bay | 2.5 | Each stall shall have a minimum on-site storage lane capacity of three (3) motor vehicles. |
| | Bank, Savings & Loan, Financial Institution | 250 SF | 1.0 | Each drive-in teller window or ATM machine shall have a minimum on-site storage lane capacity of three (3) motor vehicles. |
| | Barbershop, Beauty Parlors | Each Employee Station | 2.0 | |
| | Bowling Alley | | | As determined by the Administrator |
| | Car Wash (Self-Serve) | Wash Bay | 1.0 | 1.0 Space per Vacuum Bay |

| | | | | |
|--|--|-------------|------|---|
| | Churches/Other Places or Public Assembly | | | 1 space for every three (3) seats within the main auditorium OR if there are no fixed seats, 1 space for every 35 SF of Gross Floor Area within the main auditorium. |
| | Convalescent, Nursing Homes | Bed | 0.25 | |
| | Convenience Stores | 250 SF | 1.0 | |
| | Day Care Center, Nursery Schools | 250 SF | 1.0 | |
| | Driving Range - Golf | Tee Station | 1.0 | |
| | Golf Course - Regulation | Hole | 6.0 | |
| | Health Studio/Club | 250 SF | 1.0 | |
| | Hospital | | | As determined by the Administrator |
| | Hotel/Motel | DU/room | 1.0 | 1 space for every 200 SF Meeting Room |
| | Laundromat | 250 SF | 1.0 | |
| | Lumber Yards, Nursery | 250 SF | 1.0 | Plus 1 space for every 5,000 SF of exterior ground area. |
| | Manufacturing | | | As determined by the Administrator |
| | Medical, Dental, Clinic - Offices | 200 SF | 1.0 | |
| | Miniature Golf | Hole | 1.5 | |
| | Mini-storage, Boat Barns | | | No minimum parking shall be required for the mini-storage units provided that the aisle widths between buildings are a minimum of 18 FT and through access or turnaround space is provided. Parking shall be required for the square footage devoted to other uses on the Site. |
| | Neighborhood Pocket Parks | | | Minimum 1 Handicap Parking Space per Park |
| | Night Clubs | 75 SF | 1.0 | |
| | Office Buildings - Administrative, Business, Governmental, Utility | 250 SF | 1.0 | |
| | Restaurant | Per 4 seats | 1.0 | Administrator may charge for open spaces that show no tables, such as deck space or space at bar showing no bar stools. |
| | Retail Sales & Service - Department Store | 250 SF | 1.0 | |
| | Retail Sales & Service - Furniture/Appliance Store | 500 SF | 1.0 | |
| | Rooming, Boarding, Bed & Breakfast | | 1.0 | For every Room for Rent |
| | Shopping Strip Centers | 250 SF | 1.0 | Covers all Tenant uses |

| | | | | |
|-----------------------|--|-------------------------|------|--|
| | Theaters, Movies | Seat | 0.25 | Plus 1 space for each employee on biggest shift |
| | Theme, Amusement Parks | | | As determined by the Administrator |
| | Warehouse, Storage | | | 1 space for every 1,000 SF of Gross Floor Area for the first 20,000 SF devoted to warehousing |
| | Vending Machine, Kiosk in existing Parking Lot | Per Employee | 1.0 | 3 On-Site Stacking spaces per window (cannot take away required parking) |
| Marine-Related | Dry Boat Storage Facility | Per Boat Space | 0.5 | 1 Parking Space for every 4 boat storage spaces. Required auto parking spaces cannot be used for wash/dry racks or for boats or trailers. |
| | Party Vessels: Fishing, Sight-Seeing, Dining | | | 1 Space per 3 Seats on Boat plus 1 space for crew per boat. Stacking of vehicles is allowed, plus required parking for any other uses on the Site. |
| | Marinas | Per Public/Private Slip | 1.5 | And additional parking requirements for other uses specified herein. |

SECTION 3. SEVERABILITY

It is the intention of the City Council of the City of Port Aransas that if any phrase, sentence, section, or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

SECTION 4. READING

As provided by Article III, Section 13 and Article III, Section 12(b) of the Charter of the City of Port Aransas, this ordinance or the caption of it shall be read at three city council meetings with at least one week elapsing between each reading.

SECTION 5. EFFECTIVE DATE

As provided by Article III, Section 12.C. and by Article XII, Section 2 of the Charter of the City of Port Aransas, this ordinance shall be effective upon adoption after third and final and after publication of the ordinance caption in the city’s official newspaper.

PASSED, ORDAINED, APPROVED and **ADOPTED** this the _____ day of _____
_____ **2015.**

CITY OF PORT ARANSAS, TEXAS

Keith McMullin, Mayor

ATTEST:

Irma G. Parker, City Secretary

1st Reading: March 19, 2015

2nd Reading: April 16, 2015 approved with amendment.

3rd Reading: Expanding of definition of Sleeping Room/Unit which is used in ordinance.

ⁱ **Addition for clarification only.**

ⁱⁱ **Deleted at the Thursday, April 16, 2015 City Council Meeting, by motion duly made and seconded.**



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-P

Discuss and take action to adopt on third and final reading of an Ordinance Amending Chapter 21 “Subdivisions”, Article IX. “Requirements for Improvements, Reservations and Design”, Division 10. “NUD Neighborhood Unit Development”, Section 21-243(f) “Minimum Requirements” and Division 11. “CUD Cottage Unit Development”, Section 21-258(f) “Minimum Requirements” to Clarify and Update Off-Street Parking Requirements to Provide for Health, Safety and General Welfare of the Public; Providing for Severance, Reading, and Effective Date.

INITIATING DEPARTMENT: Building & Development Director Rick Adams

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: This ordinance compliments the previously discussed proposed ordinance amendment Chapter 25 “Zoning” which also deals with parking requirements. However, since this ordinance amends a different chapter – Chapter 21 “Subdivisions” an additional ordinance is required.

1st Reading: March 16, 2015

2nd Reading: April 16, 2015

3rd Reading: **THERE HAVE BEEN NO CHANGES TO FORM OR CONTENT SINCE 2nd READING.**

STAFF RECOMMENDATION: City Council adopt on third and final reading of an Ordinance Amending Chapter 21 “Subdivisions”, Article IX. “Requirements for Improvements, Reservations and Design”, Division 10. “NUD Neighborhood Unit Development”, Section 21-243(f) “Minimum Requirements” and Division 11. “CUD Cottage Unit Development”, Section 21-258(f) “Minimum Requirements” as submitted.

ORDINANCE NO. 2015-

AN ORDINANCE OF THE PORT ARANSAS CITY COUNCIL AMENDING CHAPTER 21 "SUBDIVISIONS", ARTICLE IX. "REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS AND DESIGN", DIVISION 10. "NUD NEIGHBORHOOD UNIT DEVELOPMENT", SECTION 21-243(F) "MINIMUM REQUIREMENTS" AND DIVISION 11 "CUD COTTAGE UNIT DEVELOPMENT", SECTION 21-258(F) "MINIMUM REQUIREMENTS" TO CLARIFY AND UPDATE OFF-STREET PARKING REQUIREMENTS TO PROVIDE FOR HEALTH, SAFETY AND GENERAL WELFARE OF THE PUBLIC; PROVIDING FOR SEVERANCE, READING, AND EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, NUECES COUNTY, STATE OF TEXAS

SECTION 1. AMENDMENT

That Chapter 21 "Subdivisions", Article IX. "Requirements For Improvements, Reservations and Design", Division 10 "NUD Neighborhood Unit Development" Section 21-243 "Minimum Requirements" is amended to wit:

Division 10. "NUD - Neighborhood Unit Development Center"

* * * * *

Section 21-243. Minimum requirements

* * * * *

(f) *Interior site requirements*

* * * * *

- (3) Parking requirements. ~~There shall be a minimum of three and one half (3.5) parking spaces for every dwelling unit within the NUD, two (2) of which shall be within the driveway or carport of a residential lot or off street. All other parking shall be on street parking or in a separately designated area so long as the area is within two hundred (200') feet of the abovementioned lot.~~ Parking shall be convenient to all dwelling units or other uses, and where appropriate, common driveways, parking areas, walks and steps shall be provided and maintained. Garages shall not be considered as parking spaces in order to meet this any parking requirements. See Chapter 25 "Zoning" for additional parking requirements.

* * * * *

SECTION 2. AMENDMENT

That Chapter 21 "Subdivisions", Article IX. "Requirements For Improvements, Reservations and Design", Division 11 "CUD - Cottage Unit Development" Section 21-258 "Minimum Requirements" is amended to wit:

* * * * *

(f) *Interior site requirements*

* * * * *

- (4) *Parking requirements.* ~~There shall be a minimum of two (2) off street parking spaces for every dwelling unit within the CUD. All other parking shall be on street parking or in a separately~~

~~designated area as long as the area is within two hundred (200') feet of the abovementioned lot.~~ Parking shall be convenient to all dwelling units or other uses, and where appropriate, common driveways, parking areas, walks and steps shall be provided and maintained. Garages shall not be considered as parking spaces in order to meet ~~this~~ **any parking** requirements. **See Chapter 25 “Zoning” for additional parking requirements.**

* * * * *

SECTION 3. SEVERABILITY

It is the intention of the City Council of the City of Port Aransas that if any phrase, sentence, section, or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

SECTION 4. READING

As provided by Article III, Section 13 and Article III, Section 12(b) of the Charter of the City of Port Aransas, this ordinance or the caption of it shall be read at three city council meetings with at least one week elapsing between each reading.

SECTION 5. EFFECTIVE DATE

As provided by Article III, Section 12.C. and by Article XII, Section 2 of the Charter of the City of Port Aransas, this ordinance shall be effective upon adoption after third and final and after publication of the ordinance caption in the city’s official newspaper.

PASSED, ORDAINED, APPROVED and ADOPTED this the _____ day of _____
_____ **2015.**

CITY OF PORT ARANSAS, TEXAS

Keith McMullin, Mayor

ATTEST:

Irma G. Parker, City Secretary

1st Reading:
2nd Reading:
3rd Reading:



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-Q

Discuss and take action to adopt on third and final reading of an Ordinance Amending Code of Ordinances Chapter 12 “Licenses and Business Regulations”, Article III. “Food Establishments” By Adopting State Food Establishment Rules; Establishing Procedures for Permit Application, Plan Review, Exemptions, Suspension, Revocation, Administrative Process and Remedies; Adding Definitions to Identify Corpus Christi-Nueces County Public Health District as the Regulatory Authority; Providing for Education Requirements; and providing for severance, reading, and effective date.

SUBMITTED BY: City Secretary Irma Parker

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: The City currently contracts with Corpus Christi-Nueces County Public Health District for food service inspections. Our current Code does not identify who the regulatory authority is nor does it set procedures for receiving a Health Permit. This section of the Code was written before 1980 and has not been reviewed and/or updated. Staff has reviewed ordinances from several neighboring cities to use as a format for updating our Code. In previous action the City Council deleted the requirement for food establishments to pay an annual fee of \$75.00 to the City for inspections.

In compliance with the Interlocal Agreement between the City and Corpus Christi-Nueces County Public Health District, Section 3(b), Staff has developed a form for submittal to the District notifying them to conduct an initial Food Service Operation inspection. Fees are set by the District with no funds retained by the City with the exception of the administrative processing fee. The City does keep record of each establishment and insure that a permit is received prior to issuing a Certificate of Occupancy.

Attached hereto is a copy of the Contract with Corpus Christi-Nueces County Public Health District dated 2006 for Council review and information.

1st READING: March 19, 2015

2nd READING: April 16, 2015

3rd READING: THERE HAVE BEEN NO CHANGES TO FORM OR CONTENT.

STAFF RECOMMENDATION: The City Council adopt Ordinance Amending Code of Ordinances Chapter 12 “Licenses and Business Regulations”, Article III. “Food Establishments” as presented.

ORDINANCE NO. 2015-

AN ORDINANCE OF THE CITY OF PORT ARANSAS CODE OF ORDINANCES BY AMENDING CHAPTER 12 “LICENSES AND BUSINESS REGULATIONS”, ARTICLE III. “FOOD ESTABLISHMENTS” BY ADOPTING STATE FOOD ESTABLISHMENT RULES; ESTABLISHING PROCEDURES FOR PERMIT APPLICATION, PLAN REVIEW, EXEMPTIONS, SUSPENSION, REVOCATION, ADMINISTRATIVE PROCESS AND REMEDIES; ADDING DEFINITIONS TO IDENTIFY CORPUS CHRISTI-NUECES COUNTY PUBLIC HEALTH DISTRICT AS THE REGULATORY AUTHORITY; PROVIDING FOR EDUCATION REQUIREMENTS; AND PROVIDING FOR SEVERANCE, READING, AND EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, NUECES COUNTY, STATE OF TEXAS

SECTION 1. ADDITION

That Chapter 12 “Licenses and Business Regulations”, Article III. “Food Establishments” is hereby amended to wit:

Section 12-36. Adoption of state food establishment rules

The City of Port Aransas adopts by reference the provisions of the current rules or rules amended by the Texas Board of Health found in 25 Texas Administrative Code, ch. 229 §§ 161 through 171 and 173 through 175 regarding the regulation of food establishments in this jurisdiction, V.T.C.A., Health and Safety Code, chs. 437 and 438, and V.T.C.A., Penal Code, § 38.15(a).

Sec. 12-~~36~~ **37**. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Food establishment shall include any business, room, building, occupation, industry and all operations incident thereto known or described as a slaughterhouse, meat market, vegetable market, cafe, restaurant, bar, grocery store, food wholesaler, food peddler by wagon or otherwise and all similar businesses handling or having to do with foodstuff.

Foodstuff means any substance or thing, whether solid or liquid, and whether of animal or vegetable origin, intended to be used or commonly in use as food or drink for human beings.

Health officer means the director of the ~~Nueces County Corpus Christi Health Unit~~ **Corpus Christi-Nueces County Public Health District** or any person employed by the ~~unit~~ **District** as an inspector and ~~the health officer of the city or any person employed by the city as an inspector.~~

Regulatory authority means the Corpus Christi-Nueces County Public Health District.

Room shall be deemed to include any room, apartment, or place enclosed on one (1) or more sides, used for the purpose of any food establishment.

Sec. 12-37. – Application of section.

This article shall apply to every food establishment erected, operated or maintained in the city to all persons owning, conducting or employed in or about any food establishment and to each and all of the fixtures, furniture, receptacles, utensils, machinery, implements, and other things used within or without any such establishment.

Sec. 12-38. - Permits required-And exemptions.

It shall be unlawful for any person to engage in, conduct or operate in any way or manner, any food establishment within the city who does not possess an unrevoked permit from the health officer.

- (a) A person may not operate a food establishment without a permit issued by the regulatory authority. Permits are not transferrable from one (1) person to another or from one (1) location to another location, except as otherwise permitted by this article. A valid permit must be posted in or on every food establishment regulated by this article.**
- (b) A food establishment operated solely by a nonprofit organization is exempt from the permitting requirements of this article, but is not exempt from compliance with state rules. The regulatory authority may require any information necessary to determine whether an organization is nonprofit for purposes of this exemption.**

Section 12-39. - Permit issuance; term; fee. Application for permits and fees.

- ~~(a) Permits for food establishments shall be issued by the health officer to owners or operators after an inspection by such health officer showing that they have complied with all provisions of this article. Such permits shall begin on the first day of January and end on the thirty first day of December of each year.~~
- ~~(b) After passing such inspection, each retail establishment shall pay city the sum to be set by city council by resolution as an inspection and permit fee. Each wholesale establishment shall pay the sum to be set by city council by resolution as an inspection and permit fee.~~
- (a)Any person desiring to operate a food establishment must make a written application for a permit on forms provided by the regulatory authority. The application must contain the name and address of each applicant, the location and type of the proposed food establishment and at the applicable fee. An incomplete application will not be accepted. Failure to provide all required information, or falsifying information required may result in denial or revocation of the permit. Renewals of permits are required on an annual basis and the same information in required for a renewal permit as for an initial permit.**
- (b)Prior to the approval of an initial permit or the renewal of an existing permit, the regulatory authority will inspect the proposed food establishment to determine compliance with state laws and rules. A food establishment that does not comply with state laws and rules will be denied a permit or the renewal of a permit.**
- (c) Permit fees charged by the regulatory authority is set by Nueces County Commissioners' Court per contract agreement.**
- (d) Permits are required for all temporary events such as carnivals, festivals or other related events if they sell food or beverages to the public. The regulatory authority does not differentiate between full-time and part-time employees. All food service permits are required and must be paid prior to the last day in January of each year.**

Section 12-40. ~~Permit posting.~~ **Review of plans.**

~~Every permit issued under this article shall be posted at all times in a conspicuous place in the food establishment for which it was issued.~~

- (a) **Whenever a food establishment is constructed or extensively remodeled and whenever an existing structure is converted to use as a food establishment, properly prepared plans and specifications for such construction, remodeling or conversion will be submitted to the regulatory authority for review before work is begun. Extensive remodeling means that twenty (20%) percent or greater of the area of the food establishment is to be remodeled. The plans and specifications will indicate the proposed layout, equipment arrangement, mechanical plans and construction of materials in work areas, and the type of model of proposed fixed equipment and facilities. The regulatory authority will approve the plans and specifications if they meet the requirements of rules adopted by this article. The approved plans and specifications must be followed in construction, remodeling or conversion.**
- (b) **Plans will meet all codes of the city. Failure to follow the approved plans and specifications will result in a permit denial, suspension, or revocation.**

Section 12-41. ~~Permit suspension or revocation.~~ **Suspension of permit.**

~~A permit issued under this article may be suspended by the health officer or revoked after an opportunity for a hearing by the health officer upon the violation by the holder of any terms of this article.~~

- (a) **The regulatory authority may, without warning, notice, or hearing suspended any permit to operate a food establishment if the operation of the food establishment constitutes an imminent hazard to public health. Suspension is effective upon service of the notice required by this article. When a permit is suspended, food operations will immediately cease. Whenever a permit is suspended, the holder of the permit will be afforded an opportunity for a hearing within twenty (30) days of receipt of a request for a hearing.**
- (b) **Whenever a permit is suspended, holders of the permit or the person in charge will be notified in writing that the permit is, upon service of the notice, immediately suspended, and that an opportunity for a hearing will be provided if a written request for a hearing is filed with the regulatory authority by the holder of the permit within ten (10) days. If no written request for hearing is filed within ten (10) days, the suspension is sustained. The regulatory authority may end the suspension at any time if reasons for suspension no longer exist.**

Sec. 12-42. ~~Inspections.~~ **Revocation of permit.**

~~At least once every six (6) months, the health officer shall inspect every food establishment located within the city. In case the health officer discovers the violation of any provision of this article, he shall make a second inspection after the lapse of such time as he deems necessary for the defect to be remedied. The second inspection shall be used in determining compliance with the requirements of this article. Any violation of the same provisions of this article on two (2) consecutive inspections shall call for immediate suspension of the permit for such establishment.~~

- (a) **The regulatory authority may, after providing opportunity for a hearing, revoke a permit for serious or repeated violations of any of the requirements of these rules or for interference with regulatory authority in the performance of its duties. Prior to revocation, the regulatory authority will notify the holder for the permit or the person in charge, in writing, of the reason for which the permit is subject to revocation and that the permit will be revoked at the end of the ten (10) days following service of such notice unless a written request for a hearing is filled with the regulatory authority by the holder of the permit within this ten-day period.**

- (b) If no request for hearing is filed within the ten-day period, the revocation of the permit becomes final.

~~Sec. 12-43. - Examination of samples of food and drink; condemnation of unwholesome or adulterated food or drink.~~ Administrative process.

~~Samples of food and drink may be taken from food establishments and examined by the health officer as often as he deems necessary for the detection of unwholesomeness or adulteration. The health officer may condemn and forbid the sale of or cause to be removed or destroyed any food or drink which is unwholesome or adulterated.~~

- (a) A notice as required in these rules is properly served when it is delivered to the holder of the permit or the person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the permit. A copy of the notice will be filed in the records of the regulatory authority.
- (b) The regulatory authority will conduct the hearing provided for in these rules at a time and place designated by it. Based upon the recorded evidence of such hearing, the regulatory authority will make final findings, and will sustain, modify or rescind any notice or order considered in the hearing. A written report of the hearing decision will be furnished to the holder of the permit by the regulatory authority.

~~Sec. 12-44. - Sanitation requirements.~~ Remedies.

