

CITY OF PORT ARANSAS, TEXAS

AGENDA

CITY COUNCIL REGULAR MEETING

Thursday, July 21, 2016 @ 5:30 pm
Port Aransas City Hall, 710 W. Avenue A
Port Aransas, Texas 78373

Notice is hereby given that the Port Aransas City Council will conduct a Meeting on Thursday, July 21, 2016 beginning at 5:30 pm at the regular meeting place in Council Chamber at City Hall, 710 W. Avenue A, Port Aransas, Texas, and notice of meeting giving time, place, date and subject was posted as described in V.T.C.A., Government Code §551.041 for the purpose of considering the following agenda items:

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **OPENING PRAYER**
4. **PUBLIC HEARING:** The Port Aransas City Council will conduct a Public Hearing to consider an update to the Land Use Assumptions and Capital Improvements Plan (PLAN) under which an impact fee may be imposed for roadway and park improvements. Representatives from Freese and Nichols, Inc. (FNI) will present key study elements included in the preparation of this Plan and will be available to answer any questions and/or concerns. A quorum of the Planning & Zoning Commission, appointed to act as the Capital Improvements Advisory Committee (CIAC) to assist in the preparation of the Plan, may be in quorum at this Public Hearing.
5. **CITIZEN COMMENTS AND REPORTS:** *At this time, comments will be taken from the audience on any subject matter **that is not** on the agenda. To address the City Council, please sign the 'Speaker's Card' located on the table just inside the Council Chamber and deliver to the City Secretary before the meeting begins. Please limit comments to three (3) minutes. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the Agenda.*
6. **ITEMS FOR CONSIDERATION**
 - A. Discuss and take action to confirm that "No" Dune Permit application BFDP 16-0662 is consistent with the City's Coastal Management Plan. The dune permit applicant proposes to construct residences and typical residential improvements (i.e. decks, driveways, utilities, fence, irrigation lines, associated landscaping, etc.) Construction shall not adversely affect any critical dunes. Property Location: 5009 Hwy 361. Applicant: Cinnamon Shore LLC.

- B. Discuss and take action on a Resolution Accepting and Approving Report From the Capital Improvement Advisory Commission and the Roadways And Parks Impact Fee Report Prepared By Freese and Nichols Dated June 8, 2016 in Compliance With Texas Local Government Code Section 395 for the Establishment of Impact Fees.
- C. Discuss and take action on first reading of an Ordinance Amending Chapter 26 “Impact Fees” by Repealing and Replacing Said Chapter in its Entirety; Imposing an Impact Fee on New Development for Providing Roadway Improvements and Park Facilities Necessitated by Such Development; Adopting Updated Land Use Assumptions, Service Area Boundaries, and Capital Improvements Plans; and Approving Revised Assessment and Collection Schedules for Roadway and Park Impact Fees; Providing Definitions; Providing for use of Proceeds From Such Accounts; Providing for Appeals, Relief Procedures and Exemptions; Providing for Credits; Providing for Updates to Plans and Revision of Fees; Providing for Severability; and Providing an Effective Date.
- D. Discuss and take action on second reading of an Ordinance Amending Chapter 12 “Licenses and Business Regulations”, Article VIII. “Short-Term Rentals”, Section 12-252(a)(6) “Registration and Permit” by Correcting A Grammatical Error; and Providing for Severance, Reading, and Effective Date.
- E. Discuss and take action on second reading of an Ordinance Amending Chapter 25 “Zoning”, Article III. “Districts” Section 25-111 by Adding a New District Known As CPOZ – Coastal Protection Overlay Zone and Adding Section 25-129 to Define Said District; Updating Section 25-124 NPUD-Newport PUD to Include PBPUD-Palmilla Beach; Providing for Severance, Reading, and Effective Date.
- F. Discuss and take action on a Resolution Accepting and Approving the Recommendation From the Planning and Zoning Commission to Approve the Flexible Unit Development (FUD) proposal submitted by Bill and Joleta Gavitt which proposes a 31 lot subdivision for detached single family homes and requests several allowances per the Flexible Development Ordinance in return for restricting (through plat note) this development to long term occupancies only (6 months or greater).
- G. Discuss and take action to appoint members to the (1) Animal Shelter Advisory Council, (2) Board of Adjustments and Appeals, (3) Parks and Recreation Advisory Board and the (4) Planning and Zoning Commission.
- H. Discuss and take action on second reading of an Ordinance Adding Chapter 28 “Aviation”, Article I. “In General” And Article II. Mustang Beach Municipal Airport” Establishing Procedures, Rules, and Regulations to Protect Both Aeronautical Activities and Public Safety; Article III. “Mustang Beach Airport Hazard Zoning” Setting Definitions, Zoning, Height Limitations, Land Use Restrictions, Nonconforming Uses, Permit and Enforcement; Article IV. “Airport Advisory Board” Creating Board, Setting Rules, Regulations, Duties and Eligibility; Providing For Penalty, Severance, Reading, And Effective Date.

