

CITY OF PORT ARANSAS, TEXAS

AGENDA

CITY COUNCIL REGULAR MEETING

Thursday, December 17, 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, December 17, 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. **PRESENTATION:** Nueces County Precinct 4 Commissioner Brent Chesney will present a Nueces County Commissioner’s Court Resolution congratulating the City for being the TML 2015 Excellence Award Winner in the under 25,000 population in the Public Works Category.
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.*
6. **ITEMS FOR CONSIDERATION**
 - A. Discuss and take action to confirm that Dune Permit BFDP 150864 is consistent with the City’s Coastal Management Plan. The dune permit applicant seeks to re-construct an existing walkover. The construction will be located within the existing walkover easement and will include removing the existing walkover and constructing a new one. No permanent impacts to the project site or adjacent site are expected as a result of this project. Temporary impacts will be mitigated until the vegetation has re-established. No impacts to critical dunes are proposed. Applicant: Chuck Robertson (HOA President). Property Location: 283 Keewaydan.
 - B. Discuss and take action to confirm that Dune Permit BFDP 15909 is consistent with the City’s Coastal Management Plan. The dune permit applicant seeks to re-construct an existing walkover. The construction will be located within the existing walkover easement and will include expanding the existing walkover. No permanent impacts to the project site or adjacent areas is expected as a result of this project. Temporary impacts will be mitigated until the vegetation has re-established. No impacts to

critical dunes are proposed. Applicant: Alex Harris. Property Location: 4903 Hwy 361.

- C. Discuss and take action on second reading of an Ordinance Amending Chapter 23 “Traffic And Motor Vehicles” By Adding a New Article V. “Cell Phone Use, Prohibited”; Adding Definitions, Citing Exceptions, Non-Applicability, Affirmative and Conflicting Defenses and Setting Penalty; Providing For Severance, Reading, And Effective Date.
- D. Discuss and take action on third and final reading of an Ordinance Amending Chapter 23 “Traffic and Motor Vehicles” Article VIII. “Golf Carts and Neighborhood Electric Vehicles (NEVS)” Section 23-300 “Definitions” and Section 23-306 by Adding Definition for a Golf Cart Rental Business; Adding Requirements for Seat Belts, Specific Language to be Included in Rental Contracts and the Display of Official Rules Notice, Sticker or Placard on all Golf Carts; Providing for Severance, Reading, and Effective Date.
- E. Discuss and take action on second reading of an Ordinance Amending Chapter 18 “Public Places, Property and Services” Article II. “Beaches”, Division 3. “Regulations” Section 18-61 “Alcohol Consumption on the Beach” by Adding Provision to Temporarily Amend the Hours of Consumption or Possession and Definition of Possession With Intent to Consume Alcoholic Beverages; Providing For Severance, Reading, And Effective Date.
- F. Deliberate and take action on the second reading of an Ordinance Amending Chapter 12 “Licenses and Business Regulations”, Article VIII. “Short-Term Rentals”; Adding Definitions, Setting Procedures for Registration and Permitting; Establishing Duties of Owner/Operator; Setting Penalty; And Providing For Severance, Reading, And Effective Date.
- G. Discuss and take action on the Thursday, November 19, 2015 City Council Meeting Minutes as presented.
- H. Discuss and take action to approve a Resolution Adopting the 2016 Fee Schedule; and Providing for Severance and Setting Effective Date.
- I. Discuss and take action on a Resolution Approving the City Portal Use Agreement with the Texas Municipal Retirement System (TMRS) and Authorizing the City Manager to Sign Said Contract Agreement; Designating the City Secretary as the City Portal Administrator to Access the TMRS City Portal for Official City Business Purposes.
- J. Discuss and take action on A Resolution Ratifying Action Taken With Adoption of Resolution No. 2015-R45 by Appointing Council Member Beth Owens, Police Chief Scott Burroughs, Detective Mike Hannon, Animal Control Officer Jim Williams and

Animal Friends Members Marnie Pate And Susanne Horner to the Animal Shelter Advisory Board.

7. **STAFF REPORTS:** Pursuant to Home Rule Charter and Code of Ordinances - presentation, general discussion and approval of the following reports:

K. Monthly/Quarterly Reports – Accounting/Finance - *Darla Honea, Finance Director*

L. Minutes from the following City Committees, Boards/Commissions – Planning & Zoning August 31 and October 26, 2015.

8. **CITY COUNCIL COMMENTS AND ITEMS FOR FUTURE CONSIDERATION**

9. **ADJOURNMENT**

CERTIFICATION

I, certify that a copy of the Thursday, December 17, 2015 agenda of items to be considered by the Port Aransas City Council was posted on the City Hall bulletin board on Monday, December 14, 2015 @ 4:30pm.

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: _____



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, December 17th, 2015

AGENDA ITEM: 6-A

Discuss and take action to confirm that Dune Permit BFDP 150864 is consistent with the City's Coastal Management Plan. The dune permit applicant seeks to re-construct an existing walkover. The construction will be located within the existing walkover easement and will include removing the existing walkover and constructing a new one. No permanent impacts to the project site or adjacent site are expected as a result of this project. Temporary impacts will be mitigated until the vegetation has re-established. No impacts to critical dunes are proposed. Applicant: Chuck Robertson (HOA President). Property Location: 283 Keewaydan.

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: Dune Permit request BFDP#150864 was submitted by Chuck Robertson (HOA President) via Naismith Engineering on September 11th, 2015 for a walkover reconstruction.

ENGINEERING REVIEW: Urban Engineering reviewed the referenced dune permit and found that the subject application is consistent with the City's Coastal Management Plan but included some comments.

PLANNING & ZONING COMMISSION RECOMMENDATION: Approved application at the October 26th, 2015 meeting.

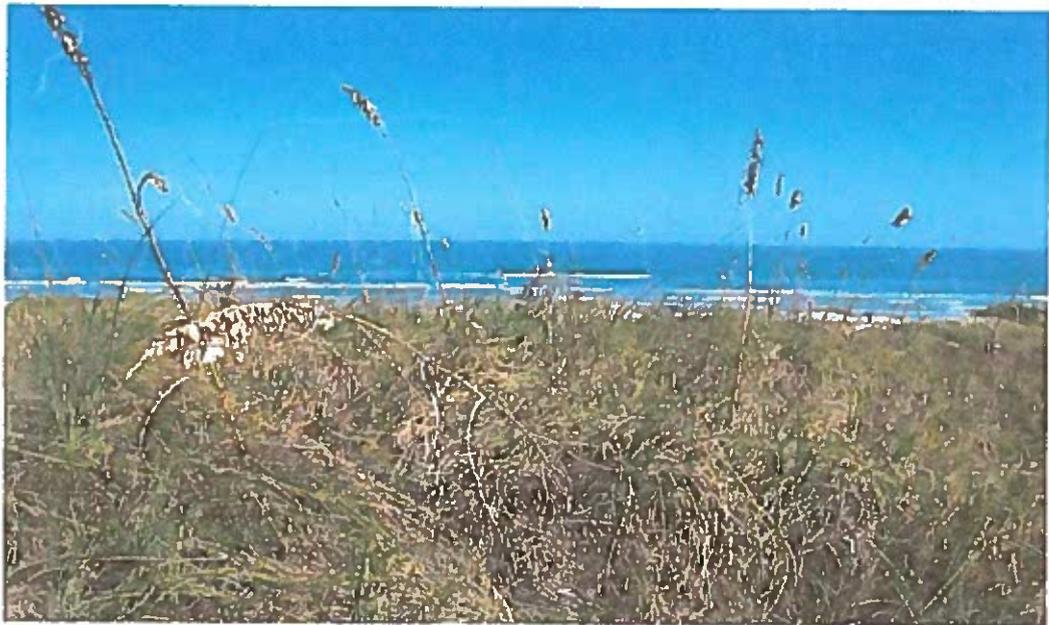
GLO REVIEW: The GLO approved the application and included standard comments.

STAFF RECOMMENDATION: Approve Dune Permit BFDP 150864 as presented.

BEACHWALK II WALKOVER RE-CONSTRUCTION

APPLICATION FOR

CITY OF PORT ARANSAS
DUNE PROTECTION PERMIT AND BEACHFRONT CONSTRUCTION
CERTIFICATE APPLICATION



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



PREPARED BY

NEI NaismithEngineering, Inc
ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING
TEXAS BOARD OF PROFESSIONAL ENGINEERS REGISTERED FIRM F-00355

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- EXHIBIT F EROSION RATE MAP
- EXHIBIT G FEMA MAP
- EXHIBIT H LARGE SCALE DEVELOPMENT BEACHFRONT CONSTRUCTION CERTIFICATE
- EXHIBIT I ADMINISTRATIVE REVIEW AND RECEIPT

I. PROJECT DESCRIPTION

This project consists of the re-construction of an existing walkover. The construction will be located within the existing walkover easement and will include removing the existing walkover and constructing a new one. See project location on Exhibit A.

No permanent impacts to the project site or adjacent areas is expected as a result of this project. Temporary impacts will be mitigated until the vegetation has re-established. No impacts to critical dunes are proposed.

II. APPLICATION INFORMATION

A. APPLICANT INFORMATION

OWNER: BEACHWALK II HOA
4918 HOLLY ROAD, C-3
CORPUS CHRISTI TEXAS 78411
(361)815-2905

APPLICANT: CHUCK ROBERTSON (HOA PRESIDENT)
4918 HOLLY ROAD, C-3
CORPUS CHRISTI TEXAS 78411
(361)815-2905

ENGINEER: CRAIG B. THOMPSON, P.E., NAISMITH ENGINEERING, INC.
Address: 4501 Gollihar Road
Corpus Christi, TX 78411
Phone: (361) 814 - 9900

B. PROPERTY DESCRIPTION

LEGAL DESCRIPTION (also see Exhibit D):
Beachwalk Unit 2, N.U.D. Lot 76 (easement)

C. PROPOSED IMPROVEMENTS

HABITABLE AND NON - HABITABLE STRUCTURES:

Only non-habitable construction is proposed. This application is for the walkover only.

D. PARKING SPACES

EXISTING:

Parking exists dedicated for the homes. Parking will not be impacted as a result of this project.

PROPOSED:

Parking exists dedicated for the homes. Parking will not be impacted as a result of this project.

E. OPEN SPACE

EXISTING AREA:

<i>Description</i>	<i>Area</i>	<i>% Open Space</i>
<i>Lot 76</i>	<i>0.20 acres</i>	<i>100%</i>

PROPOSED AREA:

<i>Description</i>	<i>Area</i>	<i>% Open Space</i>
<i>walkover</i>	<i>0.20 acres</i>	<i>100%</i>

F. FLOOR PLAN

Only walkover re-construction is proposed. See Exhibit B for the proposed site plans and layout.

G. DURATION OF CONSTRUCTION

Construction of the walkover will be completed within twelve (12) months after permit approval. It is expected that the improvements will be constructed within several months 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 WALKOVERS AND WALKWAYS:

The existing dune walkover will be removed and another walkover will be constructed in its place.

PROPOSED DUNE WALKOVERS AND WALKWAYS:

The proposed dune walkover will be constructed in a larger, more stable footprint. The existing walkover includes slopes at the beginning and end that are very steep and hazardous. The middle section and handrails are also deteriorating and will become a safety hazard.

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:

There is no proposed grading.

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

Photos of the existing site, dunes and vegetation were taken in June 2015. See Exhibit E.

K. EFFECTS 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 is not expected to have any permanent effects on the dune system.

L. MITIGATION PLAN

AVOIDANCE:

Effects to critical dunes were avoided by raising the elevation of the proposed walkover.

MINIMIZATION:

Temporary impacts will be minimized by using hand-equipment and the minimal amount of impact to the utility corridor as necessary.

MITIGATION:

Mitigation is not proposed for no effects to critical dunes. Stabilization and re-vegetation efforts from temporary impacts will be continuous until stabilized.

FINANCIAL CAPABILITY TO PERFORM MITIGATION

The improvements do not require mitigation.

M. SITE PLAN AND PLAT

The proposed site plan is included in Exhibit B. The plat is included as Exhibit D.

N. SMALL SCALE CONSTRUCTION

The proposed project falls under criteria for a Small-Scale Construction Project. The area of the walkover is less than 5,000 square feet and/or three stories.

No alternatives are proposed. The purpose of this project is to re-construct an existing walkover to service the Beachwalk II NUD. All impacts to critical dunes were avoided and minimized.

O. TOPOGRAPHY AND DRAINAGE

The topography and drainage of the area will not be modified as a result of only temporary impacts as a result of this project

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 areas that have not been currently mapped or approved for flood zone elevations. An interim map has not yet been approved for

the area. Currently, the project is located in an area that has an annual chance of 1%. 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 GOVERNMENTAL BEACH ACCESS PLAN

No additional public access is planned or noted in the City's or County's Master Plan. The application is included as Exhibit H.

T. COMPLIANCE WITH LOCAL GOVERNMENT DUNE PROTECTION PLAN

This Beachfront Construction Certificate complies with the requirements of the City of Port Aransas Coastal Management Plan and the Texas Administrative Code.

III. EXHIBITS

EXHIBIT A	AERIAL VIEW AND LOCATION MAP
EXHIBIT B	PROPOSED STRUCTURES AND LAYOUT
EXHIBIT C	EXISTING RELIEF MAP
EXHIBIT D	PLAT
EXHIBIT E	SITE PHOTOS
EXHIBIT F	EROSION RATE MAP
EXHIBIT G	FEMA MAP
EXHIBIT H	SMALL SCALE DEVELOPMENT BEACHFRONT CONSTRUCTION CERTIFICATE
EXHIBIT I	ADMINISTRATIVE REVIEW AND RECEIPT

EXHIBIT A
AERIAL VIEW AND LOCATION MAP

Beachwalk II

Legend

- ⊙ Island
- Port Aransas

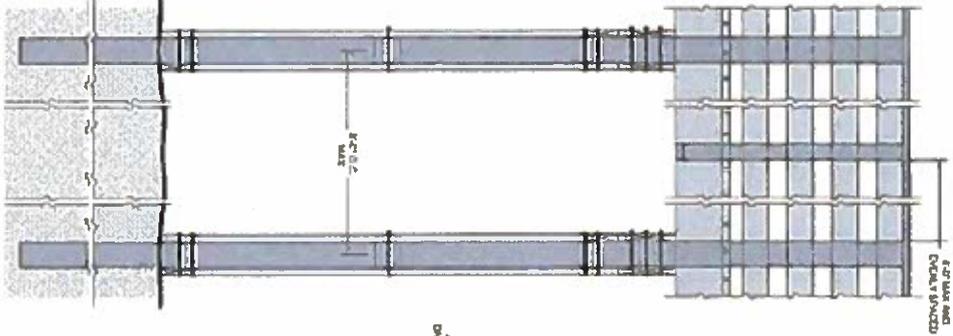


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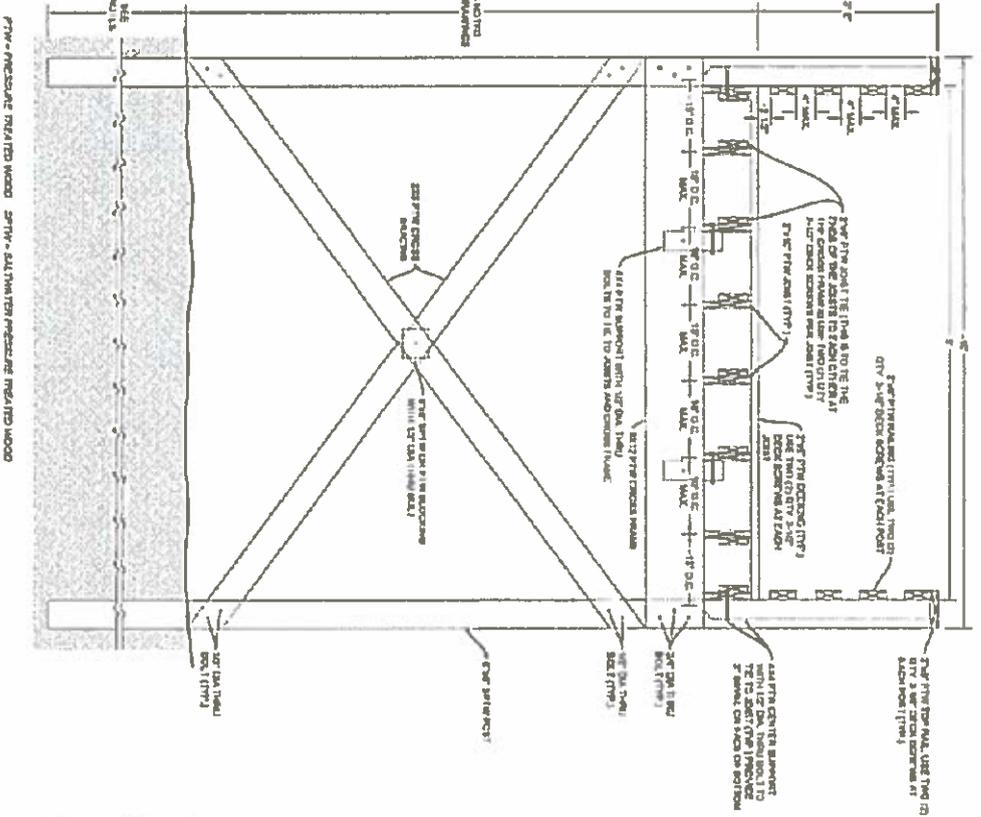


EXHIBIT B
PROPOSED STRUCTURES AND LAYOUT

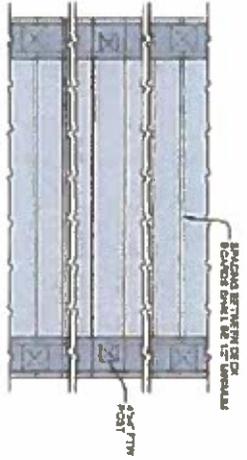
SIDE VIEW
NOT TO SCALE



END VIEW
NOT TO SCALE



PLAN VIEW
NOT TO SCALE



- DUNE WALKOVER DETAIL GENERAL NOTES**
1. SHALL BE CONSTRUCTED USING THE COMMONLY AVAILABLE MATERIALS LISTED.
 2. ALL WALKOVERS SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' SPACING BETWEEN WALKOVERS.
 3. ALL WALKOVERS SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' SPACING BETWEEN WALKOVERS.
 4. ALL WALKOVERS SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' SPACING BETWEEN WALKOVERS.
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 9. ALL WALKOVERS SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' SPACING BETWEEN WALKOVERS.
 10. ALL WALKOVERS SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' SPACING BETWEEN WALKOVERS.

FOR INTERIM REVIEW
 NOT FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES
THOMAS B. TIFFIN, P.E.
 LIC. 111732 DATE: 02/2015

TYPICAL 9' WIDTH DUNE WALKOVER DETAILS

BEACHWALK II DUNE WALKOVER
CORPUS CHRISTI, NUECES COUNTY, TEXAS

NEI NaismithEngineering, Inc
 8025 S. 24TH ROAD, CORPUS CHRISTI, TX 78415
 TEL: 361.833.8888 FAX: 361.833.8889

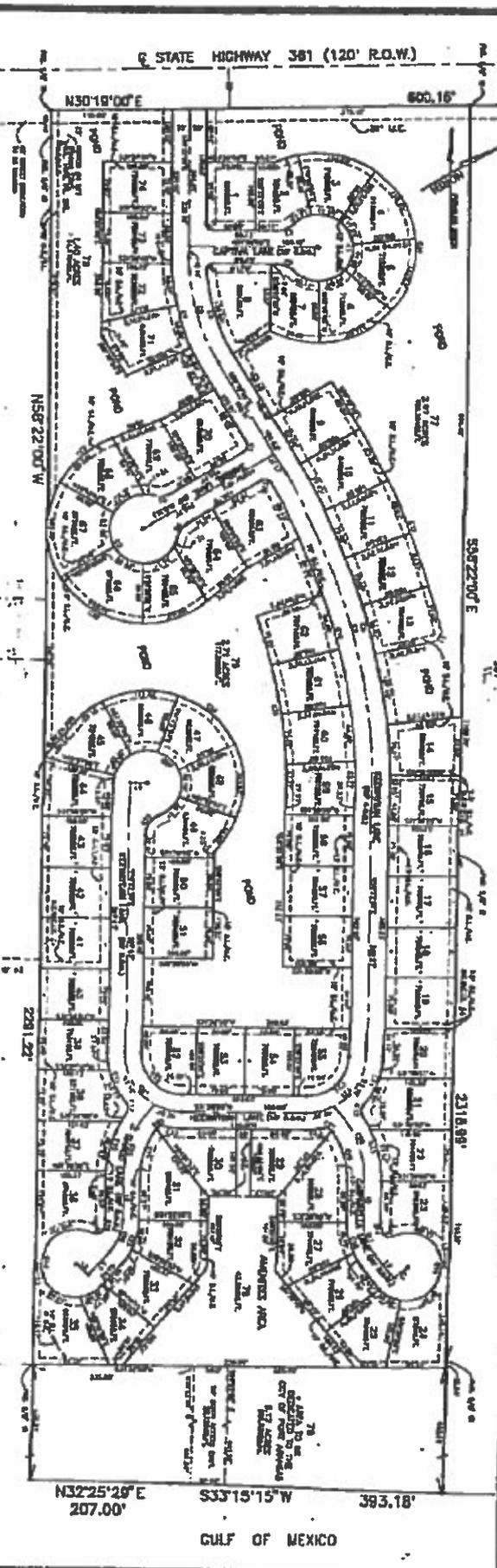
NO.	REV.	DATE	DESCRIPTION
1	1	02/2015	ISSUED FOR PERMIT

EXHIBIT C
EXISTING RELIEF MAP



EXHIBIT D

PLAT



**PLAT OF
BEACHWALK UNIT 2, N.U.D.**

BEING A REPLAT OF LOTS 4 AND 5, MUSTANG ISLAND SECTION 3, A SUBDIVISION OF THE CITY OF PORT ANWASAS, NUECES COUNTY, TEXAS, A MAP OF WHICH IS RECORDED IN VOLUME 39, PAGES 78-79, MAP RECORDS OF NUECES COUNTY, TEXAS.

- NOTE: PLATTED AREA CONTAINS 31.27 ACRES OF LAND.
- 1) TOTAL PLATTED AREA CONTAINS 31.27 ACRES OF LAND.
 - 2) STATE ROAD RECORDED UNDER COUNTY ROAD OPEN ON PLAT.
 - 3) PLAT AREA BASED ON RECORDED PLAT OF MUSTANG ISLAND SECTION 3, A MAP OF WHICH IS RECORDED IN VOLUME 39, PAGES 78-79, MAP RECORDS OF NUECES COUNTY, TEXAS.
 - 4) 1/4\"/>

Lot 1

LINE	BEARING	DISTANCE
1	N 50° 18' 00\"/>	

Lot 2

LINE	BEARING	DISTANCE
1	N 50° 18' 00\"/>	

Lot 3

LINE	BEARING	DISTANCE
1	N 50° 18' 00\"/>	

Lot 4

LINE	BEARING	DISTANCE
1	N 50° 18' 00\"/>	

Lot 5

LINE	BEARING	DISTANCE
1	N 50° 18' 00\"/>	

Lot 6

LINE	BEARING	DISTANCE
1	N 50° 18' 00\"/>	

STATE OF TEXAS
COUNTY OF NUECES

I, John R. Smith, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original plat of Beachwalk Unit 2, N.U.D., as recorded in my office on this 15th day of June, 1982.

John R. Smith
County Clerk

STATE OF TEXAS
COUNTY OF NUECES

I, John R. Smith, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original plat of Beachwalk Unit 2, N.U.D., as recorded in my office on this 15th day of June, 1982.

John R. Smith
County Clerk

STATE OF TEXAS
COUNTY OF NUECES

I, John R. Smith, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original plat of Beachwalk Unit 2, N.U.D., as recorded in my office on this 15th day of June, 1982.

John R. Smith
County Clerk



URBAN ENGINEERING, INC.
12345 Main Street
Port Anwasas, Texas 78459
Tel: 361-555-1234



EXHIBIT E
SITE PHOTOS



Looking north along the veg line

Looking south along the veg line



Looking southeast across the seaward landing

looking westward towards the middle section

EXHIBIT F
EROSION RATE MAP



Legend
— End Point Baseline (Erosion Monitoring)



EXHIBIT G
FEMA MAP



Legend

Flood Zone

- 1% Annual Exceedance
- 0.2% Annual Exceedance

0 50 100 Feet

EXHIBIT H

SMALL SCALE DEVELOPMENT BEACHFRONT CONSTRUCTION CERTIFICATE

BEACHERONT CONSTRUCTION CERTIFICATE APPLICATION
(SHORT FORM PASF-1)

A. General Information:

Name Chuck Robertson
Address 4918 Holly Rd C-3 C.C. State TX Zip 78411
Phone Number 361 815-2905 Fax No. _____
Lot & Block Beachwalk Unit 7 N.H.P. (lot 76 (easement))

B. Proposed Construction:

Describe the proposed construction

The existing walkover will be removed. And a new
walkover will be constructed. An additional easement
will be requested from the City of Port Aransas

C. Location of Proposed Construction:

- 1) Distance from the seaward edge of the proposed improvements to line of vegetation 19 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.

Chuck Robertson
Applicant

8-10-2015
Date

ATTACHMENT #4-1



JOB NO. 6100. B5.00

October 5, 2015

Transmitted via email

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

Subject: #BFDP-150864; Beachwalk II Walkover re-construction

Nicole,

I have reviewed the subject "Dune Permit" with regards to the requirements established in the Port Aransas Coastal Management Plan and recommend the following be addressed before approval:

1. No profile was provided for the dune walkover making evaluating the proposed walkovers path above the dunes difficult. The proposed walkover is 9' wide however average clearance is less than this throughout the walkovers length. GLO Guidelines recommend 1:1 width to height ratio for clearance above critical dunes. It is understood this can't be done at the start and end ramps, and can't always be achieved, but should be attempted in other areas above critical dunes. If portions of the walkover are not above critical dunes these areas should be identified in order to better understand the proposed elevations and selected alignment. I recommend the existing contours be shown beneath the walkover plan, and/or a profile be provided for the length of the walkover.
2. Termination of Walkover at Beach: We recommend that the seaward extent of the dune walkover (20'-50') be staked in the field then contact the City to request verification/ approval of walkover termination prior to setting pilings near the beach.

General Note:

Please forward "original" digital pdf of applications or higher resolution scans to expedite reviews.

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

Sincerely,
URBAN ENGINEERING

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

Daniel Mazoch, E.I.T.

DEM/

Nicole Boyer

From: Jay Gardner <JGardner@naismith-engineering.com>
Sent: Thursday, October 08, 2015 3:31 PM
To: radams@cityofportaransas.org
Cc: Nicole Boyer
Subject: RE: Beachwalk II walkover

And FYI Rick, we can't "address" the second bullet point prior to approval, as it has to do with construction activities, which you know can't start before approval....

We're getting together a profile for you and Daniel....

Thanks, and congrats Nicole!
jay

From: Rick Adams [mailto:radams@cityofportaransas.org]
Sent: Thursday, October 08, 2015 2:57 PM
To: Jay Gardner
Cc: Nicole Boyer
Subject: RE: Beachwalk II walkover

Jay,

Nicole is home tending to their new baby. Attached are the comments. I thought you were copied on this Monday...my fault, sorry. It is currently scheduled for the Oct 26th P&Z. Doesn't go to GLO until approved by P&Z. Please respond directly to Daniel and copy me. Thanks

-Rick

Rick Adams

Director Planning and Development
(361) 749-4111 office
(361) 331-8353 cell

From: Jay Gardner [mailto:JGardner@naismith-engineering.com]
Sent: Wednesday, October 07, 2015 5:01 PM
To: Rick Adams <radams@cityofportaransas.org>
Subject: Beachwalk II walkover

Rick,

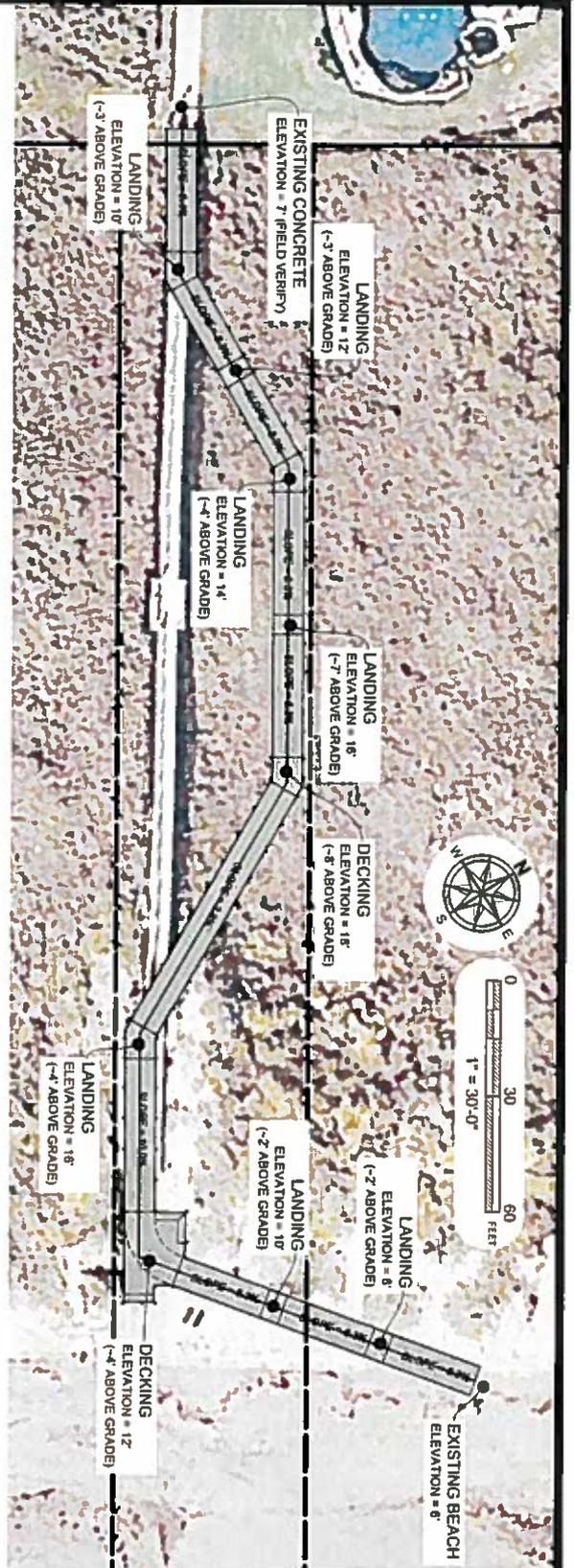
I'm guessing that Nicole is not around the office this week? Do you know where we stand with the beachwalk ii application, mainly, did it make it through P&Z last month, or is it scheduled for this month? And has it been reviewed and sent to GLO?