- (a) Any person who violates a provision of these rules and any person(s) who are the permit holders of or otherwise operates a food service establishment that does not comply with the requirements of these rules any responsible officer of the permit holder or those persons will be guilty of a class C misdemeanor and will be punished by a fine not exceeding Five Hundred (\$500.00) Dollars. Each day on which a violation occurs constitutes a separate offense.
- (b) The regulatory authority may seek to enjoin violations of these rules.
- (c) The regulatory authority may seek administrative penalties not to exceed Five Hundred (\$500.00) Dollars per day and each day a violation continues to or occurs is a separate violation.

~~All food establishments shall comply with all of the following items of sanitation:~~

- ~~(1) All laws of the state and all rules and regulations of the state board of health shall be observed;~~
- ~~(2) The floors, walls and ceilings of all rooms in which food or drink is stored, prepared, or handled shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair;~~
- ~~(3) All openings into air shall be effectively screened with screen wire of not less than sixteen (16) meshes to the inch and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies, dust, and other filth;~~
- ~~(4) Every establishment shall be provided with adequate and conveniently located toilet facilities for its employees conforming with the ordinances of the city. The doors of all toilet rooms shall be self-closing, and the toilet rooms shall be kept clean, in good repair, well-lighted and well-ventilated;~~
- ~~(5) The water supply shall be easily accessible to all rooms in which food is prepared or utensils are washed and shall be adequate and of a safe sanitary quality;~~
- ~~(6) Adequate and convenient hand-washing facilities shall be provided, including warm water, soap and approved sanitary towels;~~

- ~~(7) All wastes shall be disposed of properly. All garbage and trash shall be kept in suitable receptacles. All premises shall be kept free from litter and rubbish. None of the operations connected with the establishment shall be conducted in any room used as living or sleeping quarters. All living and sleeping quarters shall be completely closed off from the establishment with a solid partition;~~
- ~~(8) All readily perishable food or drink shall be kept at or below forty five (45) degrees Fahrenheit except when being prepared. All food and drink shall be wholesome and free from spoilage. All milk, fluid milk products, ice cream and other frozen deserts served or sold shall be from sources approved by the health officer;~~
- ~~(9) All food and drinks shall be so stored and displayed as to be protected from dust, flies, vermin, unnecessary handling, droplet infection and other contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared or stored.~~

Section 12-45. Education requirements.

- (a) **Food Handlers Certificate: Employees of food service establishments, mobile food vending units, roadside food vendors, and employees of food service facilities within a retail food store shall attend a two-hour food service sanitation course offered under the supervision or approval of the regulatory authority. Upon completion of the course, the regulatory authority will issue a food handlers certificate. The certificate will remain valid for a period of three (3) years. Prior to the expiration date of the food handlers' certificate, one is required to follow the initial steps of retaking the two-hour food handlers' certification course and repeat this process each time the certification becomes expired. A food handler's certificate shall be obtained by new employees within thirty (30) days after being hired. An employee's card may be revoked at any time by the regulatory authority if an employee demonstrates unsanitary work habits.**
- (b) **Food Managers Certificate: All owners/managers are required to complete a Texas Department of State Health Services accredited fifteen (15) hour food manager's training course recognized by the regulatory authority. This course may be taken from a certified food managers training program. Suitable certificates issued for passing an approved food managers examination must be filed and recorded with the regulatory authority. A nominal administration fee will be required at that time. A license will then be issued by the regulatory authority. The food manager's certificate holder is responsible for recertifying their certificate as required by the Department of State Health Services. Both employees and manager's certificates may be revoked if inspection reveals inadequate sanitation practices.**

Section 12-46. Examination and condemnation of food.

The regulatory authority may examine food as often as necessary for the enforcement of this article and the state laws and rules. The regulatory authority may, upon written notice to the owner or person in charge, place a hold order on any food, which it believes is in violation of any state laws. A written notice must specific the reason for the hold order. The regulatory authority will tag, label, or otherwise identify any food subject to the hold order. No food subject to the hold order will be used, served or moved from the establishment. The authorized agent will permit storage of the food under conditions specified in the hold order, unless storage is not possible without risk to the public health, in which case immediate destruction will be ordered and accomplished.

Section 12-47. Retail food establishment inspection report.

The City of Port Aransas adopts the regulatory authority's retail food establishment inspection report.

Sections 12-48 through 12-55 Reserved for future use.

SECTION 2. SEVERABILITY

It is the intention of the City Council of the City of Port Aransas that if any phrase, sentence, section, or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

SECTION 3. READING

As provided by Article III, Section 13 and Article III, Section 12(b) of the Charter of the City of Port Aransas, this ordinance or the caption of it shall be read at three city council meetings with at least one week elapsing between each reading.

SECTION 4. EFFECTIVE DATE

As provided by Article III, Section 12.C. and by Article XII, Section 2 of the Charter of the City of Port Aransas, this ordinance shall be effective upon adoption after third and final and after publication of the ordinance caption in the city's official newspaper.

PASSED, ORDAINED, APPROVED and ADOPTED this the _____ day of _____
_____ **2015.**

CITY OF PORT ARANSAS, TEXAS

Keith McMullin, Mayor

ATTEST:

Irma G. Parker, City Secretary

1st Reading:
2nd Reading:
3rd Reading:

.....7=HMC: DCFH'5F5BG5G
+%\$K '5J9'5
Dcfh5fubgUg'HM Ug+, ' +'
 ☎ 361-+(--%%) ☎ 361-+(--%%)
APPLICATION FOR FOOD ESTABLISHMENT PERMIT

Permit Number: _____

Establishment: _____ Tax Payer ID# _____
 Physical Address: _____ Phone _____
 City: _____ State: _____ Zip: _____ County _____
 Owner/Manager: _____ Alt. Phone: _____

Billing Information

(The permit, renewal notices and other information will be sent to the following:)

Name: _____ Phone: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Contact Person: _____ Fax Number: _____

Purpose of Application

- New: Date Opened: _____ Permit Fee (Fee schedule on back): _____
- Change of Ownership [previous owner: _____] Effective Date: _____
- Change of Location: [previous location: _____] Effective Date: _____
- Change of Name: [previous name: _____] Effective Date: _____

*Change of ownership or location requires a new permit and fee.

General Information

Type of Establishment: Restaurant Bar Convenience Store Mobile Unit Other: _____
 Hours of Operation: _____ Seating Capacity: _____
 Grease Trap: Yes No
 Beverage Handler TABC# _____ Federal Tax Exempt Number: _____

Notes

In making application for a FOOD ESTABLISHMENT PERMIT, which is necessary to operate my business, I understand and agree to comply with all City Health Ordinances, other City Ordinances and State laws that may govern the conduct or operation of my business.

Applicant's Signature

Date

For Office Use Only: Date Paid: _____ Received By: _____ Fee Paid: _____ Receipt #: _____ Check #: _____

**INTERLOCAL AGREEMENT
FOR
FOOD ESTABLISHMENT PERMITTING SERVICES**

This interlocal cooperation agreement ("**Agreement**") is entered into between the Corpus Christi-Nueces County Public Health District ("**District**"), a public health district organized under Chapter 122 of the Texas Health and Safety Code, and the City of Port Aransas ("**Port Aransas**"), a Texas home-rule municipal corporation, pursuant to the Interlocal Cooperation Act, Chapter 791, Texas Government Code.

WHEREAS, for the protection of the general public's health, safety, and welfare, Port Aransas wishes to procure food establishment permitting services from the District;

WHEREAS, the District has agreed to provide food establishment permitting services to Port Aransas;

NOW THEREFORE, the parties, in consideration of the mutual covenants and conditions contained in this Agreement, agree as follows:

Section 1. Term.

- A. The original term of this Agreement is one year beginning on the latest date of execution by the parties. This Agreement terminates on the one year anniversary of the beginning date of this Agreement ("**Termination Date**").
- B. This Agreement renews automatically each year without the necessity of further action by the District or Port Aransas for an additional term of one year ("**Extended Term**") effective immediately upon the Termination Date of the previous term, unless one of the parties desires to terminate this Agreement.
- C. If a party desires to terminate this Agreement, the terminating party must provide written notice of the terminating party's intent not to renew to the non-terminating party at least 30 days prior to the then applicable Termination Date.
- D. Each effective Extended Term will be upon the same terms and conditions as initially provided in this Agreement, unless this Agreement has been amended in accordance with the provisions of this Agreement.

Section 2. Obligations of District.

- A. The District shall inspect temporary and permanent food service establishments, retail food stores, mobile food units, and roadside food vendors ("**Food Service Operations**") within the corporate limits of Port Aransas, at the request of officials of Port Aransas, for the purposes of issuing an initial Food Service Operation permit, issuing a subsequent renewal of an active permit, and in order to perform random inspections of Food Service Operations.

- B. The District shall perform random inspections of both permitted and non-permitted Food Service Operations and issue field correction notices to owners and operators found in violation.
- C. Following the issuance of a field correction notice, any owner or operator of a Food Service Operation that is determined by an inspector to be operating in violation of State law will be reported to officials of Port Aransas.
- D. The District shall provide all necessary equipment and personnel in order to per-form Food Service Operation permitting services under the terms of this Agree-ment.

Section 3. Obligations of Port Aransas.

- A. Port Aransas shall be responsible for requiring operators of Food Service Operations within its corporate limits to submit an initial application for a food service permit to the Port Aransas City Hall.
- B. Upon review of the application by Port Aransas personnel, Port Aransas will notify the District so that an initial Food Service Operation inspection can be scheduled and performed.
- C. Port Aransas personnel shall be responsible for the prosecution of violations of State law by Food Service Operation owners and operators occurring within the jurisdiction of Port Aransas. District inspectors will provide Port Aransas personnel with all necessary documentation that may be needed for the prosecution of violations.

Section 4. Inspections; Permits; Fees.

- A. All inspections will be conducted to determine compliance with the provisions of Chapter 437 of the Texas Health & Safety Code; Title 25, Chapter 229, of the Texas Administrative Code; applicable rules promulgated by the Texas Board of Health under State law; orders adopted by the District; and all other laws, regulations, and rules applicable to the operation of food service establishments in the State of Texas.
- B. Permit fees charged by the District will be in accordance with the schedule attached to and incorporated in this Agreement as **Exhibit A**.
- C. No fee will be charged for a Food Service Operation conducted by a taxing authority, such as a school district, whether local, State, or federal.
- D. For owners of permanent food service establishments, retail food stores, mobile units, and frozen dessert vendors, the permit will remain valid for a period of one year from the date of issuance.

- E. For owners of temporary food service establishments, the permit will remain valid for a period of 14 days from the date of issuance.
- F. Permit fees will be collected directly from a food service owner or operator upon successful completion of an initial inspection and upon each subsequent renewal of an owner's active permit.

Section 5. Notices.

- A. All notices, demands, requests, or replies provided for or permitted by a party under this Agreement must be in writing and delivered to the other party by any one of the following methods: (1) by personal delivery; (2) by deposit with the United States Postal Service; (3) by prepaid telegram; or (4) by deposit with an overnight express delivery service.
- B. Notice deposited with the United States Postal Service in the manner described above will be deemed effective two (2) business days after deposit with the United States Postal Service. Notice by telegram or overnight express delivery service will be deemed effective one (1) business day after transmission to the telegraph company or overnight express carrier.
- C. All such communications must only be made to the following:

If to District:

Corpus Christi-Nueces County PHD
Attn: Director
P. O. Box 9277
Corpus Christi, TX 78469-9277

(361) 851-7200

If to Port Aransas:

City of Port Aransas
Attn: Inspection Dept.
710 West Avenue A
Port Aransas, TX 78373-4128

(361) 749-4111

- D. Any party may change the address to which notices are sent by one of the methods set out in subsection C above. A change of address notification must be sent within ten days of the change.

Section 6. Compliance with Laws.

All parties agree to comply with all applicable city, State, and federal laws, regulations, and rules that may pertain to each parties' performance under this Agreement.

Section 7. Current Revenues.

Each party paying for the performance of governmental services pursuant to this Agreement must make those payments from current revenues available to the paying

party.

Section 8. Amendments.

This Agreement may be amended only by written agreement signed by the Director of the Corpus Christi-Nueces County Public Health District ("Director") or the Director's designee and the City Manager of the City of Port Aransas or his designee.

Section 9. Entirety Clause.

This Agreement and any exhibits annexed hereto contain the entire understanding and agreement between the parties, and no oral statements or representations or prior written matter not contained in this Agreement shall have any force and effect.

(EXECUTION PAGE AND EXHIBIT A FOLLOW)

Executed in triplicate originals on this the 4th day of May, 2006.

CORPUS CHRISTI – NUECES COUNTY PUBLIC HEALTH DISTRICT

Annette Rodriguez, MPA
Annette Rodriguez
Acting Director

Approved as to legal form: May 4, 2007

Approved as to legal form: 5-2-06

for Lein Azulea
Elizabeth R. Hundley
Assistant City Attorney
for the City Attorney

Laura Garza Jimenez
Laura Garza-Jimenez
County Attorney

ATTEST:

CITY OF PORT ARANSAS, TEXAS

Esther Arzola
Esther Arzola
City Secretary

Michael Kovacs
Michael Kovacs
City Manager

Approved as to legal form: _____

Michael Morris
Michael Morris
City Attorney

EXHIBIT A

PERMITS AND FEES

The following fee schedule applies to permits issued under this Agreement:

Permanent food service or food processing establishments:

| | |
|--|----------|
| Having more than fifty (50) employees... | \$300.00 |
| Having twenty-six (26) through fifty (50) employees... | 285.00 |
| Having nineteen (19) through twenty-five (25) employees... | 225.00 |
| Having nine (9) through eighteen (18) employees... | 170.00 |
| Having four (4) through eight (8) employees... | 140.00 |
| Having fewer than four (4) employees... | 85.00 |

Retail food stores: 85.00

Mobile units: 85.00

Frozen desserts: 70.00

Temporary food service establishments: 35.00



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-R

Discuss and take action on first reading of an Ordinance Amending Chapter 27 “Public Beach”, Article I. “Port Aransas Beach Park”, Division 1 “In General”, Division 2 “Special Events”, and Division 3 “Beach Advisory Committee” by establishing criteria and prohibitions for beach concession, special event permit procedures and setting membership and authority of Beach Advisory Committee; Providing for Severance, Reading, and Effective Date.

INITIATING DEPARTMENT: City Secretary Irma Parker

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: Staff has been in the process of moving all ‘beach’ related items to Chapter 27 versus having conflicting rules/regulations throughout our Code of Ordinances. Once all sections, divisions, etc. have been moved Staff will propose deletion of those items from the current placement of Chapter 16 “Planning & Development” and Chapter 18 “Public Places, Property and Services”.

The Special Events procedure has been established with review and concurrence of the city manager. An updated ‘special events application’ is attached for council information and/or review. The annual fees are determined by the council on an annual basis.

The purpose and functions of the Beach Advisory Committee was discussed at the April 2015 city council meeting. Staff proposed that another standing committee be appointed to fulfill this committee’s tasks. Since the code specifically addressed establishment of this the Committee, Staff is proposing language authorizing the city council to designate any standing committee/board/commission to serve in the capacity as the beach advisory committee, requiring that this designation made by resolution and include a specific term of office along with duties/tasks.

1st Reading:

2nd Reading:

3rd Reading:

STAFF RECOMMENDATION: City Council approve first reading of an Ordinance Amending Chapter 27 “Public Beach”, Article I. “Port Aransas Beach Park”, Division 1 “In General”, Division 2 “Special Events”, and Division 3 “Beach Advisory Committee” as submitted.

ORDINANCE NO. 2015-___

AN ORDINANCE OF THE PORT ARANSAS CITY COUNCIL AMENDING CHAPTER 27 “PUBLIC BEACH” ARTICLE 1. “PORT ARANSAS BEACH PARK”, DIVISION 1 “IN GENERAL”, DIVISION 2 “SPECIAL EVENTS”, AND DIVISION 3 “BEACH ADVISORY COMMITTEE” BY ESTABLISHING CRITERIA AND PROHIBITIONS FOR BEACH CONCESSION, SPECIAL EVENT PERMIT PROCEDURES AND SETTING MEMBERSHIP AND AUTHORITY OF BEACH ADVISORY COMMITTEE; PROVIDING FOR SEVERANCE, READING, AND EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, NUECES COUNTY, STATE OF TEXAS:

SECTION 1. ADDITION

That Chapter 27 “Public Beach”, Article I. “Port Aransas Beach Park”, Division 1 “In General”, Section 27-2 “Commercial Activity Prohibited”, Section 27-3. “Beach Concessionaire”, and Section 27-3 “Duty to dispose of catch” is hereby added to wit:

Section 27-2. Commercial activity prohibited.

All peddling, vending, selling, leasing and renting of goods, wares, commodities, merchandise, food and services, and all other commercial activity, including the dispensing without charge of any such items in connection with a commercial activity or transaction where people are contacted or solicited on the public beach, and the distribution, handing out, placing on motor vehicles, scattering in any form or fashion of posters, handbills, circulars, notices, announcements, brochures, or other tangible, written or printed material on the public beach or placement of signs on the public beach which advertise a commercial activity, event, service or product is hereby prohibited.

Section 27-3. Beach Concessionaire.

- (a) **The city may contract with a concessionaire for beach rentals pursuant to a valid concession agreement made and entered into by and between the city and a concessionaire, which concession agreement must be authorized by resolution.**
- (b) **The city council, in its discretion, shall define the locations where the business shall be conducted, the items to be rented at each such location, the hours of business of such business at each location, and may impose any other conditions to ensure a minimum level of service to the public, and may impose such other rules and regulations on the concessionaire as it deems reasonable or necessary, in its discretion, to insure that the recreational potential of the public beach is maximized and that no such permitted activity or activities, or combination thereof, substantially interferes with the recreational enjoyment of the beach area by the public, presents a traffic or other safety or health hazard, or otherwise unreasonably and adversely affects the public health, safety or welfare, so long as such limitations, rules and regulations are in conformity with the provisions of this chapter.**

Section 27-4. Duty to dispose of catch.

- (a) **It shall be unlawful for any person who shall catch or capture fish, crab or shrimp in the waters of the Gulf of Mexico or the inland waters within the limits of the city by any means or device**

whatever to leave any of such fish, crab or shrimp upon any beach or other public place in the city.

- (b) It shall be the duty of any person catching or capturing such fish, crab or shrimp to make such disposition of the catch or capture that the same will not remain in or be found upon any beach or other public place.

Section 27-5 through 27-19 Reserved for future use.

SECTION 2. ADDITION

That Chapter 27 “Public Beach”, Article I. “Port Aransas Beach Park”, Division 1 “Special Events”, is hereby added to wit:

DIVISION 2. SPECIAL EVENTS

Section 27-20. Special Event Permits, Application Process

- (a) A written application for a special event permit must be filed with the city manager must be filed no less than thirty (30) days before the event.
- (b) The application shall be on a city promulgated form and shall include the following information, together with any and all other information as may be called for by said form:
1. the estimated cost to put on the event;
 2. the dates the event is to be held;
 3. the estimated number of people who will be attending the event each day it is to be held;
 4. the time and date the event will commence and end on each day it is to be held;
 5. the location where it is proposed to be held and a description of the event, including all associated and collateral activities.
- (c) The city manager shall, within fourteen (14) days after an application for a permit within his jurisdiction is filed, grant or deny the permit. Any application which is not acted on by the city manager within the time hereinabove set forth is deemed denied. Any application which has been denied can be reconsidered without a new filing.
- (d) If a permit is granted, the city manager shall define the locations where the event shall be conducted, the type of activities which may be engaged in as part of said event and the hours of operation of said event at each such location, and may impose any other conditions to ensure a safe, public oriented event and further to ensure that the recreational potential of the public beach is maximized, that no such event substantially interferes with the recreational enjoyment of the beach area by the public, that traffic, noise, sanitation, security, and other safety and health hazards are avoided, and that said event does not unreasonably and adversely affect the public health, safety, or welfare.