- I. Discuss and take action on second reading of an Ordinance Deleting Chapter 25 “Zoning”, Article XII “Mustang Beach Airport Hazard Zoning” in its Entirety Since it now Included in Chapter 28 “Aviation”; and Providing for Severance, Reading, and Effective Date.
- J. Deliberate and take action to approve the following meeting minutes as presented:
 - 1. May 3 Special Meeting Minutes
 - 2. June 16, 2016 Regular Meeting Minutes and
 - 3. July 6, 2016 Special Meeting
- K. Discuss and take action on second reading of an Ordinance Amending Chapter 2 “Administration”, Article I. “In General” by Clarifying Procedure for Designating the City’s Official Newspaper; Article II. “City Council” Setting the Time for Council Meetings and Performing General Housekeeping; And Providing For Severance, Reading, And Effective Date.
- L. Discuss and take action on a Resolution Approving a Contract for Professional Services for Michael G. Morris, Attorney at Law, and the Firm of Ostarch, Hilmy, Hall & McCauley, PLLC for a Term of Two Years Beginning October 1, 2016 and Ending on September 30, 2018; Setting Fees and Effective Date.
- M. Discuss and take action on first reading of an Ordinance Amending Chapter 22 “Taxation”, Article IV. “Hotel, Motel Occupancy Tax” Section 22-67 “Disposition of Revenue” By Deleting Percentage of Revenue for Beach Operations; And Providing For Severance, Reading, And Effective Date.
- N. Discuss and take action on a Resolution Directing Staff to Proceed With Planning for the Issuance of General Obligation Bonds in an Amount not to Exceed \$2,000,000.00 for Street, Sidewalk and Drainage Facility Improvements; Calling a Special Election on November 8, 2016 to vote on a Proposition Approving Issuance of General Obligation Bonds; and Providing Other Matters Relating to the Special Election.
- 7. **STAFF REPORTS:** Pursuant to Home Rule Charter and Code of Ordinances - presentation, general discussion and approval of the following reports:
 - O. Monthly/Quarterly Reports –
 - i. Accounting/Finance - *Darla Honea, Finance Director*
 - ii. Police – *Scott Burroughs, Police Chief*
 - iii. EMS – *Tim McIntosh, EMS Director*
 - P. Minutes from the following City Committees, Boards/Commissions –
 - i. Airport – June 1, 2016 Minutes
 - ii. Parks – May 16, 2016 Minutes
 - iii. Planning & Zoning – May 31, 2016 Minutes
 - iv. Library Board – June 13, 2016 Minutes

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

9. **ADJOURNMENT**

CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at City Hall, 710 W. Avenue A, Port Aransas, Texas on _____ at _____ am/pm and on the City's website at www.cityofportaransas.org. I further certify that the following News Media were property notified on this meeting as stated above: *South Jetty, Island Moon and Corpus Christi Caller Times.*

 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 _____, 2016.

By: _____ Title: _____

NOTICE

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the city secretary at (361) 749-4111, via facsimile at (361) 749-4101 or email at iparker@cityofportaransas.org for further information. Braille is not available.

The City Council may go into a Closed Executive Session pursuant to Texas Government Code §§551.071, 551.072, 551.074, 551.076, 551.087 and §418.183(f) of the Texas Disaster Act. Refer to list below and incorporated herein. A Closed Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council meeting.

TEXAS GOVERNMENT CODE EXCEPTIONS

EXCEPTION	DESCRIPTION
551.071	Consultations with Attorney
551.072	Deliberations about Real Property
551.074	Personnel Matters
551.076	Deliberations Regarding Security Devices or Security Audits
551.087	Deliberation Regarding Economic Development Negotiations
418.183(f)	At any time during a state of disaster. A governmental body subject to Chapter 551 is not required to conduct an open meeting to deliberate information to which this section applies. Notwithstanding Section 551.103(a) , the governmental body must make a tape recording of the proceedings of a closed meeting to deliberate the information.