Sorry for all the questions, and thanks for the update!
jay

Jay Gardner

Environmental Scientist
Naismith Engineering, Inc.
jgardner@naismith-engineering.com
4431 Gollihar
Corpus Christi, TX 78411
361-814-9900 office
361-658-7159 cell
361-814-4401 fax

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NOTICE: ALL DIMENSIONS AND ELEVATIONS ARE APPROXIMATE AND SUBJECT TO CHANGE DUE TO FIELD VERIFICATION



WALKOVER LAYOUT AND PROFILE

BEACHWALK II DUNE WALKOVER
CORPUS CHRISTI, NUECES COUNTY, TEXAS

NET **NaismithEngineering, Inc**
 ARCHITECTURE ENGINEERING ENVIRONMENTAL SURVEYING
 4501 GOLLHAR ROAD, CORPUS CHRISTI, TX 78411
 TEL: 361-814-4400 FAX: 361-814-4401 WWW.NAISMITHENGINEERING.COM

FOR INTERIM REVIEW
 NOT FOR CONSTRUCTION, BIDDING OR
 PERMIT PURPOSES
THOMAS S. TIFFIN, P.E.
 REG. 01119 EXP. 04/30/2024

T&T	T&T	CBT	NOTED	10/2015	9933
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JOB NO. 6100. B5.00

October 23, 2015

Transmitted via email

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

Subject: #BFDP-150864; Beachwalk II Walkover re-construction
(with additional profile provided by email 10-21-15)

Nicole,

I have reviewed the subject "Dune Permit" with regards to the requirements established in the Port Aransas Coastal Management Plan.

As is mentioned below I still believe that the profile provided for this walkover is closer to the dunes in many locations than "necessary" and that if the City desires the walkover could provide additional clearance over critical dunes in some areas. It appears the client and designing engineer desire to provide more manageable slopes for the walkover users; i.e. 12:1 with 10:1 max, rather than the steeper, 9:1 with 6:1 max, slopes commonly utilized to meet the GLO 1:1 ratio *recommended* guideline.

Note: This is a walkover reconstruction and little information was provided regarding the existing walkover and its approximate height above grade. The regulations encourage that HOA's raise/reconstruct their walkover as they encounter encroaching dunes; such is the intent of this permit. The City should make an effort to determine leniency in recommended guidelines when a walkover is designed to be accessible, or the project is a reconstruction.

Below are general comments regarding the proposed Dune Permit for the walkover reconstruction:

1. Provided information: A profile was provided upon request and it did aid in visualizing the walkovers path across the dunes, although providing existing

contours shown beneath the walkover plan view would make evaluating the proposed route and alternatives much easier.

2. Elevation: The proposed walkover is 9' wide however average clearance is less than this throughout the walkovers length. GLO guidelines *recommend* 1:1 width to height ratio for clearance above critical dunes. It is understood this can't be maintained at the start and end ramps, but should be attempted in other areas above critical dunes.
3. Termination of Walkover at Beach: We recommend that the seaward extent of the dune walkover (20'-50') be staked in the field then contact the City to request verification/ approval of walkover termination prior to setting pilings near the beach. *No action needed at this time.*

General Note:

Please forward "original" digital pdf of applications or higher resolution scans to expedite reviews.

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

Sincerely,
URBAN ENGINEERING



Daniel Mazoch, E.I.T.

DEM/

Rick Adams

From: Daniel Mazoch <DanielM@urbaneng.com>
Sent: Friday, October 23, 2015 1:10 PM
To: Rick Adams (radams@cityofportaransas.org)
Cc: Nicole Boyer (nboyer@cityofportaransas.org); David Parsons (Davidparsons@cityofportaransas.org); Jay Gardner
Subject: Beachwalk II Walkover
Attachments: Beachwalk II Permit Comments 10-23-15.pdf

Rick,
This is not a request for more information, I feel P&Z can consider the application.

Daniel Mazoch, E.I.T



2725 Swantner Ave.
Corpus Christi, TX 78404
O 361.854.3101
C 361.548.4138
www.urbaneng.com

TBPE Firm #145
TBPLS Firm #10032400



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

November 17, 2015

Via Electronic Mail

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

Beachfront Construction Certificate & Dune Protection Permit in the City of Port Aransas

Site Location: Beachwalk Subdivision, off of Keewaydin Lane
Legal Description: Beachwalk Unit 2, NUD Lot 76 (easement)
Applicant: Chuck Robertson
GLO ID No.: BDPARA-15-0364

Dear Mr. Adams:

The General Land Office (GLO) has reviewed the application materials for a dune protection permit and beachfront construction certificate for the construction of a dune walkover. The applicant proposes the re-construction of an existing dune walkover. According to the Bureau of Economic Geology, the area is eroding at a rate of three to four feet per year. Based on the materials forwarded to our office for review, we have the following comments:

- The applicant must avoid, minimize and mitigate for any adverse effects to dunes or dune vegetation in the area seaward of the dune protection line. When compared to the existing dunes and dune vegetation, mitigation must provide equal or greater area of vegetative cover and dune volume, an equal or greater degree of protection against damage to natural resources, and an equal or greater degree of protection against flood and erosion damage.¹
- Exhibit B may show the walkover terminus extending seaward of the line of vegetation. The City shall require the applicant to restrict the seaward terminus of the walkover to the most landward point of the public beach² and shall require permittee to ensure that the walkover will not interfere with or otherwise restrict public use of the beach at normal high tides.³

¹ 31 TAC § 15.4(f)(3).

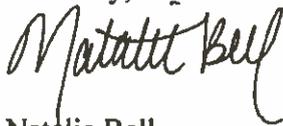
² 31 TAC § 15.7(g)(1).

³ 31 TAC § 15.7(g)(2).

- The City shall require the applicant to construct the dune walkover in a manner that allows for the growth of dune vegetation and the migration of dunes under the walkover to the greatest extent practicable.⁴
- The applicant must restore or repair dunes using indigenous vegetation that will achieve the same protective capability or greater capability as the surrounding natural dunes.⁵
- The City shall require the applicant to relocate the walkover to follow any landward migration of the public beach or seaward migration of the dunes and maintain the walkover height to approved levels.⁶
- The proposed dune walkover should be constructed to allow rain and sand to pass through the decking. The GLO recommends placing the slats that form the deck of the walkover at least ½-inch apart.
- Construction of the proposed dune walkover should conform to the GLO's guidelines provided in the Dune Protection and Improvement Manual for the Texas Gulf Coast, and can be found on the GLO website at <http://www.glo.texas.gov/what-we-do/caring-for-the-coast/documents/coastal-construction/dune-protection-manual-gpb.pdf>.
- The City shall provide written notification to the GLO after determining that mitigation is complete. The GLO may conduct a field inspection to verify compliance. If the City does not receive objection from the GLO within 30 working days after the GLO is notified in writing, the City may certify that the mitigation is complete.⁷

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 Resources Division
 Texas General Land Office

⁴ 31 TAC § 15.7(g)(3).

⁵ 31 TAC § 15.4(f)(3)(A)(iv).

⁶ 31 TAC § 15.7(g)(4).

⁷ 31 TAC § 15.4(g)(4).



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, December 17th, 2015

AGENDA ITEM: 6-B

Discuss and take action to confirm that Dune Permit BFDP 15909 is consistent with the City's Coastal Management Plan. The dune permit applicant seeks to re-construct an existing walkover. The construction will be located within the existing walkover easement and will include expanding the existing walkover. No permanent impacts to the project site or adjacent areas is expected as a result of this project. Temporary impacts will be mitigated until the vegetation has re-established. No impacts to critical dunes are proposed. Applicant: Alex Harris. Property Location: 4903 Hwy 361.

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: Dune Permit request BFDP#150909 was submitted by Alex Harris via Naismith Engineering on September 22nd, 2015 for a walkover reconstruction.

ENGINEERING REVIEW: Urban Engineering reviewed the referenced dune permit and found that the subject application is consistent with the City's Coastal Management Plan but recommended that the following be addressed before approval:

- Termination of Walkover at Beach: We recommend that the seaward extent of the dune walkover (20-50') be staked in the field then contact the City to request verification/approval of walkover termination prior to setting pilings near the beach.
- Please have applicant fill in requested "general information" on the Dune Permit and Beachfront Construction Certificate forms prior to City approval or signature.

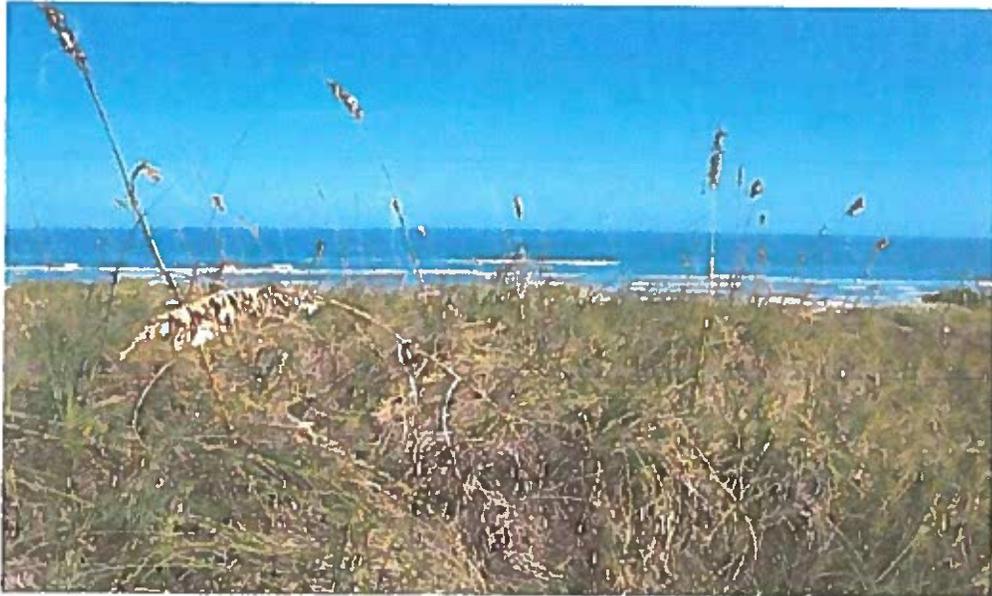
PLANNING & ZONING COMMISSION RECOMMENDATION: Approved application at the December 7th, 2015 meeting.

GLO REVIEW: The GLO approved the application and included standard comments.

STAFF RECOMMENDATION: Approve Dune Permit BFDP 150909 as presented.

ALEX HARRIS
WALKOVER RE-CONSTRUCTION

APPLICATION FOR
CITY OF PORT ARANSAS
DUNE PROTECTION PERMIT AND BEACHFRONT CONSTRUCTION
CERTIFICATE APPLICATION



PREPARED IN ACCORDANCE WITH THE

ORDINANCES OF THE CITY OF PORT ARANSAS

PREPARED BY
NEI **NaismithEngineering,Inc**
ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING
TEXAS BOARD OF PROFESSIONAL ENGINEERS REGISTERED FIRM F-00355

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- EXHIBIT A AERIAL VIEW AND LOCATION MAP
- EXHIBIT B PROPOSED STRUCTURES AND LAYOUT
- EXHIBIT C EXISTING TOPO MAP
- EXHIBIT D PLAT
- EXHIBIT E SITE PHOTOS
- EXHIBIT F EROSION RATE MAP
- EXHIBIT G FEMA MAP
- EXHIBIT H SMALL SCALE DEVELOPMENT BEACHFRONT CONSTRUCTION CERTIFICATE
- EXHIBIT I ADMINISTRATIVE REVIEW AND RECEIPT

I. PROJECT DESCRIPTION

This project consists of the re-construction of an existing walkover. The construction will be located within the existing walkover easement and will include expanding the existing walkover. See project location on Exhibit A.

No permanent impacts to the project site or adjacent areas is expected as a result of this project. Temporary impacts will be mitigated until the vegetation has re-established. No impacts to critical dunes are proposed.

II. APPLICATION INFORMATION

A. APPLICANT INFORMATION

OWNER: ALEX HARRIS
5926 S. STAPLES, STE. A
CORPUS CHRISTI TEXAS 78413
(361)533-7286

APPLICANT: ALEX HARRIS
5926 S. STAPLES, STE. A
CORPUS CHRISTI TEXAS 78413
(361)533-7286

ENGINEER: CRAIG B. THOMPSON, P.E., NAISMITH ENGINEERING, INC.
Address: 4501 Gollihar Road
Corpus Christi, TX 78411
Phone: (361) 814 - 9900

B. PROPERTY DESCRIPTION

LEGAL DESCRIPTION (also see Exhibit D):

Easement from Lot 7-D from Block 1, Mustang Island Section 3, Vol. 44, Pg. 44,
M.R.N.C.T

C. PROPOSED IMPROVEMENTS

HABITABLE AND NON - HABITABLE STRUCTURES:

Only non-habitable construction is proposed. This application is for the walkover only.

D. PARKING SPACES

EXISTING:

Parking exists dedicated for the homes. Parking will not be impacted as a result of this project.

PROPOSED:

Parking exists dedicated for the homes. Parking will not be impacted as a result of this project.

E. OPEN SPACE

EXISTING AREA:

<i>Description</i>	<i>Area</i>	<i>% Open Space</i>
<i>walkover</i>	<i>0.20 acres</i>	<i>100%</i>

PROPOSED AREA:

<i>Description</i>	<i>Area</i>	<i>% Open Space</i>
<i>walkover</i>	<i>0.20 acres</i>	<i>100%</i>

F. FLOOR PLAN

Only walkover re-construction is proposed. See Exhibit B for the proposed site plans and layout.

G. DURATION OF CONSTRUCTION

Construction of the walkover will be completed within twelve (12) months after permit approval. It is expected that the improvements will be constructed within several months 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 WALKOVERS AND WALKWAYS:

The existing dune walkover will be expanded and buttressed.

PROPOSED DUNE WALKOVERS AND WALKWAYS:

The walkover improvements will be constructed in the existing footprint. The existing walkover is in need of repair. The middle section and handrails are also deteriorating and will become a safety hazard. In addition, the existing walkover will be lengthened to reach the public beach

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:

There is no proposed grading.

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

Photos of the existing site, dunes and vegetation were taken in August 2015. See Exhibit E.

K. EFFECTS 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 is not expected to have any permanent effects on the dune system.

L. MITIGATION PLAN

AVOIDANCE:

Effects to critical dunes were avoided by raising the elevation of the proposed walkover and by using the existing footprint.

MINIMIZATION:

Temporary impacts will be minimized by using hand-equipment and the minimal amount of impact to the utility corridor as necessary.

MITIGATION:

Mitigation is not proposed for no effects to critical dunes. Stabilization and re-vegetation efforts from temporary impacts will be continuous until stabilized.

FINANCIAL CAPABILITY TO PERFORM MITIGATION

The improvements do not require mitigation.

M. SITE PLAN AND PLAT

The proposed site plan is included in Exhibit B. The plat is included as Exhibit D.

N. SMALL SCALE CONSTRUCTION

The proposed project falls under criteria for a Small-Scale Construction Project. The area of the walkover is less than 5,000 square feet and/or three stories.

No alternatives are proposed. The purpose of this project is to re-construct an existing walkover to service the referenced development. All impacts to critical dunes were avoided and minimized.

O. TOPOGRAPHY AND DRAINAGE

The topography and drainage of the area will not be modified as a result of only temporary impacts as a result of this project

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 areas that have not been currently mapped or approved for flood zone elevations. An interim map has not yet been approved for the area. Currently, the project is located in an area that has an annual chance of 1%. 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 GOVERNMENTAL BEACH ACCESS PLAN

No additional public access is planned or noted in the City's or County's Master Plan. The BCC application is included as Exhibit H.

T. COMPLIANCE WITH LOCAL GOVERNMENT DUNE PROTECTION PLAN

This Beachfront Construction Certificate complies with the requirements of the City of Port Aransas Coastal Management Plan and the Texas Administrative Code.

III. EXHIBITS

EXHIBIT A	AERIAL VIEW AND LOCATION MAP
EXHIBIT B	PROPOSED STRUCTURES AND LAYOUT
EXHIBIT C	EXISTING RELIEF MAP
EXHIBIT D	PLAT
EXHIBIT E	SITE PHOTOS
EXHIBIT F	EROSION RATE MAP
EXHIBIT G	FEMA MAP
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EXHIBIT I	ADMINISTRATIVE REVIEW AND RECEIPT

EXHIBIT A

AERIAL VIEW AND LOCATION MAP

Alex Harris

dune walkover reconstruction

Legend

- ⊙ Island
- Port, Aransas



2 000

Port Aransas

Salt Island

361

Peibone Island

Coyote Island

Project Location

Google earth

© 2015 Google
Data SCS, NOAA, U.S. Navy, NPS, USGS

EXHIBIT B

PROPOSED STRUCTURES AND LAYOUT



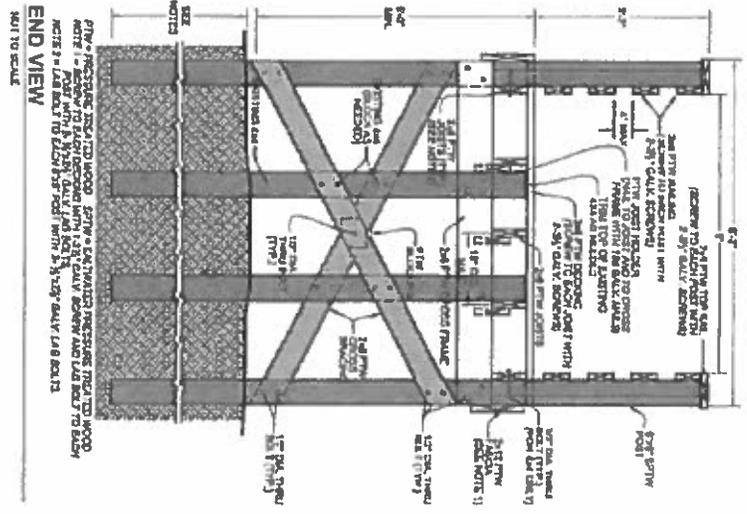
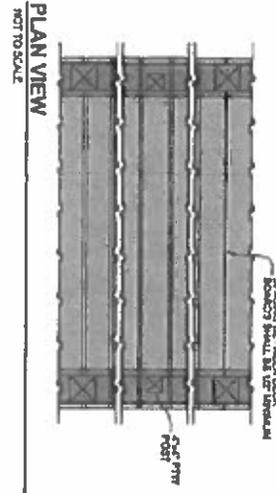
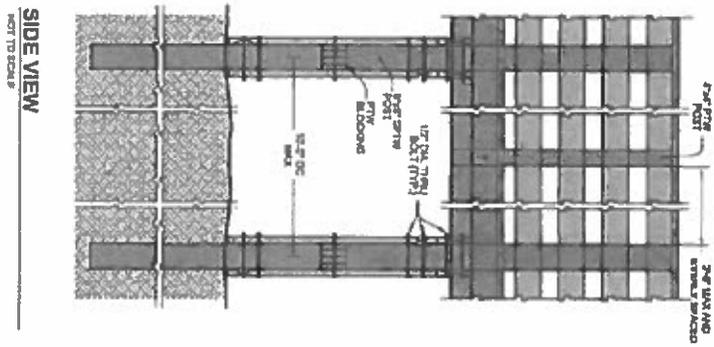
FOR INTERIM REVIEW
 NOT FOR CONSTRUCTION, RECORD OR PERMIT PURPOSES
CRAIG B. THOMPSON, P.E.
 U.C. 0629 DATE: 02/15

FOR PERMITTING PURPOSES ONLY
 NOT FOR CONSTRUCTION
 DATE: 02/15

LOT 861R
VOLUME 59 PAGE 197
M.R.N.C.T.

DUNE WALKOVER DETAIL GENERAL NOTES

1. SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE.
 2. THE CONTRACTOR SHALL VERIFY THE PROJECT IS A WALKOVER TO AN EXISTING FOUNDATION.
 3. ALL WOOD MATERIALS SHALL BE FIRE-RESISTANT TREATED PER AN APPROVED OTHER.
 4. DEPTH OF FOUNDS SHALL BE AS FOLLOWS:
- | SOIL TYPE | MINIMUM DEPTH | MAXIMUM DEPTH |
|-----------|---------------|---------------|
| 1.0 | 3'-0" | 3'-0" |
| 2.0 | 3'-0" | 3'-0" |
| 3.0 | 3'-0" | 3'-0" |
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| 5.0 | 3'-0" | 3'-0" |
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| 98.0 | 3'-0" | 3'-0" |
| 99.0 | 3'-0" | 3'-0" |
| 100.0 | 3'-0" | 3'-0" |
5. ALL POSTS, BEAMS, AND MATERIALS SHALL BE OF THE QUALITY SPECIFIED IN THE SPECIFICATIONS.
 6. ALL JOINTS SHALL BE MADE IN ACCORDANCE WITH THE SPECIFICATIONS.
 7. THE CONTRACTOR SHALL OBTAIN ALL REQUIRED BUILDING PERMITS PRIOR TO COMMENCING CONSTRUCTION.



FOR INTERIM REVIEW
PERMITTING, CONSTRUCTION, OR GRADING
PUMP CASE

DUNE WALKOVER DETAILS SHEET 1 OF 1

NalsmithEngineering, Inc
AN ARCHITECTURE AND ENGINEERING FIRM
1111 N. GARDNER STREET, SUITE 100, DALLAS, TEXAS 75242
TEL: 214.750.1111 FAX: 214.750.1112
WWW.NALSMTHE.COM

CASA LA PLAYA DUNE WALKOVER
PORT ARANSAS, TEXAS

GRAIS & THOMPSON

NO.	DATE	DESCRIPTION
1	08/11/11	ISSUED FOR PERMITTING
2	08/11/11	ISSUED FOR CONSTRUCTION
3	08/11/11	ISSUED FOR GRADING
4	08/11/11	ISSUED FOR PUMP CASE

EXHIBIT C
EXISTING RELIEF MAP

Nelsmith Engineering Inc 100 INTERIOR HIGHWAY SUITE 100 MISSISSAUGA, ONTARIO L4X 1L1 CANADA TEL: (905) 276-1111 FAX: (905) 276-1112 WWW.NELSMITHENGINEERING.COM	PROJECT NO. SHEET NO.	DATE	DRAWN BY	CHECKED BY	APPROVED BY
		PROJECT NAME	PROJECT LOCATION	PROJECT DESCRIPTION	PROJECT STATUS

SHEET 1 OF 1



FOR INTERIM REVIEW
NOT FOR CONSTRUCTION, RECORD OR
PERMIT PURPOSES

LIC. # _____ DATE _____

DATE	BY	DATE	BY

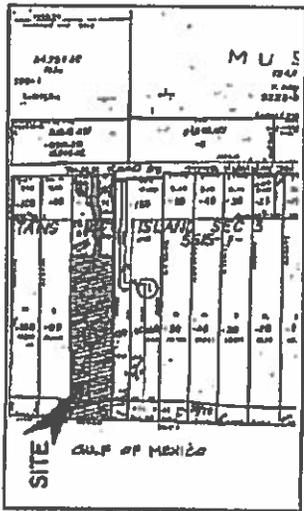
EXHIBIT D
PLAT

Vol. 59 18, 1916

AMENDING PLAT OF
CASA DEL CORTES
BLOCK 1, LOTS 8G1R AND 8G2R

BEING AN AMENDING PLAT OF LOTS 8G1 AND 8G2, CASA DEL CORTES, A MAP OF WHICH IS RECORDED IN VOLUME 50, PAGES 88-94, MAP RECORDS OF NIECES COUNTY, TEXAS. THE PURPOSE OF THIS AMENDING PLAT IS TO CHANGE THE LOT LINE BETWEEN LOTS 8G1 AND 8G2.

- NOTES:
- 1) TOTAL PLATTED AREA CERTAIN IS 8.8 ACRES OF LAND.
 - 2) BEARING BASED ON RECORDED PLAT OF CASA DEL CORTES, MAP RECORDS OF NIECES COUNTY, TEXAS, VOLUME 50, PAGES 88-94.
 - 3) LOT AREA BASED ON THE 1/4" X 1/4" ENLARGED WATER LINE AS SHOWN ON PLAT OF HOUSES TO BE BUILT ON LOTS 8G1 AND 8G2, MAP RECORDS OF NIECES COUNTY, TEXAS.



LOCATION MAP NITS.

STATE OF TEXAS
COUNTY OF NIECES

I, DON L. URBAN, REGISTERED PROFESSIONAL LAND SURVEYOR FOR NIECES COUNTY, TEXAS, BEING DULY SWORN, DEPOSE AND SAY THAT I HAVE EXAMINED THE ORIGINAL RECORDS OF THE COUNTY CLERK OF NIECES COUNTY, TEXAS, AND HAVE FOUND THE SAME TO BE TRUE AND CORRECT IN ALL RESPECTS AND TO COMPLETELY ACCURATELY REPRESENT THE SAME.

THIS THE 14th DAY OF JUNE 1999

DON L. URBAN
REGISTERED PROFESSIONAL LAND SURVEYOR

I, DON L. URBAN, REGISTERED PROFESSIONAL LAND SURVEYOR FOR NIECES COUNTY, TEXAS, BEING DULY SWORN, DEPOSE AND SAY THAT I HAVE EXAMINED THE ORIGINAL RECORDS OF THE COUNTY CLERK OF NIECES COUNTY, TEXAS, AND HAVE FOUND THE SAME TO BE TRUE AND CORRECT IN ALL RESPECTS AND TO COMPLETELY ACCURATELY REPRESENT THE SAME.

THIS THE 14th DAY OF JUNE 1999

DON L. URBAN
REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS
COUNTY OF NIECES

I, DON L. URBAN, REGISTERED PROFESSIONAL LAND SURVEYOR FOR NIECES COUNTY, TEXAS, BEING DULY SWORN, DEPOSE AND SAY THAT I HAVE EXAMINED THE ORIGINAL RECORDS OF THE COUNTY CLERK OF NIECES COUNTY, TEXAS, AND HAVE FOUND THE SAME TO BE TRUE AND CORRECT IN ALL RESPECTS AND TO COMPLETELY ACCURATELY REPRESENT THE SAME.

THIS THE 30th DAY OF JUNE 1999

DON L. URBAN
REGISTERED PROFESSIONAL LAND SURVEYOR

I, DON L. URBAN, REGISTERED PROFESSIONAL LAND SURVEYOR FOR NIECES COUNTY, TEXAS, BEING DULY SWORN, DEPOSE AND SAY THAT I HAVE EXAMINED THE ORIGINAL RECORDS OF THE COUNTY CLERK OF NIECES COUNTY, TEXAS, AND HAVE FOUND THE SAME TO BE TRUE AND CORRECT IN ALL RESPECTS AND TO COMPLETELY ACCURATELY REPRESENT THE SAME.

THIS THE 30th DAY OF JUNE 1999

DON L. URBAN
REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS
COUNTY OF NIECES

I, DON L. URBAN, REGISTERED PROFESSIONAL LAND SURVEYOR FOR NIECES COUNTY, TEXAS, BEING DULY SWORN, DEPOSE AND SAY THAT I HAVE EXAMINED THE ORIGINAL RECORDS OF THE COUNTY CLERK OF NIECES COUNTY, TEXAS, AND HAVE FOUND THE SAME TO BE TRUE AND CORRECT IN ALL RESPECTS AND TO COMPLETELY ACCURATELY REPRESENT THE SAME.

THIS THE 7th DAY OF JULY 1999

DON L. URBAN
REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS
COUNTY OF NIECES

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DON L. URBAN
REGISTERED PROFESSIONAL LAND SURVEYOR



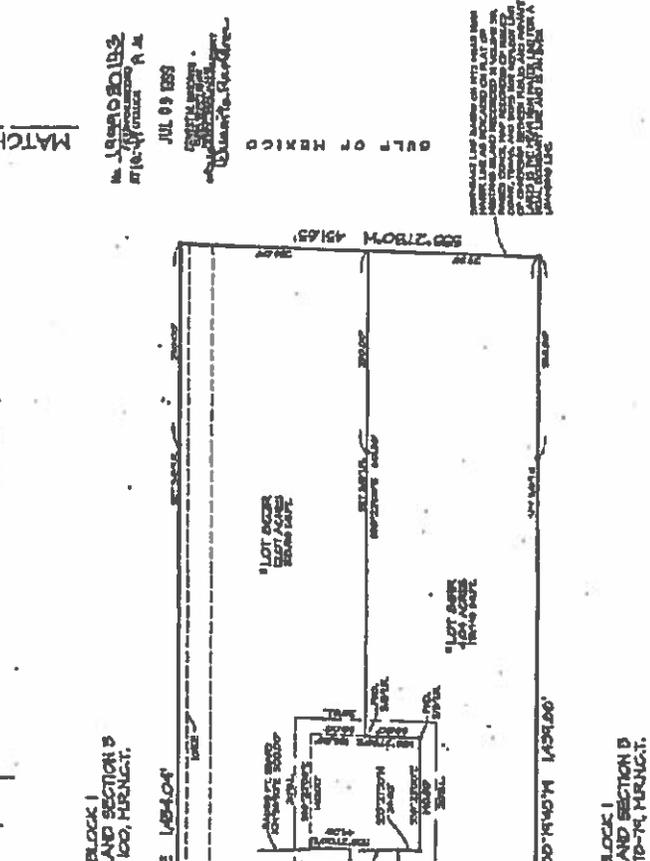
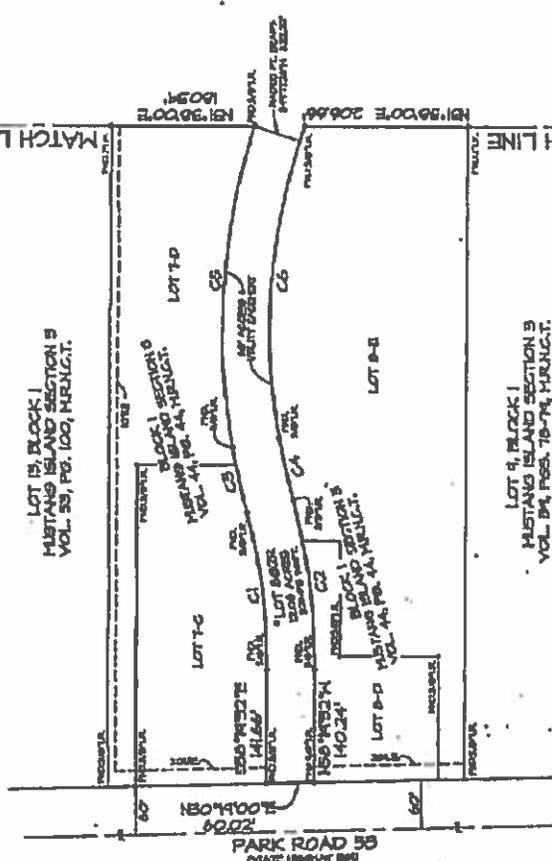
DATE: FEB 22, 1999
SCALE: 1" = 100'
JOB NO. 30854-01
SHEET 1 OF 2

AMENDING PLAT OF
CASA DEL CORTES
LOTS 8G1R AND 8G2R

BEING A REPLAT OF LOTS 8G1 AND 8G2, BLOCK 1, CASA DEL CORTES, A MAP OF WHICH IS RECORDED IN VOLUME 96, PAGES 38-54, MAP RECORDS OF NECEZ COUNTY, TEXAS.