Section 27-21. Special Events – Large Scale Permits, Application Process

- (a) The city council shall handle all special event- large scale permit applications as described in this chapter.
- (b) The application shall be on a city promulgated form and shall include the following information, together with any and all other information as may be called for by said form:
1. the estimated cost to put on the event;
 2. the dates the event is to be held;
 3. the estimated number of people who will be attending the event each day it is to be held;
 4. the time and date the event will commence and end on each day it is to be held; and

5. the location where it is proposed to be held and a description of the event, including all associated and collateral activities.
- (c) The application must be presented to the council for hearing within forty-five (45) days after it is filed with the city manager. Any application which is not acted on by the city council within the time hereinabove set forth is deemed denied. Any application which has been denied can be reconsidered without a new filing.
- (d) If a permit is granted, the city council shall define the locations where the event shall be conducted, the type of activities which may be engaged in as part of said event and the hours of operation of said event at each such location, and may impose any other conditions to ensure a safe, public oriented event and further to ensure that the recreational potential of the public beach is maximized, that no such event substantially interferes with the recreational enjoyment of the beach area by the public, that traffic, noise, sanitation, security, and other safety and health hazards are avoided, and that said event does not unreasonably and adversely affect the public health, safety, or welfare.

Secs. 27-22—27-29 Reserved for future use.

SECTION 3. ADDITION

That Chapter 27 “Public Beach”, Article I. “Port Aransas Beach Park”, Division 3 “Beach Advisory Committee”, is hereby added to wit:

DIVISION 3. – BEACH ADVISORY COMMITTEE

Section 27-30. Established.

The city council recognizing the beach area of the city as an area of importance to the economy and to the aesthetics of the city and recognizing the functions and obligations of the city to maintain and enhance this area and recognizing the fact that the beach area is an area with unique problems deserving of special attention and in order to effectively carry out the duties of the city with respect to this area does hereby establish the beach advisory committee.

Section 27-31. Membership.

- (a) The beach advisory committee shall be composed of seven (7) members who shall be qualified voters of the city.
- (b) All members of the committee shall be appointed by the city council. All members of the committee shall be appointed to serve two-year terms. The terms of three (3) members of the committee shall expire every odd numbered year. The terms of four (4) members of the committee shall expire every even numbered year.
- (c) Whenever a vacancy is created in the membership of the committee, the city council shall appoint a qualified individual to fill the remainder of the term of the departing member. The members of the committee shall elect a chairman from their membership and shall meet at the call of their chairman or at the request of the city council.

(d) The city council may designate any standing committee/board/commission to serve in the capacity as the beach advisory committee. Said dual designation shall be accomplished by resolution and include specific term of office and duties/tasks.

Section 27-32. Authority.

The beach advisory committee shall act in a purely advisory capacity to the city council with respect to all matters pertaining to the beach area.

Sections. 27-33 though 27-39 Reserved for future use.

SECTION 4. SEVERABILITY

It is the intention of the City Council of the City of Port Aransas that if any phrase, sentence, section, or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

SECTION 5. READING

As provided by Article III, Section 13 and Article III, Section 12(b) of the Charter of the City of Port Aransas, this ordinance or the caption of it shall be read at three city council meetings with at least one week elapsing between each reading.

SECTION 6. EFFECTIVE DATE

As provided by Article III, Section 12.C. and by Article XII, Section 2 of the Charter of the City of Port Aransas, this ordinance shall be effective upon adoption after third and final reading and on publication in the Ordinance caption in the official newspaper of the City.

PASSED, ORDAINED, APPROVED and ADOPTED this the ____ day of _____ **2015.**
CITY OF PORT ARANSAS, TEXAS

Keith McMullin, Mayor

ATTEST:

Irma G. Parker

Special Event Application



City of Port Aransas

710 W. Avenue A

Port Aransas, TX 78373-4128

(361) 749-4111

(361)-749-4101

www.cityofportaransas.org

CITY OF PORT ARANSAS SPECIAL EVENT PERMIT APPLICATION

(Please Print)

| | | | | | | | | |
|---|-------|--|--|---|--------|---|---|--|
| Today's date: | | | | RECEIVED: | | | | |
| PERMIT APPLICANT | | | | | | | | |
| Last name: | | First: | | Middle: | | <input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. | <input type="checkbox"/> Miss <input type="checkbox"/> Ms. | Email Address: |
| Event Planner – Company Name: | | | | | | | | Email Address: |
| Contact Name: | | | | | | | | |
| Daytime Phone or Fax No. | | | | Cell phone no.: | | Home phone no.: | | () |
| Mailing Address /P.O. Box: | | City: | | | State: | | ZIP Code: | |
| Event Type: | | Event Date: | | Expected Attendance: | | | | |
| <input type="checkbox"/> Wedding <input type="checkbox"/> Reception <input type="checkbox"/> Birthday Party | | <input type="checkbox"/> Family Reunion <input type="checkbox"/> Other | | | | | | |
| Event Description: | | | | | | | | |
| EVENT INFORMATION | | | | | | | | |
| (Please Print) | | | | | | | | |
| Multi-day Event? | | <input type="checkbox"/> Yes <input type="checkbox"/> No | | Event Date: | | to | | |
| Set-up | Date: | Start: | | Finish: | | Catered event? | | |
| | | <input type="checkbox"/> AM <input type="checkbox"/> PM | | <input type="checkbox"/> AM <input type="checkbox"/> PM | | <input type="checkbox"/> Yes <input type="checkbox"/> No | | |
| Event | Date: | Start: | | Finish: | | Caterers Name: | | |
| | | <input type="checkbox"/> AM <input type="checkbox"/> PM | | <input type="checkbox"/> AM <input type="checkbox"/> PM | | | | |
| Clean-Up | Date: | Start: | | Finish: | | Caterers Telephone # | | |
| | | <input type="checkbox"/> AM <input type="checkbox"/> PM | | <input type="checkbox"/> AM <input type="checkbox"/> PM | | | | |
| Will Alcohol be Served? | | <input type="checkbox"/> Yes <input type="checkbox"/> No | | How will alcohol be distributed? | | | | <input type="checkbox"/> Bartender <input type="checkbox"/> Self-Serve |
| Will music be provided? | | <input type="checkbox"/> Yes <input type="checkbox"/> No | | <input type="checkbox"/> Band <input type="checkbox"/> DJ | | | | |
| Location of Event? | | <input type="checkbox"/> Beach <input type="checkbox"/> Park | | Park Name: | | | | |
| If Beach - Between Beach Marker #: | | #: | | Marker 1 - 62 | | Beach Parking Permits Required | | |
| <p>The above information is complete and correct to the best of my knowledge. I understand that this permit is considered on the basis of the information supplied in the application, and that the permit may be denied or revoked if found to be incorrect and/or incomplete. I further understand that the event may be monitored by the City, and that failure to comply with any conditions placed on permit approval or the creation of a public nuisance as defined by applicable state and local law may result in the immediate abatement of the offending activity and/or revocation of the permit.</p> | | | | | | | | |
| _____ <i>Applicant signature</i> | | | | | | _____ <i>Date</i> | | |



Special Event Permit Application

BEACH PARKING PERMITS

The City requires a Beach Parking Permit (Cost = \$12.00) to park along the beaches from Beach Marker 0 - 62 except in the 'Free Parking Area'. Free Parking Areas include the Beach areas between the Jetties and Horace Caldwell Pier and between Beach Markers 52-58.

Permits are available at: City Hall (710 W. Avenue A), Port Aransas Chamber of Commerce (403 W. Cotter Avenue) www.portaransas.org, local grocery/convenience stores, businesses, and with the City's Authorized Beach Vendor.

Indemnification – PLEASE READ AND INITIAL ALL BOXES

The city without liability to the lessee for any cost or expense incurred by the lessee or any damage sustained by the lessee may terminate a lease and cancel a reservation by providing not less than ninety (90) days' notice to the lessee. The lessee may terminate a lease and cancel a reservation by providing not less than ninety (90) days written notice to the city manager. Reservations so cancelled by the city shall entitle the lessee to a full refund of fees and deposits without interest. Reservations so cancelled by the lessee shall entitle the lessee to a full refund of all fees and deposits without interest. All cancellations of contracts within the ninety-day period up to and including the beginning date of the activity, shall subject the lessee to responsibility for full and complete payment of the contracted rental and other charges.

Applicant shall defend, indemnify and hold harmless the city, its officers, agents and employees from all claims, demands, causes of action, costs and liabilities in law or equity of every kind and nature whatsoever, directly or indirectly resulting from or caused by the use and occupation of the leased facilities or which would not have occurred but for the existence of the lease agreement between the city and lessee. The lessee shall be responsible for damage to or loss of public property caused during the term of the lease or during any period of holding over other than normal wear and tear. The lessee shall lease the premises in a reasonably clean condition and upon failure to do so shall be responsible to the city for the cost of placing the premises in such condition. Payment will be due and payable upon demand.

Applicant is responsible for insuring that no activity in violation of federal, state or local laws is permitted in, on, or about the premises. Applicant shall conduct its activity with regard to public safety and will comply with applicable regulations and request of governmental agencies reasonable for public safety and with the rules, regulations and requirements adopted by the city council or the city manager. The city reserves the right to refuse reservations or leases to any group or individual who has a history of abusive use of any public facility. Any person presenting themselves as the Applicant for purposes of contracting and confirming reservations shall be present at the time of and during the scheduled activity.

Applicant is required to state whether or not their proposed use shall include the consumption, sale or use of alcoholic beverages. The use, etc., of alcoholic beverages

without such statement shall constitute a fraud on the part of the Applicant and may subject the rights of the Applicant to immediate termination by the city.

No lessee shall have the right to sublease, exchange reservations, alter use-hours or in any way modify, alter or amend the provisions of the lease documents without advance written consent of the city.

At the time of reservation the Applicant shall be required to fully disclose intended use of the facility. If the intended use requires special conditions, the Applicant may be required to sign additional special purpose agreements. These agreements can be, but are not limited to, alcohol use, catering,

Permit approval does not grant Applicant sole use of the beach or beach parking area, nor does it guarantee the condition of the Beach in regards to seaweed, sand, trash or other normal beach occurrences.

Beach Parking Permits are required for all attendees. Other ordinances, such as regulations for noise, debris, Health Permits, City adopted Fire Codes, and parking, must be observed.

- Noise Ordinance - the playing of any radios, phonographs, portable audio equipment, stereos, musical instrument, etc., whether with or without loud speakers or amplifiers, on the beach, in a public park or public outdoor area - such volume cannot exceed the eighty-five (85) decibel level at any location more than one hundred (100) feet from the source. The allowed decibel level is eighty-five (85) decibels, between the hours of 12:00 noon and 10:00 p.m. The allowed decibel level is seventy (70) decibels at all other times.
- Bonfire(s) - Small fires no larger than 3 ft. x 3 ft. are permitted on the beach. Larger bonfires require Police Department approval.

ACKNOWLEDGED BY APPLICANT

Signature

Date

Please Print Name: _____

City Manager: _____ **Approved** **Declined**

Date: _____

Certificate No. Issued: _____ By: _____

Receipt #: _____ **Mailed** **Pick-up** **Other** _____



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-S

Discuss and take action of A Resolution Authorizing The Submission Of A Texas General Land Office Grant Application For State Assistance In Cleaning And Maintaining 35,237 Linear Feet Of Public Beaches Abutting The Gulf Of Mexico And Located Within The City's Jurisdiction For Fiscal Year 2015-2016; Approving The Equipment List And Rate Sheet.

SUBMITTED BY: Finance Department

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: the Texas General Land Office recognizes that citizens throughout the community and state enjoy the benefits of beach access. Through the Beach Maintenance Reimbursement Fund Program, the Land Office and local governments share in the management responsibility for our state's beaches. This program provides state financial assistance to qualified city and county governments for the purpose of cleaning and maintaining public beaches. The availability of funds for this program is contingent upon appropriations. The Open Beaches Act provides that wherever the public has an easement over private beachfront property, the local government has the duty and responsibility to clean the public beach. Within a city, it is the duty of the city government to clean the beach. Outside the cities, it is the duty of the county. Park land is to be cleaned by the jurisdiction running the park. Local communities are assisted financially by the state through the Beach Maintenance Fund Reimbursement Program. Any city or county that borders on the seaward shoreline of the Gulf of Mexico may apply for state assistance for beach cleaning and maintenance. Funds are reimbursed based on actual expenses.

STAFF RECOMMENDATION: The City Council approve Resolution Authorizing The Submission Of A Texas General Land Office Grant Application For State Assistance In Cleaning And Maintaining 35,237 Linear Feet Of Public Beaches Abutting The Gulf Of Mexico And Located Within The City's Jurisdiction For Fiscal Year 2016; Approving The Equipment List And Rate Sheet as presented.

RESOLUTION NO. 2015-

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL AUTHORIZING THE SUBMISSION OF A TEXAS GENERAL LAND OFFICE GRANT APPLICATION FOR STATE ASSISTANCE IN CLEANING AND MAINTAINING 35,237 LINEAR FEET OF PUBLIC BEACHES ABUTTING THE GULF OF MEXICO AND LOCATED WITHIN THE CITY'S JURISDICTION FOR FISCAL YEAR 2016; APPROVING THE EQUIPMENT LIST AND RATE SHEET ATTACHED HERETO AS EXHIBIT 1; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE PARTICIPATION IN SAID GRANT PROGRAM.

WHEREAS, the Texas General Land Office recognizes that citizens throughout the community and state enjoy the benefits of beach access. Through the Beach Maintenance Reimbursement Fund Program, the Land Office and local governments share in the management responsibility for our state's beaches; and

WHEREAS, this program provides state financial assistance to qualified city and county governments for the purpose of cleaning and maintaining public beaches. The availability of funds for this program is contingent upon appropriations; and

WHEREAS, the Open Beaches Act provides that wherever the public has an easement over private beachfront property, the local government has the duty and responsibility to clean the public beach. Within a city, it is the duty of the city government to clean the beach. Outside the cities, it is the duty of the county. Park land is to be cleaned by the jurisdiction running the park. Local communities are assisted financially by the state through the Beach Maintenance Fund Reimbursement Program; and

WHEREAS, any city or county that borders on the seaward shoreline of the Gulf of Mexico may apply for state assistance for beach cleaning and maintenance. Funds are reimbursed based on actual expenses.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS:

Section 1. The City Council hereby authorizes a grant application to the General Land Office of the State of Texas for inclusion in the City's in the Beach Cleaning Program and approves the attached Equipment List and Rate Sheet attached hereto as Exhibit 1.

Section 2. That the City Council hereby authorizes the City Manager with full authorization to act for the purposes of this program, including, but not limited to, the execution or applications, contracts, current rate sheets or other documents.

Section 3. That the City Manager is hereby authorized to receive all payments from the State of Texas under this program and to safeguard such funds.

Section 4. That the City will not commingle the beach user fee revenues with any other City funds and shall be maintained in a separate account referred to as the Beach Maintenance Fund.

Section 5. That the City shall maintain and account for the beach user fee revenues, so that fees collected may be directly traced to expenditures on beach-related services.

Section 6. That the City will supply an adequate number of garbage and litter receptacles for the area of beach receiving State Funding.

Section 7. It is hereby officially found and determined that the meeting at which this resolution is passed is open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given as required.

PASSED and APPROVED by the Port Aransas City Council, County of Aransas, State of Texas, on this _____ day of _____ **2015**.

CITY OF PORT ARANSAS, TEXAS

Keith McMullin, Mayor

ATTEST:

Irma G. Parker, City Secretary



Application for the Beach Cleaning and Maintenance Assistance Program for Fiscal Year 2016

Beginning September 1, 2015

Texas General Land Office
George P. Bush, Commissioner
P.O. Box 12873
Austin, Texas 78711-2873

City or county making application (applicant):

CITY OF PORT ARANSAS, TEXAS

Name and address of administrative body responsible for beach cleaning:

**CITY OF PORT ARANSAS
710 W AVE A
PORT ARANSAS, TX 78373**

Name, organization, and title of official with day-to-day responsibility for project:

**JOHNNY WHITE
CITY OF PORT ARANSAS, TX
PUBLIC WORKS DIRECTOR**

Name, address, and title of official authorized to receive state reimbursement:

**DAVID PARSONS
CITY MANAGER
CITY OF PORT ARANSAS
710 W AVE A
PORT ARANSAS, TX 78383**

The applicant understands and agrees that the requirements set forth in Section 61.069 of the Texas Natural Resources Code must be met, and the applicant expressly pledges and represents that it has met or will meet the requirements through the following:

1. The applicant has a duly constituted beach park board or like body with adequate authority to administer an effective program of keeping the public beaches under its jurisdiction clean. (OBA §61.069 (1))
2. The applicant shall provide for receipt of all project funds by its treasurer or like official who shall adequately safeguard such funds and assure same are expended solely for project purposes. The applicant agrees to reimburse the General Land Office for any project funds lost or spent for non-project purposes. (OBA §61.069 (2))
3. The applicant shall submit such reports as to amounts and types of project expenditures as may be required by the General Land Office. (OBA §61.069 (3))
4. The applicant provides free entrance to all public beaches within its jurisdiction. (OBA §61.069 (4))
5. The applicant operates and maintains one or more coastal parks which are satisfactory to the General Land Office with respect to size and facilities. (OBA §61.069 (5))

Application for the Beach Cleaning and Maintenance Assistance Program

Total linear feet of beach to be cleaned 35,237

| | | |
|--------------|---|----------------------------|
| 1. | Equipment rental, litter and debris removal | \$ <u>974,968</u> |
| 2. | Labor, litter and debris removal | <u>582,942</u> |
| 3. | Signs, litter-related | <u>0</u> |
| 4. | Supervision, litter and debris removal | <u>75,250</u> |
| 5. | Solid waste collection and disposal, including purchase of containers | <u>60,802</u> |
| 6. | Portable toilet rental and servicing | <u>151,858</u> |
| 7. | Barricades, bollards, and traffic signs | <u>15,563</u> |
| 8. | Lifeguard expenses | <u>55,096</u> |
| 9. | Litter patrol expenses | <u>0</u> |
| 10. | Beach patrol expenses | <u>442,334</u> |
| 11. | Administration | <u>244,704</u> |
| TOTAL | | \$ <u>2,799,916</u> |

Amount of state assistance requested for current state fiscal year (may not exceed two-thirds of amount shown in line above as provided by Section 61.076 of the Texas Natural Resources Code): \$ 1,875,944

The General Land Office reserves the right to require of the applicant any additional evidence it may deem necessary for the approval of the application or management of the program.

Supporting documents: **(The application is incomplete unless the following documents are included.)**

Mark the applicable box as the corresponding document is included with the application.

- A current resolution authorizing application for funds and vesting an official with full authority to act for purposes of the program.
- A Texas Department of Transportation county map upon which are delineated the public beaches to be cleaned and the linear feet of beach therein.
- A site plan of applicant's beach park which meets the minimum requirements established by the state.
- A certified copy of documentation establishing a beach park board or like body.
- A current written statement attesting that the maintenance to be provided is consistent with the applicant's community adopted plan for Beach Access and Dune Protection.
- A current written statement acknowledging that compliance with the regulations for collection and expenditure of beach user fees, contained in Section 15.8 of the state's beach access and dune protection regulations, is a requirement of the program.
- A current written statement that the applicant will supply an adequate number of garbage and litter receptacles for that area of the beach which the applicant cleans and maintains in this program. Receptacles for recyclables are suggested, but not required.
- A current list, adopted by the governing body, of the equipment rates to be charged per hour or per day which also indicates whether with or without operator and which includes portable toilets, if provided.
- A current beach-cleaning proposal describing the cleaning and maintenance operations at the beach.

CITY OF PORT ARANSAS, TEXAS acting by and through
Applicant

DAVID PARSONS, CITY MANAGER
Official

hereunto duly authorized, submits this application and certifies its contents are true and correct, and agrees to the above terms and conditions.

by DAVID PARSONS
Name

Signature

CITY MANAGER
Title

Date

INSERT RESOLUTION

Beach-cleaning Proposal (BCP) for the City of Port Aransas, Texas FISCAL YEAR 2016

The following is a summary of the beach maintenance activities being performed by various municipal departments within the city. The tasks are broken down into two seasons, Peak Season (our busy tourist months) and Off-Season (slow tourist months).

During our peak season months, March (Spring Break), end of March through April (Sand Fest), May through September (busy Summer Vacation), and November through January (Winter Texans), our beach work crews are in full beach maintenance swing; and even more so from May to July as Sargassum Seaweed is at it's peak washing ashore on the City's beaches daily. There are two primary maintenance issues, each requiring their own individual process for managing. One is seaweed/trash removal from the swash zone (high tide line) and the second is maintenance of the beach road travel-way that provides vehicular access and parking along our entire seven miles of maintained City beaches.