NOTES:
1) TOTAL PLATTED AREA CONTAINS NINE ACRES OF LAND.
2) BEING A REPLAT OF RECORDED PLAT OF CASA DEL CORTES, MAP RECORDS OF NECEZ COUNTY, TEXAS, VOLUME 96, PAGES 38-54.
3) LOT AREA BASED ON THE INTERSECTION WITH LINE AS SHOWN ON PLAT OF MUSTANG ISLAND RECORDED IN VOLUME 59, PAGES 180-181, MAP RECORDS OF NECEZ COUNTY, TEXAS.

CRIC	SECTION	DELTA	TANGENT	LENGTH
01	01	100.0000	100.0000	141.4213
02	02	100.0000	100.0000	141.4213
03	03	100.0000	100.0000	141.4213
04	04	100.0000	100.0000	141.4213
05	05	100.0000	100.0000	141.4213
06	06	100.0000	100.0000	141.4213
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28	28	100.0000	100.0000	141.4213
29	29	100.0000	100.0000	141.4213
30	30	100.0000	100.0000	141.4213



JUL 09 1999
CONTRACT NO. 182
BY: [Signature]
FOR: [Signature]

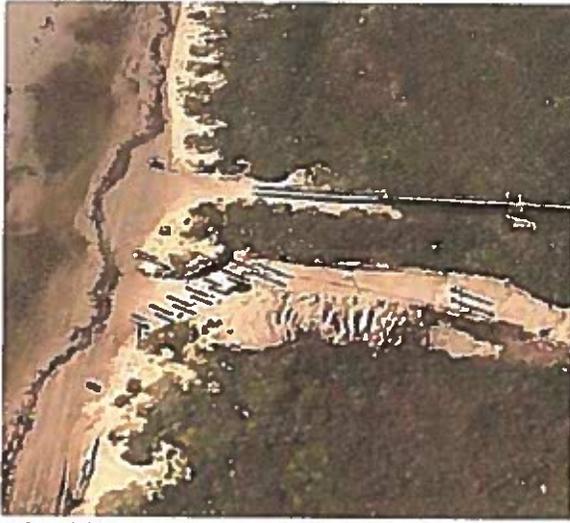
DATE: FEB. 02, 1999
SCALE: 1" = 40'
JOB NO. 23230-0101
SHEET 2 OF 2



LOT 9, BLOCK 1
MUSTANG ISLAND SECTION 9
VOL. 59, PGS. 78-79, HURNGT.

DATE: FEB. 02, 1999
SCALE: 1" = 40'
JOB NO. 23230-0101
SHEET 2 OF 2

EXHIBIT E
SITE PHOTOS



Looking south along the veg line



Looking west towards current landing



Looking north across the seaward landing

EXHIBIT F
EROSION RATE MAP



Legend
— End Point (EP) reserves

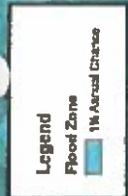


EXHIBIT H

SMALL SCALE DEVELOPMENT BEACHFRONT CONSTRUCTION CERTIFICATE

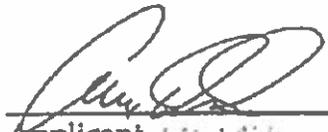
BEACHFRONT CONSTRUCTION CERTIFICATE APPLICATION

A. General Information:

Name _____
Address _____ State _____ Zip _____
Phone Number _____ Fax No. _____
Lot & Block _____

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.



Applicant

Date

ATTACHMENT #5-1

**BEACHFRONT CONSTRUCTION CERTIFICATE APPLICATION
(SHORT FORM PASF-1)**

A. General Information:

Name _____
Address _____ State _____ Zip _____
Phone Number _____ Fax No. _____
Lot & Block _____

B. Proposed Construction:

Describe the proposed construction

Rebuild and fortify an existing dune walkover

C. Location of Proposed Construction:

- 1) Distance from the seaward edge of the proposed improvements to line of vegetation 0 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

Date

ATTACHMENT #4-1

DUNE PROTECTION PERMIT APPLICATION

A. General Information:

Name _____
Address _____ State _____ Zip _____
Phone Number _____ Fax No. _____
Lot & Block _____

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.


Applicant _____

_____ Date _____

EXHIBIT I

ADMINISTRATIVE REVIEW AND RECEIPT

Z:\9514 Harris\DPP application.docx



October 1, 2015

Transmitted via email

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

Subject: #BFDP-150909; Lot 7-D, Block 1, Mustang Island Section 3

Nicole,

I have reviewed the subject "Dune Permit" with regards to the requirements established in the Port Aransas Coastal Management Plan and recommend the following be addressed before approval:

1. Termination of Walkover at Beach: We recommend that the seaward extent of the dune walkover (20'-50') be staked in the field then contact the City to request verification/ approval of walkover termination prior to setting pilings near the beach.
2. Please have applicant fill in requested "general information" on the Dune Permit and Beachfront Construction Certificate signature forms prior to City approval or signature.

General Note:

Walkover Details (Sheet 1 of 1) is mostly illegible. Please forward "original" digital pdf of applications or higher resolution scans to expedite reviews.

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

Sincerely,
URBAN ENGINEERING

A handwritten signature in black ink that reads "Daniel Mazoch". The signature is fluid and cursive.

Daniel Mazoch, E.I.T.

DEM/



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

November 23, 2015

Via Electronic Mail

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

Beachfront Construction Certificate & Dune Protection Permit in the City of Port Aransas

Site Location: 4903 State Hwy 361, Port Aransas
Legal Description: Easement from Lot 7-D, Block 1, Mustang Island Section 3
Applicant: Alex Harris
GLO ID No.: BDPARA-15-0363

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 the re-construction and expansion of an existing dune walkover. According to the Bureau of Economic Geology, the area is eroding at a rate of three to four feet per year. Based on the materials forwarded to our office for review, we have the following comments:

- The applicant must avoid, minimize and mitigate for any unintended adverse effects to dunes or dune vegetation in the area seaward of the dune protection line. When compared to the existing dunes and dune vegetation, mitigation must provide equal or greater area of vegetative cover and dune volume, an equal or greater degree of protection against damage to natural resources, and an equal or greater degree of protection against flood and erosion damage.¹
- Exhibit B shows the walkover terminus extending seaward of the line of vegetation. The City shall require the applicant to restrict the seaward terminus of the walkover to the most landward point of the public beach² and shall require permittee to ensure that the walkover will not interfere with or otherwise restrict public use of the beach at normal high tides.³

¹ 31 TAC § 15.4(f)(3).

² 31 TAC §15.7(g)(1).

³ 31 TAC §15.7(g)(2).

- The City shall require the applicant to construct the dune walkover in a manner that allows for the growth of dune vegetation and the migration of dunes under the walkover to the greatest extent practicable.⁴
- The applicant must restore or repair dunes using indigenous vegetation that will achieve the same protective capability or greater capability as the surrounding natural dunes.⁵
- The City shall require the applicant to relocate the walkover to follow any landward migration of the public beach or seaward migration of the dunes and maintain the walkover height to approved levels.⁶
- The proposed dune walkover should be constructed to allow rain and sand to pass through the decking. The GLO recommends placing the slats that form the deck of the walkover at least ½-inch apart.
- Construction of the proposed dune walkover should conform to the GLO's guidelines provided in the Dune Protection and Improvement Manual for the Texas Gulf Coast, and can be found on the GLO website at <http://www.glo.texas.gov/what-we-do/caring-for-the-coast/documents/coastal-construction/dune-protection-manual-gpb.pdf>.
- The City shall provide written notification to the GLO after determining that mitigation is complete. The GLO may conduct a field inspection to verify compliance. If the City does not receive objection from the GLO within 30 working days after the GLO is notified in writing, the City may certify that the mitigation is complete.⁷

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 Resources Division
Texas General Land Office

⁴ 31 TAC §15.7(g)(3).

⁵ 31 TAC § 15.4(f)(3)(A)(iv).

⁶ 31 TAC § 15.7(g)(4).

⁷ 31 TAC § 15.4(g)(4).



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, December 17, 2015

AGENDA ITEM: 6-C

Discuss and take action on second reading of an Ordinance Amending Chapter 23 “Traffic And Motor Vehicles” By Adding a New Article V. “Cell Phone Use, Prohibited”; Adding Definitions, Citing Exceptions, Non-Applicability, Affirmative and Conflicting Defenses and Setting Penalty; Providing For Severance, Reading, And Effective Date.

SUBMITTED BY: City Secretary Irma Parker, Police Chief Scott Burroughs

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: In previous council action, Staff presented information regarding the prohibition of mobile communication devices throughout the corporate city limits. After reviewing several ordinances adopted by cities throughout Texas, Staff is proposing the attached ordinance for council consideration.

1st READING: November 19, 2015

2nd READING: **Correction, deleting 23-144(1) & re-numbering; expanding on definition of Vehicle per Wikipedia.**

3rd READING:

STAFF RECOMMENDATION: The City Council approve SECOND reading of an Ordinance Amending Chapter 23 “Traffic And Motor Vehicles” By Adding a New Article V. “Cell Phone Use, Prohibited” as presented.

ORDINANCE NO. 2015-

AN ORDINANCE OF THE PORT ARANSAS CITY COUNCIL AMENDING CHAPTER 23 “TRAFFIC AND MOTOR VEHICLES” BY ADDING A NEW ARTICLE V. “CELL PHONE USE, PROHIBITED”; ADDING DEFINITIONS, PROVIDING FOR EXCEPTIONS, NON-APPLICABILITY, AFFIRMATIVE AND CONFLICTING DEFENSES AND SETTING PENALTY; 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 23 “Traffic and Motor Vehicles”, Article V. “Cell Phone Use, Prohibited” is hereby added to wit:

ARTICLE V. CELL PHONE USE, PROHIBITED

Section 23-141. Definitions

The words and phrases hereinafter listed, as used in this article, shall have the meanings hereinafter given with respect to each.

Data communication means any method used to transfer information, including, but not limited to, electronic mail, file transfers, global positioning systems, and messaging.

Engaging in a call means talking, dialing or listening on a hand-held communication device, but shall not include holding a mobile communication device to activate or deactivate such telephone.

Hand-held mobile communication device means a mobile communication device with which a user engages in a call or any form of data communication using at least one hand (or prosthetic device or aid in the case of a person with physical disabilities).

Hands-free mobile communication device means a mobile communication device that has an internal feature or function, or that is equipped with an attachment or addition, whether or not permanently part of such mobile telephone, by which a user engages in a call or data communication without the use of either hand (or prosthetic device or aid in the case of a person with physical disabilities), whether or not the use of either hand (or prosthetic device) is necessary to activate, deactivate or initiate a function of such telephone.

Mobile communication device means a device, which may be referred to as a cellular phone, cell phone, hand held mobile telephone or wireless phone, used by subscribers and other users of wireless communications service to access such service, including personal digital assistants, meaning any device that provides for data communication other than voice, and numeric, alpha-numeric and two-way paging devices.

Vehicle means a **mobile machine** thing used for **that** transportings people or goods, especially on land, such as a car, truck, **buses**, golf cart, neighborhood electric vehicles (NEVS), or **bicycle(s) motorcycles**.

Wireless communications service means two-way real time voice telecommunications service that is interconnected to a public switched telephone network and commonly referred to as cellular service or personal communication service as defined by 47 U.S.C. § 332.

Section 23-142. Use of certain wireless communication devices while driving prohibited.

A person commits an offense if the person drives or operates a vehicle in the city while using a wireless communication device to view, send or compose an electronic message. An operator of a vehicle may not use a wireless communication device while operating a vehicle within the city limits.

Section 23-143. Non-applicability.

This section does not apply to an operator of a vehicle using a wireless communications device:

- 1. While the vehicle is parked;**
- 2. That is affixed to the vehicle and used as a global positioning or navigation system;**
- 3. That is used with a hands-free device;**
- 4. Who is an operator of an authorized emergency vehicle while acting in an official capacity;**
- 5. Who is licensed by the Federal Communications Commission while operating a radio frequency device other than a wireless communication device; or**
- 6. While driving a motor vehicle on private property.**

Section 23-144. Affirmative defenses.

It is an affirmative defense to prosecution of conduct prohibited by this article if:

- 1. ~~The person is using the wireless communication device strictly to engage in a telephone conversation, including dialing or deactivating a phone call;~~**
- 2. The person is in authorized government vehicle and is using the wireless communication device to respond to an emergency while acting in an official capacity;**
- 3. The person is using the wireless communication device while stopped or standing at a position parallel to and as close as possible to the right-hand edge or curb of a roadway where parking, standing or stopping in a nonemergency situation is not otherwise prohibited; or**
- 4. The person is using the wireless communication device to:**
 - a. Operate only a global positioning or navigation system that is affixed to the vehicle;**
 - b. Obtain emergency assistance to report a traffic accident, medical emergency, serious traffic hazard, fire or other hazardous response service;**
 - c. Prevent a crime about to be committed;**

- d. Communicate with the reasonable belief that a person's life, safety, or property is in immediate danger; or
 - e. Operate only a device that is permanently installed inside the vehicle or that is solely in a voice-activated or other hands-free mode.
5. It is an affirmative defense to prosecution of an offense under this section if a wireless communications device is used to make an emergency call to:
- a. An emergency response service, including a rescue, emergency medical, or hazardous material response service;
 - b. A hospital;
 - c. A fire department;
 - d. A health clinic;
 - e. A medical doctor's office;
 - f. An individual to administer first aid treatment; or
 - g. A police department.

Section 23-145. Conflicting regulations.

To the extent that any clause, phrase, provision, sentence or part of this section conflicts with Texas Transportation Code § 545.424, regarding the use of wireless communication devices while operating a motor vehicle by minors; or Texas Transportation Code § 545.425, regarding the use of wireless communication devices in school crossing zones, this section does not apply.

Section 23-146. Penalty

- (a) A violation of this section is a class C misdemeanor punishable as provided in the Code of Ordinances.
- (b) The culpable mental state required by V.T.C.A., Penal Code § 6.02, is specifically negated and dispensed with and a violation under this subsection is a strict liability offense.

Sections 23-147 through 23-170 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 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

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



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, December 17, 2015

AGENDA ITEM: 6-D

Discuss and take action on third reading of an Ordinance Amending Chapter 23 “Traffic and Motor Vehicles” Article VIII. “Golf Carts and Neighborhood Electric Vehicles (NEVS)” Section 23-300 “Definitions” and Section 23-306 by Adding Definition for a Golf Cart Rental Business; Adding Requirements for Seat Belts, Specific Language to be Included in Rental Contracts and the Display of Official Rules Notice, Sticker or Placard on all Golf Carts; Providing for Severance, Reading, and Effective Date.

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: At the Thursday, September 17 City Council Meeting, Staff proposed recommendations for the regulation of Golf Carts within the City of Port Aransas. In addition to the attached amending Ordinance, Staff is proposing to:

- Continued high profile Police enforcement
- Mandatory sticker for all golf carts with rules
- Improved application process
- Improved education program including city web page, South Jetty, Chamber and others

1st READING: **October 15, 2015**

2nd READING: **November 19, 2015**

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

STAFF RECOMMENDATION: The City Council approve third reading of an Ordinance Amending Chapter 23 “Traffic and Motor Vehicles” Article VIII. “Golf Carts and Neighborhood Electric Vehicles (NEVS)” Section 23-300 “Definitions” and Section 23-306 as presented.

ORDINANCE NO. 2015-

AN ORDINANCE OF THE PORT ARANSAS CITY COUNCIL AMENDING CHAPTER 23 “TRAFFIC AND MOTOR VEHICLES” ARTICLE VIII. “GOLF CARTS AND NEIGHBORHOOD ELECTRIC VEHICLES (NEVS)” SECTION 23-300 “DEFINITIONS” AND SECTION 23-306 BY ADDING DEFINITION FOR A GOLF CART RENTAL BUSINESS; ADDING REQUIREMENTS FOR SEAT BELTS, SPECIFIC LANGUAGE TO BE INCLUDED IN RENTAL CONTRACT AND THE DISPLAY OF OFFICIAL RULES NOTICE, STICKER OR PLACARD ON ALL GOLF CARTS; 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 23 “Traffic and Motor Vehicles”, Article VIII. “Golf Carts and Neighborhood Electric Vehicles (NEVS)” Section 23-300. “Definitions” and Section 23-206 “Exclusions and Limitations” is hereby added to wit:

Sec. 23-300. - Definitions.

* * * * *

Golf cart license fee shall mean a charge imposed as specified in this chapter for the granting of golf cart license and the issuance of a golf cart license certificate.

Golf cart rental business shall mean any business or individual that provides golf carts or NEV’s to the general public or any business or individual transaction that includes a golf cart or NEV for use including but not limited to rental of a hotel/motel room, or dwelling unit who’s rental includes use of a golf cart or NEV.

Low-speed vehicles (LSVs) also known as neighborhood electric vehicles (NEVs).

* * * * *

Sec. 23-306. - Exclusions and limitations.

(a) The following exclusions and limitations apply to NEVs and to the licensing and operation of any golf cart licensed by the City of Port Aransas:

* * * * *

(14) The driver and every occupant of a golf cart and NEV must remain seated in a seat designed to hold passengers **and secured by a seat belt**, while the golf cart or NEV is in motion.

* * * * *

(b) All golf cart rental businesses shall provide a written contract on their own form that is signed by each designated driver. Said contract shall include, at a minimum, the exclusions and limitations in bold print on the front or first page of said contract form as follows:

- **Golf carts and NEVs may only be operated by persons with a valid operator's permit and/or driver's license.**
- **Golf carts and NEVs may only be operated upon a public street or highway with a speed limit of not more than thirty-five (35) MPH unless otherwise restricted.**
- **Golf carts and NEVs may not be operated on highway 361, south of the intersection of Avenue G.**
- **A golf cart and NEVs may cross a street or highway with a speed limit of more than thirty-five (35) MPH if said crossing occurs at an intersection and said crossing is perpendicular to the street or highway with a posted speed limit of more than thirty-five (35) MPH.**
- **Golf carts and NEVs must move to the right and yield the right-of-way to faster moving vehicles.**
- **Golf carts and NEVs may not be operated upon any public sidewalk, pedestrian walkway, playground, a public park, school ground, or other public recreational areas, not designated for motor vehicle traffic.**
- **The driver and every occupant of a golf cart and NEV must remain seated in a seat designed to hold passengers, while the golf cart or NEV is in motion.**
- **No person may ride in the lap of the driver or any other occupant.**

(c) Each golf cart and NEV shall prominently display, in view of the driver, the official rules notice, sticker and/or placard provided solely by the city at the time of application.

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 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

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



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, December 17, 2015

AGENDA ITEM: 6-E

Discuss and take action on second reading of an Ordinance Amending Chapter 18 “Public Places, Property and Services” Article II. “Beaches”, Division 3. “Regulations” Section 18-61 “Alcohol Consumption on the Beach” by Adding Provision to Temporarily Amend the Hours of Consumption or Possession and Definition of Possession With Intent to Consume Alcoholic Beverages; Providing For Severance, Reading, And Effective Date.

SUBMITTED BY: Police Chief Scott Burroughs

APPROVED OR AGENDA: City Manager David Parsons

COMMENTARY: Staff has been tasked with finding a solution to control the activities at the beach during Spring Break. Staff is proposing two changes. The first would be the addition of a subsection authorizing the City Council to temporarily amend the hours of consumption and/or possession of alcohol. Council could pass a resolution such as shown below:

(Example only)

Be it resolved by a majority vote of the Port Aransas City Council, that Section 18-61- Alcohol consumption on the beach, is hereby temporarily amended for the period of March 10, 2016 through March 21, 2016 inclusive. In addition to the hours prescribed in section 18-61 of the city code, a person commits an offense if he consumes or possesses with intent to consume an alcoholic beverage on the public beach, on any day between 6:00 PM (?) and 12:00 AM (midnight). This prohibition shall not apply to consumption or possession out of public view within a tent, RV or trailer lawfully parked or set up on the beach

Secondly, the ordinance contains language that includes “possess with the intent to consume.” From an enforcement perspective it is always difficult to provide intent, unless the offender actually engages or attempts to engage in the prohibited activity i.e. attempt is generally defined as more than mere preparation. Staff proposes another sub section to define “possession with the intent to consume.”

1st READING: November 19, 2015

2nd READING: THERE HAVE BEEN NO CHANGES TO FORM OR CONTENT SINCE 1ST READING.

3RD READING:

STAFF RECOMMENDATION: The City Council approve on third and final reading the proposed Ordinance Amending Chapter 18 “Public Places, Property and Services” Article II. “Beaches”, Division 3. “Regulations” Section 18-61 “Alcohol Consumption on the Beach” as presented.

ORDINANCE NO. 2015-

AN ORDINANCE OF THE PORT ARANSAS CITY COUNCIL AMENDING CHAPTER 18 “PUBLIC PLACES, PROPERTY AND SERVICES” ARTICLE II. “BEACHES”, DIVISION 3. “REGULATIONS” SECTION 18-61 “ALCOHOL CONSUMPTION ON THE BEACH” BY ADDING PROVISION TO TEMPORARILY AMEND THE HOURS OF CONSUMPTION OR POSSESSION AND DEFINITION OF POSSESSION WITH INTENT TO CONSUME ALCOHOLIC BEVERAGES; 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 18 “Public Places, Property and Services” Article II. “Beaches”, Division 3. “Regulations” Section 18-61 “Alcohol Consumption on the Beach” is hereby amended to wit:

Sec. 18-61. - Alcohol consumption on the beach.

- (a)** A person commits an offense if he consumes or possesses with intent to consume an alcoholic beverage on the public beach, during the month of March of any year, on a Sunday between 12:01 a.m. and 12 noon or on any other day between 12:01 a.m. and 7:00 a.m., except that this prohibition shall not apply to consumption or possession out of public view within a tent, RV or trailer lawfully parked or set up on the beach.
- (b)** The Port Aransas City Council may temporarily amend the hours of consumption and/or possession of alcoholic beverages relating to this section by a single reading of a resolution approved by a majority of the council. The amendment shall not exceed 21 consecutive days in any calendar year.
- (c)** For the purpose of this section, “possession with intent to consume” is presumed if the person has physical possession, or has care, custody, or control of any container, can, bottle, or other similar vessel, that contains an alcoholic beverage, whether the container is sealed or not.

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 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

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



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, December 17, 2015

AGENDA ITEM: 6-F

Deliberate and take action on the second reading of an Ordinance Amending Chapter 12 “Licenses and Business Regulations”, Article VIII. “Short-Term Rentals”; Adding Definitions, Setting Procedures for Registration and Permitting; Establishing Duties of Owner/Operator; Setting Penalty; And Providing For Severance, Reading, And Effective Date.

SUBMITTED BY: Development Services Department (Planning)

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: Staff received direction at the 2015 Summer Goals workshop to better manage issues associated with the significant growth in short-term rentals. These issues range from parking, noise, litter to non-payment of Hotel-Motel taxes. Staff is proposing all dwellings used for short term rental complete a registration process leading to issuance of a property specific permit. The registration and permitting process will establish rules and regulations relating to the operation of a short term rental and help facilitate better enforcement of local health, safety, and aesthetic regulations.

1ST READING: November 19, 2015

2nd READING: **THERE HAVE BEEN CHANGES PROPOSED BY CITY ATTORNEY, THOSE CHANGES ARE NOTED.**

3RD READING:

STAFF RECOMMENDATION: Approve second reading of an Ordinance Amending Chapter 12 “Licenses and Business Regulations”, Article VIII. “Short-Term Rentals”; Adding Definitions, Setting Procedures for Registration and Permitting; Establishing Duties of Owner/Operator as presented.

ORDINANCE NO. 2015-

AN ORDINANCE OF THE PORT ARANSAS CITY COUNCIL AMENDING CHAPTER 12 “LICENSES AND BUSINESS REGULATIONS”, ARTICLE VIII. “SHORT-TERM RENTALS”; ADDING DEFINITIONS, SETTING PROCEDURES FOR REGISTRATION AND PERMITTING; ESTABLISHING DUTIES OF OWNER/OPERATOR; SETTING PENALTY; AND PROVIDING FOR SEVERANCE, READING, AND EFFECTIVE DATE.

WHEREAS, the City of Port Aransas finds and declares that Short Term Rentals affect the safety, character, values, stability of neighborhoods; and

WHEREAS, the City Council finds that registration of Short Term Rentals will facilitate better enforcement of local health, safety, and aesthetic regulations; and

WHEREAS, it is in the public interest to amend the City Code to establish rules and regulations relating to the operation of Short Term Rentals; and

WHEREAS, the City of Port Aransas is a home rule city with the power to enact ordinances to protect the health, safety, and well-being of its citizens, tourists, and visitors.

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

SECTION 1. ADDITION

That Chapter 12 “Licenses and Business Regulations”, Article VIII. “Short-Term Rentals” is hereby added to wit:

ARTICLE VIII. SHORT TERM RENTALS

Section 12-250. 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:

Short Term Rental (Transient) - (STR), is the use for compensation of all or part of a residential dwelling unit or accessory dwelling unit which includes but is not limited to a hotel, motel, single family residence, apartment, residential condominium units, townhouses ~~or~~ and any and all other residential real estate improvements, in which the public may obtain sleeping accommodations for a period less than 30 consecutive days. The term applies regardless of whether the dwelling was originally constructed or zoned as a residential dwelling. The term Short Term Rental does not include:

(1) ~~Hotels and Motels;~~

(2) 1. A dormitory or other housing facility owned or leased and operated by a private or independent institution of higher education as those terms are defined by Section 61.003, Education Code, used by the institution for the purpose of providing sleeping accommodations for persons engaged in an educational program or activity at the institution; or

- (3) 2. Rental of a property pending closing of a bonafide real estate purchase contract.

Accessory Short Term Rental shall mean a property containing a Primary dwelling being used for long term or permanent occupancy and a legal Accessory Dwelling Unit that is being used for Short Term Rental.

Administrator shall mean the City Manager or ~~their~~ his designee.

City – For the purpose of this article, the City of Port Aransas.

Occupant(s) shall mean the person or persons who have rented the Short Term Rental and their guest(s).

Owner shall mean the person or entity that holds legal and/or equitable title to the private property.

Operator shall mean every natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government or any other group or combination acting as a unit who is the proprietor of a Short Term Rental, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, license or any capacity. Where the operator performs his or her functions through a managing agent of any type of character, other than an employee, or where the operator performs his or her functions through a rental agent, the managing agent or the rental agent shall have the same duties as his or her principal.

Permit shall mean a Short Term Rental permit.

Section 12-251. Short Term Rentals

- (a) The purpose of this Article is to establish regulations for the registration and use of Short Term Rentals and to ensure among other things that habitation of such units is safe, hotel/motel occupancy taxes are paid in timely fashion and to provide for the general welfare of residents and visitors.
- (b) ~~For purposes of this Section:~~ The property Owner shall designate themselves or an agent to comply with the requirements of this section Article on behalf of the Owner. The Owner or designated agent is sometimes referred to as “Operator” herein.
- (c) The Owner shall not be relieved from any personal responsibility or personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the residential dwelling unit as a Short Term Rental unit, regardless of whether such noncompliance was committed by the Owner, Operator, authorized agent or representative or the occupants or guests of the occupants.
- (d) This Section Article is not intended to provide any Owner/Operator of residential property with the right or privilege to violate any City zoning (Chapter 25; Port Aransas City Code), private conditions, covenants, ~~and~~ or restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for Short Term Rental purposes as defined in this section, or to repeal, arrogate, or impair any existing easements, covenants, or deed restrictions.

- (e) Abrogation and Greater Restrictions. This ordinance is not intended ~~to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However,~~ where this ordinance and another ordinance, ~~easement, covenant, or deed restriction~~ conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- (f) An advertisement promoting the availability of short-term rental property in violation of any provision of this ordinance is prima facie evidence of a violation.

Section 12-252. Registration and Permit

- (a) Prior to using a dwelling unit as a Short Term Rental or advertising in any manner the availability of the dwelling unit for Short Term Rental, the Operator must submit the following information on a form and in the manner prescribed by the Administrator:
1. The name, address, email and telephone number of the Operator of the subject Short Term Rental unit;
 2. The name, address, email and twenty-four hour contact telephone number of a designated local contact person.
The local contact person is the Operator or person designated by the Operator who shall be available twenty-four (24) hours per day, seven (7) days per week for the purpose of:
 - i. responding in person within one (1) hour to complaints regarding the condition, operation, or conduct of occupants of the Short Term Rental unit; and
 - ii. taking immediate remedial action to resolve any such complaints.
 3. The name, mailing and physical address of the proposed Short Term Rental unit.
 4. The number of sleeping rooms and applicable occupancy limit of the proposed Short Term Rental unit. For purposes of this Section a sleeping room is any enclosed habitable space within a dwelling unit which complies with the minimum room dimension requirements of the adopted International Residential Code. 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 of residents, temporary or otherwise. Maximum occupancy is 2 adults per sleeping room plus 4 unless otherwise allowed by Building official. Children shall not be counted in the occupancy calculation. For purposes of this section an adult is an individual 17 years or older at the time of rental. The maximum occupancy of a Short Term Rental shall be determined at the time a Short Term Rental permit is issued or renewed. That capacity shall not be increased by subsequent construction of any addition to the structure covered by the permit or by construction of any other structure located on the property without an inspection and approval by Building Official and submission of an amended registration form.
 5. Where one owner or operator manages or owns multiple Residential Short Term Rental units within a condominium or townhome complex, a single consolidated permit application may be submitted. Each Residential Short Term Rental unit will still be assigned a unique permit number and be subject to the registration fee. If units are managed by

different owner representatives, despite being in the same complex, separate applications are required. For the purpose of this Article, hotels and amotels will register as a single unit and pay a single fee regardless of the number of rooms.

6. Any additional information the Administrator determines necessary for the administration of this Section.
- (b) Any existing Short Term Rental shall have 120 days from adoption of this ordinance to complete the required registration and obtain their Short Term Rental permit.
 - (c) Transferability. A Short Term Rental Permit is not transferable to a new property owner. A new owner must apply for a Short Term Rental Permit within sixty (60) days from the closing date of the purchase or any other conveyance of ownership. Failure of a new property owner to apply for permit within sixty (60) days from the closing date may result in the revocation or non-renewal of an existing Short Term Rental Permit or the denial of a new Short Term Rental registration.
 - (d) Any property owner delinquent and/or owing City of Port Aransas fees to include but not limited to ~~hotel/motel~~ tax, sanitation or gas service fees will be prohibited from registering a Short Term Rental until such time as payment or acceptable resolution is approved by the City of Port Aransas finance department.
 - (e) Registration Fee – Renewal Fee:
 1. The Short Term Rental registration form shall be accompanied by an initial non-refundable per unit registration fee as established by City Council.
 2. The initial registration of the Short Term Rental is valid for 24 months from the date the completed registration is filed with the City and payment of the registration fee has been made, unless ownership of the Short Term Rental changes at which time a new registration will be required and new permit issued. Subsequent renewal of a Short Term Rental will be on an annual calendar year basis.
 - (f) Each Short Term Rental, once properly registered shall be issued a permit with a unique registration number. The registration number must be included in any and all advertisement for the Short Term Rental including internet booking sites.

Section 12-213. Minimum Standards of Conduct

- (a) The Owner, operator or their agent shall provide a tenant information sheet to renters of short term vacation rentals, with information providing basic, minimum standards of conduct during their stay in the City of Port Aransas. At a minimum the following items must be included on the information sheet:
 1. The name of property's designated contact person including a 24/7 phone number;
 2. Occupancy limit as established at the time of registration and permitting;
 3. Location of off-street parking, other available parking and location of any adjacent no-parking fire lanes;

4. Notice that failure to conform to the occupancy and parking requirements is a violation of City code and may subject occupants to citation;
 5. Noise and lighting restrictions;
 6. Trash collection information to include proper timing and placement of receptacles;
 - ~~7. Other useful information about the community;~~
 8. 7. Other information as required by Administrator.
- (b) Health and Life Safety: Owner or Operator shall ensure all building and fire related construction conforms to the City’s adopted building code. All floors with an enclosed space of any kind must have a minimum of one (1) Class ~~2A10B:C~~ type fire extinguisher (standard) 5lb. fire extinguisher mounted so as to be conspicuous and convenient for the occupants.
- (c) A golf cart made available anytime as part of a Short-Term Rental shall be subject to all requirements of the City of Port Aransas Code of Ordinances, Chapter 23 “Traffic & Motor Vehicles”.
- (d) Non-compliant sleeping rooms shall not be included in the maximum occupancy calculation and notification shall be provided in the tenant information sheet that the non-compliant Sleeping Room may not be used for sleeping.
- (e) Inspection: To ensure continued compliance with the requirements of this Section, Short Term Rental properties will be subject to an inspection every 24 months unless an immediate inspection is required to address a specific concern or suspected violation.
- (f) Mandatory evacuation: All vacation rental units will be immediately evacuated upon notice of a non-resident evacuation order issued by the City, County or State.
- (g) Any other standards deemed necessary by the Administrator to achieve the objectives of this Section.

Section 12-214. Enforcement - Penalty Provisions

- (a) The Owner/Operator shall comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject Short Term Rental unit, including, but not limited to, Chapter 10 “Health and Sanitation” and Chapter 22, “Taxation” of the City Code of Port Aransas.
- (b) A permit may be denied, suspended or revoked for any of the following reasons:
1. 3 or more notices of violation issued within a twelve month period for any conduct or condition at the Short Term Rental that constitutes a violation of this section or federal, State or local law;
 2. Providing false or misleading information on a Permit application;
 3. Representing a property available or otherwise making a residence available for occupancy or rent as a Short Term Rental where the property does not hold a valid Short Term Rental permit;
 4. The Permit holder is overdue in payment to the City of taxes, fees, fines, or penalties or fails to provide documentation when requested showing all Hotel occupancy taxes have been paid for the property.

5. The Short Term Rental is sold or otherwise transferred.
6. Information provided with the permit application has changed or is no longer accurate and the permit holder has failed to notify the City.

(c)Appeal. If an application for a Short Term Rental Permit or renewal is denied or the permit subsequently revoked, the Owner or Operator may appeal (“appellant”) to the Administrator by written notice delivered within ten (10) business days of denial or revocation.

1. The Administrator shall have twenty (20) business days from the date on which the appeal was received in which to give a written decision affirming, modifying, or reversing the denial, suspension, or revocation as applicable.
2. If the Permit is denied, suspended, or revoked pursuant to this Section, appellant may within ten (10) business days of the service of notice of such determination submit to the Administrator a written request for a hearing to show cause as to why the Permit should not be denied, suspended, or revoked, as applicable. A hearing shall be scheduled within thirty (30) business days of receipt of applicant's request and notice of the hearing shall be given to applicant ~~five (5)~~ **ten (10)** business days before the hearing. At the hearing, the appellant and City may present such evidence as may be relevant.
3. Any notice or decision served to appellant shall be deemed served upon the appellant when it is personally delivered or on the date it is mailed by United States mail, with proper postage prepaid, to the name and address set forth on the application for Permit, whichever occurs first.
4. Any appeal filed pursuant to this Chapter shall state succinctly the grounds upon which it is asserted that the determination should be modified or reversed and shall be accompanied by copies of the application for Permit, the written notice of the determination of the City, and any other information material to the determination.
5. Judicial review of any such final decision of the City may be obtained through the filing of an appropriate action in the appropriate district court within thirty (30) calendar days after service on appellant of the decision. The applicant shall bear the burden of proof in court. The substantial evidence standard of review shall apply to such appeal.

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 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 reading and on publication in the Ordinance caption in the official newspaper of the City. This Ordinance shall be and become effective on _____ and after its adoption and publication in accordance with the provisions of The Charter of the City of Port Aransas.

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, TEXAS

AGENDA

CITY COUNCIL REGULAR MEETING

Thursday, November 19, 2015 @ 5:00 pm
Port Aransas City Hall, 710 W. Avenue A
Port Aransas, Texas 78373

On this the 17th day of September 2015 the City Council of the City of Port Aransas, Nueces County, Texas, 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 Wendy Moore, Place 1
Council Member Beverly Bolner, Place 2
Council Member Beth Owens, Place 3
Council Member Charles Bujan, Place 4
Council Member Edwin Myers, Place 5

CITY COUNCIL MEMBER(S) ABSENT

N/A

STAFF MEMBERS PRESENT

City Manager David Parsons
City Attorney Michael Morris
City Secretary Irma Parker
Finance Director Darla Honea
Police Chief Scott Burroughs
EMS Director Tim McIntosh
Planning/Development Dir. Rick Adams
Public Works Director Johnny White
Parks & Recreation Director David Hyde

STAFF MEMBERS ABSENT

Gas Director Mitch Ortiz

EMPLOYEES PRESENT

PD Lt. James Stokes
Executive Asst. Dee Dee Ince
Executive Asst. Francisca Nixon
Code Enforcement Officer Carla Vanzant
Permit Clerk Starla Waddell
Harbor Master Charlie Fisher
Patrol Officer Brett Boyer
Animal Control Officer Vanessa Krampitz
Planning Asst. Nicole Boyer

1. **CALL TO ORDER-** With a quorum present the meeting Mayor McMullin called the November 19, 2015 meeting to order.
2. **PLEDGE OF ALLEGIANCE-** Mayor McMullin lead the City Council and audience in the Pledge of Allegiance.
3. **OPENING PRAYER** – Opening Prayer was presented by EMS Director Tim McIntosh.
4. **CERTIFICATE OF RECOGNITION AND HONOR**

- **John Zuniga, PAISD Junior, Gold Medal Winner, UIL 2A State Cross Country Meet**

Mayor McMullin presented a Certificate to John Zuniga in recognition of his accomplishments at the Class 2A State Cross Country Meet.

5. **PUBLIC HEARING** – *The Port Aransas City Council will hold a Public Hearing to consider the following items:*
1. **Final Plat FPLT 150859 of Lots 1 and 2, Block 1, Old Town Cottages, being a Replat of Lots B and C, Danglade Addition, City of Port Aransas, Nueces County, Texas according to the Plat Recorded in Volume 61, Page 59, Map Records of Nueces County, Texas. Request by: Port Aransas Cottages, LLC (Shana Heard). Property Address: 129 N. Alister;**
 2. **Final Plat FPLT 150862 of Wrambling Wrecks Harbor Subdivision, Block 1, Lots 1 through 6, being a replat of Lot B, Wrambling Wrecks Subdivision, a map of which is recorded in Volume 54, Page 127, Map Records of Nueces County, Texas and Lots 4A and 5A, Block 1 Harbor Subdivision, a map of which is recorded in Volume 57, Pages 136 & 137, Map Records of Nueces County, Texas. Request By: City of Port Aransas & Deep Sea Properties Inc. Property Address: 100 Cut Off Road; and**
 3. **Minor Plat MRPLT 150860 of Lot 4A, 48, & 4C, Block 2, Sandpiper Villas, City of Port Aransas, Nueces County, being a replat of Lot 4, Block 2, Sandpiper Villas, City of Port Aransas, Texas, according to the plat recorded In Volume 63, Page 71, map records of Nueces County, Texas. Request by: Cavan & Donna McMahon. Property Address: 620 Sea Breeze.**

Mayor McMullin opened the Public Hearing and called for questions and/or comments from the public and Council. There being none, Mayor McMullin closed the Public Hearing.

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.*

Prior to opening this Section of the agenda, Mayor McMullin read this statement into the record and is presented verbatim.

This week, the city manager and I met with the Port of CC staff (which included the Port Executive Director John LaRue, Chief Operating Officer Sean Strawbridge, Director of Engineering Services David Krams, and Director of Real Estate Darrin Aldrich.

The purpose of the meeting was to discuss several topics:

1. The Dennis Dryer Municipal Harbor Port lease which expires December 2017.
2. The Fishing Pier at Charlie's Pasture lease which expires June 30, 2016, and reconstruction requirements within the lease.
3. Pressure wave over wash along portions of the bulkhead.
4. The City's 67-Acre marina USACOE permit, focusing on the jetties, which would require Port of CC design approval.

In regards to the Dennis Dryer Municipal Harbor lease, the Port was very positive that the lease would be renewed as it's such a vital component to our city and region. They recommended that city staff should begin lease negotiations immediately rather than waiting towards the lease expiration.

In regards to the Fishing Pier at Charlie's Pasture lease, the Port was adamant that the pressure wave issue effecting the pier must be addressed and that the Port is willing to work with the city on extending the lease expiration date providing the city shows progress in moving forward with a pressure wave study proving the city's proposed pier corrections. The Port suggested that the city should have started this process by February 2016 to show "good faith."

The bulkhead over wash issue is also a great concern of the Port especially the portion that lies within the Port pier lease area (which happens to be the worse over wash area in Charlie's Pasture). Like the pier, the Port is requiring a pressure wave study proving the city's proposed bulkhead corrections.

Regarding the pressure wave issue, there were several corrective ideas suggested by Port engineers, ranging from elevating the bulkhead to building a breakwater just offshore that would dampen wave energy. The Port made it clear that with US oil exports becoming a possibility in the near future we will most likely see an increase in the number of loaded outbound tankers along with loaded outbound LNG tankers that will come on line when the Cheniere LNG facility begins operations. It is these outbound tankers that produce the pressure waves inflicting the most damage to shoreline facilities. This translates into the pressure wave issue only getting worse.

In discussions regarding the 67-Acre USACOE permit, the Port did agree a pressure wave study would be required however all parties were in agreement that the pressure wave effects on the fishing pier and bulkhead were the immediate priority.

Taking everything into account, I recommend that council directs staff to rework the jetty study and replace it with a comprehensive pressure wave study for the Charlie's Pasture shoreline. The study should include all aspects of facilities (shoreline bulkheads, fishing pier, and possible future jetties to the 67-Acre marina) so that council will have all the issues and proposed corrective solutions plainly laid out before them to make decisions regarding a direction forward.

Staff has stated that a draft proposal for a pressure wave study could be presented at the January 21, 2016 council meeting.

(Note) I had a very positive follow up phone conversation with Port Commissioner Charlie Zahn regarding the Port meeting.

Additionally, David has met with HDR Environmental Engineering in regards to measures that will be helpful in securing our USACOE permit renewal in 2018 (HDR assisted the city with USACOE marina permit renewals in 2013, 2008, and 2003). Their response was very positive stating that the permit has very little wetland impacts and that proactively adding simple items to the permit such as a naturalized buffer zone along the Nature Preserve boundary would be viewed favorably by permit reviewers such as US Fish and Wildlife, Texas Parks and Wildlife, and others.

I also propose that council direct staff to continue working with HDR in developing a path forward for the 2018 USACOE permit renewal.

{Editor's Note: back to meeting}

The following individuals addressed the City Council:

- Survey – Richard Tondre, 502 Laurel;
- Hydrology Study – FOR – George Horner, 408 Bayside; Greg Smith, 120 Gulfwind; Michele Lorette, Mustang Blvd; Bobby Grimble, 320 Marina Drive; Randall Moore, 106 LaJoya; Garret Kupke, 719 E. Avenue C; Thaxton Kupke, 215 LaJoya; Glenn Martin, 100 N.Station #500; Cathy Young, 502 Lighthouse Channel; Jo Krueger, 1220 Sea Secret; Lee Roy Hoskins;
AGAINST – Stoney McGerald, 3500 Island Mooring; P.J. Lamoureux, 512 Aransas Channel;
- City Fees being too high – Thaxton Kupke, 215 LaJoya;
- Marina Construction – AGAINST – Dee Wallace but in favor of hydrology study; Suzanne McAnn – keep 67 acres in pristine condition;
- Open Container Ordinance – Tiffany Collie,
- City Services – Jim Gates, 232 E. Oakes;

7. **CONSENT AGENDA:** *All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.*

A. **Discuss and take action on the Thursday, October 15, 2015 City Council Meeting Minutes as presented.**

B. **Discuss and take action on the Thursday, August 20, 2015 City Council Meeting Minutes as presented.**

Mayor McMullin called for any requests to remove any item from the CONSENT AGENDA removed for separate discussion. There were no such requests; therefore, Mayor McMullin called for a motion.

MOTION: Council Member Bujan moved to approve Article 7 “CONSENT AGENDA” Sub-Sections A and B 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

8. **ITEMS FOR CONSIDERATION**

C. **Discuss and take action to ratify appointment of Marina L. Narvaez as Librarian of the Ellis Memorial Library.**

Pursuant to Home Rule Charter Article IX. “Boards and Commissions”, Section 2(f) “Board and Commissions Enumerated” –

“The board shall supervise and govern the public library and shall nominate the librarian who shall be appointed by the city council.”

Staff has met with Board Members and a selection has been made of Ms. Marina L. Narvaez to serve as the Librarian of the Ellis Memorial Library.

MOTION: Council Member Bujan moved to ratify appointment of Marina L. Narvaez as Librarian of the Ellis Memorial Library. 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

D. **Discuss and take action on A Resolution Approving the Hotel/Motel Tax Agreement with the Port Aransas Chamber of Commerce and Tourist Bureau from the City's Occupancy Tax Receipts for the Period Commencing October 1, 2015 and Ending September 30, 2016; Estimated Disbursement to the Chamber is a Total of 3% of the Total Hotel/Occupancy Taxes Collected by the City \$1,751,310.00; Such Funds to be Transferred by the City to the Chamber Quarterly as Such Tax Revenues are Received by the City; if Funds Collected are in Excess or Less Than the Amount Budgeted Staff Will Prepare Amendments to the Budget and Contract Agreement; and authorizing the city manager to sign contract documents.**

The City has contracted with the Chamber of Commerce for several years for the use of hotel/motel occupancy taxes collected. The attached Resolution and Contract is the same with the exception to the amount being distributed which is \$1,751,310.00 and so noted in FY 2015-2016 Budget.

MOTION: Mayor Pro-Tem Lanoux moved to adopt the Resolution approving the Hotel/Motel Tax Agreement with the Port Aransas Chamber of Commerce and Tourist Bureau from the City's Occupancy Tax Receipts for the Period Commencing October 1, 2015 and Ending September 30, 2016; Estimated Disbursement to the Chamber is a Total of 3% of the Total Hotel/Occupancy Taxes Collected by the City \$1,751,310.00 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

RESOLUTION NO. 2015-R44

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL APPROVING THE HOTEL/MOTEL TAX AGREEMENT WITH THE PORT ARANSAS CHAMBER OF COMMERCE AND TOURIST BUREAU FOR FROM THE CITY'S OCCUPANCY TAX RECEIPTS FOR THE PERIOD COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; ESTIMATED DISBURSEMENT TO THE CHAMBER IS A TOTAL OF THREE (3%) PERCENT OF THE TOTAL HOTEL/OCCUPANCY TAXES COLLECTED BY THE CITY OR ONE MILLION SEVEN HUNDRED FIFTY-ONE THOUSAND THREE HUNDRED AND TEN (\$1,751,310.00) DOLLARS; DIRECTING THAT SUCH FUNDS TO BE TRANSFERRED BY THE CITY TO THE CHAMBER QUARTERLY AS TAX REVENUES ARE RECEIVED BY THE CITY AND IF FUNDS COLLECTED ARE IN EXCESS OR LESS THAN THE AMOUNT BUDGETED FOR STAFF TO PREPARE AMENDMENTS TO THE BUDGET AND CONTRACT AGREEMENT; AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACT DOCUMENTS.

- E. Discuss and take action on third reading of an Ordinance Vacating Fifteen (15') Feet of an Unimproved Right-Of-Way Portion of Station Street Adjacent to: (1) Property Id #212540 – Channel View, PA Block 2, Lot 1 aka 303 Channel View Drive, (2) Property Id #212531 – Channel View, PA Block 1, Lot 1-R aka 302 Channel View Drive, and (3) Property Id #200041428 – Tarrant PA Lot 13, Block 2 aka 706 Tarrant Avenue as Requested In Partial Street Closing VC#150655 in the City of Port Aransas; Directing That Each of the Owners Replat the Vacated Fifteen (15') Feet to Become a Part of Their Existing Lots; and Providing for an Effective Date.**

This ordinance is presented on third and final reading. There have been no changes to form or content since 2nd reading. The Planning & Zoning Commission recommended approval at the August 31, 2015 meeting with the condition that the each of the owners replat the vacated fifteen (15') feet to become a part of their existing lots. Staff recommends approval.

MOTION: Council Member Bujan moved to adopt Ordinance Vacating Fifteen (15') Feet of an Unimproved Right-Of-Way Portion of Station Street Adjacent to: (1) Property Id #212540 – Channel View, PA Block 2, Lot 1 aka 303 Channel View Drive, (2) Property Id #212531 – Channel View, PA Block 1, Lot 1-R aka 302 Channel View Drive, and (3) Property Id #200041428 – Tarrant PA Lot 13, Block 2 aka 706 Tarrant Avenue as Requested In Partial Street Closing VC#150655 in the City of Port Aransas; Directing That Each of the Owners Replat the Vacated Fifteen (15') Feet to Become a Part of Their Existing Lots; and Providing for an Effective Date as presented on third and final reading. 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 Moore	X			

Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

ORDINANCE NO. 2015-13

AN ORDINANCE VACATING FIFTEEN (15') FEET OF AN UNIMPROVED RIGHT-OF-WAY PORTION OF STATION STREET ADJACENT TO: (1) PROPERTY ID #212540 – CHANNEL VIEW, PA BLOCK 2, LOT 1 AKA 303 CHANNEL VIEW DRIVE, (2) PROPERTY ID #212531 – CHANNEL VIEW, PA BLOCK 1, LOT 1-R AKA 302 CHANNEL VIEW DRIVE, AND (3) PROPERTY ID #200041428 – TARRANTS PA LOT 13, BLOCK 2 AKA 706 TARRANT AVENUE AS REQUESTED IN PARTIAL STREET CLOSING VC#150655 IN THE CITY OF PORT ARANSAS; DIRECTING THAT EACH OF THE OWNERS REPLAT THE VACATED FIFTEEN (15') FEET TO BECOME A PART OF THEIR EXISTING LOTS; AND PROVIDING FOR AN EFFECTIVE DATE.

- F. Discuss and take action on Final Plat FPLT 150859 of Lots 1 and 2, Block 1, Old Town Cottages, being a Replat of Lots B and C, Danglade Addition, City of Port Aransas, Nueces County, Texas according to the Plat Recorded in Volume 61, Page 59, Map Records of Nueces County, Texas. Request by: Port Aransas Cottages, LLC (Shana Heard). Property Address: 129 N. Alister.**

This request was submitted by Port Aransas Cottages, LC via Griffith & Brundrett Surveying Engineering, Inc. on September 4, 2015 for the Old Towne Cottages. Urban Engineering reviewed the referenced plat and found that the subject plat meets the platting requirements with the following note: Spelling of “Towne” on both the application and Plat, Lot 1 shall only have one access drive off Oleander Street, and Lot 2 shall only have one access drive off Alister Street. A public hearing notice was published in the South Jetty on 10/1/2015 with the public hearing held on 1/26/2015. The Planning & Zoning Commission approved the application at their 10/26 meeting with a condition to modify the requested setbacks to read twelve (12') feet on the Alister Street frontage and twenty (20') feet on the Oleander Street frontage.

Utility Review included the following:

- Nueces County Water District #4 – approved with comment “*as long as original 20’ UE is maintained on replat to serve Lot 2 with utilities*”;
- Centurylink of Port Aransas and COPA Gas Department approved with no conditions; and
- AEP Texas Central Company – no response received.

Staff recommends approval.

MOTION: Council Member Myers moved to approve Final Plat FPLT_150859 of Lots 1 and 2, Block 1, Old Town Cottages, being a Replat of Lots B and C, Danglade Addition, City of Port Aransas, Nueces County, Texas according to the Plat Recorded in Volume 61, Page 59, Map Records of Nueces County, Texas 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			

Council Member Bujan	X			
Council Member Myers	X			

- G. **Discuss and take action on Final Plat FPLT 150862 of Wrangling Wrecks Harbor Subdivision, Block 1, Lots 1 through 6, being a replat of Lot B, Wrangling Wrecks Subdivision, a map of which is recorded in Volume 54, Page 127, Map Records of Nueces County, Texas and Lots 4A and 5A, Block 1 Harbor Subdivision, a map of which is recorded in Volume 57, Pages 136 & 137, Map Records of Nueces County, Texas. Request By: City of Port Aransas & Deep Sea Properties Inc. Property Address: 100 Cut Off Road.**

This request was submitted by the City and Deep Sea Properties via Urban Engineering. An engineering review was not conducted as directed by City Manager Parsons. A public hearing notice was published in the South Jetty on 10/1/2015 and the public hearing held 10/26/2015. The Planning & Zoning Commission approved this application on 10/26/2015.

Utility Review included the following approvals without conditions - Nueces County Water District #4, Centurylink of Port Aransas and COPA Gas Department. AEP Texas Central Company did not respond. Staff recommends approval.

MOTION: Council Member Myers moved to approve Final Plat FPLT 150862 of Wrangling Wrecks Harbor Subdivision, Block 1, Lots 1 through 6, being a replat of Lot B, Wrangling Wrecks Subdivision, a map of which is recorded in Volume 54, Page 127, Map Records of Nueces County, Texas and Lots 4A and 5A, Block 1 Harbor Subdivision, a map of which is recorded in Volume 57, Pages 136 & 137, Map Records of Nueces County, Texas 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 Moore	X			
Council Member Bolner	X			
Council Member Owens			X	
Council Member Bujan	X			
Council Member Myers	X			

- H. **Discuss and take action on Minor Plat MRPLT 150860 of Lot 4A, 48, & 4C, Block 2, Sandpiper Villas, City of Port Aransas, Nueces County, being a replat of Lot 4, Block 2, Sandpiper Villas, City of Port Aransas, Texas, according to the plat recorded In Volume 63, Page 71, map records of Nueces County, Texas. Request by: Cavan & Donna McMahon. Property Address: 620 Sea Breeze.**

This application was submitted by Cavan and Donna McMahon via Griffith & Brundrett Surveying & Engineering, Inc for the Sandpiper Villas replat. Urban Engineering reviewed the plat on 10/1/2015 and found that the subject plat meets the platting requirements pursuant to COPA Code of Ordinances. The public hearing notice was published in the South Jetty on 10/1/2015 with the hearing held on 10/9/2015. The Planning & Zoning Commission approved the application at their 10/26/2015 meeting.

Utility Review included the following:

- Nueces County Water District #4 – approved with comment “*as long as original 20’ UE is maintained on replat to serve Lot 2 with utilities*”;
- Centurylink of Port Aransas and COPA Gas Department approved with no conditions; and
- AEP Texas Central Company – no response received.

Staff recommends approval conditioned on extension of water and sewer installation before final recording of said plat.

MOTION: Council Member Bolner moved to approve Minor Plat MRPLT 150860 of Lot 4A, 4B, & 4C, Block 2, Sandpiper Villas, City of Port Aransas, Nueces County, being a replat of Lot 4, Block 2, Sandpiper Villas, City of Port Aransas, Texas, according to the plat recorded In Volume 63, Page 71, map records of Nueces County, Texas 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

- I. **Discuss and take action on various issues pertaining to city-owned property known as the 67-acres in Charlie’s Pasture with topics including but not limited to: current USACOE Marina Permit, future use of the 67-acres, placing the use of the 67-acres on a ballot initiative, the fishing pier at Charlie’s Pasture, the proposed Jetty Study, the proposed 2nd access study, the existing Dennis Drver Municipal Marina.**

This topic was discussed in detail at the October regular meeting and with the progress made by City Manager and Mayor McMullin as earlier presented during the ‘Citizens to be Heard’ section of this agenda the City Council discussed how to best address the breakwater issues at the 67-acre tract in Charlie’s Pasture. Council Member Bujan opined that the citizens should have a right to vote on any development on this property and that this had been his main concern. It was noted that any cost of development would require the City to go out for bonds which would require a special election to vote on this issue.

MOTION: Council Member Moore moved to approve moving forward with Contracting With Coast & Harbor Engineering, a Division of Hatch Mott Macdonald LLC, for the Purpose of Collection and Evaluation of Available and New Hydrographic Survey Data, Prepare and Perform Modeling of Pressure Field Wave Effects, Develop Feasible Design of Proposed Jetty System at the Entrance for Mitigation of Pressure Wave Effects, Evaluate Selected Alternatives and Recommend a Preferred Alternative, and Develop a Conceptual Design and Cost Estimate for the Preferred Alternative for a Cost not to Exceed \$49,800 for the 67-acres in Charlie’s Pasture with funds From FY 2015-2016 Hotel/Motel Special Revenue Account 110-50250; and

Authorizing the City Manager to Sign Contract Documents as presented. Council Member Owens seconded the motion. Motion carried by the following vote:

Name	Yes	No	Abstain	Absent
Mayor McMullin	X			
Mayor Pro-Tem Lanoux	X			
Council Member Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

[Editor’s Note: - Resolution Authorizing a Contract With Coast & Harbor Engineering, a Division of Hatch Mott Macdonald LLC, for the Purpose of Collection and Evaluation of Available and New Hydrographic Survey Data, Prepare and Perform Modeling of Pressure Field Wave Effects in the Proposed Marina, Develop Feasible Design of Proposed Jetty System at the Entrance to the Proposed Marina for Mitigation of Pressure Wave Effects, Evaluate Selected Alternatives and Recommend a Preferred Alternative, and Develop a Conceptual Design and Cost Estimate for the Preferred Alternative for a Cost not to Exceed \$49,800 From FY 2015-2016 Hotel/Motel Special Revenue Account 110-50250; and Authorizing the City Manager to Sign Contract Documents was passed with no action taken.]

J. Deliberate and take action on the first reading of an Ordinance Amending Chapter 12 “Licenses and Business Regulations”, Article VIII. “Short-Term Rentals”; Adding Definitions, Setting Procedures for Registration and Permitting; Establishing Duties of Owner/Operator; Setting Penalty; And Providing For Severance, Reading, And Effective Date.

Staff received direction at the 2015 Summer Goals workshop to better manage issues associated with the significant growth in short-term rentals. These issues range from parking, noise, litter to non-payment of Hotel-Motel taxes. Staff is proposing all dwellings used for short term rental complete a registration process leading to issuance of a property specific permit. The registration and permitting process will establish rules and regulations relating to the operation of a short term rental and help facilitate better enforcement of local health, safety, and aesthetic regulations. Staff recommends approval.

MOTION: Council Member Myers moved to approve first reading of an Ordinance Amending Chapter 12 “Licenses and Business Regulations”, Article VIII. “Short-Term Rentals”; Adding Definitions, Setting Procedures for Registration and Permitting; Establishing Duties of Owner/Operator as presented. Council Member Owens seconded the motion. Motion carried by the following vote:

Name	Yes	No	Abstain	Absent
Mayor McMullin	X			
Mayor Pro-Tem Lanoux	X			
Council Member Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

K. Discuss and take action on A Resolution Establishing an Animal Shelter Advisory Board to Serve a Term of One (1) Year Term Beginning January 1 and

Ending December 31, 2016; Setting Board Composition, Tasks and Duties and Require Quarterly Reporting of Board Activities and Progress.

The City has operated with the assistance of community volunteers at the Animal Control Shelter. With the many state mandated rules and regulations in addition to providing for a smooth operation, the time has come for establishing an official ‘interlocal agreement’ between the city and the Animal Friends Organization. The establishment of an advisory committee will be tasked to assist in this transition to the next level of efficiency. Council Member Owens requested this action item. Staff recommends approval.

MOTION: Council Member Bujan moved to approve A Resolution Establishing an Animal Shelter Advisory Board to Serve a Term of One (1) Year Term Beginning January 1 and Ending December 31, 2016; Setting Board Composition, Tasks and Duties and Require Quarterly Reporting of Board Activities and Progress as presented. Council Member Bolner seconded the motion. Motion carried by the following vote: **NEED NAMES**

Name	Yes	No	Abstain	Absent
Mayor McMullin	X			
Mayor Pro-Tem Lanoux	X			
Council Member Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

RESOLUTION NO. 2015 –R45

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL ESTABLISHING AN ANIMAL SHELTER ADVISORY BOARD TO SERVE A TERM OF ONE (1) YEAR TERM BEGINNING JANUARY 1 AND ENDING DECEMBER 31, 2016; SETTING BOARD COMPOSITION, TASKS AND DUTIES AND REQUIRE QUARTERLY REPORTING OF BOARD ACTIVITIES AND PROGRESS.

- L. Discuss and take action on second reading of an Ordinance Amending Chapter 23 “Traffic and Motor Vehicles” Article VIII. “Golf Carts and Neighborhood Electric Vehicles (NEVS)” Section 23-300 “Definitions” and Section 23-306 by Adding Definition for a Golf Cart Rental Business; Adding Requirements for Seat Belts, Specific Language to be Included in Rental Contracts and the Display of Official Rules Notice, Sticker or Placard on all Golf Carts; Providing for Severance, Reading, and Effective Date.

At the Thursday, September 17 City Council Meeting, Staff proposed recommendations for the regulation of Golf Carts within the City of Port Aransas. Staff proposes to: Continued high profile Police enforcement; Mandatory sticker for all golf carts with rules; Improved application process; and Improved education program including city web page, South Jetty, Chamber and others. There have been no changes to form or content since 1st reading. Staff recommends approval.