Seaweed and trash removal days during peak season begin with two or three two-man crews, in pickup trucks, handpicking trash out of the seaweed from the previous night's high tide line. The action is required as the seaweed must be clean of trash prior to the front end loaders scraping it up and stockpiling it behind the fore dune ridge. Once the seaweed has been cleared of trash, front end loaders (3), supported by dump trucks (3), follow along collecting seaweed and trucking it up or down the beach to designated stockpiling areas. This process, usually every other day in peak months, is done to keep the beach in a clean, safe condition for beach users.

Maintenance of the travel-way to preserve vehicular access to the beach and beach parking areas takes place two to three times a week during peak season. The main reason for the repeat maintenance is that during the peak season the temperatures are high, thus drying out the sand in the driving lanes creating deep dry sand that gets vehicles stuck. The process for keeping the driving lanes drivable is by heavy equipment. Four front end loaders, two maintainers, one tractor/loader, and three dump trucks work the heavy beach user areas then work their way to the lesser visited beach areas as time permits. A 5th loader is brought to the beach from collection station during heavy seaweed events and as needed.

Aside from the main issues listed above, there are four other categories of beach maintenance or services conducted on the beach. Collection and removal of trash from the beach trash receptacles, vacuuming and maintaining of the portable toilets, police patrol and EMS services, and beach life guards.

Collection and removal of trash from the beach receptacles involves an automated side loader garbage truck that picks up and dumps 186 three hundred gallon waste receptacles. We have over 200 containers on the beach. Once full, the trash is hauled to the collection station and off loaded. This service occurs at least twice a week during the weekdays and daily on busy weekends.

Maintaining the portable toilets involves the use of a vacuum/pump truck that empties the portable toilets and transfers the waste to the local waste water treatment facilities system. This is a one-man operation during peak mid-week servicing and a two-man operation on peak weekends. The portable toilets extend for the full length of the City beaches providing service to all sections of beach.

During Spring Break weeks and peak summer months, Memorial Day weekend through Labor Day weekend, the City provides three life guard stations on the most heavily used portions of the city beach. Each station is manned by a certified guard, supported by a roving supervisor. Under a contract with Nueces County, the City patrols via vehicle periodically the County beach or as called out on a daily basis.

The City provides police officers to patrol the entire seven-mile City beach on a daily basis. The spring break weekends of March require the City to hire additional temporary police officers to assist our regular police force as the visiting student populations can easily exceed 50,000 beach goers on any given day.

THE CITY OF PORT ARANSAS

Authorized Signature

Printed Name: David Parsons

Title: City Manager

Date: _____

COMPLIANCE STATEMENT
FISCAL YEAR 2016

186 new 300 gallon trash and litter receptacles are provided on the full length of the Port Aransas Beach. In addition, two receptacles are placed at the south end of each group of 4-portable toilets, and one is placed at each of the four public showers located on the beach. There are approximately 20 new recycle barrels on the main public beach. We also provide water filled barrels for traffic control during beach events. We have 150 units in stock and available.

Also provided by the City of Port Aransas are 100 1-stall portable toilets, and three (3) ADA-accessible portable toilets.

On December 27, 1993, the City of Port Aransas completed the annexation of an additional 17,407 linear feet of beach that was previously maintained by Nueces County. The City of Port Aransas now maintains a total of 35,237 linear feet of public beach.

The City of Port Aransas collects a user fee for the service of parking at the public beach as is authorized in Natural Resources Code, Chapter 61(B). The City acknowledges that it is a requirement for compliance with the regulations for the collection and expenditure of beach user fees that are given in Texas Administrative code, Title 31, Section 15.8.

The City of Port Aransas agrees to adhere to the regulations for collection and expenditure of beach user fees given in Section 15.8 of the Texas Administrative Code and further pledges to comply with the Beach User Fee Reporting requirements.

The City further agrees that all beach maintenance activities will be in compliance with the most recent Coastal Management Plan.

AN ORDINANCE ESTABLISHING A BEACH ADVISORY COMMITTEE;
PROVIDING FOR APPOINTMENT OF COMMITTEE MEMBERS AND TERMS
OF COMMITTEE MEMBERS; SPECIFYING THE DUTIES OF SAID
COMMITTEE; PROVIDING FOR PUBLIC READING; PROVIDING FOR
PUBLICATION; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS,
THAT:

SECTION 1. The City Council of the City of Port Aransas, recognizing the beach area of the City of Port Aransas as an area of importance to the economy and to the aesthetics of the City, recognizing the functions and obligations of the City to maintain and enhance this area, and recognizing the fact that the beach area is an area with unique problems deserving of special attention, deems it necessary, in order to effectively carry out the duties of the City with respect to this area, to establish a beach advisory committee.

SECTION 2. A committee to be known and hereinafter called "Beach Advisory Committee" is hereby created and established.

SECTION 3. The Beach Advisory Committee shall be composed of seven (7) members who shall be qualified voters of the City of Port Aransas. All members of the committee shall be appointed by the City Council of Port Aransas, Texas. All members of the committee, with the exception of three (3) members of the original committee, shall be appointed to serve two year terms. The aforementioned three members of the original committee shall be appointed to serve one year terms expiring during the year 1981 upon the expiration of which their successor appointees shall be appointed to serve two year terms. The terms of three (3) members of the committee, including the three original committee members aforementioned, shall expire every odd numbered year. The terms of four (4) members of the committee shall expire every even numbered year. Whenever a vacancy is created in the membership of the committee, the City Council shall appoint a qualified individual to fill the remainder of the

elect a chairman from their membership and shall meet at the call of their chairman or at the request of the City Council.

SECTION 4. The committee shall act in a purely advisory capacity to the City Council with respect to all matters pertaining to the beach area.

SECTION 5. This Ordinance shall become effective immediately upon final passage.

SECTION 6. Publication shall be made one time in the official publication of the City of Port Aransas, Nueces County, Texas, which publication shall contain the caption stating in substance the purpose of this Ordinance.

SECTION 7. This Ordinance shall be read at three public meetings of the City Council of Port Aransas, Texas and shall go into effect after the third and final reading.

PASSED, ORDAINED AND APPROVED THIS THE 20 DAY OF November, 1980.

CITY COUNCIL OF THE CITY OF
PORT ARANSAS, TEXAS

BY

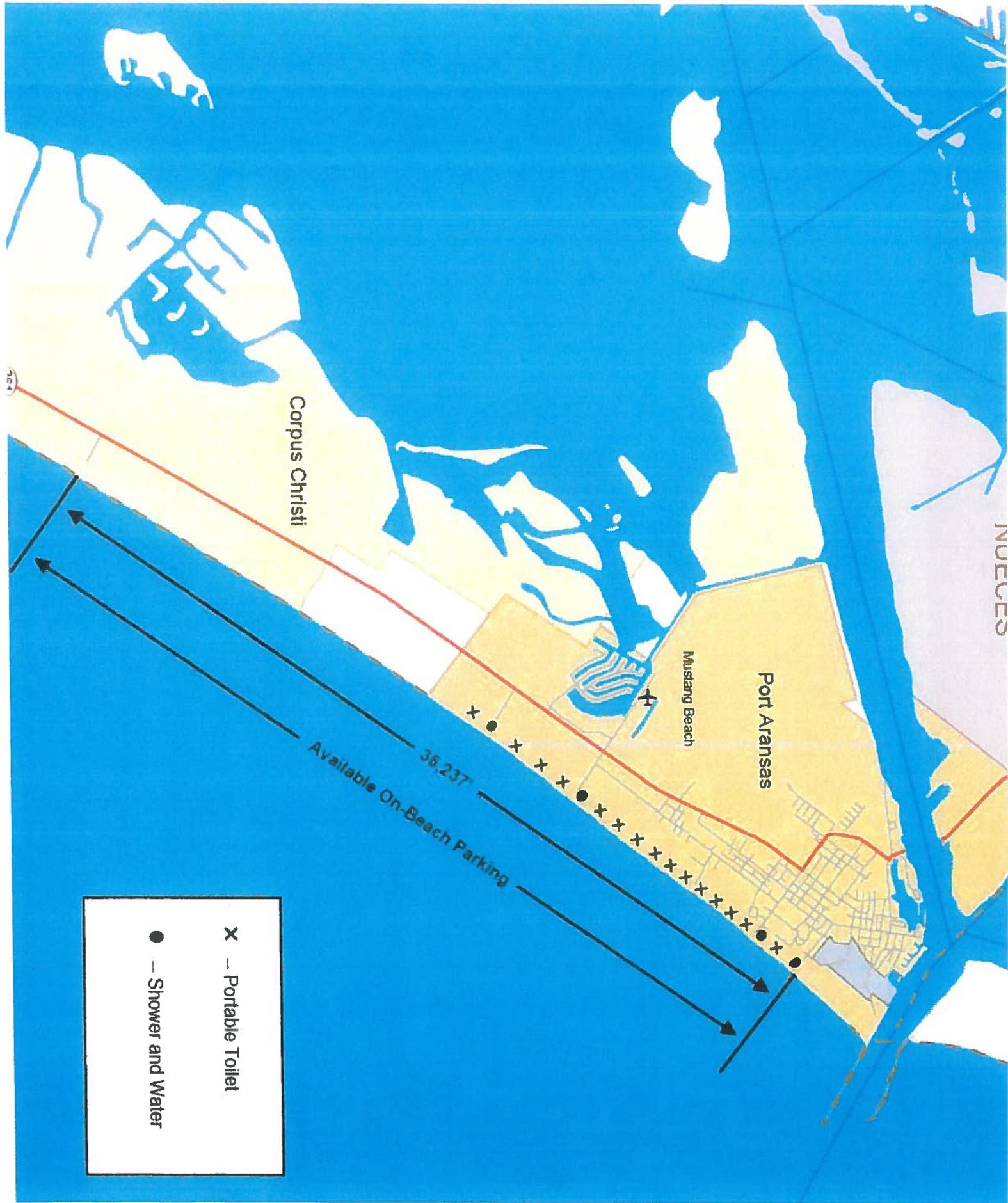
Dennis Dreyer
Dennis Dreyer, Mayor

ATTEST:

Ester Arzola
Ester Arzola, City Secretary

APPROVED AS TO FORM:

Michael G. Morris
MICHAEL G. MORRIS,
City Attorney



Corpus Christi

Mustang Beach

Port Aransas

INVECED

284

36,237'
Available On-Beach Parking

- X -- Portable Toilet
- -- Shower and Water



**CITY OF PORT ARANSAS
BEACH MAINTENANCE AND CLEANING GRANT APPLICATION
PROJECTED EQUIPMENT RATE SHEET**

Fiscal Year: 2016
At: June 18th, 2015

| UNIT | EQUIPMENT TYPE: | DESCRIPTION: | HOURLY RATE(\$) | | | | | | |
|-------|--|---|-----------------|----|----------|-------|--|--|--|
| | BEACH RAKES: (GRADER-PULL TYPE) | | | | | | | | |
| w/243 | STRAIGHT RAKE MLR96 | 8' WIDE -BHOG | \$15.00 | | 906000 | TXDOT | | | |
| w/243 | STRAIGHT RAKE MLR96 | 8' WIDE -BHOG | \$15.00 | | 906000 | TXDOT | | | |
| | GARBAGE TRUCKS: | | | | | | | | |
| 246 | 2006 INTERNATIONAL-4300 4.5 TONS | 13 CY CAPACITY | \$38.50 | | 8730 est | FEMA | | | |
| 335 | 2014 FREIGHTLINER-M-2-106 | 4x4 13 CY CAPACITY | \$38.50 | ** | 8730 est | FEMA | | | |
| | PUMP TRUCK: | | | | | | | | |
| 302 | 2011 FORD | PUMP/VACCUM TRUCK | \$38.00 | ** | GLO | FEMA | | | |
| | | RATE/PER GLO = \$38.00 Designated by GLO/ 2/10/2011 | | | | 2011 | | | |
| | WATER TRUCK: | | | | | | | | |
| 210 | 2002 INTERNATIONAL | DUMP CONVERSION-WATER TRUCK | \$35.00 | | 550041 | TXDOT | | | |
| | FRONT END LOADERS: | | | | | | | | |
| 242 | 2005 JOHN DEERE- 624J | 3.5 YD CAPACITY | \$44.00 | | 115040 | TXDOT | | | |
| 244 | 2005 JOHN DEERE- 624J | 3.5 YD CAPACITY | \$44.00 | | 115040 | TXDOT | | | |
| 307 | 2011 JOHN DEERE- 624K | 3.5 YD CAPACITY Wh/ldr | \$44.00 | ** | 115040 | TXDOT | | | |
| 331 | 2014 JOHN DEERE- 624K | 3.5 YD CAPACITY Wh/ldr | \$44.00 | ** | 115040 | TXDOT | | | |
| 350 | 2015 JOHN DEERE- 644K | 4.5 YD CAPACITY Wh/ldr | \$44.00 | ** | 115040 | TXDOT | | | |
| | UTILITY TRAILER | | | | | | | | |
| 203 | 2000 8' UTILITY TRAILER | SINGLE AXLE/LARGE | \$15.75 | | 280010 | TXDOT | | | |
| 204 | 2000 8' UTILITY TRAILER | SINGLE AXLE/LARGE | \$15.75 | | 280010 | TXDOT | | | |
| 301 | 2010 18' UTILITY TRAILER | SINGLE AXLE/LARGE/FLT BED | \$15.75 | | 280010 | TXDOT | | | |
| | DUMP TRUCKS: | | | | | | | | |
| 241 | 2006 INTERNATIONAL | Run w/side boards = 8 (3.5 ton) | \$35.00 | | 550040 | TXDOT | | | |
| 281 | 2008 FORD -F750dr | 8 YD CAPACITY - 210 HP | \$35.00 | | 550040 | TXDOT | | | |
| 293 | 2010 FORD -F350 | 8 YD CAPACITY - 240 HP | \$35.00 | | 550040 | TXDOT | | | |
| 308 | 2011 FORD -F750dr | 8/10 YD CAPACITY | \$35.00 | ** | 550040 | TXDOT | | | |
| 323 | 2013 FORD -F750dr | 8/10 YD CAPACITY -280 HP | \$35.00 | ** | 550040 | TXDOT | | | |



**CITY OF PORT ARANSAS
BEACH MAINTENANCE AND CLEANING GRANT APPLICATION
PROJECTED EQUIPMENT RATE SHEET**

Fiscal Year: 2016
At: June 18th, 2015

| UNIT | EQUIPMENT TYPE: | DESCRIPTION: | HOURLY RATES(\$) | Modified rate justification approved by GLO/2012 |
|--|--|---|--------------------|--|
| | POLICE UNITS: (all body styles) | | | |
| 262 | 2007 DODGE DURANGO 4 WD | FULL POLICE PACKAGE | VW/6500 \$25.50 | GLO 2012 |
| 263 | 2007 DODGE CHARGER | FULL POLICE PACKAGE | VW/4000 \$25.50 | GLO 2012 |
| 275 | 2008 DODGE RAM 4 WD PU | FULL POLICE PACKAGE | VW/6700 \$25.50 | GLO 2012 |
| 288 | 2010 FORD F150 CAB 4X4 SS | FULL POLICE PACKAGE | VW/7200 \$25.50 | GLO 2012 |
| 289 | 2010 FORD F150 CAB 4X4 SS | FULL POLICE PACKAGE | VW/7200 \$25.50 | GLO 2012 |
| 295 | 2010 FORD F150 CAB 4X4 SS | FULL POLICE PACKAGE | VW/7200 \$25.50 | GLO 2012 |
| 296 | 2010 FORD F150 CAB 4X4 SS | FULL POLICE PACKAGE | VW/7200 \$25.50 | GLO 2012 |
| 297 | 2010 FORD F150 CAB 4X4 SS | FULL POLICE PACKAGE | VW/7200 \$25.50 | GLO 2012 |
| 298 | 2010 FORD F150 | FULL POLICE PACKAGE | VW/7200 \$25.50 | GLO 2012 |
| 304 | 2010 FORD F150 CAB 4X4 SS | ANIMAL CONTR/K-9 PATROL | VW/6800 \$25.50 | GLO 2012 |
| 310 | 2011 CHEV TAHOE - 1/2 TON | FULL POLICE PACKAGE | VW/7300 \$25.50 | GLO 2012 |
| 328 | 2013 FORD EXPLORER 4 WD .5/T | FULL POLICE PACKAGE | VW/6300 \$25.50 | GLO 2012 |
| 329 | 2013 FORD EXPLORER 4 WD .5/T | FULL POLICE PACKAGE | VW/6300 \$25.50 | GLO 2012 |
| 314 | 2014 CENTEX TRAVEL TRAILER | TRAFFIC CONTRL-UTILITY 82" X 14' WOOD BED, 2 AXLES, PICKUP -CREWCAB | VW/ 1500 \$15.75 | GLO 280010 TXDOT |
| 337 | 2014 FORD/12 Ton / F-150 | PICKUP -CREWCAB | GVM/R/7400 \$25.50 | GLO 2012 |
| 340 | 2014 FORD 113 EMPLOYER 4WD | FULL POLICE PACKAGE | VW/ 6300 \$25.50 | GLO 2012 |
| 341 | 2014 FORD 113 EMPLOYER 4WD | FULL POLICE PACKAGE | VW/ 6300 \$25.50 | GLO 2012 |
| 344 | 2014 FORD 113 EMPLOYER 4WD | FULL POLICE PACKAGE | VW/ 6300 \$25.50 | GLO 2012 |
| 345 | 2014 FORD 113 EMPLOYER 4WD | FULL POLICE PACKAGE | VW/ 6300 \$25.50 | GLO 2012 |
| 346 | 2014 FORD 113 EMPLOYER 4WD | FULL POLICE PACKAGE | VW/ 6300 \$25.50 | GLO 2012 |
| 347 | 2014 FORD 113 EMPLOYER 4WD | FULL POLICE PACKAGE | VW/ 6300 \$25.50 | GLO 2012 |
| NOTE: EQUIPMENT RATES DO NOT INCLUDE OPERATOR | | | | |
| **Purchased by Beach Fund (NOTE: Beach Fund includes more than the GLO Beach Maintenance Reimbursement Grant, and all revenues and expenses are accounted for separately in compliance with grant agreement. The equipment with the **Identifier will not be reimbursed to the General Fund but the cost will be reported separately and included in the quarterly totals in the Beach User Fees and Expenditure report(BUR)) | | | | |



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-T

Discuss and take action on a Resolution authorizing installation of a new metal roofing system at the Collection Station Storage Barn to Gill Roofing, Inc. in the amount of \$27,562.00, including a 5-year warranty, 2x4 stripping, and disposal of construction debris as recommended by Staff; Funds for roof for said project from Public Works Funds allocated for rebuilding of ramps at the Collection Station; and authorizing the City Manager to sign all contract documents related to this expenditure.

SUBMITTED BY: Johnny White, Public Works Director

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: PW obtained quotes for installation of a new metal roofing system at the Storage Barn located at the Collection Station. The new roof system shall comply with TDI Roof Covering System Design #421.

- Alazan Builders LP.: \$24,950.00 No Warranty, 1x4 stripping, WE dispose of debris.
- Gill Roofing Inc.: \$27,562.00 5 year Warranty, 2x4 stripping, includes disposal of debris.
- Heaber Roofing Inc.: No Bid, schedule booked

PW recommends award to Gill Roofing Inc. as their quote includes a 5 year warranty, 2x4 stripping in lieu of 1x4 and debris removal. Work Includes: Remove the old rotted plywood decking and roof covering at the Barn located at the Collection Station and haul off; Existing 2x12 roof supports which are showing signs of rot or needing repair will be repaired/replaced; Install new 2x4 stripping over the existing roof joists at 24 inches on center and properly secured per RC#421; and Install new MBCI, 26 gal. galvanized metal "R" panels over the roof system and properly secured per RC#421.

This will provide us with a water tight structure for parking our new Trash Truck in as well as storage of other Public Works and Gas Department equipment. Project will be funded with funds from the Public Works budget with monies we had earmarked for rebuilding the sides of the ramps at the Collection Station. We have been able to maintain these this year and will delay this work for next year. We also hope to get some help from the Gas Department budget as a portion of this barn is utilized by them as a Storage Room.

STAFF RECOMMENDATION: The City Council authorize installation of a new metal roofing system at the Collection Station Storage Barn to Gill Roofing, Inc. in the amount of \$27,562.00, including a 5-year warranty, 2x4 stripping, and disposal of construction debris as recommended by Staff; Funds for roof for said project from Public Works Funds allocated for rebuilding of ramps at the Collection Station as presented.