MOTION: Council Member Bujan moved to approve second reading of an Ordinance Amending Chapter 23 “Traffic and Motor Vehicles” Article VIII. “Golf Carts and Neighborhood Electric Vehicles (NEVS)” Section 23-300 “Definitions” and Section 23-306 by Adding

Definition for a Golf Cart Rental Business; Adding Requirements for Seat Belts, Specific Language to be Included in Rental Contracts and the Display of Official Rules Notice, Sticker or Placard on all Golf Carts; Providing for Severance, Reading, and Effective Date as presented. Council Member Owens seconded the motion. Motion carried by the following vote:

Name	Yes	No	Abstain	Absent
Mayor McMullin	X			
Mayor Pro-Tem Lanoux	X			
Council Member Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

M. Discuss and take action on first reading of an Ordinance Amending Chapter 23 “Traffic And Motor Vehicles” By Adding a New Article V. “Cell Phone Use, Prohibited”; Adding Definitions, Citing Exceptions, Non-Applicability, Affirmative and Conflicting Defenses and Setting Penalty; Providing For Severance, Reading, And Effective Date.

In previous council action, Staff presented information regarding the prohibition of mobile communication devices throughout the corporate city limits. After reviewing several ordinances adopted by cities throughout Texas, Staff proposed the ordinance for council consideration. : After reviewing Council recommended deleting 23-144(1) & re-numbering and expanding on definition of Vehicle.

MOTION: Mayor Pro-Tem Lanoux moved to approve first reading of an Ordinance Amending Chapter 23 “Traffic And Motor Vehicles” By Adding a New Article V. “Cell Phone Use, Prohibited”; Adding Definitions, Citing Exceptions, Non-Applicability, Affirmative and Conflicting Defenses and Setting Penalty; Providing For Severance, Reading, And Effective Date as amended. 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

N. Discuss and take action on first reading of an Ordinance Amending Chapter 18 “Public Places, Property and Services” Article II. “Beaches”, Division 3. “Regulations” Section 18-61 “Alcohol Consumption on the Beach” by Adding Provision to Temporarily Amend the Hours of Consumption or Possession and Definition of Possession With Intent to Consume Alcoholic Beverages; Providing For Severance, Reading, And Effective Date.

Staff has been tasked with finding a solution to control the activities at the beach during Spring Break. Staff is proposing two changes. The first would be the addition of a subsection authorizing the City Council to temporarily amend the hours of consumption and/or possession of alcohol. Council could pass a resolution such as shown below:

(Example only)

Be it resolved by a majority vote of the Port Aransas City Council, that Section 18-61- Alcohol consumption on the beach, is hereby temporarily amended for the period of March 10, 2016 through March 21, 2016 inclusive. In addition to the hours prescribed in section 18-61 of the city code, a person commits an offense if he consumes or possesses with intent to consume an alcoholic beverage on the public beach, on any day between 6:00 PM (?) and 12:00 AM (midnight). This prohibition shall not apply to consumption or possession out of public view within a tent, RV or trailer lawfully parked or set up on the beach

Secondly, the ordinance contains language that includes “possess with the intent to consume.” From an enforcement perspective it is always difficult to provide intent, unless the offender actually engages or attempts to engage in the prohibited activity i.e. attempt is generally defined as more than mere preparation. Staff proposes another sub section to define “possession with the intent to consume.” Staff recommends approval.

MOTION: Council Member Bujan moved to approve first reading first reading of an Ordinance Amending Chapter 18 “Public Places, Property and Services” Article II. “Beaches”, Division 3. “Regulations” Section 18-61 “Alcohol Consumption on the Beach” by Adding Provision to Temporarily Amend the Hours of Consumption or Possession and Definition of Possession With Intent to Consume Alcoholic Beverages; 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

- O. **Discuss and take action on a Resolution Authorizing Purchase of Two (2) New 2016 864C Ford F150 Super Crew V8 Trucks to Replace Unit # 296 and Unit #297 From Silsbee Ford; Funding From FY 2015-2016 Budget Capital Outlay Account 050-General Fund, Capital Outlay Account #59340 Through Texas Procurement And Strategic Sourcing (TPASS) 072-A2 Government Contract; And Authorizing the City Manager to Act as the Executive Officer and Authorized Representative of the City in all Matters Pertaining to Said Purchase.**

MOTION: Council Member Bujan moved to approve Resolution Authorizing Purchase of Two (2) New 2016 864C Ford F150 Super Crew V8 Trucks to Replace Unit # 296 and Unit #297 From Silsbee Ford; Funding From FY 2015-2016 Budget Capital Outlay Account 050-General Fund, Capital Outlay Account #59340 Through Texas Procurement And Strategic Sourcing

(TPASS) 072-A2 Government Contract 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

RESOLUTION NO. 2015 –R46

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL AUTHORIZING PURCHASE OF TWO (2) NEW 2016 864C FORD F150 SUPER CREW V8 TRUCKS TO REPLACE UNIT # 296 AND UNIT #297 FROM SILSBEE FORD; FUNDING FROM FY 2015-2016 BUDGET CAPITAL OUTLAY ACCOUNT 050- ITEM IN 050-GENERAL FUND, CAPITAL OUTLAY ACCOUNT #59340 THROUGH TEXAS PROCUREMENT AND STRATEGIC SOURCING (TPASS) 072-A2 GOVERNMENT CONTRACT; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE OF THE CITY IN ALL MATTERS PERTAINING TO SAID PURCHASE.

- P. Discuss and take action on a Resolution Authorizing Expending Funds for the Purchase and installation of six (6) Mini Dome Cameras with miscellaneous attachments for monitoring of the jail area in the amount of \$21,829.45; Funding From FY 2015-2016 Budget Capital Outlay Account 050-General Fund, Capital Outlay Account #59320 from ICR Technologies, Inc.; And Authorizing the City Manager to Act as the Executive Officer and Authorized Representative of the City in all Matters Pertaining to Said Purchase.**

The Police Department requests authorization to expend budgeted funds for purchase and installation of six (6) Mini Dome Cameras with miscellaneous attachments for monitoring of the jail area. The addition of this equipment will allow Dispatch to monitor the jail area. This is not a new system, but an addition and upgrade to the present monitoring system. This purchase does not need require since there is a single source provider for this equipment. Account summary is as follows:

Account #	Description	Budget	Actual Cost
59320	Buildings & Structures	\$37,000.00	\$15,170.55
	Video System Upgrades	\$22,000.00	\$21,829.45
	Parking Lot Fence	\$10,000.00	\$0.00
	Shelter Fence	\$5,000.00	\$0.00
			\$21,829.45
	Balance in Account	\$15,170.55	

This purchase was not submitted for bid at this time. The entire project had been bid on 8/16/2012 with these cameras bid at that time. Due to funds and the installation process this is the last portion of that upgrade to the camera system at the Police Department. Since this is all

part of the same project, Staff considers this as a sole source provider. Staff recommends approval.

MOTION: Council Member Bujan moved to approve Resolution Authorizing Expending Funds for the Purchase and installation of six (6) Mini Dome Cameras with miscellaneous attachments for monitoring of the jail area in the amount of \$21,829.45; Funding From FY 2015-2016 Budget Capital Outlay Account 050-General Fund, Capital Outlay Account #59320 from ICR Technologies, Inc. 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

RESOLUTION NO. 2015 –R47

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL AUTHORIZING EXPENDING FUNDS FOR THE PURCHASE AND INSTALLATION OF SIX (6) MINI DOME CAMERAS WITH MISCELLANEOUS ATTACHMENTS FOR MONITORING OF THE JAIL AREA IN THE AMOUNT OF \$21,829.45; FUNDING FROM FY 2015-2016 BUDGET CAPITAL OUTLAY ACCOUNT 050-GENERAL FUND, CAPITAL OUTLAY ACCOUNT #59320 FROM ICR TECHNOLOGIES, INC.; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE OF THE CITY IN ALL MATTERS PERTAINING TO SAID PURCHASE.

Q. Discuss and take action to create a City Nature Preserve Manager to work with the Parks & Recreation Department for the development and implementation of long-term management plans designed to maximize the preserves to native flora and fauna and promote sustainable ecotourism opportunities.

Since the City is known as a primary destination for nature tourism including bird watching, members of the Parks & Recreation Board and other members of the community have approached the City with the idea of establishing a new position – Preserve Manager. Currently the City owns nature preserves totaling more than 1300 acres including the Charlies Pasture Nature Preserve, Scott and Joan Holt Paradise Pond, and Leonabelle Turnbull Birding Center. Parks & Recreation Board President Scott Holt presented this request. He also stated that this position had been discussed and approved in 2007 but cut due to budgetary reasons.

The Preserve Manager would work within the Parks and Recreation Department to develop and implement long-term management plans designed to maximize the benefit of the preserves to native flora and fauna and promote sustainable ecotourism opportunities. The Preserve Manager would be familiar with current trends and practices in conservation, land management, natural resource preservation, have the ability to write grants and pursue public and private funding sources to implement comprehensive management actions. This position was not funded in FY 2015-2016 Budget.

City Manager Parsons advised that this position could be funded by Hotel Occupancy Tax Funds. Mayor Pro-Tem Lanoux remarked that the establishment of this position would assist in securing grants, coordinate volunteers and thus enhance the preserves for residents and tourists alike. Staff recommends approval.

MOTION: Council Member Bujan moved to approve the creation of a City Nature Preserve Manager to work with the Parks & Recreation Department for the development and implementation of long-term management plans designed to maximize the preserves to native flora and fauna and promote sustainable ecotourism opportunities as presented. Council Member Owens seconded the motion. Motion carried by the following vote:

Name	Yes	No	Abstain	Absent
Mayor McMullin	X			
Mayor Pro-Tem Lanoux	X			
Council Member Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

R. **Discuss and take action on a Resolution Authorizing Purchase of two (2) new Model M2-106 Dump Trucks From Corpus Christi Freightliner, Inc.; Funding From FY 2015-2016 Budget Beach Fund 150 Capital Outlay Account 62340 in the Amount of \$169,878.16; And Authorizing the City Manager to act as the Executive Officer and Authorized Representative Of The City In All Matters Pertaining To Said Purchase.**

The Port Aransas Public Works Department requests authorization to expend budgeted funds for a new 2016 Freightliner Dump Truck with 8 yard bed to replace Unit 241 in the amount of \$84,202.84 and an additional 2016 Freightliner Dump Truck with 8 yard bed and hydraulic tarp cover. This unit will also be used as our “backup” trash tote dumper (tarp) should our new trash truck be off-line for an extended period of time. The cost for the additional truck is \$85,675.32 for a total of \$169,878.16. Account summary is as follows:

Account #	Description	Budget	Actual Cost	Balance
62340	Heavy Equipment	\$276,500.00	\$0.00	\$106,621.84
	Dump Truck - Additional	\$90,000.00	\$85,675.32	\$4,324.68
	Dump Truck - Replacement	\$84,500.00	\$84,202.84	\$297.16
	Beach Tech Beach Cleaner	\$85,000.00	\$0.00	\$85,000.00
	Beach Carts	\$17,000.00	\$0.00	\$17,000.00

MOTION: Council Member Bujan moved to approve Resolution Authorizing Purchase of two (2) new Model M2-106 Dump Trucks From Corpus Christi Freightliner, Inc.; Funding From FY 2015-2016 Budget Beach Fund 150 Capital Outlay Account 62340 in the Amount of \$169,878.16 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

RESOLUTION NO. 2015 –R48

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL AUTHORIZING PURCHASE OF TWO (2) NEW MODEL M2-106 DUMP TRUCKS FROM CORPUS CHRISTI FREIGHTLINER, INC.; FUNDING FROM FY 2015-2016 BUDGET BEACH FUND 150 CAPITAL OUTLAY ACCOUNT 62340 IN THE AMOUNT OF \$169,878.16; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE OF THE CITY IN ALL MATTERS PERTAINING TO SAID PURCHASE.

- S. **Discuss and take action on a Resolution Authorizing Purchase of Three (3) 2016 Chevrolet 1500 Trucks From Caldwell Country; Funding From FY 2015-2016 Budget Capital Outlay Account 050-62340 in the Amount of \$63,235.00 Through BuyBoard Government Contract; and Authorizing the City Manager to act as the Executive Officer and Authorized Representative of the City in all Matters Pertaining to Said Purchase.**

The Police Department requests authorization to purchase of three (3) 2016 Chevrolet 1500 Trucks from Caldwell Country; funding from FY 2015-2016 Budget Capital Outlay Account 050-62340 in the Amount Of \$63,235.00 Through Buyboard Government Contract. Account is shown as follows:

Account #	Description	Budget	Actual Cost	Balance
62340	Motor Vehicles	\$66,000.00	\$63,235.00	\$2,765.00
	Pickup - Replacement 283	\$22,000.00	\$20,945.00	
	Pickup - Replacement 284	\$22,000.00	\$20,945.00	
	Pickup - Replacement 285	\$22,000.00	\$20,945.00	
	BuyBoard Fee		\$400.00	

MOTION: Council Member Bujan moved to approve Resolution Authorizing Purchase of Three (3) 2016 Chevrolet 1500 Trucks From Caldwell Country; Funding From FY 2015-2016 Budget Capital Outlay Account 050-62340 in the Amount of \$63,235.00 Through BuyBoard Government Contract 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			

RESOLUTION NO. 2015 –R49

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL AUTHORIZING PURCHASE OF THREE (3) 2016 CHEVROLET 1500 TRUCKS FROM CALDWELL COUNTRY; FUNDING FROM FY 2015-2016 BUDGET CAPITAL OUTLAY ACCOUNT 050-62340 IN THE AMOUNT OF \$63,235.00 THROUGH BUYBOARD GOVERNMENT CONTRACT; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE OF THE CITY IN ALL MATTERS PERTAINING TO SAID PURCHASE.

- T. Discuss and take action on a Resolution Awarding the Refurbishing of the John Deere Front End Loader Unit #331 Project to Commercial Coach Works; Funding From FY 2015-2016 Beach Fund Account 150-62220 in the Amount of \$21,275.00; and Authorizing the City Manager to act as the Executive Officer and Authorized Representative of the City in all Matters Pertaining to Said Purchase.**

Staff is proposing to epoxy paint the John Deere Front End Loader Unit #331 purchased in December 2013. The quote from Commercial Coach Works in the amount of \$21,275.00 is attached for Council review and information. The quote includes removing old decals and glue, removing engine cowling, fenders, fender brackets, doors, steps and brackets, mirrors, and metal plates from rear of counterweight. Sandblast all rust back to white metal. Dye grind around window openings to remove rust and to keep sand out of inside of cab. Tape off for two tone paint job. Sandblast inside and outside of bucket and prime with epoxy primer. Do body work as needed to large rust pits. Spot prime all body work and block sand. Sand complete machine when primer is dry. Topcoat two colors and apply clear coat to complete machine. Cut out perforated metal in engine cover doors and fabricate new stainless steel mesh panels and bolt into doors. Re-install everything removed for painting. Account summary is as follows:

Acct. #	SUPPLIES & SERVICES	Budget	Actual Cost	BALANCE
62220	Contract Beach Services & Maintenance	\$162,200.00		\$140,925.00
	Beach Maintenance Extreme Cond	\$25,000.00		\$25,000.00
	Temp Workers for Seasonal	\$30,000.00		\$30,000.00
	Refurbish (Paint) #331	\$22,000.00	\$21,275.00	\$725.00
	Refurbish (Paint) #241	\$15,000.00		\$15,000.00
	Bollard Replacement Tem	\$70,144.00		\$70,144.00
	Rounding	\$56.00		\$56.00

MOTION: Mayor Pro-Tem Lanoux moved to approve Resolution Awarding the Refurbishing of the John Deere Front End Loader Unit #331 Project to Commercial Coach Works; Funding From FY 2015-2016 Beach Fund Account 150-62220 in the Amount of \$21,275.00 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 Moore	X			
Council Member Bolner	X			

Council Member Owens	X			
Council Member Bujan	X			
Council Member Myers	X			

RESOLUTION NO. 2015 –R50

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL AWARDING THE REFURBISHING OF THE JOHN DEERE FRONT END LOADER UNIT #331 TO COMMERCIAL COACH WORKS; FUNDING FROM FY 2015-2016 BEACH FUND ACCOUNT 150-62220 IN THE AMOUNT OF \$21,275.00; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE OF THE CITY IN ALL MATTERS PERTAINING TO SAID PURCHASE.

U. Discuss and take action to approve a Resolution Authorizing Purchase of Internet Based Software Services From MYGOV, LLC; Funding From FY 2015-2016 Budget Capital Outlay Account 050-75220 in the Amount Of \$32,540.00 Which Includes \$21,000.00 Annual Subscription Fees And \$11,540.00 One-Time Fee; and Authorizing the City Manager to act as the Executive Officer and Authorized Representative of the City in all Matters Pertaining to Said Purchase.

The Planning, Code Enforcement, Public Works and Building Departments have requested access to and usage of an Internet based software service to provide a tracking system for permit and inspection, license and registration, code enforcement, lien tracking, GIS, maintenance (public works) tracking. Budgeted funds in the amount of \$32,540.00 from MYGOV, LLC with funding from FY 2015-2016 Budget Capital Outlay Account 050-75220 Account is shown as follows:

Account #	Description	Budget	Actual Cost	Account #
75220	Software - Plan/Code/PW/Bldg	\$32,540.00	\$0.00	75220
	Permits & Inspections	\$3,000.00		
	License & Registration	\$3,000.00		
	Code Enforcement	\$3,000.00		
	Lien Tracking	\$3,000.00		
	Public Works	\$3,000.00		
	GIS Module	\$3,000.00		
	Request Tracking Module	\$3,000.00		

MOTION: Council Member Bujan moved to approve Resolution Authorizing Purchase of Internet Based Software Services From MYGOV, LLC; Funding From FY 2015-2016 Budget Capital Outlay Account 050-75220 in the Amount Of \$32,540.00 Which Includes \$21,000.00 Annual Subscription Fees And \$11,540.00 One-Time Fee 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			

RESOLUTION NO. 2015 –R51

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL AUTHORIZING PURCHASE OF INTERNET BASED SOFTWARE SERVICES FROM MYGOV, LLC; FUNDING FROM FY 2015-2016 BUDGET CAPITAL OUTLAY ACCOUNT 050-75220 IN THE AMOUNT OF \$32,540.00 WHICH INCLUDES \$21,000.00 ANNUAL SUBSCRIPTION FEES AND \$11,540.00 ONE-TIME FEE; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE OF THE CITY IN ALL MATTERS PERTAINING TO SAID PURCHASE.

- V. **Discuss and take action on a Resolution Authorizing Purchase of a New 2016 Chevrolet 1500 Silverado Regular Cab LWB CC15903 Truck From Caldwell Country; Funding From FY 2015-2016 Budget Capital Outlay Account 050-69340 in the Amount of \$20,945.00 Through Buyboard Government Contract; Authorizing A Budget Amendment of \$2,545.00 in Said Account; And Authorizing the City Manager to act as the Executive Officer and Authorized Representative of the City in all Matters Pertaining to Said Purchase.**

The Planning & Code Enforcement Department requests authorization to expend budgeted funds for a new 1500 Silverado Regular Cab LWB CC15903 Truck from Caldwell Country. This unit is a 4x2-regular cab, 5.3L-V8, 6-spread automatic. 3.42 locking rear axle differential, 40-20-40 viny seats, full rubber floor, air condition, AM/FM stereo, tilt, cruise, power door locks 8’ bed, rear step bumper, OEM HD trailer tow package, GM warranty, 5 yr/100000 miles powertrain. The Finance Director has verified that funds in the amount of \$18,500.00 are available for this capital expenditure in Fiscal Year 2015-2016 Budget for said item in 050-General Fund, Capital Outlay Account #69340. Said purchase will require a budget amendment of \$2,545.00.

BuyBoard Fee for said purchase shall be included in FY 2015-2016 Public Works Account 050-62340. Account is shown as follows:

Account #	Description	Budget	Actual Cost
69340	Motor Vehicles	\$18,500.00	\$20,945.00
	Balance in Account	-\$2,445.00	

MOTION: Council Member Bujan moved to approve Resolution Authorizing Purchase of a New 2016 Chevrolet 1500 Silverado Regular Cab LWB CC15903 Truck From Caldwell Country; Funding From FY 2015-2016 Budget Capital Outlay Account 050-69340 in the Amount of \$20,945.00 Through Buyboard Government Contract; Authorizing A Budget Amendment of \$2,545.00 in Said Accounas 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 Moore	X			
Council Member Bolner	X			
Council Member Owens	X			
Council Member Bujan	X			

RESOLUTION NO. 2015 –R52

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL AUTHORIZING PURCHASE OF A NEW 2016 CHEVROLET 1500 SILVERADO REGULAR CAB LWB CC15903 TRUCK FROM CALDWELL COUNTRY; FUNDING FROM FY 2015-2016 BUDGET CAPITAL OUTLAY ACCOUNT 050-69340 IN THE AMOUNT OF \$20,945.00 THROUGH BUYBOARD GOVERNMENT CONTRACT; AUTHORIZING A BUDGET AMENDMENT OF \$2,545.00 IN SAID ACCOUNT; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE OF THE CITY IN ALL MATTERS PERTAINING TO SAID PURCHASE.

W. Presentation, review and discussion regarding 2016 Fees for Services for the City of Port Aransas.

In previous council action, the City Council increased the fees for golf cart licensing effective January 1. That change is included in this Fee Schedule. A request was made of each Department to submit possible changes or policy changes to Council. Department requests have been submitted for council consideration from Police Department Request – Chief Burroughs: Administration and the Planning/Building Department. Staff will finalize Fee Schedule and present at a later date for Council consideration.

9. STAFF REPORTS: Pursuant to Home Rule Charter and Code of Ordinances - presentation, general discussion and approval of the following reports:

X. Monthly/Quarterly Reports =

i. Accounting/Finance - Darla Honea, Finance Director

CATEGORY	FY 2015-16
Hotel Occupancy Tax Collections	\$431,821.15
Sales Tax - General Fund	\$137,150.90
Harbor Slip Rental - Monthly	\$106,029.24
Harbor Slip Rental - Transient	\$7,025.05
Beach Parking Permits	4920

ii. EMS – Tim McIntosh, EMS Director

2015	October	Av Response Time	September	Av Response Time
Calls	70	4:51 Minutes	84	4:20 Minutes
Transport	37	1 hr, 53 Minutes	33	1 hr, 37 Minutes

iii. Police – Scott Burroughs, Police Chief

2015	Sept	Oct
Description		
Total Incidents	2,312	1901

Total Citations	167	146
Total Arrests	68	38

- Y. Minutes from the following City Committees, Boards/Commissions –
i. Charter Review Commission – September & October Meetings

10. CITY COUNCIL COMMENTS AND ITEMS FOR FUTURE CONSIDERATION

11. ADJOURNMENT

Upon a motion duly made and seconded, the meeting adjourned.

CITY OF PORT ARANSAS, TEXAS

Keith McMullin, Mayor

ATTEST:

Irma G. Parker, City Secretary



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, December 17, 2015

AGENDA ITEM: 6-H

Discuss and take action to approve a Resolution Adopting the 2016 Fee Schedule; and Providing for Severance and Setting Effective Date.

SUBMITTED BY: City Secretary Irma Parker

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: Staff presented the 2016 Fee Schedule for Council consideration at the November 19 City Council Meeting. The attached Resolution adopts the new fee schedule and includes those changes proposed at the November meeting.

The Short Term Rental category is left blank as no fee was sent by the City Council – staff seeks direction.

STAFF RECOMMENDATION: The City Council approve a Resolution Adopting the 2016 Fee Schedule; and Providing for Severance and Setting Effective Date **with amendment setting Short Term Rental Fee.**

RESOLUTION NO. 2016-R

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL ADOPTING THE 2016 FEE SCHEDULE; AND PROVIDING FOR SEVERANCE AND SETTING EFFECTIVE DATE.

WHEREAS, in accordance with the Code of Ordinances of the City of Port Aransas the City Council reviews fees for services each year and sets new fees as needed; and

WHEREAS, the City Council reviewed and discussed the proposed changes at the November 19, 2015 Regular City Council.

WHEREAS, staff proposed the following fee changes for the year 2016 in addition to the previously approved increase of Golf Cart Registration and License Plate Fees for Residents and Non-Residents approved on August 3, 2015.

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

Section 1. Upon City Council review and approval the 2016 Fees for Service Schedule dated December 17, 2015 is amended in the following category by adding making the following changes as shown below and included in Exhibit 1 attached hereto:

Section 2. The 2016 Fees for Service Schedule dated 12/17/2015 with the changes shown shall become effective on January 1, 2016. Any previous adopted Fee Schedule Resolution, and any subsequent amendments, which are in conflict with this Resolution, is hereby repealed.

Section 3. 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 ADOPTED at a meeting of the Port Aransas City Council on this the ____ day of ____, 2015.

CITY OF PORT ARANSAS, TEXAS

Keith McMullin, Mayor

ATTEST:

Irma G. Parker, City Secretary

SERVICES	CHARGE/FEE	COMMENTS
ADMINISTRATIVE		
Returned check charge	\$20.00	
AIRPORT		
Vehicle parking/calendar year	\$100.00	
Aircraft reserved parking/calendar year	\$600.00	
Aircraft tie-down/transient parking	\$5.00/night per engine	
Commercial Operations		Rates do not include aircraft parking fees
Local Business Commercial Operations - Monthly Fee	\$100.00	Fee waived if \$100 worth of fuel is purchased within the month
Transient Commercial Operations - Daily Rate	\$50.00	Fee waived if \$100 worth of fuel is purchased during the day.
ALCOHOLIC BEVERAGE PERMIT/LICENSE		
Annual Permit/License	1/2 fee charged by	Texas Alcohol & Beverage Commission
ANIMAL CONTROL SERVICES		
License - Required Fee Tag - Annual		
Unaltered	\$10.00	
Altered	\$5.00	
Duplicate License Fee	\$1.00	
Impoundment Fee		
1st	\$25.00	
2nd	\$35.00	within 12 months of 1st Impoundment
3rd	\$45.00	within 24 months of the 2nd, 3rd Impoundment
4th	\$65.00	
Deposit for dogs or cats not spayed or neutered	\$25.00	shall be made to the Animal Control Officer
Daily Fee	\$5.00	
Quarantine	\$35.00	
Adoption		
Dog	\$25.00	
Kitten	\$10.00	
Surrendered		
Dog	\$20.00	
Puppy or Cat	\$10.00	
Kitten	\$5.00	
Euthanasia (Surrendered) - Dog/Puppy/Cat/Kitten	\$10.00	
BEACH		
Beach Parking Permit - Annual Calendar Year	\$12.00	
Beach Camping - Annual RV Camping Permit	\$40.00	Calendar Year
Beach Events		
Small Event - Permit Fee	\$50.00	
Small Event - Clean up Deposit	\$200.00	

Large Event - Permit Fee	\$200.00	
Large Event - Security Deposit	\$1,000.00	
Bonfires (Fires) Permit	\$100.00	<u>Issued by Police Department Fees may be waived for local civic groups</u>
BUILDING & DEVELOPMENT		
Contractor License Fees		
General Contractor	\$100.00	Plus Certificate of Liability or \$5,000.00 Surety Bond
Concrete, Swimming Pool	\$100.00	Plus Certificate of Liability or \$5,000.00 Surety Bond
Painting/Siding Contractor	\$100.00	Plus Certificate of Liability or \$5,000.00 Surety Bond
Remodel-Repair/Deck	\$100.00	Plus Certificate of Liability or \$5,000.00 Surety Bond
Roads, Street, Etc.	\$100.00	Plus Certificate of Liability or \$5,000.00 Surety Bond
Roofing, Sign	\$100.00	Plus Certificate of Liability or \$5,000.00 Surety Bond
Building Permit Fees		
Permit Administration Fee	\$15.00	
Minimum Permit Fee	\$50.00	
<u>Single Family Residence & Commercial.</u> Construction valuation shall be no less than 75% of the square foot construction cost as published in the most recent building valuation data publication by the International Code Council.		Commercial Facilities - Day Care and Foster Homes require Health Department Inspections
\$101.00 to \$5,000	\$12.00/\$1,000	
\$5,001 to \$500,000	\$6.00/\$1,000	
\$500,001 and over	\$2.00/\$1,000	
Demolition Permit	\$100.00	Plus Administrative fee of \$15.00
House Moving Permit	\$200.00	Plus Administrative fee of \$15.00
Mfg. Home Move & Setup Permit	\$200.00	Plus Administrative fee of \$15.00
Fence Permit	Must be \$0 per IBC rules	
Sign Permit	\$25.00	Plus Administrative fee of \$15.00
Swimming Pool Permit	Same as building fee schedule	All Commercial Pools require Health Department Inspection
Plan Review		
Residential	\$25.00	
Commercial	\$50.00	
Re-Inspection Fee	\$25.00	
Driveway or Parking Lot Permit	Same as building fee schedule	
Residential Driveway Approach For Drainage Tile	Building Permit Required	
Commercial Driveway Approach For Drainage Tile	Building Permit Required	
Certificate of Occupancy (New Tennant/Change of Use)	\$25.00	
Property Development Fees	\$37.50	
Plats		
Preliminary	\$300.00 + \$15	Plus actual engineering costs

	per lot	
Final	\$300.00 + \$15 per lot	Plus actual engineering and post final plan reviews of development fees.
Minor Plat/Amending Plat	\$200.00	Plus actual engineering costs
Zoning Request Change	\$350.00	<u>Plus actual engineering review fees, mailing fees, & advertisement fees</u>
Special Use Permit Request	\$350.00	Plus actual engineering <u>review fees</u> costs, <u>mailing fees, & advertisement fees</u>
Board of Adjustments & Appeals Request	\$330.00	Plus actual engineering <u>review fees</u> costs, <u>mailing fees, & advertisement fees</u>
Street Closing Request	\$300.00	Plus actual engineering <u>review fees</u> costs, <u>mailing fees, & advertisement fees</u>
Alley Closing Request	\$300.00	Plus actual engineering <u>review fees</u> costs, <u>mailing fees, & advertisement fees</u>
Beachfront Construction Certificate	\$85.00	
Dune Permit (area only includes that within dune protection area)	\$350.00	Plus actual engineering costs
Permit Research	\$22.00/hour	
Commercial Drainage Review	\$25.00	Plus actual engineering costs
Health/Environmental Permitting Processing Fee	\$25.00	Nueces County/City of Corpus Christi - Contract for Services
Electrical Permit Fees		
Master Electrician	\$100.00	Plus State License, Electrical Contractor License & Certificate of Liability Insurance
Low-Voltage Electrician	\$100.00	
Master Sign Electrician	\$100.00	
Permit Administration Fee	\$15.00	
Minimum Permit Fee	\$50.00	
Outlets	\$.75 each	
Light Fixtures	\$0.50 each	
<u>Appliances:</u> Range, Clothes Washer, Clothes Dryer, Water Heater, Dishwasher, Garbage Disposal, Stationary Cook Top, Space Heater, Furnace, Exhaust Fan, Vent Hood, Freezer Connection, Air Conditioner, Intercom, Ceiling Fan(s), Door Bell/Chime, Microwave, Ice Machine, Attic Fan, Strip Heater, Outdoor Lights, Sign, Other	\$5.00 each	
Gasoline Pump	\$50.00 each	
Welding Machine	\$10.00 each	
Motion Picture	\$25.00 each	
Elevator	\$40.00 each	
Motors		

	3 - 5 HP	\$7.50	
	Over 5 HP	\$10.00 each	
Transformer			
	10 KVA	\$10.00 each	
	Over 10 KVA	\$20.00 each	
Feeder			
	#3 or smaller	\$5.00 each	
	Larger than #3	\$10.00 each	
Panel		\$6.00 each	
Temporary Pole		\$25.00 each	
Service			
	0 - 200 Amps	\$25.00 each	
	201-400 Amps	\$30.00 each	
	401 Amps and Up	\$50.00 each	
Commercial & Multi-Family		\$0.10/sq. ft.	
Irrigation Permit Fees			
Irrigation License - Contractor		\$100.00	Plus State License & Certificate of Liability Insurance
Irrigation Permit		\$50.00	
Permit Administration Fee		\$15.00	
Minimum Fee		\$50.00	
Mechanical Permit Fees			
Mechanical Contractor License		\$100.00	Plus State Licensed & Certificate of Liability Insurance
Permit Administration Fee		\$15.00	
Minimum Fee		\$50.00	
Re-Inspection Fee		\$25.00	
Inspection/New (heating, vent, duct, a/c, refrigeration)			
	First \$1,000 value	\$25.00	
	Each Additional \$1,000	\$5.00	
Inspection (repairs, alterations, additions)			
	First \$1,000 value	\$25.00	
	Each Additional \$1,000	\$5.00	
Boiler			
	33,000 BTU to 165,000 BTU	\$50.00	
	165,001 BTU to 330,000 BTU	\$75.00	
	330,001 BTU to 1,165,000 BTU	\$100.00	
	1,165,001 BTU to 3,300,000 BTU	\$150.00	
	Over 3,300,000 BTU	\$200.00	
Commercial & Multi-Family		\$0.10 per sq. ft.	
Plumbing Fees			
Plumbing Contractor		\$0.00 -\$100.00	Plus State License & Certificate of Liability
Permit Administration Fee		\$15.00	
Minimum Permit Fee		\$50.00	
Water Closet		\$7.00 each	
Bathtub		\$7.00 each	
Lavatory		\$7.00 each	
Shower		\$7.00 each	

Kitchen Sink & Disposal	\$7.00 each	
Dishwasher	\$7.00 each	
Laundry Tray	\$7.00 each	
Clothes Washer	\$7.00 each	
Water Heater	\$7.00 each	
Urinal	\$7.00 each	
Bidet	\$7.00 each	
Drinking Fountain	\$7.00 each	
Floor Sink or Drain	\$7.00 each	
Slop Sink	\$7.00 each	
Bar Sink	\$7.00 each	
Water Interceptor	\$25.00 each	
5 or more water piping treatment equipment	\$25.00 each	
Sewer	\$25.00 each	
Water Line	\$25.00 each	
Fuel Tank	\$25.00 each	
Grease Trap	\$50.00 each	
Fire Sprinkler System	\$0.10 per sq. ft.	
Backflow Prevention Device	\$50.00 each	
Gas system outlet	\$10.00 each	
RV Spaces	\$25.00 each	
New Residential	\$0.10 per sq. ft.	
Commercial & Multi-Family	\$0.10 per sq. ft.	
Street Fees		
Street Boring	\$50.00	
Street Cut	\$75.00	
Printing Fees		
Large Format maps	\$2.00/linear feet	New Service
CEMETERY, ROYAL PALM		
Cemetery Plot	\$400.00	
Perpetual Care	\$175.00	One-time charge for each Cemetery Plot
EMERGENCY MEDICAL SERVICES		
Medical Services: At the Scene - No Transport	\$75.00	Medical services, other than or in addition to an examination or Minor First Aid, are rendered a fee plus a reasonable charge for the drugs, medicine & medical supplies expended or used in the provision of the service.
Medical Services: Transport via Ambulance (BLS)	\$600.00	
Supplies (All inclusive)	\$60.00	
Medical Services: Transport via Ambulance (ALS)	\$800.00	
Supplies (All inclusive)	\$80.00	
Transport via Ambulance	\$15.00 per loaded mile	Charge per mile traveled from the point where the individual is picked up to the point where the individual is taken in addition to any other

		charges.
Discount -City Resident or Person responsible for payment if they are City Resident.	25%	Proof of Residency Required. No discount on drugs, medicine or medical supplies used upon request.
<u>Write-off of Medical Services Account Receivable(s)</u>		<u>Upon approval of Finance Director & EMS Director on accounts deemed not collectable.</u>
FACILITY RENTAL		
Civic Center - Private Events		Contract Required
Residents/Non-Residents	\$750.00	
Security Deposit	\$200.00	
Daily Cleaning Deposit (refundable)	\$150.00	
Key Deposit	\$25.00	
Civic Center - Commercial Events		Contract Required
Residents/Non-Residents	\$750.00	
Security Deposit	\$200.00	
Daily Cleaning Deposit (refundable)	\$150.00	
Key Deposit	\$25.00	
Civic Center - Non-Profits		Contract Required
Residents	\$500.00	
Non-Residents	\$500.00	
Security Deposit	\$200.00	
Daily Cleaning Deposit (refundable)	\$150.00	
Port Aransas Fire Auxiliary & EMS Auxiliary	Exempt	
Key Deposit	\$25.00	
Civic Center Kitchen	\$100.00	Contract Required
Security Deposit	\$200.00	
Daily Cleaning Deposit (refundable)	\$200.00	
Community Center- Private Events		Contract Required
Basic Daily Fee	\$400.00	
Daily Cleaning Deposit (refundable)	\$150.00	
Security Deposit	\$100.00	
Key Deposit	\$25.00	
Community Center - Commercial Events		Contract Required
Basic Daily Fee	\$400.00	
Daily Cleaning Deposit (refundable)	\$150.00	
Security Deposit	\$100.00	
Key Deposit	\$25.00	
Community Center - Non-Profits		
Basic Daily Fee	\$250.00	
Daily Cleaning Deposit (refundable)	\$150.00	
Port Aransas Fire Auxiliary & EMS Auxiliary	Exempt	
Security Deposit	\$100.00	
Key Deposit	\$25.00	
Facilities at Robert's Point Park/Marina		* See Marina section of this fee schedule
Hiring of City Employees	OT Rate	Overtime hourly rate + benefits
GOLF CARTS		
Registration and License Plate Fee - Calendar Year	\$50.00	
Residents	\$50.00	8/3/2015 action by Council
Non-Residents	\$100.00	

Replacement Fee	\$25.00	
HARBOR		*See Marina
JUNK AND SALVAGE YARDS		
License - annual (calendar year)	\$2,000.00	Initial and subsequent renewals, per calendar year.
LIBRARY FEES		
Late Fees/Charges		
Books - Daily (\$5.00 Limit)	\$0.10	
Videos - Daily (\$5.00 Limit)	\$0.50	
Late Fees/Charges - Interlibrary Loan		
Books - Daily (\$5.00 Limit)	\$0.10	
Videos - Daily (\$5.00 Limit)	\$0.50	
Mailing Fee - Return of Interlibrary Loan Item	\$2.75	
Membership - Out-of-State (family @ same address)	\$10.00	
Library Card - Replace lost or stolen card	\$1.00	
Copies		
Black & white/each	\$0.15	
Color Copy/Each	\$0.50	
Fines/Fees		
Damaged book covers, video and audio cases, or artwork.	\$3.00	
Lost Items	Replacement Cost	
Damaged beyond repair	Replacement Cost	As determined by Library Director
MARINA		
Commercial Activity Permit - Annual Fee	\$350.00	
Dock Boxes - Monthly Rental Fee	\$10.00	
Dock Charges/Slip Rates - Commercial/Shrimp		
Boats up to 50 feet/month	\$200.00	
Boats over 50 feet/month	\$250.00	
Access to water lines/month	\$20.00	
Crane Pad/Slab Use/month	\$25.00	
Dock Charges/Slip Rates - Fixed Docks		
Boats up to 20 feet/quarter	\$337.50	
Boats up to 30 feet/quarter	\$506.25	
Boats up to 40 feet/quarter	\$675.00	
Boats up to 50 feet/quarter	\$843.75	
Boats over 50 feet/quarter	\$5.63/foot x 3 months	
Dock Charges/Slip Rates - Floating Docks		
Boats up to 30 feet/quarter	\$731.25	
Boats up to 40 feet/quarter	\$975.00	
Boats up to 50 feet/quarter	\$1,218.75	
Boats up to 60 feet/quarter	\$1,462.50	
Boats over 60 feet/quarter	\$8.13/foot x 3 months	
Dock Charges/Transient Slip Rates - Fixed Docks		November 1 thru April 30

Boats up to 20 feet/month	\$150.00	
Boats up to 30 feet/month	\$225.00	
Boats up to 40 feet/month	\$300.00	
Boats up to 50 feet/month	\$375.00	
Boats over 50 feet/month	\$7.50/foot	
Dock Charges/Transient Slip Rates - Floating Docks		November 1 thru April 30
Boats up to 30 feet/month	\$281.25	
Boats up to 40 feet/month	\$375.00	
Boats up to 50 feet/month	\$468.75	
Boats up to 60 feet/month	\$562.50	
Boats over 60 feet/month	\$9.38/foot	
Dock Charges/Slip Fees - Daily w/or w/o electricity		
Boats up to 20 feet/day	\$25.00	
Boats up to 30 feet/day	\$30.00	
Boats up to 40 feet/day	\$40.00	
Boats up to 50 feet/day	\$60.00	
Boats over 50 feet/day	\$1.35/foot	
Electricity Fees		Monthly rate plus (+) usage by kWh
Monthly Flat Rate - Maintenance Fee	\$5.00	
Facility/Equipment Rentals		Signed Contract required
Main Pavilion/day	\$150.00	
Main Pavilion (Non-profit)/day	\$100.00	
Main Pavilion Reservation Deposit (Refundable)	\$100.00	
Small Pavilion/day	\$35.00	
Small Pavilion Reservation Deposit (Refundable)	\$25.00	
Floating Pavilion/day	\$35.00	
Sound System/day	\$25.00	
Tent - 40' x 60' = 1st Day	\$600.00	
Tent - 40' x 60' = Each Subsequent Day(s)	\$150.00	
Late payment charge	5% of billed amount	Payment due by the 15th of the month
Live-aboard Fee		
Based on 2 person occupancy/month	\$75.00	
Each occupant over 2/month	\$25.00	
Parking/Storage Daily Fee (after 5th day)	\$3.00	Includes boats, trailers, vehicles
Special Event Permits 18-189 (based on space used and duration)		To be determined by the Harbor Master
MUNICIPAL COURT		
Municipal Court Technology Fee	State Fee	
OIL DRILLING		
Drilling Permit	\$1,500.00	Application Filing Fee - cash or cashier's check payable to the city. Credit is not transferable. None of the filing fee shall be returned to the applicant after a permit has been issued and accepted by applicant
Drilling Permit - Amended	\$500.00	Holder of an unexpired and unused drilling permit may upon application and payment of a service charge obtain an amended drilling permit from the building official for the

		purpose of changing the surface location from a regular or irregular location to another regular location.
Seismic Surveys	\$500.00	No geophysical work employing underground explosives permitted anywhere at any time within the city limits. Other geophysical systems employing the "thumper", "vibroseis" and other techniques not employing explosives will be permitted upon proper application and the payment of the application fee.
Well - Annual Inspection Fee	\$300.00	Fee per well, due and payable during the month of January of each calendar year.
Abandoning a well	\$200.00	If an intent to plug and abandon a well has been filed with the Building Official prior to January 31st, but which abandonment may not have been completed by January 31st, payment of a fee for that well shall be excused provided such well is finally plugged and abandoned in accordance with the article prior to March 1st of that same year. A new well on which drilling operations are in progress on the 31st day of January shall be exempt from the fee for the remainder of that calendar year.

PARKS AND RECREATION

Swimming Pool - Daily Admission Fees		
Youth 2-18 yrs.	\$1.00	
Adult 19-59 yrs.	\$2.00	
Seniors 60 yrs. +	\$1.00	
Water Exercise Class	\$2.00	
Swimming Pool - Rental		At the discretion of Parks & Recreation Director
Commercial (2 hours - 50 people)	\$100.00	
Non-profit (2 hours - 50 people)	\$50.00	
Community Park Ball Fields - Rentals		At the discretion of Parks & Recreation Director
Daily	\$100.00	
Weekend	\$225.00	Weekends include Friday, Saturday and Sunday
Skate Park		At the discretion of Parks & Recreation Director
Daily Admission Fee		
Rental - 2 hours and up to 25 people	\$100.00	
Marlin Academy Monthly Fees		
1st Child	\$90.00	
Each Additional Child - Same Family	\$50.00	

POLICE DEPARTMENT		
Copies		
Standard Paper (11-1/2 x 11)	\$0.10	
Document DVD	\$1.00	
Video DVD	\$2.50	
Audio 911 DVD/CD	\$1.00	
Oversized Paper (11-1/2 x 17)	\$0.50	
Traffic Accident Report	\$5.00	
Parade Permits	\$25.00	Fees may be waived for local civic groups

SHORT-TERM RENTALS

Registration

SANITATION

Sanitation Collection/Disposal Station Charge	\$29.47 plus tax	
Eligible Senior Citizens (65 years or older)	\$27.62 plus tax	Proof of Age Required.
Late Payment Fee	5% of Bill	
Collection Station Waste Disposal (per cubic yard)	\$15.00	
Minimum Fee	\$5.00	
Disposal - Fish Waste		
5 gallon bucket	\$1.00	
32 gallon bucket	\$2.00	
55 gallon drum	\$4.00	
Brush Disposal @ Transfer Station		
City Resident - No Charge	\$0.00	Proof of Residency Required
Non-Resident - Prohibited	n/a	

TAXIS

Taxis Permit Fee - Calendar Year		
1st Vehicle	\$100.00	
Each Additional Vehicle	\$25.00	
Taxis Company Street Use Fee - Calendar Year	\$400.00	

TOW TRUCK

Tow Truck Service Permit - Annual Calendar Year	\$110.00	Issued by the City Manager. Must have storage facilities to obtain permit
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UTILITIES - Gas

Rates for residential and commercial users inside or outside the corporate limits of the City. The minimum bill will include the first MCF Charge and Meter Charge.		
Monthly Meter Charge	\$1.00	
First MCF 1,000 Cu. Ft. or less	\$12.21	
Next 4 MCF 4,000 Cu. Ft.	\$9.61	
Next 7.5 MCF 7,500 Cu. Ft.	\$9.32	
Next 7.5 MCF 7,500 Cu. Ft.	\$9.18	
Over 20 MCF 20,000 Cu. Ft.	\$8.90	
The above rates to be adjusted upward or downward	\$0.237	

by an amount which reflects the difference in the unit cost factor for the current month above or below a unit cost per CCF. The unit gas cost factor for the current month shall include, but is not limited to: an adjustment to reflect offsetting credits or additions to gas costs resulting from taxes, transportation costs, accounting and billing record corrections or other out-of-period adjustments to gas cost, or purchases corrected for distribution system losses.		
Service Fees & Miscellaneous Charges shall be charged and collected by the City inside and outside the corporate city limits		
Tap Fee		
Residential	\$150.00	
Commercial	\$250.00	
Set Meter		
Residential	\$170.00	
Commercial	\$230.00	
Connection/Re-connection charge		
Normal Hours	\$26.00	
After hours	\$52.00	
Lighting of Pilots	\$26.00	Service provided during normal working hours ONLY
Turn-off Service - Summer Months	\$26.00	Service provided during normal working hours ONLY
Turn off Service	No charge	Due to leak, repairs, or maintenance on customer piping
Customer Work Request Orders on Customer Premises	NWH Rate	Normal Working Hourly Rate
Normal Working Hours		8am-5pm, Monday through Friday
After hours	2 Times NWH	from 5:01pm to 7:59am Monday through Friday, All day Saturday and Sunday
Normal Working Hourly (NWH) Rates		
One person and vehicle	\$26.00/hr.	Minimum Charge
Two persons and vehicle	\$52.00/hr.	Minimum Charge
Each additional person	\$20.00/hr.	
Each additional vehicle	\$15.00/hr.	
Company equipment	\$20.00/hr.	
Materials used	Cost plus 20%	
Relocation of Service and/or Meter		Billed at the appropriate Service Call Rate
Extension of mains, service, lines, and yard lines		Pipe per foot charge applies ONLY to City Dept. performing service
1st 100 feet of main pipe	No charge	
2" pipe size and less	\$4.20/ft.	
2½" to 3" pipe size	\$5.35/ft.	
3½" to 4" pipe size	\$7.25/ft.	
Boring		
By City Gas Department	\$8.80/ft. + cost of pipe	
Contracted	Cost plus	

	10%	
Main & Service Installation		
By Contractor	Cost plus 20%	
By City Department	\$6.00/ft. + cost of pipe	
Meter Deposit - Minimum		
Residential	\$100.00	
Commercial	\$300.00	Minimum Deposit equals two (2) months estimated billing)
Late Payment Fee	5% of Billed Amount	
Damage to City Property by a 3rd Party		
Damages performed by city personnel, vehicles & equipment	Cost plus 1.5%	Cost includes material, contract labor, equipment increased by a factor of one and one-half (1.5) to cover the city's cost of increased overhead and safety equipment necessary in repairing such damages.
Damages repaired by outside contractor - labor, material and equipment	Cost plus 20%	
Cost of lost natural gas		The cost of natural gas lost as a result of the incident will be calculated at the first MCF rate increment plus the purchase gas adjustment (PGA).
Refusal by Customer to City Employees for access to premises	\$26.00/ visit	Service fee charged after initial when employees or agents of the City are requested by the Customer to return at a later time or date.
Tampering with City Facilities (Unauthorized)		Under certain conditions, tampering with the City facilities may also be punishable by fine and/or imprisonment under Texas and Federal law.
Tampering with City meters or other equipment on the customer's premises resulting in incorrect measurement of the service supplied as determined by the City, the beneficiary of such service shall pay the cost for such gas service, not registered by meter, based on estimates from available data, and tampering charge.	\$250.00/ event + cost of gas service	A charge per event may be made when tampering with the City facilities under the following conditions:
In the case of active, customer accounts, all such costs shall be billed to the responsible party. The responsible party shall be the party who either tampered with, or caused the tampering with a meter or other equipment or knowingly received the benefit to tampering by or caused by another.	All associated costs	The beneficiary shall be any person who benefits from such tampering. The actual cost of investigation, inspection and determination of such tampering, and other cost, such as but not limited to, the installation of tamper proof protective equipment, legal fees, and other costs relating to the administrative, civil or criminal proceedings shall be billed to the beneficiary of such tampering in the case of non-active accounts.
In the event a customer unknowingly received the benefit of meter or equipment tampering, the City	Cost of Service +	

shall only seek from the benefiting customer the cost of the service provided and tamper proof protective equipment but not the cost of investigation or tampering.	Tamper Proof Protective Equipment	
Billing date; delinquent fee.	\$250.00	
Payments		By Mail: Port Aransas City Hall, 710 W. Avenue A, Port Aransas, TX 78373-4128; Personal Delivery @ City Hall 8am to 12pm, and 1pm to 5pm
Disconnection of Service due to unpaid bill		Bills must be paid within 10 days from due date to avoid interruption of service
Restoration of service after disconnection	Outstanding Bill + Reconnection Fee	Payment in full
Reconnection Fee	\$20.00	
Non-payment of Garbage Collection Bills		For those customers of the City Gas Department will cause gas service to be disconnected



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, December 17, 2015

AGENDA ITEM: 6-I

Discuss and take action on a Resolution Approving the City Portal Use Agreement with the Texas Municipal Retirement System (TMRS) and Authorizing the City Manager to Sign Said Contract Agreement; Designating the City Secretary as the City Portal Administrator to Access the TMRS City Portal for Official City Business Purposes.

SUBMITTED BY: City Secretary Irma Parker

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: the Texas Municipal Retirement System (TMRS) is offering access to a web-based, online portal for cities that are participating members of TMRS to access information and provide certain functionality to participating municipalities as necessary for its official government functions. The City Portal Administrator will have the authority to grant access and permissions to the City Portal to other City employees and officers who are TMRS authorized City contacts. The City Secretary is the primary contact for TMRS therefore is the logical choice to be designated as the Portal Administrator. The Finance Director is responsible for the payments to TMRS and will be granted access and permissions to the City Portal as a City Portal User.

STAFF RECOMMENDATION: City Council approve said Resolution Resolution Approving the City Portal Use Agreement with the Texas Municipal Retirement System (TMRS) and Authorizing the City Manager to Sign Said Contract Agreement; Designating the City Secretary as the City Portal Administrator to Access the TMRS City Portal for Official City Business Purposes as presented.

RESOLUTION NO. 2015 –R2_____

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL APPROVING CITY PORTAL USE AGREEMENT WITH THE TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS) AND AUTHORIZING THE CITY MANAGER TO SIGN SAID CONTRACT AGREEMENT; DESIGNATING THE CITY SECRETARY AS THE CITY PORTAL ADMINISTRATOR TO ACCESS THE TMRS CITY PORTAL FOR OFFICIAL CITY BUSINESS PURPOSES.

WHEREAS, the Texas Municipal Retirement System (TMRS) is offering access to a web-based, online portal for cities that are participating members of TMRS to access information and provide certain functionality to participating municipalities as necessary for its official government functions; and

WHEREAS, the City of Port Aransas, is a municipality that participates in TMRS and desires access to the TMRS City Portal for official City business purposes.

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

Section 1. That the City Council authorizes entering into this City Portal Use Agreement with the Texas Municipal Retirement System and agrees to the conditions of said agreement.

Section 2. The City Council designates the city secretary as the authorized contact for the City with the Texas Municipal System and the main contact and administrator for the purposes of the TMRS City Portal.

Section 3. The city manager is further authorized to sign and execute said agreement as requested by the Texas Municipal Retirement System.

Section 4. 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

**Texas Municipal Retirement System
City Portal Use Agreement**

This City Portal Use Agreement (the "Agreement") is entered into by and among the Texas Municipal Retirement System, the City of _____, and the City Portal Administrator (defined below), to be effective as set forth below.

RECITALS

WHEREAS, the Texas Municipal Retirement System ("TMRS") is offering access to a web-based, online portal (the "City Portal") for cities that are participating members of TMRS to access information and provide certain functionality to participating municipalities as necessary for its official governmental functions; and

WHEREAS, the City of _____ (the "City") is a municipality that participates in TMRS and desires access to the TMRS City Portal for official City business purposes; and

WHEREAS, _____ is an individual employee of the City, is an authorized contact for the City with the Texas Municipal Retirement System, and will be the main contact and administrator for the purposes of the TMRS City Portal, as further described herein (the "City Portal Administrator"); and

WHEREAS, the City Portal Administrator will have the authority to grant access and permissions to the City Portal to other City employees and officers who are TMRS authorized City contacts ("City Portal User(s)", including the City Portal Administrator, where applicable); and

WHEREAS, TMRS will grant City Portal Users the authority to access TMRS data relating to City employees and retirees via the City Portal in a form identifiable with a specific individual pursuant to Section 855.115(a)(1)(C) of the Texas Government Code, which information TMRS must protect pursuant to Sections 552.101 and 855.115 of the Texas Government Code (attached as Exhibit B, and incorporated by reference); and

WHEREAS, the City, the City Portal Administrator, and the City Portal Users understand that they may violate provisions of and be subject to potential civil and criminal penalties under the Texas Public Information Act for failure to comply with the terms of this Agreement or any applicable provisions of the Texas Public Information Act with respect to any Confidential Information; and

WHEREAS, TMRS is willing to disclose such information only upon acknowledgement and agreement of the City and the City Portal Administrator of the terms and conditions required for access to the information:

AGREEMENTS

NOW, THEREFORE, in consideration of the foregoing premises, the mutual promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, TMRS, the City, and the City Portal Administrator hereby agree to the terms and conditions below:

1. The City and City Portal Administrator represent and warrant that all information requested by any City Portal User will be information that is reasonably necessary to the performance of the duties

of the City Portal User requesting such information. The City Portal Administrator hereby attests that he/she has attended and completed training by TMRS on the City Portal. The City Portal Administrator hereby agrees that only persons meeting the following criteria may be trained to become a City Portal User: (i) a contributing TMRS member, and (ii) job duties require access to the Confidential Information. The City and the City Portal Administrator agree that all City Portal Users shall be trained by the City Portal Administrator on the obligations and responsibilities set forth in this Agreement and shall ensure that any City Portal User shall agree in writing to be bound by the same terms and conditions contained in this Agreement prior to such City Portal User's access to the City Portal.

2. The City and the City Portal Administrator each represents, warrants, and covenants that any City Portal User, or any City employee, officer, representative, contractor or agent (collectively, "Representatives") who will receive any Confidential Information (defined below), shall, prior to receiving such information, be given a copy of this Agreement and shall **sign** an acknowledgement agreement, in the form attached hereto as Exhibit A, in which such person agrees to be bound by all terms and conditions contained in this Agreement regarding the use and protection of the Confidential Information. Each City Portal User is responsible for maintaining the confidentiality of his or her password. City Portal Users shall not share passwords, or allow any unauthorized person or groups of persons to use one password to access the City Portal. The City Portal Administrator shall promptly terminate the access rights of any City Portal User that is no longer employed by the City, or who is no longer authorized by the City to have access or no longer requires access to the City Portal for the performance of such persons' duties, or who violates the terms and conditions set forth in this Agreement. The City and the City Portal Administrator each agrees to use its reasonable best efforts to cause all City Portal Users and any Representatives who receive any Confidential Information to observe the terms and conditions of this Agreement, and agrees that the City will be responsible for any breach of any terms of this Agreement by any of its City Portal Users or Representatives.

3. The City, the City Portal Administrator, the City Portal Users and the Representatives each agree that all Confidential Information (a) shall be maintained in accordance with Section 855.115 of the Texas Government Code, as amended from time to time (a current copy of which is attached hereto as Exhibit B), and in strict confidence except as required by an order of a court of competent jurisdiction or other legal process; (b) shall not be disclosed to any third party other than the authorized employees or agents of the City who have a need to know the information in connection with the performance of their official duties for the City; (c) shall not be used for any purpose other than for the purpose of, and only to the extent it is reasonably necessary to, the performance of his/her official duties for the City, and (d) shall, at the City's option and expense, be returned to TMRS or be destroyed by the City (in either case, including all originals and copies of all Confidential Information) upon completion of the set task for which it is required or at the end of an appropriate record retention period. The City must notify TMRS if it chooses to destroy or return the Confidential Information and will confirm the completion of such destruction to TMRS in writing, if it chooses to destroy the Confidential Information.

4. The City, the City Portal Administrator, the City Portal Users, and the Representatives shall not publish any report, press release, data or other information regarding or derived from such Confidential Information to the extent the report, press release, data or other information includes individual participant or retiree data in a form identifiable with a specific individual and whose release would be prohibited by Section 855.115 of the Texas Government Code, unless otherwise required by applicable law.

5. The parties agree that if a breach of this Agreement occurs with respect to the Confidential Information, TMRS shall suffer irreparable harm and significant injury and loss to a degree which would be difficult to ascertain and which would not be fully compensable by damages alone, and that TMRS

shall have the right to invoke the jurisdiction of the courts to seek immediate temporary or permanent injunctive relief, specific performance or other equitable relief, without bond, and without prejudice to any other rights and remedies available to TMRS. To the extent permitted by applicable state law, the City shall indemnify and hold harmless TMRS from all damages, losses, expenses and costs whatsoever, including but not limited to attorney's fees, resulting from breach of this Agreement by the City, the City Portal Administrator, or a City Portal User.

6. For the purposes of this Agreement, "Confidential Information" shall mean all TMRS data which is subject to Section 855.115 of the Texas Government Code, including, but not limited to, any information concerning an individual member, retiree, annuitant, or beneficiary, whether in electronic or written form, provided by TMRS to the City, the City Portal Administrator or any City Portal User during the term of this Agreement. Confidential Information will not include any information which (i) is or becomes publicly available other than as a result of a disclosure by the City, the City Portal Administrator, a City Portal User, or any Representative, (ii) is already in the City Portal Administrator's or City's possession prior to its disclosure through the use of the City Portal, as demonstrated by written or documented evidence, and not otherwise subject to the confidentiality provisions of Section 855.115 of the Texas Government Code; (iii) is or becomes available to the City Portal Administrator or City on a non-confidential basis from a source other than TMRS, provided that such source is not subject to any legal, contractual, or fiduciary obligation to keep such information confidential, or (iv) is independently developed by the City Portal Administrator on the City's behalf, as demonstrated by written or documented evidence, without violating any of the obligations hereunder.

7. TMRS reserves the right to deny access to the City Portal for any City Portal User for any reason, and may require any City Portal User to change a password for any reason.

8. TMRS, MyTMRS and the TMRS "Star Design" logo are trademarks and service marks of TMRS and are used and registered in the United States. Use of these trademarks and service marks without permission is prohibited, and the City and City Portal Administrator agree that no City Portal User will use any of these trademarks and service marks without the prior written consent of TMRS to the specific intended use.

9. The information and materials contained in the City Portal, and the terms, conditions, and descriptions that appear, are subject to change at any time. Estimates provided through the City Portal are subject to the limitations stated on the City Portal website and the terms and conditions listed thereon. The City, the City Portal Administrator, and the City Portal Users are not agents of TMRS and shall not represent that they have authority to represent or certify information on behalf of TMRS.

10. Unauthorized use of the City Portal or any of the TMRS systems, or misuse of any information posted on the City Portal is strictly prohibited. Use of the City Portal or any Confidential Information (i) for any purpose other than as reasonably necessary for the performance of duties of a City employee or official, (ii) for any illegal activity, or (iii) to engage in conduct that is defamatory, libelous, threatening or harassing or that infringes on a third party's intellectual property or other proprietary rights, is prohibited.

11. This Agreement is to be governed by, construed and interpreted in accordance with the laws of the State of Texas without regard to its conflicts of laws principles. It is agreed that venue shall be in the District Court of Travis County, Texas. Each party hereto hereby irrevocably submits, for itself and its property, to the jurisdiction of the courts of Travis County, Texas in any action, suit, or proceeding brought against it related to or in connection with this Agreement.