RESOLUTION NO. 2015-

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL AUTHORIZING INSTALLATION OF A NEW METAL ROOFING SYSTEM AT THE COLLECTION STATION STORAGE BARN TO GILL ROOFING, INC. IN THE AMOUNT OF \$27,562.00, INCLUDING A 5-YEAR WARRANTY, 2X4 STRIPPING, AND DISPOSAL OF CONSTRUCTION DEBRIS AS RECOMMENDED BY STAFF; FUNDS FOR ROOF FOR SAID PROJECT FROM PUBLIC WORKS FUNDS ALLOCATED FOR REBUILDING OF RAMPS AT THE COLLECTION STATION; AND AUTHORIZING THE CITY MANAGER TO SIGN ALL CONTRACT DOCUMENTS RELATED TO THIS EXPENDITURE.

WHEREAS, the Public Works and Gas Departments currently park their equipment and the new garbage truck in the Storage Barn at the Collection Station; however, the roofing system at this facility is rotten and is in bad need of repairs; and

WHEREAS, quotes for installation of a new roof system to comply with TDI Roof Covering System Design #421 were secured. Those quotes are as follows:

*Alazan Builders LP.: \$24,950.00 No Warranty, 1x4 stripping, WE dispose of debris.
Gill Roofing Inc.: \$27,562.00 5 year Warranty, 2x4 stripping, includes disposal of debris.
Heaber Roofing Inc.: No Bid, schedule booked*

NOW, THEREFORE BE IT RESOLVED, by the Port Aransas City Council:

Section 1. The City Council authorizes awarding bid to Gill Roofing Inc. as their quote includes a 5 year warranty, 2x4 stripping in lieu of 1x4 and debris removal. Work Includes: Remove the old rotted plywood decking and roof covering at the Barn located at the Collection Station and haul off; Existing 2x12 roof supports which are showing signs of rot or needing repair will be repaired/replaced; Install new 2x4 stripping over the existing roof joists at 24 inches on center and properly secured per RC#421; and Install new MBCI, 26 gage galvanized metal "R" panels over the roof system and properly secured per RC#421.

Section 2. The City Council grants request to fund this project with funds from the Public Works budget with monies previously earmarked for rebuilding the sides of the ramps at the Collection Station along with funds, if available, from the Gas Department who shares a portion of said storage building.

Section 3. The City Council further grants request to delay the Collection Station Ramp Project for Fiscal Year 2015-2016 if approved in said budget cycle. We have been able to maintain these this year and will delay this work for next year.

Section 4. The City Manager is hereby authorized to execute said Contract Agreement between the City of Port Aransas and contractor.

PASSED and **APPROVED** by the Port Aransas City Council, County of Nueces, State of Texas, on this _____ day of _____ **2015**.

CITY OF PORT ARANSAS, TEXAS

Keith McMullin, Mayor

ATTEST:

Irma G. Parker, City Secretary

CELEBRATING 70 YEARS OF SERVICE
Gill Roofing-EPA Certified # NAT-30569-1

ESTABLISHED 1945
BBB ACCREDITATED BUSINESS

PROPOSAL

PHONE: 361-882-8862
FAX: 361-882-8863
P.O. BOX 4597
CORPUS CHRISTI, TEXAS 78469-4597

RESIDENTIAL
COMMERCIAL
REROOF; REPAIRS
REMODEL

GILL ROOFING CO., INC.
RCAT CERTIFIED FOR RESIDENTIAL AND COMMERCIAL
CORPUS CHRISTI, TEXAS

City of Port Aransas
710 W. Ave. A
Port Aransas, Texas 78373
Attn: Mr. Johnny L. White, RA
Public Works Director

May 13, 2015

RE: Transfer station at end of Ross Ave.

WE PROPOSE TO PERFORM ALL MATERIAL AND LABOR NECESSARY TO COMPLETE THE FOLLOWING:

OFFICE AND GARAGE AREAS WITH 26 GA. MBCI PBR PANEL METAL ROOF:
REMOVE THE EXISTING ROOFING AND DECKING DOWN TO THE RAFTERS AND HAUL AWAY FROM PREMISES.
REPLACE ALL ROTTEN RAFTERS (JOISTS) AND BEAMS (SUPPORTS). INSTALL 2"x4" RUNNERS OVER THE
RAFTERS AND INSTALL 26 GA. MBCI PBR METAL ROOF PER TDI INSTALLATION REQUIREMENTS FOR PBR
PANELS OVER WOOD PERLINS.

NOTE: FIVE YEAR GUARANTEE ON AREAS WORKED ONLY.

NOTE: ANY HIDDEN ROTTEN WOOD, DECKING, PERLINS OR EXTRA WORK DONE AT TIME AND MATERIAL.
(EXTRA)

NOTE: PER YOUR REQUEST, NO ENGINEER FEES FOR WINDSTORM ARE INCLUDED IN BID BECAUSE
BUILDING STRUCTURE WILL NOT PASS. WINDSTORM CERTIFICATION IS NOT INCLUDED IN BID.

ALL OF THE ABOVE WORK TO BE COMPLETED IN A SUBSTANTIAL AND WORKMANLIKE MANNER FOR
THE SUM OF

COMPLETE ROOF- OFFICE AND GARAGE-MBCI PBR 26 GA. PANEL- \$ 27,562.00

**ANY ROTTEN WOOD, PERLINS, OR A/C WORK WILL BE REPLACED AT TIME AND MATERIAL UNLESS
OTHERWISE NOTIFIED. (EXTRA) Painting is not included with bid unless specifically stated in bid.**

Terms are ½ down with balance due in full upon completion. If the entire job is not completed within any calendar month,
progress payments for all labor and/or materials on the job by the last day each month are due no later than the tenth
(10th) day of the succeeding month until the time final payment, upon completion, is due. Sales tax will be added to
commercial buildings. This quotation is subject to change if not returned, signed within 10 days. Any alteration or
deviation from the above specifications involving extra cost of material or labor will only be executed upon written orders
for same, and will become an extra charge over the sum mentioned in this contract. All agreements must be made in
writing.

The Contractor agrees to carry Workmen's Compensation and to pay all Sales Taxes, Old Age Benefit and
Unemployment Compensation Taxes as required by the US Government and the State of Texas. Sales tax will be added
to commercial jobs.

Any unpaid balance owing to the Contractor by the Contracting Party shall bear interest at ten percent (10%) per annum
or at the maximum legal rate allowed by law, whichever is greater; it being the intention of the Contractor to charge the
Contracting Party only the maximum legal rate allowed by law. In the event the entire amount of the contract price is not
paid, and the Contractor retains an attorney to collect all or any part of the contract price owing, the undersigned
Contracting Party agrees and promises to pay all reasonable attorney's fees incurred by the contractor for the collection
of said sum, which attorney's fees in no event shall be less than ten percent of the balance owing.

This guaranty is limited to workmanship and material on area worked only, and shall not apply to defects caused by
improper construction of the building, movement of bldg., or base upon which the roof is laid. Nothing in this guaranty
shall be construed to cover any damages to the building or contents thereof. When roofing begins, please remove all
hanging items on all walls.

This proposal is based on the assumption that the existing roof does not contain asbestos or any material containing asbestos. In no case shall contractor be responsible or liable for the detection, removal, disposal or remediation of any mold, mildew, fungi, spores or other hazardous chemical or biological agent as a term or condition of this contract.

The Owner, in consideration of Contractor performing the work in this contract, hereby agrees to indemnify, defend and hold harmless Contractor from and against any and all liability, damages, losses, claims, demands or lawsuits arising out of or relating to the presence of asbestos or asbestos containing material at the work-site.

We will obtain WPI-8 Windstorm Inspection from the State Board of Insurance on re-roofs. Roofs are installed per windstorm requirements.

All bills payable in Corpus Christi, Nueces County, Texas, which shall be deemed the place of the making of this contract.

Respectfully Submitted,

Gill Roofing. by
Contractor Darlene Lee-Omana

ACCEPTANCE

You are hereby authorized to furnish all material and labor required to complete the work mentioned in the above proposal, for which the undersigned agrees to pay the amount mentioned in said proposal, and according to the terms thereof.

Date _____

Signature- Please sign and return one copy
Phone _____ Home _____ Office _____



PREFERRED CONTRACTOR



ALAZAN BUILDERS, LP

520 S. Chaparral Street #3
Corpus Christi, TX 78401
(361) 548-1200
alazanbuilders@gmail.com
Registered Texas Builder

May 4, 2015

**City Of Port Aransas
Port Aransas, TX 78373**

Re: Port Aransas Collection Center Roof

PROPOSAL

Scope of Work: remove existing roofing and decking from Collection Station building; replace wood joists where necessary using 2x6 treated material and Simpson twist ties; install 1x4 treated stripping at 24" o.c. across joists using 2 #8x3" screws; install 26 ga. Galvalume R Panels across stripping; load all debris in trash container provided by others. Provide all necessary cleanup and protection.

Exclusions: Windstorm certification, electrical, plumbing.

Total Price: \$24,950

Terms: progress payments

Sincerely,

**Lee White
Alazan Builders**

Johnny White

Subject: FW: quote for pole barn at collection station

From: Don Rucker III [mailto:drucker3@aol.com]
Sent: Thursday, May 14, 2015 7:26 AM
To: jwhite@cityofportaransas.org
Subject: RE: quote for pole barn at collection station

Mr. White,

We will not be able to provide a quotation on this project as our current backlog puts any new projects several months out.

I understand that this is a project that needs quick attention that we would not be able to provide.

I appreciate you requesting a quote from us and look forward to working with City of Port Aransas in the future.

Thank you,

Don Rucker III
Haeber Roofing Co.

Table 1: Attachment of Minimum 26-gauge PBR Metal Roofing Panels to 1 x 4 Wood Purlins

| Design Wind Pressure (psf) | Purlins | Attachment of Panels to Wood Purlins |
|----------------------------|---|---|
| -93.5 | Minimum #2 Southern Pine 2'-0" on center | Fasteners at 12"-12"-12"; 2'-0" on center |
| -183.5 | Minimum #2 Southern Pine 1'-0" on center | Fasteners at 7"-5"-7"-5"-7"; 1'-0" on center |

Installation Instructions:

- **General:** Install the metal roofing panels in accordance with the manufacturer's recommended installation instructions and this evaluation report.
- **Wood Purlins:** The minimum 1" x 4" #2 Southern Pine wood purlins; Table 1 specifies the maximum spacing of the purlins.
- **Underlayment:** Underlayment is not required.
- **Attachment of Metal Roofing Panels to the Wood Purlins:** Secure the PBR metal roofing panels to the wood purlins with No. 10-14 x 1-1/2" Ultimate LocFast w/sealing washers by Atlas. Fasteners offset from rib 1/2". Locate a line of fasteners along each purlin. Table 1 specifies the fastener pattern and the spacing of the fasteners.
- **Panel Side Laps:** Stitch the panels together with minimum 1/4"-14 x 7/8" Lap Tek screws with a sealing washer. Space the fasteners at 20" on center along the length of the side lap.
- **Trims, Closures, and Accessories:** Install components, such as the eave trim, rake trim, ridge trim, hip trim, and valley trim as required by the manufacturer.

Note: Keep the manufacturer's installation instructions at the job site during installation. Use corrosion resistant fasteners as specified in the IRC, IBC, and the Texas Revisions.



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, May 21, 2015

AGENDA ITEM: 8-U

Discussion on AEP electrical service pertaining to outages.

SUBMITTED BY: City Council Member Charles Bujan

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: Council Member Bujan requested discussion regarding electrical service outages. No other information was provided.

STAFF RECOMMENDATION: This is presented for discussion only – no action required.

050-GENERAL FUND
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|----------------------|------------------------|
| REVENUES: | | | | | | |
| TAXES | 4,288,639.22 | 4,460,970.27 | 172,331.05 | 4.02 | 5,615,500.00 | (1,154,529.73) |
| LICENSES AND PERMITS | 350,643.29 | 425,318.07 | 74,674.78 | 21.30 | 649,000.00 | (223,681.93) |
| INTERGOVERNMENTAL | 241,919.15 | 290,792.34 | 48,873.19 | 20.20 | 441,150.00 | (150,357.66) |
| CHARGES FOR SERVICES | 92,821.64 | 125,834.78 | 33,013.14 | 35.57 | 211,000.00 | (85,165.22) |
| FINES AND FOREITURES | 156,415.09 | 123,360.15 | (33,054.94) | (21.13) | 290,000.00 | (166,639.85) |
| OTHER REVENUES | 216,330.44 | 43,607.22 | (172,723.22) | (79.84) | 98,200.00 | (54,592.78) |
| REIMBURSEMENTS | <u>1,082,525.14</u> | <u>994,123.07</u> | <u>(88,402.07)</u> | <u>(8.17)</u> | <u>2,162,900.00</u> | <u>(1,168,776.93)</u> |
| TOTAL REVENUES | <u>6,429,293.97</u> | <u>6,464,005.90</u> | <u>34,711.93</u> | <u>0.54</u> | <u>9,467,750.00</u> | <u>(3,003,744.10)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| BEACH SERVICES | 15,337.94 | 20,273.30 | 4,935.36 | 32.18 | 90,330.00 | (70,056.70) |
| CENTRAL OPERATING | 529,129.18 | 981,921.35 | 452,792.17 | 85.57 | 1,849,300.00 | (867,378.65) |
| MAYOR AND COUNCIL | 6,870.00 | 33,850.18 | 26,980.18 | 392.72 | 55,900.00 | (22,049.82) |
| MUNICIPAL COURT | 67,420.82 | 64,423.84 | (2,996.98) | (4.45) | 115,190.00 | (50,766.16) |
| CITY ATTORNEY | 111,980.63 | 42,746.96 | (69,233.67) | (61.83) | 140,000.00 | (97,253.04) |
| ADMINISTRATION | 138,181.45 | 143,342.97 | 5,161.52 | 3.74 | 251,125.00 | (107,782.03) |
| CITY SECRETARY | 87,403.01 | 89,971.85 | 2,568.84 | 2.94 | 157,050.00 | (67,078.15) |
| FINANCE DEPARTMENT | 148,432.68 | 150,627.19 | 2,194.51 | 1.48 | 272,690.00 | (122,062.81) |
| PARKS & RECREATION | 246,991.02 | 254,125.96 | 7,134.94 | 2.89 | 494,645.00 | (240,519.04) |
| POLICE DEPARTMENT | 1,266,886.55 | 1,397,140.76 | 130,254.21 | 10.28 | 2,436,430.00 | (1,039,289.24) |
| FIRE DEPARTMENT | 210,696.16 | 174,613.52 | (36,082.64) | (17.13) | 354,500.00 | (179,886.48) |
| EMERGENCY MEDICAL | 448,783.57 | 630,852.89 | 182,069.32 | 40.57 | 1,099,905.00 | (469,052.11) |
| PUBLIC WORKS | 836,221.10 | 816,555.38 | (19,665.72) | (2.35) | 1,567,620.00 | (751,064.62) |
| INSPECTIONS | 79,370.50 | 90,966.57 | 11,596.07 | 14.61 | 154,260.00 | (63,293.43) |
| LIBRARY | 140,806.62 | 144,447.04 | 3,640.42 | 2.59 | 269,125.00 | (124,677.96) |
| PUBLIC BUILDINGS | 179,005.00 | 181,184.88 | 2,179.88 | 1.22 | 329,885.00 | (148,700.12) |
| REGIONAL TRANSIT | 87,634.70 | 86,458.17 | (1,176.53) | (1.34) | 169,150.00 | (82,691.83) |
| PLANNING DEPARTMENT | 102,197.74 | 88,680.97 | (13,516.77) | (13.23) | 220,325.00 | (131,644.03) |
| INFORMATION TECHNOLOGY | 73,217.95 | 92,559.64 | 19,341.69 | 26.42 | 222,815.00 | (130,255.36) |
| OPERATING TRANSFERS | 0.00 | 0.00 | 0.00 | 0.00 | 25,000.00 | (25,000.00) |
| TOTAL EXPENDITURES | <u>4,776,566.62</u> | <u>5,484,743.42</u> | <u>708,176.80</u> | <u>14.83</u> | <u>10,275,245.00</u> | <u>(4,790,501.58)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>1,652,727.35</u> | <u>979,262.48</u> | <u>(673,464.87)</u> | <u>(40.75)</u> | <u>(807,495.00)</u> | <u>1,786,757.48</u> |
| BEGINNING FUND BALANCE | <u>4,715,913.52</u> | <u>5,111,946.89</u> | | | | |
| FUND BALANCE | <u>6,368,640.87</u> | <u>6,091,209.37</u> | | | | |

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|--------------------|--------------------|
| REVENUES: | | | | | | |
| FINES & FORFEITURES | 2,317.19 | 1,727.30 | (589.89) | (25.46) | 4,400.00 | (2,672.70) |
| INTEREST REVENUE | 4.23 | 2.88 | (1.35) | (31.91) | 20.00 | (17.12) |
| TOTAL REVENUES | <u>2,321.42</u> | <u>1,730.18</u> | <u>(591.24)</u> | <u>(25.47)</u> | <u>4,420.00</u> | <u>(2,689.82)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| Municipal Court | 2,578.41 | 2,598.49 | 20.08 | 0.78 | 6,550.00 | (3,951.51) |
| TOTAL EXPENDITURES | <u>2,578.41</u> | <u>2,598.49</u> | <u>20.08</u> | <u>0.78</u> | <u>6,550.00</u> | <u>(3,951.51)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>(256.99)</u> | <u>(868.31)</u> | <u>(611.32)</u> | <u>237.88</u> | <u>(2,130.00)</u> | <u>1,261.69</u> |
| BEGINNING FUND BALANCE | <u>14,143.29</u> | <u>12,474.08</u> | | | | |
| FUND BALANCE | <u>13,886.30</u> | <u>11,605.77</u> | | | | |

056-COURT SECURITY
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|---------------------|----------------------|
| REVENUES: | | | | | | |
| FINES & FORFEITURES | 1,824.08 | 1,295.54 | (528.54) | (28.98) | 3,300.00 | (2,004.46) |
| INTEREST REVENUE | <u>2.28</u> | <u>2.45</u> | <u>0.17</u> | <u>7.46</u> | <u>10.00</u> | (<u>7.55</u>) |
| TOTAL REVENUES | <u>1,826.36</u> | <u>1,297.99</u> | (<u>528.37</u>) | (<u>28.93</u>) | <u>3,310.00</u> | (<u>2,012.01</u>) |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| Municipal Court | <u>322.80</u> | <u>274.84</u> | (<u>47.96</u>) | (<u>14.86</u>) | <u>10,400.00</u> | (<u>10,125.16</u>) |
| TOTAL EXPENDITURES | <u>322.80</u> | <u>274.84</u> | (<u>47.96</u>) | (<u>14.86</u>) | <u>10,400.00</u> | (<u>10,125.16</u>) |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>1,503.56</u> | <u>1,023.15</u> | (<u>480.41</u>) | (<u>31.95</u>) | (<u>7,090.00</u>) | <u>8,113.15</u> |
| BEGINNING FUND BALANCE | <u>6,397.93</u> | <u>9,108.65</u> | | | | |
| FUND BALANCE | <u>7,901.49</u> | <u>10,131.80</u> | | | | |

075-NATURE PRESERVE PROJECT
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|----------------------|----------------------|
| REVENUES: | | | | | | |
| Tax Notes | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Grants | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Other Revenue | 49.56 | 15,993.57 | 15,944.01 | 2,171.13 | 200.00 | 15,793.57 |
| Miscellaneous Revenue | <u>27,081.09</u> | <u>34,985.48</u> | <u>7,904.39</u> | <u>29.19</u> | <u>59,325.00</u> | <u>(24,339.52)</u> |
| TOTAL REVENUES | <u>27,130.65</u> | <u>50,979.05</u> | <u>23,848.40</u> | <u>87.90</u> | <u>59,525.00</u> | <u>(8,545.95)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| | 27,144.06 | 35,247.83 | 8,103.77 | 29.85 | 59,325.00 | (24,077.17) |
| | 184.80 | 155.88 | (28.92) | (15.65) | 265,000.00 | (264,844.12) |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | <u>0.00</u> | <u>0.00</u> | <u>0.00</u> | <u>0.00</u> | <u>0.00</u> | <u>0.00</u> |
| TOTAL EXPENDITURES | <u>27,328.86</u> | <u>35,403.71</u> | <u>8,074.85</u> | <u>29.55</u> | <u>324,325.00</u> | <u>(288,921.29)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>(198.21)</u> | <u>15,575.34</u> | <u>15,773.55</u> | <u>(7,958.00)</u> | <u>(264,800.00)</u> | <u>280,375.34</u> |
| BEGINNING FUND BALANCE | <u>265,643.51</u> | <u>261,282.57</u> | | | | |
| FUND BALANCE | <u>265,445.30</u> | <u>276,857.91</u> | | | | |