12. If any third person or entity requests or seeks to compel the City or any City Portal User to disclose or produce any information provided to the City or any City Portal User by TMRS, through the City Portal or otherwise, under this Agreement which is subject to Section 855.115 of the Texas Government Code, or claims an entitlement to any such information on the grounds that such information is alleged or claimed to be generally available to the public or to constitute in whole or in part a public record, document or report under applicable law, the City agrees to file a timely request for an opinion of the Texas attorney general seeking to withhold the information under the Texas Public Information Act. In addition, the City agrees to use its best efforts to notify TMRS within two (2) business days of its receipt of such a request, but in no case later than is reasonably necessary to provide TMRS an adequate opportunity to request a legal opinion or to consent to or seek to prevent such disclosure through protective order or other appropriate remedy.
13. Each party agrees that no failure or delay by any party in exercising or enforcing any right, power, privilege or remedy under this Agreement will constitute a waiver thereof, and a waiver under one circumstance will not constitute a waiver under any other circumstance.
14. If any provision of this Agreement is held invalid or unenforceable by any court of competent jurisdiction, the other provisions of this Agreement will remain in full force and effect. Any provision of this Agreement held invalid or unenforceable only in part or degree will remain in full force and effect to the extent not held invalid or unenforceable.
15. This Agreement may be unilaterally amended by TMRS at any time upon 60 days prior written notice to the City Portal Administrator. No party may assign any of its rights or delegate any of its duties under this Agreement to any other person or entity without the prior written consent of the other parties hereto. A transfer by operation of law, including by merger or consolidation, is an assignment subject to the provisions of this Section.
16. This Agreement may be terminated by either TMRS or the City, for any reason, upon 30 days prior written notice of termination to the other party. Any provision of this Agreement which, by its nature, may become performable by a party after termination of this Agreement will survive termination of this Agreement.
17. In the event of any suit, action, or arbitration proceedings (whether based on contract, tort, or any other theory of liability) to enforce any provision of this Agreement, to recover damages for a breach hereof, or to secure or preserve the rights of any party against any other party to any property which is the subject of this Agreement, the prevailing party will be entitled to recover reasonable attorney fees (other than fees computed on a contingency fee basis), court costs, and expenses of arbitration and litigation expended in the prosecution or defense thereof.
18. The City and the City Portal Administrator each represent and warrant that the City Portal Administrator has the requisite right and authority to execute this Agreement on behalf of the City and to bind the City, the City Portal Administrator, and the City Portal Users to the provisions hereof. The parties further agree that this Agreement contains the entire understanding of the parties with respect to the subject matter hereof and that there are no other agreements or understandings with respect to the subject matter. No party will be liable or bound to any party in any manner by any warranties, representations, or covenants other than those set forth in this Agreement. Nothing in this Agreement, express or implied, is intended to confer upon any third party any rights, remedies, obligations, or liabilities under or by reason of this Agreement, except as expressly provided in this Agreement.

19. This Agreement may be executed by the parties in multiple original counterparts, and each such counterpart will constitute an original hereof.

IN WITNESS WHEREOF, this TMRS City Portal Use Agreement shall be effective for all purposes on the date fully executed, as evidenced by the signatures below.

CITY:

(CITY OF) _____

BY: _____
(SIGNATURE)

PRINTED NAME: _____

TITLE: _____

DATE: _____

CITY PORTAL ADMINISTRATOR:

SIGNATURE: _____

PRINTED NAME: _____

TITLE: _____

CITY OF _____

DATE: _____

TMRS:

TEXAS MUNICIPAL RETIREMENT SYSTEM:

BY: _____
(SIGNATURE)

PRINTED NAME: ERIC DAVIS
TITLE: DEPUTY EXECUTIVE DIRECTOR

DATE: _____

EXHIBIT A

ACKNOWLEDGEMENT AGREEMENT
TO TMRS CITY PORTAL USE AGREEMENT

I, _____, for the purpose of being designated as a City Portal User under the terms and conditions of that certain Texas Municipal Retirement System City Portal Use Agreement, as amended from time to time (the "Agreement") by and among the Texas Municipal Retirement System ("TMRS"), the City of _____ (the City"), and the City Portal Administrator (as defined in the Agreement), hereby represent, warrant, acknowledge and agree that (i) I have received and read a full and complete copy of the Agreement, and (ii) I agree to comply with and be bound by all terms and conditions of the Agreement, including but not limited to the use and protection of Confidential Information (as defined in the Agreement).

I understand that I may violate provisions of and be subject to potential civil and criminal penalties under the Texas Public Information Act if I fail to comply with the terms of this Agreement or any applicable provisions of the Texas Public Information Act with respect to any Confidential Information.

(Signature)

Name: _____

Date: _____

[CITY PORTAL ADMINISTRATOR: RETAIN THIS AGREEMENT WITH YOUR FILES]

Exhibit B
Section 855.115 of the Texas Government Code

Sec. 855.115. CONFIDENTIALITY OF INFORMATION ABOUT MEMBERS, RETIREES, ANNUITANTS, OR BENEFICIARIES. (a) Information contained in records that are in the custody of the retirement system concerning an individual member, retiree, annuitant, or beneficiary is confidential under Section 552.101, and may not be disclosed in a form identifiable with a specific individual unless:

(1) the information is disclosed to:

(A) the individual or the individual's attorney, guardian, executor, administrator, conservator, or other person who the director determines is acting in the interest of the individual or the individual's estate;

(B) a spouse or former spouse of the individual after the director determines that the information is relevant to the spouse's or former spouse's interest in member accounts, benefits, or other amounts payable by the retirement system;

(C) a governmental official or employee after the director determines that disclosure of the information requested is reasonably necessary to the performance of the duties of the official or employee; or

(D) a person authorized by the individual in writing to receive the information;

or

(2) the information is disclosed pursuant to a subpoena and the director determines that the individual will have a reasonable opportunity to contest the subpoena.

(b) This section does not prevent the disclosure of the status or identity of an individual as a member, former member, retiree, deceased member or retiree, or beneficiary of the retirement system.

(c) The director may designate other employees of the retirement system to make the necessary determinations under Subsection (a).

(d) A determination and disclosure under Subsection (a) may be made without notice to the individual member, retiree, annuitant, or beneficiary.



CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS

Meeting Date: Thursday, December 17, 2015

AGENDA ITEM: 6-J

Discuss and take action on A Resolution Ratifying Action Taken With Adoption of Resolution No. 2015-R45 by Appointing Council Member Beth Owens, Police Chief Scott Burroughs, Detective Mike Hannon, Animal Control Officer Jim Williams and Animal Friends Members Marnie Pate And Susanne Horner to the Animal Shelter Advisory Board.

APPROVED FOR AGENDA: *City Manager David Parsons*

COMMENTARY: The City has operated with the assistance of community volunteers at the Animal Control Shelter. With the many state mandated rules and regulations in addition to providing for a smooth operation, the time has come for establishing an official 'interlocal agreement' between the city and the Animal Friends Organization. The establishment of an advisory committee will be tasked to assist in this transition to the next level of efficiency.

Council Member Owens requested this action item.

This Committee is an Advisory Committee established to organize the duties and functions of the Animal Friends group and that of City Staff at the shelter. At a later time, the City will establish an Advisory Committee to comply with Health and Safety Code Chapter 823, Animal Shelters.

STAFF RECOMMENDATION: City Council approve said Resolution Ratifying and Appointing the Animal Shelter Advisory Board as presented.

RESOLUTION NO. 2015 –R2_____

A RESOLUTION OF THE PORT ARANSAS CITY COUNCIL RATIFYING ACTION TAKEN WITH ADOPTION OF RESOLUTION NO. 2015-R45 BY APPOINTING COUNCIL MEMBER BETH OWENS, POLICE CHIEF SCOTT BURROUGHS, DETECTIVE MIKE HANNON, ANIMAL CONTROL OFFICER JIM WILLIAMS AND ANIMAL FRIENDS MEMBERS MARNIE PATE AND SUSANNE HORNER TO THE ANIMAL SHELTER ADVISORY BOARD.

WHEREAS, the City has and does maintain an Animal Control Shelter under the supervision of the Police Department; and

WHEREAS, Animal Control Officers has been assisted by several volunteers to assist the Shelter in the day to day activities; and

WHEREAS, in an effort to establish a smooth operation of services it is now necessary to establish an organized effort between the City and volunteers and/or volunteer organizations; and

WHEREAS, the City’s Home Rule Charter authorizes the establishment of any Board, Commission or Committee as needed for the smooth operation of the City.

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

Section 1. That the City Council does hereby ratify action taken with adoption of Resolution No. 2015-R45 by appointing the following individuals to the advisory board:

- One (1) Council Member – **Council Member Beth Owens;**
- Two (2) Police Department Staff members – **Police Chief Scott Burroughs or his designee and Detective Mike Hannon;**
- One (1) Staff Liaison – **Animal Control Officer Jim Williams;**
- Two (2) Members of the “Animal Friends” organization – **Marnie Pate and Susanne Horner.**

Section 2. 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

CITY OF PORT ARANSAS
STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
AS OF: NOVEMBER 30, 2015

GENERAL FUND

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
TAXES	1,335,505.21	1,365,229.03	29,723.82	2.23%	5,765,900.00	(4,400,670.97)
LICENSES AND PERMITS	84,096.79	75,271.10	(8,825.69)	-10.49%	797,300.00	(722,028.90)
INTERGOVERNMENTAL	102,310.12	83,635.54	(18,674.58)	-18.25%	453,300.00	(369,664.46)
CHARGES FOR SERVICES	62,002.23	37,819.87	(24,182.36)	-39.00%	262,000.00	(224,180.13)
FINES AND FOREITURES	33,227.48	33,601.56	374.08	1.13%	265,000.00	(231,398.44)
OTHER REVENUES	21,127.72	26,156.97	5,029.25	23.80%	100,200.00	(74,043.03)
REIMBURSEMENTS	266,860.86	148,638.25	(118,222.61)	-44.30%	1,384,500.00	(1,235,861.75)
TOTAL REVENUES	1,905,130.41	1,770,352.32	(134,778.09)	-7.07%	9,028,200.00	(7,257,847.68)
EXPENDITURES:						
BEACH SERVICES	6,795.07	0.00	(6,795.07)	-100.00%	0.00	0.00
CENTRAL OPERATING	768,691.21	206,622.32	(562,068.89)	-73.12%	959,225.00	(752,602.68)
MAYOR AND COUNCIL	500.00	0.00	(500.00)	0.00%	54,200.00	(54,200.00)
MUNICIPAL COURT	17,832.65	17,684.44	(148.21)	-0.83%	123,945.00	(106,260.56)
CITY ATTORNEY	15,367.50	472.50	(14,895.00)	-96.93%	115,000.00	(114,527.50)
ADMINISTRATION	41,596.18	37,629.64	(3,966.54)	-9.54%	244,770.00	(207,140.36)
CITY SECRETARY	21,140.33	19,508.82	(1,631.51)	-7.72%	171,015.00	(151,506.18)
FINANCE DEPARTMENT	45,612.09	34,434.28	(11,177.81)	-24.51%	219,755.00	(185,320.72)
PARKS & RECREATION	69,762.35	85,705.99	15,943.64	22.85%	576,950.00	(491,244.01)
POLICE DEPARTMENT	430,695.93	325,301.35	(105,394.58)	-24.47%	2,706,030.00	(2,380,728.65)
FIRE DEPARTMENT	7,966.55	6,446.43	(1,520.12)	-19.08%	406,880.00	(400,433.57)
EMERGENCY MEDICAL	106,172.81	190,414.89	84,242.08	79.34%	1,248,555.00	(1,058,140.11)
PUBLIC WORKS	239,304.35	122,882.30	(116,422.05)	-48.65%	1,118,310.00	(995,427.70)
INSPECTIONS	24,396.84	22,696.99	(1,699.85)	-6.97%	163,770.00	(141,073.01)
LIBRARY	47,262.52	39,203.31	(8,059.21)	-17.05%	265,845.00	(226,641.69)
PUBLIC BUILDINGS	48,991.04	39,076.57	(9,914.47)	-20.24%	344,700.00	(305,623.43)
REGIONAL TRANSIT	26,477.82	23,908.80	(2,569.02)	-9.70%	178,300.00	(154,391.20)
PLANNING DEPARTMENT	25,435.99	33,452.16	8,016.17	31.52%	237,190.00	(203,737.84)
INFORMATION TECHNOLOGY	16,830.45	18,040.61	1,210.16	7.19%	257,190.00	(239,149.39)
OPERATING TRANSFERS	0.00	0.00	0.00	0.00%	520,000.00	(520,000.00)
TOTAL REVENUES	1,960,831.68	1,223,481.40	(737,350.28)	-37.60%	9,911,630.00	(8,688,148.60)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(55,701.27)	546,870.92	602,572.19	0.31	(883,430.00)	1,430,300.92
BEGINNING FUND BALANCE	5,111,946.89	4,832,639.46				
FUND BALANCE	5,056,245.62	5,379,510.38				

CITY OF PORT ARANSAS
 STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
 AS OF: NOVEMBER 30, 2015

COURT TECHNOLOGY

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
FINES & FORFEITURES	4,825.88	614.80	(4,211.08)	-87.26%	3,000.00	(2,385.20)
INTEREST REVENUE	0.54	3.29	2.75	509.26%	20.00	(16.71)
TOTAL REVENUES	4,826.42	618.09	(4,208.33)	-87.19%	3,020.00	(2,401.91)
EXPENDITURES:						
CURRENT:						
Municipal Court	1,856.34	2,242.06	385.72	20.78%	15,250.00	(13,007.94)
TOTAL EXPENDITURES	1,856.34	2,242.06	385.72	20.78%	15,250.00	(13,007.94)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	2,970.08	(1,623.97)	(4,594.05)	-154.68%	(12,230.00)	10,606.03
BEGINNING FUND BALANCE	12,474.08	13,147.75				
FUND BALANCE	15,444.16	11,523.78				

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CITY OF PORT ARANSAS
 STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
 AS OF: NOVEMBER 30, 2015

COURT SECURITY

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
FINES & FORFEITURES	362.16	461.10	98.94	27.32%	2,300.00	(1,838.90)
INTEREST REVENUE	0.45	3.36	2.91	646.67%	10.00	(6.64)
TOTAL REVENUES	362.61	464.46	101.85	28.09%	2,310.00	(1,845.54)
EXPENDITURES:						
CURRENT:						
Municipal Court	95.30	46.58	(48.72)	-51.12%	12,400.00	(12,353.42)
TOTAL EXPENDITURES	95.30	46.58	(48.72)	-51.12%	12,400.00	(12,353.42)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	267.31	417.88	150.57	56.33%	(10,090.00)	10,507.88
BEGINNING FUND BALANCE	9,108.65	11,345.41				
FUND BALANCE	9,375.96	11,763.29				

CITY OF PORT ARANSAS
STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
AS OF: NOVEMBER 30, 2015

075-NATURE PRESERVE PROJECT

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
Other Revenue	12.21	45.50	33.29	272.65%	200.00	(154.50)
Miscellaneous Revenue	6,692.28	8,004.14	1,311.86	19.60%	89,750.00	(81,745.86)
TOTAL REVENUES	6,704.49	8,049.64	1,345.15	20.06%	89,950.00	(81,900.36)
EXPENDITURES:						
CURRENT:						
SUPPLIES & SERVICES	6,949.10	8,004.14	1,055.04	15.18%	61,750.00	(53,745.86)
CAPITAL OUTLAY	155.88	1,800.00	1,644.12	0.00%	293,000.00	(291,200.00)
TOTAL EXPENDITURES	7,104.98	9,804.14	2,699.16	37.99%	354,750.00	(344,945.86)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(400.49)	(1,754.50)	(1,354.01)	338.09%	(264,800.00))	263,045.50
BEGINNING FUND BALANCE	261,282.57	277,193.58				
FUND BALANCE	260,882.08	275,439.08				

CITY OF PORT ARANSAS
 STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
 AS OF: NOVEMBER 30, 2015

HOTEL MOTEL FUND

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
HOTEL MOTEL TAXES	231,261.53	268,869.31	37,607.78	16.26%	1,751,010.00	(1,482,140.69)
OTHER REVENUE	37.28	135.93	98.65	264.62%	300.00	(164.07)
TOTAL REVENUES	231,298.81	269,005.24	37,706.43	16.30%	1,751,310.00	(1,482,304.76)
EXPENDITURES:						
CURRENT:						
	172,219.88	92,583.23	(79,636.65)	0.00%	1,751,310.00	(1,658,726.77)
TOTAL EXPENDITURES	172,219.88	92,583.23	(79,636.65)	0.00%	1,751,310.00	(1,658,726.77)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	59,078.93	176,422.01	117,343.08	198.62%	0.00	176,422.01
BEGINNING FUND BALANCE	249,645.09	46,816.21				
FUND BALANCE	308,724.02	223,238.22				

CITY OF PORT ARANSAS
 STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
 AS OF: NOVEMBER 30, 2015

HOTEL/MOTEL SPECIAL REVENUE

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
HOTEL MOTEL TAXES	77,087.18	134,434.65	57,347.47	74.39%	755,500.00	(621,065.35)
OTHER REVENUE	12.43	49.97	37.54	302.01%	200.00	(150.03)
TOTAL REVENUES	77,099.61	134,484.62	57,385.01	0.00	755,700.00	(621,215.38)
EXPENDITURES:						
CURRENT:						
Supplies and Services	3,194.12	2,669.06	(525.06)	-16.44%	200,500.00	(197,830.94)
Transfer to Proposed Pro	6,692.28	8,004.14	1,311.86	19.60%	89,750.00	(81,745.86)
TAX NOTE PAYMENT	192,114.75	190,736.50	(1,378.25)	100.00%	200,600.00	(9,863.50)
TOTAL EXPENDITURES	202,001.15	201,409.70	(591.45)	-0.29%	490,850.00	(289,440.30)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(124,901.54)	(66,925.08)	57,976.46	0.00	264,850.00)	(331,775.08)
BEGINNING FUND BALANCE	1,061,737.33	1,409,771.57				
FUND BALANCE	936,835.79	1,342,846.49				

CITY OF PORT ARANSAS
 STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
 AS OF: NOVEMBER 30, 2015

FACILITY FUND

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
Hotel Motel Tax	38,543.58	44,811.55	6,267.97	16.26%	291,835.00	(247,023.45)
Interest	32.78	207.44	174.66	532.82%	300.00	(92.56)
Transfers	0.00	0.00	0.00	0.00%	0.00	0.00
TOTAL REVENUES	38,576.36	45,018.99	6,442.63	16.70%	292,135.00	(247,116.01)
EXPENDITURES:						
CURRENT:						
Tourist Facility Maint	10,652.04	16,659.47	6,007.43	56.40%	227,390.00	(210,730.53)
TOTAL EXPENDITURES	10,652.04	16,659.47	6,007.43	56.40%	227,390.00	(210,730.53)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	27,924.32	28,359.52	435.20	1.56%	64,745.00	(36,385.48)
BEGINNING FUND BALANCE	651,499.12	651,499.12				
FUND BALANCE	679,423.44	679,858.64				

CITY OF PORT ARANSAS
 STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
 AS OF: NOVEMBER 30, 2015

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 AIRPORT FUND

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
AIRPORT REVENUE	13,153.37	19,604.16	6,450.79	49.04%	143,500.00	(123,895.84)
	0.00	0.00	0.00	0.00%	30,000.00	(30,000.00)
OTHER REVENUE	1,217.64	117.33	(1,100.31)	-90.36%	1,350.00	(1,232.67)
TRANSFERS & REIMBURSEMENT	0.00	0.00	0.00	0.00%	27,705.00	(27,705.00)
TOTAL REVENUES	14,371.01	19,721.49	5,350.48	37.23%	202,555.00	(182,833.51)
EXPENDITURES:						
CURRENT:						
	3,507.75	3,482.32	(25.43)	-0.72%	26,810.00	(23,327.68)
	34,250.22	22,327.73	(11,922.49)	-34.81%	496,183.00	(473,855.27)
TOTAL EXPENDITURES	37,757.97	25,810.05	(11,947.92)	-31.64%	522,993.00	(497,182.95)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(23,386.96)	(6,088.56)	17,298.40	-73.97%	(320,438.00)	314,349.44
BEGINNING FUND BALANCE	394,280.80	394,280.80				
FUND BALANCE	370,893.84	388,192.24				

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CITY OF PORT ARANSAS
 STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
 AS OF: NOVEMBER 30, 2015

BEACH FUND

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
HOTEL MOTEL TAXES	516,684.34	874,999.59	358,315.25	69.35%	2,287,335.00	(1,412,335.41)
BEACH PARKING PERMITS	57,789.00	79,420.00	21,631.00	37.43%	718,000.00	(638,580.00)
INTERGOVERNMENTAL	0.00	0.00	0.00	0.00%	229,000.00	(229,000.00)
OTHER REVENUE	97.61	291.92	194.31	199.07%	750.00	(458.08)
TOTAL REVENUES	574,570.95	954,711.51	380,140.56	66.16%	3,235,085.00	(2,280,373.49)
EXPENDITURES:						
CURRENT:						
LIEFEGUARDS	0.00	7,941.65	7,941.65	#DIV/0!	172,915.00	(164,973.35)
BEACH PUBLIC WORKS	12,561.51	150,556.15	137,994.64	0.00%	1,733,375.00	(1,582,818.85)
TSF TO GENERAL FUND	266,860.86	145,622.25	(121,238.61)	-45.43%	1,376,500.00	(1,230,877.75)
TOTAL EXPENDITURES	279,422.37	304,120.05	24,697.68	8.84%	3,282,790.00	(2,978,669.95)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	295,148.58	650,591.46	355,442.88	120.43%	(47,705.00))	698,296.46
BEGINNING FUND BALANCE	2,171,547.95	2,659,563.97				
FUND BALANCE	2,466,696.53	3,310,155.43				

CITY OF PORT ARANSAS
STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
AS OF: NOVEMBER 30, 2015

HARBOR FUND

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
HARBOR FEES	0.13	0.03	(0.10)	-76.92%	0.00	0.03
HARBOR FEES	172,202.06	115,150.57	(57,051.49)	-33.13%	636,370.00	(521,219.43)
OTHER REVENUE	5,600.65	2,930.03	(2,670.62)	-47.68%	13,500.00	(10,569.97)
TRANSFERS	0.00	0.00	0.00	0.00%	0.00	0.00
TOTAL REVENUES	177,802.84	118,080.63	(59,722.21)	-33.59%	649,870.00	(531,789.37)
EXPENDITURES:						
CURRENT:						
	56,181.56	62,801.32	6,619.76	11.78%	541,200.00	(478,398.68)
TRANS TO PROJECTE PROJ	0.00	0.00	0.00	0.00%	35,705.00	(35,705.00)
TOTAL EXPENDITURES	56,181.56	62,801.32	6,619.76	11.78%	576,905.00	(514,103.68)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	121,621.28	55,279.31	(66,341.97)	-54.55%	72,965.00	(17,685.69)
BEGINNING FUND BALANCE	1,826,248.70	2,028,771.22				
FUND BALANCE	1,947,869.98	2,084,050.53				
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CITY OF PORT ARANSAS
 STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
 AS OF: NOVEMBER 30, 2015

CONSTRUCTION FUND

	2014-2015 Y-T-D ACTUAL	2015-2016 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	1,650,000.00	0.00	(1,650,000.00)	0.00	0.00	0.00
GRANT PROCEEDS	0.00	0.00	0.00	0.00	0.00	0.00
OTHER REVENUE	65.01	106.93	41.92	64.48%	200.00	(93.07)
TOTAL REVENUES	1,650,065.01	106.93	(1,649,958.08)	-99.99%	200.00	(93.07)
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	1,705,541.45	111,482.56	(1,594,058.89)	0.00%	844,000.00	(732,517.44)
TOTAL EXPENDITURES	1,705,541.45	111,482.56	(1,594,058.89)	0.00%	844,000.00	(732,517.44)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(55,476.44)	(111,375.63)	(55,899.19)	100.76%	(843,800.00))	732,424.37
BEGINNING FUND BALANCE	859,201.62	481,462.99				
FUND BALANCE	803,725.18	370,087.36				

CITY OF PORT ARANSAS
STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
AS OF: NOVEMBER 30, 2015

IMPACT FEES ZONE 1

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
LICENSES AND PERMITS	34,781.54	36,158.39	1,376.85	3.96%	160,000.00	(123,841.61)
OTHER REVENUE	21.36	49.16	27.80	130.15%	250.00	(200.84)
TOTAL REVENUES	34,802.90	36,207.55	1,404.65	4.04%	160,250.00	(124,042.45)
EXPENDITURES:						
CURRENT:						
PROJECTED PROJECTS	0.00	0.00	0.00	0.00%	70,000.00	(70,000.00)
TRANSFERS	0.00	0.00	0.00	0.00%	150,000.00	(150,000.00)
TOTAL EXPENDITURES	0.00	0.00	0.00	0.00	220,000.00	(220,000.00)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	34,802.90	36,207.55	1,404.65	4.04%	(59,750.00)	95,957.55
BEGINNING FUND BALANCE	414,807.22	138,522.76				
FUND BALANCE	449,610.12	174,730.31				

CITY OF PORT ARANSAS
 STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
 AS OF: NOVEMBER 30, 2015

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PARK DEDICATION FEES

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
LICENSES AND PERMITS	11,680.60	11,194.58	(486.02)	-4.16%	55,000.00	(43,805.42)
OTHER REVENUE	7.72	64.04	56.32	729.53%	75.00	(10.96)
TOTAL REVENUES	11,688.32	11,258.62	(429.70)	-3.68%	55,075.00	(43,816.38)
EXPENDITURES:						
CURRENT:						
TRANSFERS	0.00	0.00	0.00	0.00%	0.00	0.00
TOTAL EXPENDITURES	0.00	0.00	0.00	0.00	0.00	0.00
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	11,688.32	11,258.62	(429.70)	-3.68%	55,075.00	(43,816.38)
 BEGINNING FUND BALANCE	 150,589.13	 211,130.62				
FUND BALANCE	162,277.45	222,389.24				

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CITY OF PORT ARANSAS
 STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
 AS OF: NOVEMBER 30, 2015

STREET MAINTENANCE FUND

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
OTHER REVENUE	32.38	185.22	152.84	472.02%	200.00	(14.78)
TRANSFERS & REIMBURSEMENT	0.00	0.00	0.00	0.00%	520,000.00	(520,000.00)
TOTAL REVENUES	32.38	185.22	152.84	472.02%	520,200.00	(520,014.78)
EXPENDITURES:						
CURRENT:						
PROJECTED PROJECTS	0.00	3,000.00	3,000.00	0.00%	230,000.00	(227,000.00)
TOTAL EXPENDITURES	0.00	3,000.00	3,000.00	0.00%	230,000.00	(227,000.00)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	32.38	(2,814.78)	(2,847.16)	-8792.96%	290,200.00	(293,014.78)
BEGINNING FUND BALANCE	667,391.38	639,013.69				
FUND BALANCE	667,423.76	636,198.91				

CITY OF PORT ARANSAS
 STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
 AS OF: NOVEMBER 30, 2015

RECREATIONAL DEVELOPMENT

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
TAX REVENUE	58,707.00	69,189.58	10,482.58	17.86%	664,300.00	(595,110.42)
OTHER REVENUE	1,130.88	1,912.30	781.42	100.00%	24,150.00	(22,237.70)
TRANSFERS & REIMBURSEMENT	0.00	0.00	0.00	#DIV/0!	0.00	0.00
TOTAL REVENUES	59,837.88	71,101.88	11,264.00	18.82%	688,450.00	(617,348.12)
EXPENDITURES:						
CURRENT:	72,067.19	81,084.17	9,016.98	12.51%	773,700.00	(692,615.83)
	0.00	0.00	0.00	0.00%	0.00	0.00
TOTAL EXPENDITURES	72,067.19	81,084.17	9,016.98	12.51%	773,700.00	(692,615.83)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(12,229.31)	(9,982.29)	2,247.02	-18.37%	(85,250.00)	75,267.71
BEGINNING FUND BALANCE	480,762.17	652,195.02				
FUND BALANCE	468,532.86	642,212.73				

CITY OF PORT ARANSAS
 STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
 AS OF: NOVEMBER 30, 2015

GAS UTILITY FUND

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
GRANTS	25,029.53	28.95	(25,000.58)	-99.88%	175.00	(146.05)
NATURAL GAS SALES	129,953.11	180,919.18	50,966.07	39.22%	1,090,800.00	(909,880.82)
OTHER REVENUES	981.00	299.58	(681.42)	-69.46%	5,750.00	(5,450.42)
TRANSFERS	0.00	0.00	0.00	0.00%	0.00	0.00
TOTAL REVENUES	155,963.64	181,247.71	25,284.07	16.21%	1,096,725.00	(915,477.29)
EXPENDITURES:						
CURRENT:						
GAS DEPARTMENT	79,424.50	81,178.47	1,753.97	2.21%	785,040.00	(703,861.53)
TRANSFERS	0.00	0.00	0.00	0.00%	137,350.00	(137,350.00)
GAS PURCHASE	43,789.23	32,304.52	(11,484.71)	-26.23%	392,000.00	(359,695.48)
TOTAL EXPENDITURES	123,213.73	113,482.99	(9,730.74)	-7.90%	1,314,390.00	(1,200,907.01)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	32,749.91	67,764.72	35,014.81	106.92%	(217,665.00)	285,429.72
BEGINNING FUND BALANCE	479,068.64	673,564.19				
FUND BALANCE	511,818.55	741,328.91				

CITY OF PORT ARANSAS
STATEMENT OF REVENUES & EXPENDITURES - BUDGET & ACTUAL
AS OF: NOVEMBER 30, 2015

SANITATION FUND

	2014-2015 Y-T-D ACTUAL	2015-2016 Y-T-D ACTUAL	INCREASE/ (DECREASE)	PERCENT CHANGE	CURRENT BUDGET	BUDGET VARIANCE
REVENUES:						
GRANTS	48.66	50.89	0.00	0.00%	0.00	50.89
UTILITY ACCOUNTS	154,081.82	235,895.10	(71,844.46)	-46.63%	881,500.00	(645,604.90)
OTHER REVENUES	6.67	33.53	0.00	0.00%	100.00	(66.47)
TOTAL REVENUES	154,137.15	235,979.52	(71,844.46)	-46.61%	881,600.00	(645,620.48)
EXPENDITURES:						
CURRENT:						
SANITATION DEPARTMENT	71,235.46	93,558.42	(66,873.98)	-93.88%	885,845.00	(792,286.58)
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	71,235.46	93,558.42	(66,873.98)	-93.88%	885,845.00	(792,286.58)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	82,901.69	142,421.10	(4,970.48)	-6.00%	(4,245.00)	146,666.10
BEGINNING FUND BALANCE	132,998.90	133,716.84				
FUND BALANCE	215,900.59	276,137.94				