100-HOTEL MOTEL
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|---------------------|------------------------|
| REVENUES: | | | | | | |
| HOTEL MOTEL TAXES | 486,972.02 | 475,457.55 | (11,514.47) | (2.36) | 1,619,205.00 | (1,143,747.45) |
| OTHER REVENUE | <u>166.61</u> | <u>197.98</u> | <u>31.37</u> | <u>18.83</u> | <u>300.00</u> | <u>(102.02)</u> |
| TOTAL REVENUES | <u>487,138.63</u> | <u>475,655.53</u> | <u>(11,483.10)</u> | <u>(2.36)</u> | <u>1,619,505.00</u> | <u>(1,143,849.47)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| | <u>790,730.74</u> | <u>798,264.56</u> | <u>7,533.82</u> | <u>0.95</u> | <u>1,619,205.00</u> | <u>(820,940.44)</u> |
| TOTAL EXPENDITURES | <u>790,730.74</u> | <u>798,264.56</u> | <u>7,533.82</u> | <u>0.95</u> | <u>1,619,205.00</u> | <u>(820,940.44)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>(303,592.11)</u> | <u>(322,609.03)</u> | <u>(19,016.92)</u> | <u>6.26</u> | <u>300.00</u> | <u>(322,909.03)</u> |
| BEGINNING FUND BALANCE | <u>280,557.88</u> | <u>249,645.09</u> | | | | |
| FUND BALANCE | <u>(23,034.23)</u> | <u>(72,963.94)</u> | | | | |

110-HOTEL/MOTEL SPECIAL REV.
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|-------------------|-----------------------|
| REVENUES: | | | | | | |
| HOTEL MOTEL TAXES | 112,378.16 | 158,485.86 | 46,107.70 | 41.03 | 539,735.00 | (381,249.14) |
| OTHER REVENUE | <u>39.08</u> | <u>58.92</u> | <u>19.84</u> | <u>50.77</u> | <u>200.00</u> | (<u>141.08</u>) |
| TOTAL REVENUES | <u>112,417.24</u> | <u>158,544.78</u> | <u>46,127.54</u> | <u>41.03</u> | <u>539,935.00</u> | (<u>381,390.22</u>) |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| Supplies and Services | 2,891.52 | 1,000.00 | (1,891.52) | (65.42) | 122,850.00 | (121,850.00) |
| Transfer to Proposed Pro | 27,081.09 | 34,985.48 | 7,904.39 | 29.19 | 59,325.00 | (24,339.52) |
| TAX NOTE PAYMENT | <u>8,932.96</u> | <u>197,851.25</u> | <u>188,918.29</u> | <u>2,114.85</u> | <u>198,355.00</u> | (<u>503.75</u>) |
| TOTAL EXPENDITURES | <u>38,905.57</u> | <u>233,836.73</u> | <u>194,931.16</u> | <u>501.04</u> | <u>380,530.00</u> | (<u>146,693.27</u>) |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>73,511.67</u> | (<u>75,291.95</u>) | (<u>148,803.62</u>) | (<u>202.42</u>) | <u>159,405.00</u> | (<u>234,696.95</u>) |
| BEGINNING FUND BALANCE | <u>754,196.42</u> | <u>1,061,737.33</u> | | | | |
| FUND BALANCE | <u>827,708.09</u> | <u>986,445.38</u> | | | | |

115-FACILITY FUND
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|---------------------|----------------------|
| REVENUES: | | | | | | |
| Hotel Motel Tax | 74,918.76 | 148,384.60 | 73,465.84 | 98.06 | 269,870.00 | (121,485.40) |
| Interest | 171.83 | 175.47 | 3.64 | 2.12 | 300.00 | (124.53) |
| Transfers | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL REVENUES | <u>75,090.59</u> | <u>148,560.07</u> | <u>73,469.48</u> | <u>97.84</u> | <u>270,170.00</u> | <u>(121,609.93)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| Tourist Facility Maint | 36,571.44 | 68,657.52 | 32,086.08 | 87.74 | 305,235.00 | (236,577.48) |
| TOTAL EXPENDITURES | <u>36,571.44</u> | <u>68,657.52</u> | <u>32,086.08</u> | <u>87.74</u> | <u>305,235.00</u> | <u>(236,577.48)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>38,519.15</u> | <u>79,902.55</u> | <u>41,383.40</u> | <u>107.44</u> | <u>(35,065.00)</u> | <u>114,967.55</u> |
| BEGINNING FUND BALANCE | <u>500,155.48</u> | <u>651,499.12</u> | | | | |
| FUND BALANCE | <u>538,674.63</u> | <u>731,401.67</u> | | | | |

125-AIRPORT FUND
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|-------------------|----------------------|
| REVENUES: | | | | | | |
| AIRPORT REVENUE | 49,184.05 | 78,954.70 | 29,770.65 | 60.53 | 140,500.00 | (61,545.30) |
| | 0.00 | 0.00 | 0.00 | 0.00 | 30,000.00 | (30,000.00) |
| OTHER REVENUE | 135,917.38 | 1,298.99 | (134,618.39) | (99.04) | 100.00 | 1,198.99 |
| TRANSFERS & REIMBURSEMENT | 0.00 | 0.00 | 0.00 | 0.00 | 86,175.00 | (86,175.00) |
| TOTAL REVENUES | <u>185,101.43</u> | <u>80,253.69</u> | <u>(104,847.74)</u> | <u>(56.64)</u> | <u>256,775.00</u> | <u>(176,521.31)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| | 11,343.64 | 11,786.87 | 443.23 | 3.91 | 25,790.00 | (14,003.13) |
| | 46,733.57 | 47,164.81 | 431.24 | 0.92 | 526,423.00 | (479,258.19) |
| TOTAL EXPENDITURES | <u>58,077.21</u> | <u>58,951.68</u> | <u>874.47</u> | <u>1.51</u> | <u>552,213.00</u> | <u>(493,261.32)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>127,024.22</u> | <u>21,302.01</u> | <u>(105,722.21)</u> | <u>(83.23)</u> | <u>295,438.00</u> | <u>316,740.01</u> |
| BEGINNING FUND BALANCE | <u>11,080.80</u> | <u>394,280.80</u> | | | | |
| FUND BALANCE | <u>138,105.02</u> | <u>415,582.81</u> | | | | |

150-BEACH FUND
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|----------------------|------------------------|
| REVENUES: | | | | | | |
| HOTEL MOTEL TAXES | 812,172.15 | 748,286.71 | (63,885.44) | (7.87) | 1,906,340.00 | (1,158,053.29) |
| BEACH PARKING PERMITS | (112,604.16) | (78,486.92) | 34,117.24 | (30.30) | 680,000.00 | (758,486.92) |
| INTERGOVERNMENTAL | 39,928.82 | 50,628.76 | 10,699.94 | 26.80 | 221,000.00 | (170,371.24) |
| OTHER REVENUE | <u>326.89</u> | <u>476.36</u> | <u>149.47</u> | <u>45.72</u> | <u>750.00</u> | <u>(273.64)</u> |
| TOTAL REVENUES | <u>739,823.70</u> | <u>720,904.91</u> | <u>(18,918.79)</u> | <u>(2.56)</u> | <u>2,808,090.00</u> | <u>(2,087,185.09)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| BEACH RESTROOMS | 102,930.72 | 38,614.30 | (64,316.42) | (62.49) | 244,250.00 | (205,635.70) |
| BEACH IMPROVEMENTS | 196,232.40 | 463,453.09 | 267,220.69 | 136.18 | 746,000.00 | (282,546.91) |
| BEACH SERVICES | <u>1,082,525.14</u> | <u>994,320.93</u> | <u>(88,204.21)</u> | <u>(8.15)</u> | <u>2,154,909.00</u> | <u>(1,160,588.07)</u> |
| TOTAL EXPENDITURES | <u>1,381,688.26</u> | <u>1,496,388.32</u> | <u>114,700.06</u> | <u>8.30</u> | <u>3,145,159.00</u> | <u>(1,648,770.68)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>(641,864.56)</u> | <u>(775,483.41)</u> | <u>(133,618.85)</u> | <u>20.82</u> | <u>(337,069.00)</u> | <u>(438,414.41)</u> |
| BEGINNING FUND BALANCE | <u>1,980,862.07</u> | <u>2,171,547.95</u> | | | | |
| FUND BALANCE | <u>1,338,997.51</u> | <u>1,396,064.54</u> | | | | |

175-HARBOR FUND
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|-------------------|----------------------|
| REVENUES: | | | | | | |
| HARBOR FEES | 0.24 | 0.48 | 0.24 | 100.00 | 0.00 | 0.48 |
| HARBOR FEES | 465,669.60 | 451,288.10 | (14,381.50) | (3.09) | 668,670.00 | (217,381.90) |
| OTHER REVENUE | 8,593.67 | 7,111.46 | (1,482.21) | (17.25) | 13,750.00 | (6,638.54) |
| TRANSFERS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL REVENUES | <u>474,263.51</u> | <u>458,400.04</u> | <u>(15,863.47)</u> | <u>(3.34)</u> | <u>682,420.00</u> | <u>(224,019.96)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| | 270,675.54 | 241,145.31 | (29,530.23) | (10.91) | 574,790.00 | (333,644.69) |
| TRANS TO PROJECTE PROJ | 0.00 | 0.00 | 0.00 | 0.00 | 69,175.00 | (69,175.00) |
| TOTAL EXPENDITURES | <u>270,675.54</u> | <u>241,145.31</u> | <u>(29,530.23)</u> | <u>(10.91)</u> | <u>643,965.00</u> | <u>(402,819.69)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>203,587.97</u> | <u>217,254.73</u> | <u>13,666.76</u> | <u>6.71</u> | <u>38,455.00</u> | <u>178,799.73</u> |
| BEGINNING FUND BALANCE | <u>1,769,875.28</u> | <u>1,826,248.70</u> | | | | |
| FUND BALANCE | <u>1,973,463.25</u> | <u>2,043,503.43</u> | | | | |

200-CONSTRUCTION FUND
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|---------------------|---------------------|
| REVENUES: | | | | | | |
| REVENUE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| BOND PROCEEDS | 0.00 | 1,650,000.00 | 1,650,000.00 | 0.00 | 0.00 | 1,650,000.00 |
| GRANT PROCEEDS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| OTHER REVENUE | 15,714.18 | 204.99 | (15,509.19) | (98.70) | 2,500.00 | (2,295.01) |
| TOTAL REVENUES | <u>15,714.18</u> | <u>1,650,204.99</u> | <u>1,634,490.81</u> | <u>401.38</u> | <u>2,500.00</u> | <u>1,647,704.99</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| BOND FEES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| GRANT ACTIVITY | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| PROJECTED PROJECTS | 720,009.76 | 1,712,031.20 | 992,021.44 | 137.78 | 1,000,000.00 | 712,031.20 |
| TOTAL EXPENDITURES | <u>720,009.76</u> | <u>1,712,031.20</u> | <u>992,021.44</u> | <u>137.78</u> | <u>1,000,000.00</u> | <u>712,031.20</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | (704,295.58) | (61,826.21) | 642,469.37 | (91.22) | (997,500.00) | 935,673.79 |
| BEGINNING FUND BALANCE | <u>2,706,489.33</u> | <u>859,201.62</u> | | | | |
| FUND BALANCE | <u>2,002,193.75</u> | <u>797,375.41</u> | | | | |

205-IMPACT FEES ZONE 1
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|-------------------|--------------------|
| REVENUES: | | | | | | |
| LICENSES AND PERMITS | 116,017.72 | 133,181.21 | 17,163.49 | 14.79 | 200,000.00 | (66,818.79) |
| OTHER REVENUE | <u>124.32</u> | <u>84.07</u> | (40.25) | (32.38) | <u>250.00</u> | (165.93) |
| TOTAL REVENUES | <u>116,142.04</u> | <u>133,265.28</u> | <u>17,123.24</u> | <u>14.74</u> | <u>200,250.00</u> | (66,984.72) |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| PROJECTED PROJECTS | 26,126.45 | 326,311.79 | 300,185.34 | 1,148.97 | 175,000.00 | 151,311.79 |
| TRANSFERS | <u>150,000.00</u> | <u>0.00</u> | (150,000.00) | (100.00) | <u>150,000.00</u> | (150,000.00) |
| TOTAL EXPENDITURES | <u>176,126.45</u> | <u>326,311.79</u> | <u>150,185.34</u> | <u>85.27</u> | <u>325,000.00</u> | <u>1,311.79</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | (59,984.41) | (193,046.51) | (133,062.10) | 221.83 | (124,750.00) | (68,296.51) |
| BEGINNING FUND BALANCE | <u>367,606.63</u> | <u>414,807.22</u> | | | | |
| FUND BALANCE | <u>307,622.22</u> | <u>221,760.71</u> | | | | |

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|-------------------|--------------------|
| REVENUES: | | | | | | |
| TOTAL REVENUES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| TOTAL EXPENDITURES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| BEGINNING FUND BALANCE | 0.00 | 0.00 | | | | |
| FUND BALANCE | 0.00 | 0.00 | | | | |

210-PARK DEDICATION FEES
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|---------------------|---------------------|
| REVENUES: | | | | | | |
| LICENSES AND PERMITS | 28,093.44 | 41,790.16 | 13,696.72 | 48.75 | 55,000.00 | (13,209.84) |
| OTHER REVENUE | 42.95 | 45.05 | 2.10 | 4.89 | 100.00 | (54.95) |
| TOTAL REVENUES | <u>28,136.39</u> | <u>41,835.21</u> | <u>13,698.82</u> | <u>48.69</u> | <u>55,100.00</u> | <u>(13,264.79)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| TRANSFERS | 0.00 | 0.00 | 0.00 | 0.00 | 85,000.00 | (85,000.00) |
| TOTAL EXPENDITURES | <u>0.00</u> | <u>0.00</u> | <u>0.00</u> | <u>0.00</u> | <u>85,000.00</u> | <u>(85,000.00)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>28,136.39</u> | <u>41,835.21</u> | <u>13,698.82</u> | <u>48.69</u> | <u>(29,900.00)</u> | <u>71,735.21</u> |
| BEGINNING FUND BALANCE | <u>81,904.85</u> | <u>150,589.13</u> | | | | |
| FUND BALANCE | <u>110,041.24</u> | <u>192,424.34</u> | | | | |

215-STREET MAINTENANCE FUND
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|-------------------|---------------------|
| REVENUES: | | | | | | |
| OTHER REVENUE | 80.67 | 169.88 | 89.21 | 110.59 | 200.00 | (30.12) |
| TRANSFERS & REIMBURSEMENT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL REVENUES | <u>80.67</u> | <u>169.88</u> | <u>89.21</u> | <u>110.59</u> | <u>200.00</u> | <u>(30.12)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| PROJECTED PROJECTS | 500.00 | 6,101.06 | 5,601.06 | 1,120.21 | 30,000.00 | (23,898.94) |
| TOTAL EXPENDITURES | <u>500.00</u> | <u>6,101.06</u> | <u>5,601.06</u> | <u>1,120.21</u> | <u>30,000.00</u> | <u>(23,898.94)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | (419.33) | (5,931.18) | (5,511.85) | 1,314.44 | (29,800.00) | 23,868.82 |
| BEGINNING FUND BALANCE | <u>370,583.96</u> | <u>667,391.38</u> | | | | |
| FUND BALANCE | <u>370,164.63</u> | <u>661,460.20</u> | | | | |

225-RECREATIONAL DEVELOPMENT
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|-------------------|----------------------|
| REVENUES: | | | | | | |
| TAX REVENUE | 222,707.24 | 257,074.28 | 34,367.04 | 15.43 | 613,500.00 | (356,425.72) |
| INTERGOVERNMENTAL | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| OTHER REVENUE | 2,902.52 | 4,516.77 | 1,614.25 | 55.62 | 14,150.00 | (9,633.23) |
| TRANSFERS & REIMBURSEMENT | 0.00 | 0.00 | 0.00 | 0.00 | 85,000.00 | (85,000.00) |
| TOTAL REVENUES | <u>225,609.76</u> | <u>261,591.05</u> | <u>35,981.29</u> | <u>15.95</u> | <u>712,650.00</u> | <u>(451,058.95)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| | 270,654.99 | 268,577.52 | (2,077.47) | (0.77) | 672,585.00 | (404,007.48) |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES | <u>270,654.99</u> | <u>268,577.52</u> | <u>(2,077.47)</u> | <u>(0.77)</u> | <u>672,585.00</u> | <u>(404,007.48)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>(45,045.23)</u> | <u>(6,986.47)</u> | <u>38,058.76</u> | <u>(84.49)</u> | <u>40,065.00</u> | <u>(47,051.47)</u> |
| BEGINNING FUND BALANCE | <u>376,777.14</u> | <u>480,762.17</u> | | | | |
| FUND BALANCE | <u>331,731.91</u> | <u>473,775.70</u> | | | | |

250-GAS UTILITY FUND
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|---------------------|----------------------|
| REVENUES: | | | | | | |
| GRANTS | 25,132.73 | 25,128.73 | (4.00) | (0.02) | 175.00 | 24,953.73 |
| NATURAL GAS SALES | 758,493.78 | 716,741.38 | (41,752.40) | (5.50) | 1,140,800.00 | (424,058.62) |
| OTHER REVENUES | 17,824.38 | 1,171.26 | (16,653.12) | (93.43) | 5,750.00 | (4,578.74) |
| TRANSFERS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL REVENUES | <u>801,450.89</u> | <u>743,041.37</u> | <u>(58,409.52)</u> | <u>(7.29)</u> | <u>1,146,725.00</u> | <u>(403,683.63)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| GAS DEPARTMENT | 311,338.78 | 305,205.68 | (6,133.10) | (1.97) | 647,170.00 | (341,964.32) |
| TRANSFERS | 0.00 | 0.00 | 0.00 | 0.00 | 93,300.00 | (93,300.00) |
| GAS PURCHASE | 327,695.07 | 256,169.63 | (71,525.44) | (21.83) | 475,800.00 | (219,630.37) |
| TOTAL EXPENDITURES | <u>639,033.85</u> | <u>561,375.31</u> | <u>(77,658.54)</u> | <u>(12.15)</u> | <u>1,216,270.00</u> | <u>(654,894.69)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>162,417.04</u> | <u>181,666.06</u> | <u>19,249.02</u> | <u>11.85</u> | <u>(69,545.00)</u> | <u>251,211.06</u> |
| BEGINNING FUND BALANCE | <u>298,088.35</u> | <u>479,068.64</u> | | | | |
| FUND BALANCE | <u>460,505.39</u> | <u>660,734.70</u> | | | | |

255-SANITATION FUND
APRIL 30TH, 201

YEAR TO DATE COMPARISON

| | 2013-2014 Y-T-D ACTUAL | 2014-2015 Y-T-D ACTUAL | INCREASE/ (DECREASE) | PERCENT CHANGE | CURRENT BUDGET | BUDGET VARIANCE |
|---|------------------------------|------------------------------|-------------------------|-------------------|--------------------|----------------------|
| REVENUES: | | | | | | |
| GRANTS | 164.89 | 170.74 | 5.85 | 3.55 | 0.00 | 170.74 |
| UTILITY ACCOUNTS | 522,787.56 | 540,990.06 | 18,202.50 | 3.48 | 881,500.00 | (340,509.94) |
| OTHER REVENUES | 29.94 | 49.23 | 19.29 | 64.43 | 100.00 | (50.77) |
| TOTAL REVENUES | <u>522,982.39</u> | <u>541,210.03</u> | <u>18,227.64</u> | <u>3.49</u> | <u>881,600.00</u> | <u>(340,389.97)</u> |
| EXPENDITURES: | | | | | | |
| CURRENT: | | | | | | |
| SANITATION DEPARTMENT | 403,950.82 | 337,751.39 | (66,199.43) | (16.39) | 885,845.00 | (548,093.61) |
| TRANSFERS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| DEPRECIATION | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES | <u>403,950.82</u> | <u>337,751.39</u> | <u>(66,199.43)</u> | <u>(16.39)</u> | <u>885,845.00</u> | <u>(548,093.61)</u> |
| EXCESS OF REVENUES OVER (UNDER) EXPENDITURES | <u>119,031.57</u> | <u>203,458.64</u> | <u>84,427.07</u> | <u>70.93</u> | <u>(4,245.00)</u> | <u>207,703.64</u> |
| BEGINNING FUND BALANCE | <u>62,772.66</u> | <u>132,998.90</u> | | | | |
| FUND BALANCE | <u>181,804.23</u> | <u>336,457.54</u> | | | | |

CITY OF PORT ARANSAS
 POOLED CASH REPORT
 AS OF: APRIL 30TH, 2015

| FUND | ACCOUNT# | ACCOUNT NAME | BEGINNING BALANCE | CURRENT ACTIVITY | CURRENT BALANCE |
|------------------------------|----------|---------------|----------------------|----------------------|----------------------|
| CLAIM ON CASH | | | | | |
| 040-DEBT SERVICE FUND | 10110 | Claim on Cash | 134,729.58 | 13,459.22 | 148,188.80 |
| 050-GENERAL FUND | 10110 | Claim on Cash | 6,041,191.32 | (176,427.71) | 5,864,763.61 |
| 055-COURT TECHNOLOGY | 10110 | Claim on Cash | 11,287.61 | 318.16 | 11,605.77 |
| 056-COURT SECURITY | 10110 | Claim on Cash | 9,879.50 | 252.30 | 10,131.80 |
| 075-NATURE PRESERVE PROJECT | 10110 | Claim on Cash | 274,485.37 | 2,855.88 | 277,341.25 |
| 100-HOTEL MOTEL | 10110 | Claim On Cash | 98,799.14 | (171,763.08) | (72,963.94) |
| 110-HOTEL/MOTEL SPECIAL REV. | 10110 | Claim On Cash | 1,068,269.26 | 18,176.12 | 1,086,445.38 |
| 115-FACILITY FUND | 10110 | Claim on Cash | 673,887.11 | 57,853.51 | 731,740.62 |
| 125-AIRPORT FUND | 10110 | Claim on Cash | 394,796.41 | 6,004.30 | 400,800.71 |
| 150-BEACH FUND | 10110 | Claim On Cash | 1,437,958.12 | (62,858.86) | 1,375,099.26 |
| 175-HARBOR FUND | 10110 | Claim On Cash | 585,303.69 | 51,440.28 | 636,743.97 |
| 200-CONSTRUCTION FUND | 10110 | Claim on Cash | 803,837.31 | (6,461.90) | 797,375.41 |
| 205-IMPACT FEES ZONE 1 | 10110 | Claim on Cash | 333,465.86 | (111,705.15) | 221,760.71 |
| 207-IMPACT FEES ZONE 2 | 10110 | Claim on Cash | 0.00 | 0.00 | 0.00 |
| 210-PARK DEDICATION FEES | 10110 | Claim on Cash | 187,012.10 | 5,412.24 | 192,424.34 |
| 215-STREET MAINTENANCE FUND | 10110 | Claim on Cash | 664,207.86 | (2,747.66) | 661,460.20 |
| 225-RECREATIONAL DEVELOPMENT | 10110 | Claim On Cash | 464,535.48 | 11,937.33 | 476,472.81 |
| 250-GAS UTILITY FUND | 10110 | Claim On Cash | 962,781.66 | 58,159.79 | 1,020,941.45 |
| 255-SANITATION FUND | 10110 | Claim on Cash | 240,914.13 | 11,537.88 | 252,452.01 |
| TOTAL CLAIM ON CASH | | | 14,387,341.51 | (294,557.35) | 14,092,784.16 |

CASH IN BANK - POOLED CASH

| | | | | | |
|--|-------|-----------------------------|----------------------|----------------------|----------------------|
| 010 | 10110 | Pooled Cash - Value Bank | (17,320.35) | 627,005.91 | 609,685.56 |
| 010 | 10111 | Pooled Cash - American Bank | 30,448.19 | 0.00 | 30,448.19 |
| 010 | 10321 | Pooled Texpool | 10,454,217.34 | (921,732.05) | 9,532,485.29 |
| 010 | 10322 | Nature Preserve Project | 263,222.80 | 11.36 | 263,234.16 |
| 010 | 10323 | Hotel Motel Fund | 1,075,011.10 | 46.29 | 1,075,057.39 |
| 010 | 10324 | Beach Fund - Texpool | 1,688,735.23 | 72.71 | 1,688,807.94 |
| 010 | 10325 | Construction Projects | 647,669.03 | 27.85 | 647,696.88 |
| 010 | 10326 | Nature Preserve Investments | 0.00 | 0.00 | 0.00 |
| 010 | 10327 | Hotel Motel Investments | 0.00 | 0.00 | 0.00 |
| 010 | 10328 | Debt Service Fund | 245,358.17 | 10.58 | 245,368.75 |
| 010 | 10350 | CD's American Bank | 0.00 | 0.00 | 0.00 |
| 010 | 10355 | CD's Construction Fund | 0.00 | 0.00 | 0.00 |
| 010 | 14040 | Debt Service Fund | 0.00 | 0.00 | 0.00 |
| 010 | 15100 | CD Interest Receivable | 0.00 | 0.00 | 0.00 |
| SUBTOTAL CASH IN BANK - POOLED CASH | | | 14,387,341.51 | (294,557.35) | 14,092,784.16 |

CITY OF FORT ARANSAS
 POOLED CASH REPORT
 AS OF: APRIL 30TH, 2015

| FUND | ACCOUNT# | ACCOUNT NAME | BEGINNING BALANCE | CURRENT ACTIVITY | CURRENT BALANCE |
|---|----------|--------------------|----------------------|----------------------|----------------------|
| WAGES PAYABLE | | | | | |
| ----- | | | | | |
| 010 | 20400 | Wages Payable | <u>0.00</u> | <u>0.00</u> | <u>0.00</u> |
| SUBTOTAL WAGES PAYABLE | | | 0.00 | 0.00 | 0.00 |
| TOTAL CASH IN BANK - POOLED CASH | | | <u>14,387,341.51</u> | <u>(294,557.35)</u> | <u>14,092,784.16</u> |
| DUE TO OTHER FUNDS - POOLED CASH | | | | | |
| ----- | | | | | |
| 010 | 20000 | Due to Other Funds | <u>14,387,341.51</u> | <u>(294,557.35)</u> | <u>14,092,784.16</u> |
| TOTAL DUE TO OTHER FUNDS | | | <u>14,387,341.51</u> | <u>(294,557.35)</u> | <u>14,092,784.16</u> |

CITY OF PORT ARANSAS
 POOLED CASH REPORT
 AS OF: APRIL 30TH, 2015

| FUND | ACCOUNT# | ACCOUNT NAME | BEGINNING BALANCE | CURRENT ACTIVITY | CURRENT BALANCE |
|-----------------------------------|----------|-------------------------------|----------------------|---------------------|--------------------|
| DUE TO POOLED CASH | | | | | |
| 040 | 20300 | Accounts Payable (Pending) | 0.00 | 0.00 | 0.00 |
| 050 | 20300 | Accounts Payable (Pending) | 19,443.40 | 47,775.90 | 67,219.30 |
| 055 | 20300 | Accounts Payable | 0.00 | 0.00 | 0.00 |
| 056 | 20300 | Accounts Payable | 0.00 | 0.00 | 0.00 |
| 075 | 20300 | Accounts Payable (Pending) | 4,975.50 | (4,515.08) | 460.42 |
| 100 | 20300 | Accounts Payable (Pending) | 36,961.84 | (36,961.84) | 0.00 |
| 110 | 20300 | Accounts Payable | 0.00 | 0.00 | 0.00 |
| 115 | 20300 | Accounts Payable (Pending) | 681.18 | (342.28) | 338.90 |
| 125 | 20300 | Accounts Payable (Pending) | 681.18 | (681.18) | 0.00 |
| 150 | 20300 | Accounts Payable | 0.00 | 0.00 | 0.00 |
| 175 | 20300 | Accounts Payable (Pending) | 15,681.18 | (13,500.75) | 2,180.43 |
| 200 | 20300 | Accounts Payable (Pending) | 5,464.25 | (5,464.25) | 0.00 |
| 205 | 20300 | Accounts Payable | 0.00 | 0.00 | 0.00 |
| 207 | 20300 | Accounts Payable | 0.00 | 0.00 | 0.00 |
| 210 | 20300 | Accounts Payable | 0.00 | 0.00 | 0.00 |
| 215 | 20300 | Accounts Payable | 0.00 | 0.00 | 0.00 |
| 225 | 20300 | Accounts Payable (Pending) | 0.00 | 2,697.11 | 2,697.11 |
| 250 | 20300 | Accounts Payable (Pending) | 681.18 | 3,033.26 | 3,714.44 |
| 255 | 20300 | Accounts Payable | 0.00 | 470.67 | 470.67 |
| TOTAL DUE TO POOLED CASH | | | 84,569.71 | (7,488.44) | 77,081.27 |
| DUE FROM OTHER FUNDS | | | | | |
| 010 | 14040 | Debt Service Fund | 0.00 | 0.00 | 0.00 |
| 010 | 14050 | General Fund | 19,443.40 | 47,775.90 | 67,219.30 |
| 010 | 14055 | Court Technology Fund | 0.00 | 0.00 | 0.00 |
| 010 | 14056 | Court Security Fund | 0.00 | 0.00 | 0.00 |
| 010 | 14075 | Special Revenue Fund | 4,975.50 | (4,515.08) | 460.42 |
| 010 | 14100 | Hotel Motel Fund | 36,961.84 | (36,961.84) | 0.00 |
| 010 | 14110 | Hotel Motel Special Tax Fund | 0.00 | 0.00 | 0.00 |
| 010 | 14115 | Facility Fund | 681.18 | (342.28) | 338.90 |
| 010 | 14125 | Airport Fund | 681.18 | (681.18) | 0.00 |
| 010 | 14150 | Beach Permit Fund | 0.00 | 0.00 | 0.00 |
| 010 | 14175 | Municipal Harbor Fund | 15,681.18 | (13,500.75) | 2,180.43 |
| 010 | 14200 | Construction Fund | 5,464.25 | (5,464.25) | 0.00 |
| 010 | 14205 | Impact Fees Zone 1 | 0.00 | 0.00 | 0.00 |
| 010 | 14207 | Impact Fees Zone 2 | 0.00 | 0.00 | 0.00 |
| 010 | 14210 | Park Dedication Fees | 0.00 | 0.00 | 0.00 |
| 010 | 14215 | Street Maintenance Fund | 0.00 | 0.00 | 0.00 |
| 010 | 14225 | Recreational Development Fund | 0.00 | 2,697.11 | 2,697.11 |
| 010 | 14250 | Gas Utility Fund | 681.18 | 3,033.26 | 3,714.44 |
| 010 | 14255 | Sanitation Fund | 0.00 | 470.67 | 470.67 |
| TOTAL DUE FROM OTHER FUNDS | | | 84,569.71 | (7,488.44) | 77,081.27 |

CITY OF PORT ARANSAS
POOLED CASH REPORT
AS OF: APRIL 30TH, 2015

| FUND | ACCOUNT# | ACCOUNT NAME | BEGINNING BALANCE | CURRENT ACTIVITY | CURRENT BALANCE |
|------------------------------------|----------|--------------------------|----------------------|---------------------|--------------------|
| ----- | | | | | |
| ACCOUNTS PAYABLE - POOLED CASH | | | | | |
| ----- | | | | | |
| 010 | 20300 | Accounts Payable Account | <u>84,569.71</u> | <u>(7,488.44)</u> | <u>77,081.27</u> |
| TOTAL ACCOUNTS PAYABLE POOLED CASH | | | <u>84,569.71</u> | <u>(7,488.44)</u> | <u>77,081.27</u> |

*** END OF REPORT ***

OCCUPANCY TAX COLLECTIONS

| | PERCENT OF CHANGE FY 2015 TO FY 2014 | | PERCENT OF CHANGE FY 2015 TO FY 2013 | |
|--------|---|--------|---|---------------------|
| | MONTH | YTD | MONTH | YTD |
| | FY2014 | FY2013 | FY2014 | FY2013 |
| OCT 14 | 283,352.64 | OCT 13 | 283,352.64 | OCT 12 |
| NOV 14 | 231,649.78 | NOV 13 | 231,649.78 | NOV 12 |
| DEC 14 | 104,091.17 | DEC 13 | 104,091.17 | DEC 12 |
| JAN 15 | 54,100.54 | JAN 14 | 54,100.54 | JAN 13 |
| FEB 15 | 49,881.52 | FEB 14 | 49,881.52 | FEB 13 |
| MAR 15 | 77,067.99 | MAR 14 | 77,067.99 | MAR 13 |
| APR 15 | 241,995.88 | APR 14 | 248,719.14 | APR 13 |
| MAY 15 | 0.00 | MAY 14 | 230,442.69 | MAY 13 |
| JUN 15 | 0.00 | JUN 14 | 389,852.21 | JUN 13 |
| JUL 15 | 0.00 | JUL 14 | 742,962.19 | JUL 13 |
| AUG 15 | 0.00 | AUG 14 | 921,540.31 | AUG 13 |
| SEP 15 | 0.00 | SEP 14 | 697,618.45 | SEP 13 |
| | <u>1,109,400.95</u> | | <u>4,031,278.63</u> | |
| | | | | <u>3,558,230.12</u> |

The figures have a one month lag in reporting, for example October's taxes are not collected until November, November's taxes are not collected until December etc.

GENERAL FUND SALES TAX COMPARISON

| <u>DATE OF SALE</u> | <u>STATE PMT TO CITY</u> | <u>FY 2015</u> | <u>FY 2014</u> | <u>CHANGE</u> | <u>YTD</u> |
|---------------------|--------------------------|----------------|----------------|---------------|------------|
| SEPT 14 | NOV 14 | 116,174.78 | 100,285.96 | 15.84% | 15.84% |
| OCT 14 | DEC 14 | 97,002.03 | 83,415.45 | 16.29% | 16.05% |
| NOV 14 | JAN 15 | 65,888.57 | 61,080.93 | 7.87% | 14.01% |
| DEC 14 | FEB 15 | 89,972.77 | 71,788.00 | 25.33% | 16.57% |
| JAN 15 | MARCH 15 | 66,726.35 | 62,715.78 | 6.39% | 14.89% |
| FEB 15 | APRIL 15 | 76,725.03 | 64,227.31 | 19.46% | 15.55% |
| MARCH 15 | MAY 15 | 115,094.75 | 116,820.37 | -1.48% | 12.00% |
| APRIL 15 | JUNE 15 | 0.00 | 97,399.94 | -100.00% | -4.58% |
| MAY 15 | JULY 15 | 0.00 | 120,530.07 | -100.00% | -19.36% |
| JUNE 15 | AUG 15 | 0.00 | 158,075.70 | -100.00% | -32.97% |
| JULY 15 | SEPT 15 | 0.00 | 184,652.31 | -100.00% | -44.02% |
| AUG 15 | OCT 15 | 0.00 | 143,628.98 | -100.00% | -50.37% |
| TOTAL | | 627,584.28 | 1,264,620.80 | | |

Month of sale two months earlier than payment to City by State. (If \$ received from State in October, actual sale of goods occurred in August)

Oct. Jan. April and July include quarterly reports.

Jan. also includes annual reports.

SALES TAX COLLECTIONS

| | <u>FY 2015 TOTAL</u> | <u>FY 2015 G.F.</u> | <u>FY 2015 RDC</u> | <u>FY 2014 TOTAL</u> | <u>INCREASE (DECREASE)</u> |
|---------|--------------------------|-------------------------|------------------------|--------------------------|--------------------------------|
| OCT 14 | 174,262.17 | 116,174.78 | 58,087.39 | 150,428.94 | 23,833.23 |
| NOV 14 | 145,503.04 | 97,002.03 | 48,501.01 | 125,123.17 | 20,379.87 |
| DEC 14 | 98,832.86 | 65,888.57 | 32,944.29 | 91,621.39 | 7,211.47 |
| JAN 15 | 134,959.16 | 89,972.77 | 44,986.39 | 107,682.00 | 27,277.16 |
| FEB 15 | 100,089.53 | 66,726.35 | 33,363.18 | 94,073.67 | 6,015.86 |
| MAR 15 | 115,087.54 | 76,725.03 | 38,362.51 | 96,340.97 | 18,746.57 |
| APR 15 | 172,642.12 | 115,094.75 | 57,547.37 | 175,230.55 | -2,588.43 |
| MAY 15 | 0.00 | 0.00 | 0.00 | 146,099.91 | -146,099.91 |
| JUN 15 | 0.00 | 0.00 | 0.00 | 180,795.11 | -180,795.11 |
| JUL 15 | 0.00 | 0.00 | 0.00 | 237,113.55 | -237,113.55 |
| AUG 15 | 0.00 | 0.00 | 0.00 | 276,978.46 | -276,978.46 |
| SEPT 15 | 0.00 | 0.00 | 0.00 | 215,443.47 | -215,443.47 |
| TOTAL | 941,376.42 | 627,584.28 | 313,792.14 | 1,896,931.19 | -955,554.77 |

HARBOR SLIP RENTAL

| <u>FY2015 MONTHLY RENTALS</u> | | <u>FY2014 MONTHLY RENTALS</u> | | <u>PERCENT OF CHANGE</u> | |
|-------------------------------|-------------------|-------------------------------|-------------------|--------------------------|------------|
| | | | | <u>MONTH</u> | <u>YTD</u> |
| OCT 14 | 120,038.93 | OCT 13 | 126,214.33 | -4.89% | -4.89% |
| NOV 14 | 4,590.12 | NOV 13 | 3,703.38 | 23.94% | -4.07% |
| DEC 14 | 120,434.44 | DEC 13 | 127,742.20 | -5.72% | -4.89% |
| JAN 15 | 4,914.34 | JAN 14 | 5,672.32 | -13.36% | -5.07% |
| FEB 15 | 3,796.11 | FEB 14 | 4,701.64 | -19.26% | -5.32% |
| MAR 15 | 119,810.51 | MAR 14 | 126,649.93 | -5.40% | -5.35% |
| APR 15 | 579.97 | APR 14 | 4,778.20 | -87.86% | -6.33% |
| MAY 15 | 0.00 | MAY 14 | 2,495.51 | -100.00% | -6.91% |
| JUN 15 | 0.00 | JUN 14 | 126,752.09 | -100.00% | -29.23% |
| JUL 15 | 0.00 | JUL 14 | 5,569.07 | -100.00% | -29.97% |
| AUG 15 | 0.00 | AUG 14 | 5,135.41 | -100.00% | -30.64% |
| SEP 15 | 0.00 | SEP 14 | 3,909.32 | -100.00% | -31.13% |
| | <u>374,164.42</u> | | <u>543,323.40</u> | | |

| <u>FY2015 TRANSIENT RENTALS</u> | | <u>FY2014 TRANSIENT RENTALS</u> | | <u>PERCENT OF CHANGE</u> | |
|---------------------------------|------------------|---------------------------------|-------------------|--------------------------|------------|
| | | | | <u>MONTH</u> | <u>YTD</u> |
| OCT 14 | 19,896.77 | OCT 13 | 16,954.80 | 17.35% | 17.35% |
| NOV 14 | 7,997.44 | NOV 13 | 5,506.25 | 45.24% | 24.19% |
| DEC 14 | 5,999.67 | DEC 13 | 2,857.50 | 109.96% | 33.87% |
| JAN 15 | 5,845.84 | JAN 14 | 3,695.95 | 58.17% | 36.97% |
| FEB 15 | 4,424.72 | FEB 14 | 5,581.10 | -20.72% | 27.66% |
| MAR 15 | 5,495.70 | MAR 14 | 7,751.82 | -29.10% | 17.27% |
| APR 15 | 6,534.74 | APR 14 | 4,875.68 | 34.03% | 19.00% |
| MAY 15 | 0.00 | MAY 14 | 10,374.55 | -100.00% | -2.44% |
| JUN 15 | 0.00 | JUN 14 | 32,115.94 | -100.00% | -37.36% |
| JUL 15 | 0.00 | JUL 14 | 21,753.15 | -100.00% | -49.59% |
| AUG 15 | 0.00 | AUG 14 | 18,169.80 | -100.00% | -56.65% |
| SEP 15 | 0.00 | SEP 14 | 12,365.20 | -100.00% | -60.43% |
| | <u>56,194.88</u> | | <u>142,001.74</u> | | |

CITY OF PORT ARANSAS, TEXAS
Beach Parking Permits Sold
2015 compared to 2014

| | 2014 | 2014 Year to Date | 2014 | 2014 Year to Date | Increase (Decrease) 2015 vs 2014 | % Increase (Decrease) 2015 vs 2014 |
|-----------|-------|----------------------|--------|----------------------|--|--|
| December | 764 | 764 | 471 | 471 | 293 | 62.21% |
| January | 1,660 | 2,424 | 1,232 | 1,703 | 721 | 42.34% |
| February | 2,585 | 5,009 | 1,006 | 2,709 | 2,300 | 84.90% |
| March | 5,203 | 10,212 | 6,845 | 9,554 | 658 | 6.89% |
| April | 8,825 | 19,037 | 5,158 | 14,712 | 4,325 | 29.40% |
| May | 0 | 19,037 | 9,939 | 24,651 | (5,614) | -22.77% |
| June | 0 | 19,037 | 18,212 | 42,863 | (23,826) | -55.59% |
| July | 0 | 19,037 | 20,796 | 63,659 | (44,622) | -70.10% |
| August | 0 | 19,037 | 17,251 | 80,910 | (61,873) | -76.47% |
| September | 0 | 19,037 | 9,695 | 90,605 | (71,568) | -78.99% |
| October | 0 | 19,037 | 2,896 | 93,501 | (74,464) | -79.64% |
| November | 0 | 19,037 | 1,979 | 95,480 | (76,443) | -80.06% |



Port Aransas Police Department

Scott Burroughs, Chief of Police

Inter-Departmental Memorandum

Date: May 09, 2015
To: David Parsons, City Manager
From: Scott Burroughs, Chief of Police
RE: March 2015 Summary Report

The following is a summary of activity for the Port Aransas Police Department during the month of April 2015.