POOLED CASH REPORT
AS OF: NOVEMBER 30TH, 2015

FUND ACCOUNT#	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
CLAIM ON CASH				
040-DEBT SERVICE FUND	10110 Claim on Cash	336,917.24	179,099.00	516,016.24
050-GENERAL FUND	10110 Claim on Cash	4,674,654.63	375,862.83	5,050,517.46
055-COURT TECHNOLOGY	10110 Claim on Cash	11,407.93	115.85	11,523.78
056-COURT SECURITY	10110 Claim on Cash	11,530.78	178.79	11,709.57
075-NATURE PRESERVE PROJECT	10110 Claim on Cash	274,815.31	(1,887.01)	272,928.30
100-HOTEL MOTEL	10110 Claim On Cash	231,953.89	(8,715.67)	223,238.22
110-HOTEL/MOTEL SPECIAL REV.	10110 Claim On Cash	1,380,419.50	39,707.20	1,420,126.70
115-FACILITY FUND	10110 Claim on Cash	722,074.05	5,250.17	727,324.22
125-AIRPORT FUND	10110 Claim on Cash	415,572.39	407.09	415,979.48
150-BEACH FUND	10110 Claim On Cash	3,320,107.42	(25,737.88)	3,294,369.54
175-HARBOR FUND	10110 Claim On Cash	708,469.75	(25,883.93)	682,585.82
200-CONSTRUCTION FUND	10110 Claim On Cash	370,031.18	56.18	370,087.36
205-IMPACT FEES ZONE 1	10110 Claim on Cash	162,863.08	11,867.23	174,730.31
207-IMPACT FEES ZONE 2	10110 Claim on Cash	0.00	0.00	0.00
210-PARK DEDICATION FEES	10110 Claim on Cash	218,108.49	4,280.75	222,389.24
215-STREET MAINTENANCE FUND	10110 Claim on Cash	639,100.17	(2,901.26)	636,198.91
225-RECREATIONAL DEVELOPMENT	10110 Claim On Cash	616,381.07	(67,183.13)	549,197.94
250-GAS UTILITY FUND	10110 Claim On Cash	1,030,292.43	(6,659.58)	1,023,632.85
255-SANITATION FUND	10110 Claim on Cash	119,379.62	(9,780.25)	109,599.37
TOTAL CLAIM ON CASH		15,244,078.93	468,076.38	15,712,155.31

CASH IN BANK - POOLED CASH

010 10110	Pooled Cash - Value Bank	153,416.04	53,574.08	206,990.12
010 10111	Pooled Cash - American Bank	27,438.47	(924.44)	26,514.03
010 10200	Pooled Texas Class	3,002,039.15	593.84	3,002,632.99
010 10321	Pooled Texpool	8,169,093.20	414,479.51	8,583,572.71
010 10322	Nature Preserve Project	263,329.09	23.89	263,352.98
010 10323	Hotel Motel Fund	1,075,444.96	97.66	1,075,542.62
010 10324	Beach Fund - Texpool	1,689,416.74	153.35	1,689,570.09
010 10325	Construction Projects	618,444.10	56.18	618,500.28
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	245,457.18	22.31	245,479.49
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		15,244,078.93	468,076.38	15,712,155.31

CITY OF PORT ARANSAS
 POOLED CASH REPORT
 AS OF: NOVEMBER 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>15,244,078.93</u>	<u>468,076.38</u>	<u>15,712,155.31</u>
DUE TO OTHER FUNDS - POOLED CASH					

010	20000	Due to Other Funds	<u>15,244,078.93</u>	<u>468,076.38</u>	<u>15,712,155.31</u>
TOTAL DUE TO OTHER FUNDS			<u>15,244,078.93</u>	<u>468,076.38</u>	<u>15,712,155.31</u>

POOLED CASH REPORT

AS OF: NOVEMBER 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)	89,292.35	(31,095.63)	58,196.72
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)	682.72	(193.50)	489.22
100	20300	Accounts Payable (Pending)	0.00	0.00	0.00
110	20300	Accounts Payable	0.00	0.00	0.00
115	20300	Accounts Payable (Pending)	1,172.85	(95.14)	1,077.71
125	20300	Accounts Payable (Pending)	0.00	0.00	0.00
150	20300	Accounts Payable	9,476.20	(254.02)	9,222.18
175	20300	Accounts Payable (Pending)	6,974.00	(4,388.71)	2,585.29
200	20300	Accounts Payable (Pending)	0.00	0.00	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)	92,040.89	(88,855.41)	3,185.48
250	20300	Accounts Payable (Pending)	6,461.94	(2,569.87)	3,892.07
255	20300	Accounts Payable	745.65	(214.92)	530.73
TOTAL DUE TO POOLED CASH			206,846.60	(127,667.20)	79,179.40

DUE FROM OTHER FUNDS					

010	14040	Debt Service Fund	0.00	0.00	0.00
010	14050	General Fund	89,292.35	(31,095.63)	58,196.72
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	682.72	(193.50)	489.22
010	14100	Hotel Motel Fund	0.00	0.00	0.00
010	14110	Hotel Motel Special Tax Fund	0.00	0.00	0.00
010	14115	Facility Fund	1,172.85	(95.14)	1,077.71
010	14125	Airport Fund	0.00	0.00	0.00
010	14150	Beach Permit Fund	9,476.20	(254.02)	9,222.18
010	14175	Municipal Harbor Fund	6,974.00	(4,388.71)	2,585.29
010	14200	Construction Fund	0.00	0.00	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	92,040.89	(88,855.41)	3,185.48
010	14250	Gas Utility Fund	6,461.94	(2,569.87)	3,892.07
010	14255	Sanitation Fund	745.65	(214.92)	530.73
TOTAL DUE FROM OTHER FUNDS			206,846.60	(127,667.20)	79,179.40

CITY OF PORT ARANSAS
POOLED CASH REPORT
AS OF: NOVEMBER 30TH, 2015

FUND	ACCOUNT#	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
<hr/>					
ACCOUNTS PAYABLE - POOLED CASH -----					
010	20300	Accounts Payable Account	<u>206,846.60</u>	<u>(127,667.20)</u>	<u>79,179.40</u>
TOTAL ACCOUNTS PAYABLE POOLED CASH			<u>206,846.60</u>	<u>(127,667.20)</u>	<u>79,179.40</u>

*** END OF REPORT ***

OCCUPANCY TAX COLLECTIONS

	PERCENT OF CHANGE FY 2016 TO FY 2015			PERCENT OF CHANGE FY 2016 TO FY 2014		
	FY2016	FY2015	YTD	FY2014	MONTH	YTD
OCT 15	431,821.15	OCT 14	33.87%	OCT 13	OCT 13	52.40%
NOV 15	195,540.56	NOV 14	-9.91%	NOV 13	NOV 13	21.82%
DEC 15	0.00	DEC 14	-100.00%	DEC 13	DEC 13	1.34%
JAN 16	0.00	JAN 15	-100.00%	JAN 14	JAN 14	-6.81%
FEB 16	0.00	FEB 15	-100.00%	FEB 14	FEB 14	-13.24%
MAR 16	0.00	MAR 15	-100.00%	MAR 14	MAR 14	-21.59%
APR 16	0.00	APR 15	-100.00%	APR 14	APR 14	-40.19%
MAY 16	0.00	MAY 15	-100.00%	MAY 14	MAY 14	-50.96%
JUN 16	0.00	JUN 15	-100.00%	JUN 14	JUN 14	-62.41%
JUL 16	0.00	JUL 15	-100.00%	JUL 14	JUL 14	-73.99%
AUG 16	0.00	AUG 15	-100.00%	AUG 14	AUG 14	-81.18%
SEP 16	0.00	SEP 15	-100.00%	SEP 14	SEP 14	-84.44%
	<u>627,361.71</u>	<u>4,237,183.23</u>		<u>4,031,278.63</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 2016</u>	<u>FY 2015</u>	<u>CHANGE</u>	<u>YTD</u>
SEPT 15	NOV 15	137,150.90	116,174.78	18.06%	18.06%
OCT 15	DEC 15	82,559.65	97,002.03	-14.89%	3.06%
NOV 15	JAN 16	0.00	65,888.57	-100.00%	-21.27%
DEC 15	FEB 16	0.00	89,972.77	-100.00%	-40.46%
JAN 16	MARCH 16	0.00	66,726.35	-100.00%	-49.58%
FEB 16	APRIL 16	0.00	76,725.03	-100.00%	-57.13%
MARCH 16	MAY 16	0.00	115,094.75	-100.00%	-64.99%
APRIL 16	JUNE 16	0.00	102,562.02	-100.00%	-69.91%
MAY 16	JULY 16	0.00	112,150.88	-100.00%	-73.92%
JUNE 16	AUG 16	0.00	177,472.15	-100.00%	-78.45%
JULY 16	SEPT 16	0.00	181,672.53	-100.00%	-81.71%
AUG 16	OCT 16	0.00	137,381.73	-100.00%	-83.59%
	TOTAL	219,710.55	1,338,823.59		

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 2016 TOTAL</u>	<u>FY 2015</u>		<u>FY 2015 TOTAL</u>	<u>INCREASE (DECREASE)</u>
		<u>G.F.</u>	<u>RDC</u>		
OCT 15	205,726.35	137,150.90	68,575.45	174,262.17	31,464.18
NOV 15	123,839.47	82,559.65	41,279.82	145,503.04	-21,663.57
DEC 15	0.00	0.00	0.00	98,832.86	-98,832.86
JAN 16	0.00	0.00	0.00	134,959.16	-134,959.16
FEB 16	0.00	0.00	0.00	100,089.53	-100,089.53
MAR 16	0.00	0.00	0.00	115,087.54	-115,087.54
APR 16	0.00	0.00	0.00	172,642.12	-172,642.12
MAY 16	0.00	0.00	0.00	153,843.03	-153,843.03
JUN 16	0.00	0.00	0.00	168,226.32	-168,226.32
JUL 16	0.00	0.00	0.00	266,208.23	-266,208.23
AUG 16	0.00	0.00	0.00	272,508.79	-272,508.79
SEPT 16	0.00	0.00	0.00	206,072.59	-206,072.59
TOTAL	329,565.82	219,710.55	109,855.27	2,008,235.38	-1,678,669.56

HARBOR SLIP RENTAL

<u>FY2016 MONTHLY RENTALS</u>		<u>FY2015 MONTHLY RENTALS</u>		<u>PERCENT OF CHANGE</u>	
				<u>MONTH</u>	<u>YTD</u>
OCT 15	106,029.24	OCT 14	120,038.93	-11.67%	-11.67%
NOV 15	451.28	NOV 14	4,590.12	-90.17%	-14.56%
DEC 15	0.00	DEC 14	120,434.44	-100.00%	-56.55%
JAN 16	0.00	JAN 15	4,914.34	-100.00%	-57.40%
FEB 16	0.00	FEB 15	3,796.11	-100.00%	-58.04%
MAR 16	0.00	MAR 15	119,810.51	-100.00%	-71.50%
APR 16	0.00	APR 15	579.97	-100.00%	-71.54%
MAY 16	0.00	MAY 15	1,342.01	-100.00%	-71.64%
JUN 16	0.00	JUN 15	117,583.39	-100.00%	-78.41%
JUL 16	0.00	JUL 15	4,371.49	-100.00%	-78.60%
AUG 16	0.00	AUG 15	2,806.22	-100.00%	-78.72%
SEP 16	0.00	SEP 15	3,619.68	-100.00%	-78.87%
	<u>106,480.52</u>		<u>503,887.21</u>		

<u>FY2016 TRANSIENT RENTALS</u>		<u>FY2015 TRANSIENT RENTALS</u>		<u>PERCENT OF CHANGE</u>	
				<u>MONTH</u>	<u>YTD</u>
OCT 15	7,025.05	OCT 14	19,896.77	-64.69%	-64.69%
NOV 15	1,645.00	NOV 14	7,997.44	-79.43%	-68.92%
DEC 15	0.00	DEC 14	5,999.67	-100.00%	-74.42%
JAN 16	0.00	JAN 15	5,845.84	-100.00%	-78.18%
FEB 16	0.00	FEB 15	4,424.72	-100.00%	-80.37%
MAR 16	0.00	MAR 15	5,495.70	-100.00%	-82.54%
APR 16	0.00	APR 15	6,534.74	-100.00%	-84.57%
MAY 16	0.00	MAY 15	9,139.40	-100.00%	-86.73%
JUN 16	0.00	JUN 15	17,900.85	-100.00%	-89.58%
JUL 16	0.00	JUL 15	14,046.70	-100.00%	-91.09%
AUG 16	0.00	AUG 15	10,281.80	-100.00%	-91.94%
SEP 16	0.00	SEP 15	8,528.12	-100.00%	-92.53%
	<u>8,670.05</u>		<u>116,091.75</u>		

CITY OF PORT ARANSAS, TEXAS
Beach Parking Permits Sold
2015 compared to 2014

	2015	2015	2014	2014	Increase (Decrease)	% Increase (Decrease)
		Year to Date		Year to Date	2015 vs 2014	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	7,709	26,746	9,939	24,651	2,095	8.50%
June	12,120	38,866	18,212	42,863	(3,997)	-9.33%
July	18,873	57,739	20,796	63,659	(5,920)	-9.30%
August	21,049	78,788	17,251	80,910	(2,122)	-2.62%
September	10,481	89,269	9,695	90,605	(1,336)	-1.47%
October	4,920	94,189	2,896	93,501	688	0.74%
November	1,958	96,147	1,979	95,480	667	0.70%



CITY OF PORT ARANSAS, TEXAS

**MINUTES OF
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/REGULAR MEETING
Monday, October 26th, 2015 @ 3:00pm
Port Aransas City Hall, 710 W. Avenue A
Port Aransas, Texas 78373**

Notice is hereby given of the Regular Meeting of the Planning and Zoning Commission of Port Aransas to be held on Monday, October 26th, 2015 beginning at 3:00 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:** With a quorum of the Planning and Zoning Members present, the Regular Meeting of the Port Aransas Planning & Zoning Commission was called to order by Chair Becky Corder at 3:04 pm on Monday, October 26th, 2015 in the Council Chambers of the Port Aransas City Hall, 710 W Avenue A, Port Aransas, Texas.

PLANNING & ZONING MEMBERS PRESENT

P&Z Chairman Becky Corder
P&Z Co-Chairman Chuck Crawford
P&Z Commissioner Bruce Clark
P&Z Commissioner Nick Lorette
P&Z Commissioner Randy D’Herde
P&Z Commissioner Craig Scott

PLANNING & ZONING MEMBERS ABSENT

P&Z Commissioner Mike Garlough

STAFF MEMBERS PRESENT

Development Services Director Rick Adams
Code Enforcement Officer Carla Vanzant
City Manager David Parsons (for a portion of the meeting)

2. **CITIZEN COMMENTS:** *In accordance with the Open Meeting Act, Planning and Zoning Commission 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 one signed up to speak

3. **PUBLIC HEARINGS:** In accordance with the Open Meetings Act, Planning and Zoning Commission 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.
 - A. Public Hearing to receive comments on FPLT 150859 Final Plat of Lots 1 and 2, Block 1, Old Town Cottages, being a replat of Lots B and C, Danglade Addition, City of Port Aransas, Nueces County, Texas according to the Plat Recorded in Volume 61, Page 59, Map Records of Nueces County, Texas. Request by: Port Aransas Cottages, LLC (Shana Heard). Property Address: 129 N. Alister

No one signed up to speak

- B. Public Hearing to receive comments on FPLT 150862 Final Plat of Wrangling Wrecks Harbor Subdivision, Block 1, Lots 1 through 6, being a replat of Lot B, Wrangling Wrecks Subdivision, a map of which is recorded in Volume 54, Page 127, Map Records of Nueces County, Texas and Lots 4A and 5A, Block 1 Harbor Subdivision, a map of which is recorded in Volume 57, Pages 136 & 137, Map Records of Nueces County, Texas. Request By: City of Port Aransas & Deep Sea Properties Inc. Property Address: 100 Cut Off Road.

No one signed up to speak

4. **ITEMS FOR DISCUSSION AND ACTION:**

- A. Discussion and take appropriate action on the Monday, August 31st, 2015, Planning and Zoning Regular Meeting Minutes.

This agenda item was postponed to the November meeting.

- B. Discuss and take action on FPLT 150859, Final Plat of Lots 1 and 2, Block 1, Old Town Cottages, being a replat of Lots B and C, Danglade Addition, City of Port Aransas, Nueces County, Texas according to the Plat Recorded in Volume 61, Page 59, Map Records of Nueces County, Texas. Request by: Port Aransas Cottages, LLC (Shana Heard). Property Address: 129 N. Alister

Director of Development Rick Adams presented the plat and pointed out that the developer was asking for a variance on the front and rear setback to 5' and explained the reasoning behind that request. The developer spoke to explain their plans for the property. City Manager David Parsons joined the discussion and also answered some additional questions about corridors and right-of-ways. The commissioners discussed what would be an appropriate allowance on a variance to the setback. The commission agreed that a 5' setback variance was not acceptable, but recommended a 12' setback on Alister and 20' setback on Oleander.

MOTION: Commissioner Bruce Clark made the motion to approve FPLT 150859 subject to a 12' setback on Alister and a 20' setback on Oleander and including the 20' easement requested by NCWICD#4. Seconded by Commissioner Randy D'Herde and carried with the following vote:

Name	Yes	No	Abstain	Absent
Chairman Corder	x			
Co-Chairman Crawford	x			
Commissioner Scott	x			
Commissioner D'Herde	x			
Commissioner Clark	x			
Commissioner Lorette	x			
Commissioner Garlough				x

- C. Discuss and take action on FPLT 150862 Final Plat of Wrangling Wrecks Harbor Subdivision, Block 1, Lots 1 through 6, being a replat of Lot B, Wrangling Wrecks Subdivision, a map of which is recorded in Volume 54, Page 127, Map Records of Nueces County, Texas and Lots 4A

and 5A, Block 1 Harbor Subdivision, a map of which is recorded in Volume 57, Pages 136 & 137, Map Records of Nueces County, Texas. Request By: City of Port Aransas & Deep Sea Properties Inc. Property Address: 100 Cut Off Road.

Director of Development Rick Adams presented this replat which is the replat between the City and Deep Sea Properties that is involved in the Port Street re-route. City Manager David Parsons spoke in favor of approval and explained why some lots were deemed unbuildable.

MOTION: Commissioner Bruce Clark made the motion to approve FPLT 150862 as presented. Seconded by Commissioner Nick Lorette and carried with the following vote:

Name	Yes	No	Abstain	Absent
Chairman Corder	x			
Co-Chairman Crawford	x			
Commissioner Scott	x			
Commissioner D'Herde	x			
Commissioner Clark	x			
Commissioner Lorette	x			
Commissioner Garlough				x

- D. Discuss and take action to confirm that Dune Permit BFD 150864 is consistent with the City's Coastal Management Plan. The dune permit applicant seeks to re-construct an existing walkover. The construction will be located within the existing walkover easement and will include removing the existing walkover and constructing a new one. No permanent impacts to the project site or adjacent site are expected as a result of this project. Temporary impacts will be mitigated until the vegetation has re-established. No impacts to critical dunes are proposed.

Director of Development Rick Adams presented this Dune Permit application. Reviewing Engineer Daniel Mazoch of Urban Engineering questioned if the Commission wanted discourage the raising of a walk-over such as the one presented by requiring the developer to bring the walk-over completely up to code. Rick Adams explained why repairing and raising a dune walk-over without requiring the developer to bring it completely up to code was a smart idea. Submitting Engineer Jay Gardener of Naismith Engineering explained that part of the reconstruction was to create a safer, less-steep descent onto the beach. Rick Adams stated that the city would require builder to stake out and get approval on the terminus of the walk-over on the beach side. Rick Adams said that the city recommends approval.

MOTION: Commissioner Bruce Clark made the motion to approve BFD 150864 as presented. Seconded by Commissioner Nick Lorette and carried with the following vote:

Name	Yes	No	Abstain	Absent
Chairman Corder	x			
Co-Chairman Crawford	x			
Commissioner Scott	x			
Commissioner D'Herde	x			
Commissioner Clark	x			

Commissioner Lorette	x			
Commissioner Garlough				x

- E. Discuss and take action to confirm that Dune Permit BFDP 15909 is consistent with the City's Coastal Management Plan. The dune permit applicant seeks to re-construct an existing walkover. The construction will be located within the existing walkover easement and will include expanding the existing walkover. No permanent impacts to the project site or adjacent areas is expected as a result of this project. Temporary impacts will be mitigated until the vegetation has re-established. No impacts to critical dunes are proposed.

Director of Development Rick Adams presented this Dune Permit application. Submitting Engineer Jay Gardener explained the project and answered some questions from the commissioners. Discussion was had between Jay Gardener and Reviewing Engineer Daniel Mazoch of Urban Engineering. Rick Adams stated that the city recommends approval.

MOTION: Commissioner Bruce Clark made the motion to approve BFDP 150909 as presented. Seconded by Commissioner Randy D'Herde and carried with the following vote:

Name	Yes	No	Abstain	Absent
Chairman Corder	x			
Co-Chairman Crawford			x	
Commissioner Scott	x			
Commissioner D'Herde	x			
Commissioner Clark	x			
Commissioner Lorette	x			
Commissioner Garlough				x

- F. Discuss and take action on MRPLT 150860, Final Plat of Lots 4-A, 4-B and 4-C, Block 2, Sandpiper Villas, being a replat of Lot 4, Block 2 Sandpiper Villas, City of Port Aransas, Nueces County, Texas according to the Plat Recorded in Volume 63, Page 71, Map Records of Nueces County, Texas. Request by: Cavan and Donna McMahon. Property Address: 620 Sea Breeze. (Public Hearing held on October 9th, 2015; 1:15 p.m. at City Hall)

Director of Development Rick Adams presented this Minor Replat and explained that he decided to push it to Planning and Zoning because of the utility issues involved. The lots that are to be created by this replat currently have no water and sewer taps as required by city ordinance. The developer has verified with the city their plans to extend those utilities to the newly created lots. Rick Adams said that the City recommends approval of the plat but the withholding of the filing until such time as the utilities are extended to all lots.

MOTION: Commissioner Bruce Clark made the motion to approve MRPLT 150860 but to withhold filing until the utilities are extended to all lots. Seconded by Commissioner Randy D'Herde and carried with the following vote:

Name	Yes	No	Abstain	Absent
Chairman Corder	x			
Co-Chairman Crawford	x			

Commissioner Scott	x			
Commissioner D'Herde	x			
Commissioner Clark	x			
Commissioner Lorette	x			
Commissioner Garlough				x

G. Discuss status of proposed revisions to ordinances regarding Recreational Vehicle and Mobile Home Parks and subdivisions.

Director of Development Rick Adams said that this discussion item was an update from the City Engineer and to see if any further direction was needed. Daniel Mazoch of Urban Engineering presented the changes that were to be made, both from discussions with the Commission as well as with City Staff. Urban Engineering will be working on codifying these changes and will present proposed ordinances to the Commission at November's meeting.

H. Discuss status of proposed revisions to ordinances regarding Minimum Dwelling Unit Size.

Daniel Mazoch of Urban Engineering asked for further direction from the Commission on Minimum Dwelling Unit Size. The Commission discussed and decided that 300sqft would be an appropriate size.

PLANNING AND ZONING COMMENTS AND ITEMS FOR FUTURE CONSIDERATION:

- The Commission discussed changing the date of the November meeting in order to not interfere with the Thanksgiving Holiday
5. **ADJOURNMENT OF REGULAR MEETING:** Upon completion of the posted agenda, Chair Becky Corder adjourned the meeting at 4:50 pm.

CITY OF PORT ARANSAS, TEXAS



 Becky Corder, Chair



 Planning and Zoning Secretary



CITY OF PORT ARANSAS, TEXAS

MINUTES OF PLANNING AND ZONING COMMISSION PUBLIC HEARING/REGULAR MEETING Monday, August 31st, 2015 @ 3:00pm Port Aransas City Hall, 710 W. Avenue A Port Aransas, Texas 78373

Notice is hereby given of the Regular Meeting of the Planning and Zoning Commission of Port Aransas to be held on Monday, August 31st, 2015 beginning at 3:00 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:** With a quorum of the Planning and Zoning Members present, the Regular Meeting of the Port Aransas Planning & Zoning Commission was called to order by Chair Becky Corder at 3:00 pm on Monday, August 31st, 2015 in the Council Chambers of the Port Aransas City Hall, 710 W Avenue A, Port Aransas, Texas.

PLANNING & ZONING MEMBERS PRESENT

P&Z Chairman Becky Corder
P&Z Co-Chairman Chuck Crawford
P&Z Commissioner Bruce Clark
P&Z Commissioner Nick Lorette
P&Z Commissioner Randy D’Herde
P&Z Commissioner Craig Scott
P&Z Chairman Mike Garlough

STAFF MEMBERS PRESENT

Development Services Director Rick Adams
Planning Assistant Nicole Boyer

2. **CITIZEN COMMENTS:** *In accordance with the Open Meeting Act, Planning and Zoning Commission 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 one signed up to speak

3. **PUBLIC HEARINGS:** In accordance with the Open Meetings Act, Planning and Zoning Commission 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.

A. Public Hearing to receive comments on Partial Street Closing Request VC#150655. The partial street closing is the unimproved right-of-way portion of Station Street adjacent to the applicant’s property Channel View, Block 1, Lot 1-R, adjacent to Channel View, Block 2, Lot 2, and adjacent to Little Wm Sur 150.25’x284 Out N Ends LS20. Request by: Charles Crawford, Phil & Barbara Boeck, and Jack Lewis. Property Location: Station Street between Tarrant and Channel View Drive.

No one signed up to speak

- B. Public Hearing to receive comments on FPLT 150676 proposed Lot 1, Block 1, Sixth Street Addition, City of Port Aransas, Nueces County, being a replat of Block 10, Aransas Holding Company, Section C, City of Port Aransas, Texas, according to the plat recorded in volume 46, page 216, map records of Nueces County, Texas. Request by: 6 Street Boat Storage, LLC (Timothy Everitt). Property Location: 1000 Block of Sixth Street.

No one signed up to speak

4. **ITEMS FOR DISCUSSION AND ACTION:**

- A. Discussion and take appropriate action on the July 27th, 2015, Planning and Zoning Regular Meeting Minutes.

MOTION: Commissioner Bruce Clark made the motion to approve minutes as presented. Seconded by Commissioner Randy D’Herde and carried with the following vote:

Name	Yes	No	Abstain	Absent
Chairman Corder	x			
Co-Chairman Crawford	x			
Commissioner Scott	x			
Commissioner D’Herde			x	
Commissioner Clark	x			
Commissioner Lorette	x			
Commissioner Garlough	x			

- B. Discuss and take action on Partial Street Closing Request VC#150655. The partial street closing is the unimproved right-of-way portion of Station Street adjacent to the applicant’s property Channel View, Block 1, Lot 1-R, adjacent to Channel View, Block 2, Lot 2, and adjacent to Little Wm Sur 150.25’x284 Out N Ends LS20. Request by: Charles Crawford, Phil & Barbara Boeck, and Jack Lewis. Property Location: Station Street between Tarrant and Channel View Drive.

Director of Development Rick Adams presented the Partial Street Closing Request. He clarified that the portion of the street to be closed was from Tarrant street to the edge of the Cline’s Landing property and would not affect any designated on-street parking. NCWCID manager Mark Young recommended only closing 15 feet so as not to interfere with the Storm Drainage. The City recommends approval to vacate 15 feet of that right-of-way.

MOTION: Commissioner Bruce Clark made the motion to approve VC#150655 but to only close 15’ rather than the 20’ requested. Seconded by Commissioner Nick Lorette and carried with the following vote:

Name	Yes	No	Abstain	Absent
Chairman Corder	x			
Co-Chairman Crawford			x	
Commissioner Scott	x			
Commissioner D’Herde	x			
Commissioner Clark	x			

Commissioner Lorette	x			
Commissioner Garlough	x			

- C. Discuss and take action on FPLT 150676 proposed Lot 1, Block 1, Sixth Street Addition, City of Port Aransas, Nueces County, being a replat of Block 10, Aransas Holding Company, Section C, City of Port Aransas, Texas, according to the plat recorded in volume 46, page 216, map records of Nueces County, Texas. Request by: 6 Street Boat Storage, LLC (Timothy Everitt). Property Location: 1000 Block of Sixth Street.

Director of Development Rick Adams presented this replat. There is a metal building located in what will become the right-of-way. The developer's intention is to have this building removed and the city recommends approval subject to that being done.

MOTION: Commissioner Bruce Clark made the motion to approve FPLT 150676 subject to the metal building being removed. Seconded by Commissioner Randy D'Herde and carried with the following vote:

Name	Yes	No	Abstain	Absent
Chairman Corder	x			
Co-Chairman Crawford	x			
Commissioner Scott	x			
Commissioner D'Herde	x			
Commissioner Clark	x			
Commissioner Lorette	x			
Commissioner Garlough	x			

- D. Discuss and take action to confirm that Dune Permit BFDP 150721 is consistent with the City's Coastal Management Plan. The dune permit applicant seeks to perform mitigation for dunes extending into the rear of two lots (previous impacts), as well as mitigation associated with creation of a new lot from the most landward portion of the development situated along the 1000' foot line.

Director of Development Rick Adams presented this Dune Permit application. The developer seeks the permit to provide mitigation to create a new buildable lot.

MOTION: Commissioner Bruce Clark made the motion to approve BFDP 150721 as presented. Seconded by Commissioner Randy D'Herde and carried with the following vote:

Name	Yes	No	Abstain	Absent
Chairman Corder	x			
Co-Chairman Crawford	x			
Commissioner Scott	x			
Commissioner D'Herde	x			
Commissioner Clark	x			

Commissioner Lorette	x			
Commissioner Garlough	x			

- E. Discuss and take possible action on Recreation Vehicle Parks/Subdivisions and Mobile Home Parks/Subdivisions.

Jim Urban and Daniel Mazoch of Urban Engineering gave a presentation on different possible alternatives and revising ordinances to relax requirements for Recreational Vehicle and Mobile Home Parks. The Commission discussed what was presented and directed Urban Engineering to move forward with some changes, meet with city staff and present revisions at a future meeting.

- F. Discuss and take possible action on reducing minimum dwelling unit size.

The Commission discussed various options and asked Urban Engineering to bring recommendations at a future meeting.

- G. Discuss and take possible action on potential Coastal Overlay Zone and proposals for beachfront development.

The Commission discussed possible restrictions on development on properties that derive their only access from the beach road. Jim Urban joined the discussion. The Commission instructed city staff to speak with the city attorney about the issues and report back at a future meeting.

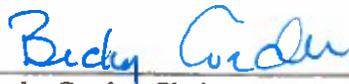
- H. Discuss and take possible action on Parking/Standing/Storing on the Public Right of Way.

This agenda item was pushed to September's meeting.

PLANNING AND ZONING COMMENTS AND ITEMS FOR FUTURE CONSIDERATION:

5. **ADJOURNMENT OF REGULAR MEETING:** Upon completion of the posted agenda, Chair Becky Corder adjourned the meeting at 5:21 pm.

CITY OF PORT ARANSAS, TEXAS



 Becky Corder, Chair



 Planning and Zoning Secretary