Total incidents: 2,027
Municipal Citations (includes all charges filed by the court): 97 charges
Total Arrests: 50

Arrests

The Port Aransas Police Department arrested 50 people including 13 that were arrested for outstanding warrants. Nineteen of the arrests were for alcohol related offenses. There were eight arrests for drug related crimes, six for traffic offenses (other than DWI), four for assaultive offenses, four for property crimes, and one for discharging a firearm in a public place (disorderly conduct). Some offenders were charged with more than one offense.

Citations (Summary of traffic charges filed through the Municipal Court by police department)

Disregard Traffic Control Device – 2, Driving W/O License, While License Suspended, or Invalid – 11, Expired Inspection – 0, Expired License Plates - 6, Parking Violation (Beach) – 1, Parking Violations (Other) - 1, No Insurance – 3, No Seat Belt/Unrestrained child – 0, Open Container – 1, Speeding 15, Willful And Wanton Disregard For Public Safety – 6, Other - 3.

Significant Events:

04/14: A 67-year old Port Aransas woman lost control of her vehicle while driving NB on 11th street. She drove through the intersection of Avenue G and struck an unoccupied building at the Rock Cottages. She was transported by PAEMS for serious, but non-life threatening injuries.

04/24-26: Sandfest: Despite adverse weather conditions, Texas Sandfest drew large crowds. On The Beach Road between Avenue G and Access Road 1A had to be closed for the event due to hazardous driving conditions, resulting in significant traffic delays in town for several hours on Saturday April 25.

STATE OF TEXAS

**AIRPORT ADVISORY BOARD &
WORKSHOP MEETING**

COUNTY OF NUECES

CITY HALL – 2:00 P.M.

CITY OF PORT ARANSAS

WEDNESDAY, February 25, 2015

1. **CALL TO ORDER:** The Airport Advisory Board meeting was called to order at 2:00 P.M., February 25, 2015 at City Hall, Port Aransas, Nueces County, Texas with the following members present; to wit:

BOARD MEMBERS PRESENT

Ed Wiatt, Chairman
Robert Stluka, Vice-Chairman
Claude Lamoureux
Mark Creighton (Left meeting at 3:00)

BOARD MEMBER(S) ABSENT

Keith Donely
Mike Sasser

STAFF MEMBERS PRESENT

City Manager David Parsons
Airport Manager Randy Hansen
Executive Assistant Francisca Nixon

STAFF MEMBER(S) ABSENT

2. **CITIZEN COMMENTS AND REPORTS:** *In accordance with the Open Meetings Act, the Board is prohibited from acting or discussing (other than factual responses to specific questions) any items brought before them at this time. Comments will be limited to three (3) minutes or less.*

No citizen comments were given.

3. **AIRPORT MANAGER'S REPORT**

- A. **Aircraft Count:** Randy Hansen, Airport Manager, has counted a total of 192 aircrafts that have visited the Mustang Beach Airport since January 1st of this year.
- B. **Overnight Fees:** The total amount of overnight fees collected from January 1st through today is \$1,010.00.
- C. **Hangar Waiting List:** Randy has been approached by many people wanting to be put on the hangar waiting list for the use of a hangar as a personal airport related business that would not house an airplane. Randy presented to the board a form that would include this additional information for each individual wanting a hangar when filling out the paperwork. Board members made suggestions to mail or email this form to the individuals that are currently on the hangar waiting list to inquire if they were still interested in a hangar and if the use of the hangar would be personal or business related.
- D. **Beacon Light Update:** The new beacon light has been ordered from Halibrute and should be delivered soon. Board member Mark Creighton expressed concerns about the bottom brackets not being stainless steel. Randy will look at the



brackets when the beacon light arrives to see if he needs to order different brackets.

- E. Tree Removal in Runway Approach: Randy received three bids for the tree removal in the Runway Approach and Claude Brown was chosen for the removal process. All trees and bushes listed by the FAA were removed successfully. A Runway Obstacle Letter was sent to FAA February 23, 2015 informing them of the tree removal.
- F. Other items discussed by Airport Manager: Randy noted that the rain gauge has not been working and that Vaisala will be doing a fly down to check it in March. Board member Mark Creighton stated he had received comments that the AWOS was hard to hear. Randy informed the board he had not had any complaints regarding the AWOS but will have Vaisala check it when the inspection for the rain gauge is done.

4. **AIRPORT BOARD MEMBER COMMENTS AND ITEMS FOR FUTURE CONSIDERATION:** Chairman, Ed Wiatt asked that this item be moved up due to Board Member Mark Creighton leaving the meeting early.

- ◆ Chairman, Ed Wiatt noted that some airport users are having trouble getting into the gate located at the terminal building. Randy stated he has posted instructions that are easily visible for individuals so that they should not have a problem getting into the gate.
- ◆ Board Member Mark Creighton expressed concerns after he personally witnessed a plane that had fallen off of the ramp after it turned to park in the transient parking area located in front of the terminal building due to the drop off. David Parsons stated he would have city staff add in dirt to build up the areas where the drop off is an issue weather permitting. Mr. Creighton made comments that after the construction there were ruts left in the area between the taxiway and the runway that also needs to be filled in.

5. **CLOSE THE REGULAR AIRPORT BOARD MEETING:** The regular Airport Advisory Board Meeting was adjourned at 2:30 P.M.

6. **CONVENE THE AIRPORT ADVISORY BOARD WORKSHOP:** The Airport Advisory Board Workshop was convened at 2:30 P.M.

7. **PRESENTATION, GENERAL DISCUSSION ON THE RECOMMENDATIONS FROM THE BOARD MEMBERS FOR AN AIRPORT MASTER PLAN:**

Board discussed possible recommendations for the future lease land at the airport. Ed Wiatt stated the board needed to look at the long term development for the land and how to get the best use out of the land. David informed the board this lease is a standard GLO ground lease and the commercial development did not need to be airport related. David stated that an access road, water, and electric will be needed before spots could be leased for hangars. David is going to get a new Master Plan with the adjusted depth of 300 ft for commercial building to reflect enough space for double parking in front and deliveries in back. The new Maser Plan will show the adjusted frontage lines on each side and increase airport space. David will get estimates for the new construction, electric, water, and have the board finalize the Master Plan at the next meeting. David asked that the board



members get a minimum lease standard for the first row of hangars to be built with the understanding that the 9010 money will be Phase II of this project.

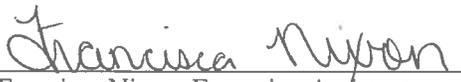
8. **CLOSE THE AIRPORT BOARD WORKSHOP:** The Airport Board Workshop was closed at 3:30 P.M.
9. **RECONVENE THE AIRPORT BOARD REGULAR MEETING:** The Airport Board Regular was reconvened at 3:30 P.M.
10. **APPROVAL OF MINUTES:** October 29, 2014 and February 4, 2015

MOTION: A motion to approve the minutes, without changes, from October 29, 2014 and February 4, 2015 was made by Robert Stluka and seconded by Claude Lamoureux. Motion carried with the following vote:

| Name | Yes | No | Abstain | Absent |
|-------------------------|-----|----|---------|--------|
| Ed Wiatt | X | | | |
| Keith Donley | | | | X |
| Mark Creighton | | | | X |
| Robert Stluka | X | | | |
| Claude Lamoureux | X | | | |
| Mike Sasser (Alternate) | | | | X |

11. **ADJOURNMENT:** The Airport Advisory Board was adjourned at 3:36 PM.


Ed Wiatt, Chairman


Francisca Nixon, Executive Assistant



STATE OF TEXAS

AIRPORT ADVISORY BOARD

COUNTY OF NUECES

CITY HALL – 2:00 P.M.

CITY OF PORT ARANSAS

WEDNESDAY, MARCH 25, 2015

1. **CALL TO ORDER:** The Airport Advisory Board meeting was called to order at 2:00 P.M., March 25, 2015 at City Hall, Port Aransas, Nueces County, Texas with the following members present; to wit:

BOARD MEMBERS PRESENT

Ed Wiatt, Chairman
Mike Sasser
Mark Creighton

BOARD MEMBER(S) ABSENT

Keith Donely
Robert Stluka, Vice-Chairman
Claude Lamoureux

STAFF MEMBERS PRESENT

City Manager David Parsons
Airport Manager Randy Hansen
Executive Assistant Francisca Nixon

STAFF MEMBER(S) ABSENT

2. **CITIZEN COMMENTS AND REPORTS:** *In accordance with the Open Meetings Act, the Board is prohibited from acting or discussing (other than factual responses to specific questions) any items brought before them at this time. Comments will be limited to three (3) minutes or less.*

Bryan Gulley, Piper Blvd, inquired if it would be possible for the City relocate the vehicles parked on Piper Blvd behind the hangars. Mr. Gulley proposed donating equipment and materials to help the City to relocate these vehicles to this location. He has also offered giving the City an easement onto his property so that vehicles would be able to access this new parking area.

3. **AIRPORT MANAGER'S REPORT**

- A. **Aircraft Count:** Randy Hansen, Airport Manager, has counted a total of 277 aircrafts that have visited the Mustang Beach Airport since the beginning of this year.
- B. **Overnight Fees:** A total of \$1,345.00 has been collected for overnight fees since January 1st.
- C. **Hangar Waiting List:** Randy emailed the individuals on the hangar waiting list requesting that they update their information and asked if they would still be interested in a hangar at the Mustang Beach Airport. At this time Randy has received updated information from half of the individuals on the hangar waiting list.
- D. **Beacon Light Update:** The new beacon light that was ordered from Halibrite has been installed and is working properly. Randy stated that the old beacon lights will be put up for public auction.



- E. National Air Traffic Control Inquiry: Randy received a call from Chelsea Kindell, secretary of the (NATCA) Corpus Christi National Air Traffic Control Association, wanting to host a fly-in at the Mustang Beach Airport. The purpose for this event will be to increase aviation education and camaraderie between pilots, controllers, and aviation personnel. Ms. Kindell stated there would be 50 to 120 people attending this fly-in. Board members agreed to have NATCA host their fly-in at the Mustang Beach Airport, but would like additional details for this event.
- F. Mowing between the taxiway and runway: Due to the recent rains city staff have not been able to mow the area between the taxiway and runway. Randy stated city staff has done some weed eating so that the lights can be visible until this area gets mowed.
- G. Other items discussed: At the last Airport Board meeting Randy was informed that a Mustang Beach Airport user was having trouble hearing the AWOS. During a recent visit from Vaisla to check the rain gauge Randy asked if they would check the AWOS to make sure it was functioning properly. The Vaisla Technician informed Randy that the AWOS was functioning as it should. The rain gauge is currently not working and a new rain gauge has been ordered.

4. **ITEMS FOR CONSIDERATION:**

A. **APPROVAL OF MINUTES:** February 25, 2015

MOTION: A motion to approve the minutes, without changes, from February 25, 2015 was made by Mark Creighton and seconded by Mike Sasser. Motion carried with the following vote:

| Name | Yes | No | Abstain | Absent |
|-------------------------|-----|----|---------|--------|
| Ed Wiatt | X | | | |
| Keith Donley | | | | X |
| Mark Creighton | X | | | |
| Robert Stluka | | | | X |
| Claude Lamoureux | | | | X |
| Mike Sasser (Alternate) | X | | | |

B. **PRESENTATION AND GENERAL DISCUSSION FROM THE BOARD MEMBERS FOR THE MINIMUM LEASE STANDARD FOR FUTURE HANGARS:** No discussion was made on this agenda item at this time.

C. **DISCUSS AND TAKE ACTION TO FINALIZE THE AIRPORT MASTER PLAN:**

- City Manager, David Parsons, presented the quote from Island Construction for an 800X35 ft area totaling 3,111 square yards from the end of the 2017 stub-out project estimated to be \$190,000. This cost includes the design and engineering survey, grubbing and staking and to come back in with 7 inch



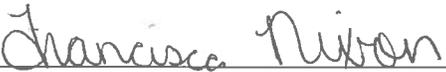
cement stabilized base and 2 inch asphalt, and two driveways. A quote was not given for the electric at this time.

- Chairman, Ed Wiatt, suggested changing the frontage to move the box hangars that were suggested at the last meeting and place t-hangars in this area instead. Ed Wiatt stated that this could help the City build revenue in Phase I of this project or have this area subleased. Board member Mike Sasser stated due to the high demand for t-hangars from individuals on the hangar waiting list it could be beneficial to have these hangars built first. Randy Hansen inquired if the City could build and sell the hangars and was informed that the City could build the hangars if they chose to, but would not sell them. David stated this would only be beneficial if the City received 9010 hangar money otherwise the land would be subleased. Mark Creighton said a structure could be built so that the t-hangars could be continuously added onto.
- Ed Wiatt suggested having a feasibility study on the land to determine the best use of the land in this area. David stated at this time the main decision the board needs to decide on is how much land will be used for aviation and how much will be for commercial use. David stated that he would contact TX-DOT to see what the process would be to get on the waiting list for 9010 hangar money.

5. **BOARD MEMBER COMMENTS AND ITEMS FOR FUTURE CONSIDERATION:**

- Discuss and take action on an Airport Master Plan.
- Update on the airport hangar waiting list.

6. **ADJOURNMENT:** The Airport Advisory Board was adjourned at 3:36 PM.


Francisca Nixon, Executive Assistant


Ed Wiatt, Chairman



STATE OF TEXAS

PARKS AND RECREATION BOARD MEETING

COUNTY OF NUECES

City Council Chambers, City Hall – 5:30 P.M.

CITY OF PORT ARANSAS

MONDAY, March 16, 2015

1. **CALL TO ORDER:** The Parks and Recreation Board meeting was called to order at 5:30 PM, Monday, March 16, 2015, at City Hall, 710 W. Avenue A, Port Aransas, Nueces County, Texas with the following members present; to wit:

BOARD MEMBERS PRESENT

Scott Holt, Chairman
Wallis Starr
Julie Findley

BOARD MEMBER(S) ABSENT

Laura Derkits(Alternate)
Sharon Grumbles, Vice Chariman
Cherrie Stunz

STAFF MEMBERS PRESENT

David Minnick, Grounds Supervisor
Pam Greene, Program Coordinator
Francisca Nixon, Executive Assistant

STAFF MEMBER(S) ABSENT

David Hyde, Parks and Recreation
Director

2. **CITIZEN COMMENTS AND REPORTS:** *In accordance with the Open Meetings Act, the Board is prohibited from acting or discussing (other than factual responses to specific questions) any items brought before them at this time. Comments will be limited to three (3) minutes or less.*

No citizen comments were given.

3. **ITEMS FOR DISCUSSION AND CONSIDERATION**

A. APPROVAL OF MINUTES: January 19, 2015

MOTION: A motion to approve the minutes, without changes, from January 19, 2015 was made by Julie Findley and was seconded by Wallis Starr. Motion carried unanimously.

B. GENERAL DISCUSSION ON A SHADE STRUCTURE AND THE NEW PLAYGROUND EQUIPMENT AT ROBERTS' POINT PARK:

The Board inquired about additional funding for a shade structure for Roberts's Point Park. The Parks and Recreations Grounds Supervisor, David Minnick, informed the board that David Hyde stated there are no additional funds available for a shade structure at this time. Julie Findley asked if the installation of the new playground equipment was still on schedule to be installed before the summer and was informed by Mr. Minnick that he was unaware of the date of installation. The board will wait for an update from David Hyde regarding the Playground Equipment at the next meeting.

C. GENERAL DISCUSSION ON EXPANDING THE PARKING AREA AT PARADISE POND AND THE BIRDING CENTER:



Chairman Scott Holt asked to Table this Agenda item for the next Parks and Recreation Advisory Board meeting and asked that property lines for both locations be located so that the board can discuss expanding the parking.

D. PARK REPORTS

- i. Robert's Point Park – Wallis Starr presented the following information on suggested improvements for Roberts' Point Park:
 - ❖ Wallis noticed the first step on the lookout tower has some missing screws that need to be replaced and some of the dead vegetation in this area needs to be removed along with the Pepper Trees in the demo gardens. Wallis suggested having something placed on top of the horseshoe stakes to make them more visible or possibly painting them to prevent a possible injury.
- ii. Leonabelle Turnbull Birding Center - Scott Holt presented the following information on suggested improvements for Leonabelle Turnbull Birding Center:
 - ❖ Scott stated that many of the same issues from the previous reports he has given are still present. Scott has noticed the last Brazilian Pepper Tree in the first group of trees has not been removed as discussed at the last meeting. He expressed the need to have this pepper tree removed due to it interfering with growth of the new plants and trees around it. Scott suggested cutting the big limb off of the Black Willow located by the picnic table so that the Mulberry can grow. Scott has noticed that many of the boards that were loose or broken on the boardwalk are being replaced.
- iii. Community Park: No report was given by board member Laura Derkits.
- iv. Joan and Scott Holt Paradise Pond: Julie Findley gave a report on the following items in need of attention at Paradise Pond:
 - ❖ Julie noted that Paradise Pond looked very well maintained and the St. Augustine and Guinea Grass needs to be sprayed. Julie noticed that the same items from the previous months still need attention.
- v. Nature Preserve (Port Ave entrance): No report was given by board member Sharon Grumbles. Board member Wallis Starr noticed on a recent trip to this location that there are big holes along the trails and the Pavilion needs to be pressure washed.
- vi. Nature Preserve (State HWY 361 entrance): No report was given by board member Cherrie Stunz.

E. BOARD MEMBER COMMENTS AND ITEMS FOR FUTURE CONSIDERATION:

- ◆ Chairman, Scott Holt asked that the property lines at Paradise Pond and the Birding Center be located to see if there would be available space for future parking.
- ◆ Julie Findley stated that she has applied for a Keep America Beautiful grant for additional recycling bins for the parks and the beach. The grant states the City would be responsible for the emptying of the contents in the recycling bins. Julie spoke with City Manager, David Parsons, and he stated that the Public Works and Parks and Recreation Department would be responsible for the emptying of these recycling bins if the grant is approved.



- ◆ General Discussion on a shade structure and the new playground equipment at Roberts' Point Park.
- ◆ Julie Findley asked to discuss the long term management for Paradise Pond and the Birding Center.
- ◆ Next meeting is scheduled for April 20, 2015.

4. **ADJOURNMENT:** A motion was made to adjourn the meeting by Wallis Starr and seconded by Julie Findley at 6:20 PM.

