

CITY OF PORT ARANSAS, TEXAS

AGENDA

CITY COUNCIL REGULAR MEETING

Thursday, May 19, 2016 @ 5:00 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, May 19, 2016 beginning at 5:00 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. **CANVASS OF MAY 7, 2016 GENERAL ELECTION**

(ESCRUTINIO EL ELECCIONE GENERALE DE 7 DE MAYO DE 2016)

- A. Discuss and take action on a Resolution and Order of Canvassing the Returns and Declaring the Results of the Saturday, May 7, 2016 City of Port Aransas, Texas General Election for the Elected Offices of Mayor and Council Members for Place 2, 4, and 6; Providing Other Matters Relating To Said General Election.

Considerar y tomar medidas sobre una Resolución y Orden para hacer el escrutinio de los Votos y declarar los resultados de las Elecciones Generales a realizarse el sábado 7 de mayo de 2016, en la Ciudad De Port Aransas, Texas, para el elegidos a las oficinas del alcalde y concejal para los lugares 2, 4 y 6; y para estipular otros asuntos relacionados con dichas elecciones generales.

- B. Official Oath of Office administered by Justice of the Peace Duncan Neblett, Jr.:
(Juramento oficial del cargo, administrado por el Juez de Paz Duncan Neblett:)

- Charles R. Bujan, Mayor (*Alcalde*);
- Beverly S. Bolner, Council Member Place 2 (*Consejale lugar 2*);
- Bruce Clark, Council Member Place 4 (*Consejale lugar 4*); and (*y*)
- Joan Holt, Council Member Place 6 (*Consejale lugar 6*)

- C. Presentation of Certificate of Election to newly-elected Mayor, Charles Bujan, by Immediate Past Mayor McMullin. *(Presentación del certificado de elección a el recién elegido alcalde Charles Bujan por anterior alcalde McMullin.)*

- D. Presentation of Certificate of Election to newly-elected officials by Mayor Charles Bujan.

(Presentación del certificado de elección a los funcionarios recién electos por alcalde Charles Bujan.)

5. **PRESENTATION TO OUTGOING COUNCIL MEMBERS:**

- Mayor Pro-Tem Steve Lanoux
- Mayor Keith McMullin

6. **PROCLAMATION** - Hurricane Preparedness Week

7. **PUBLIC HEARING** - *The City Council will conduct a Public Hearing to review the Youth Services Standards of Care Policy.*

- Said Policy was adopted in compliance with Section 42.041(b) (16) of the Texas Human Resources Code by Ordinance No. 2015-06 on July 16, 2016. The Policy is intended to be the minimum standards applicable to all elementary age (ages 5-12) recreational programs operated by the City of Port Aransas Parks & Recreation Department. The City maintains the Marlin Academy After-School-Program and other youth, summer camp and spring break programs which are recreational in nature and are not day care or child care programs. The Policy includes staffing ratios and qualifications, facility health and safety standards, monitoring and enforcement provisions, operations, transportation, general administration and other provisions.

8. **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.*

9. **ITEMS FOR CONSIDERATION**

- E. Deliberate and act to elect a Mayor Pro-Tem pursuant to Home Rule Charter, Article III "The City Council", Section 5(b) for a one year term ending May 2017.
- F. Presentation, update and take possible action regarding Nueces Council Appraisal District (NCAD) appraisals for Port Aransas properties as discussed at the Tuesday, May 3, 2016 Special Meeting.
- G. Discuss and take action on a Resolution Awarding 2016 Gas Main Extension Project to Island Construction, LLP From FY 2015-2016 Budget Capital Outlay Account 250-69330 in the Amount of \$133,161.00; Authorizing Expenditure of \$26,000.00 (Estimated) For Engineering Design and Construction Administration, Pre-Design Surveying, and Construction Staking; Authorizing a Budget Transfer From Account 250-68350 in the Amount of \$50,000 to Account 250-69330 – Street Construction Improvements For Said Gas Line Extension Project; and Authorizing The City Manager

to act as the Executive Officer and Authorized Representative of the City in all Matters Pertaining To Said Construction Project.

- H. Discuss and take action to confirm that Sea Oats Investments II, LLC's Dune Permit Application BFDP 151150 whose proposed construction includes mitigation and reestablishment of critical dunes impacted by subdivision construction activities including excavation/fill and grading of lots, streets, installation of utilities, landscaping, construction of community facilities, as well as residences and residential improvements at 5800 Hwy 361 is consistent with the City's Coastal Management Plan.
- I. Discuss and take action to approve Final Plat #FPLT160317 Plat of Memories at Cinnamon Shore, Unit 1, being a replat of Lots 14 through 17, Mustang Island, a map of which is recorded in Volume 38, Pages 130-131, Map Records of Nueces County, Texas, also known as 5800 SH 361 as request by developer, Mustang Island Development, Inc.
- J. Discuss and take action on second reading of an Ordinance Approving a VC#160206-Partial Street Closing of Unimproved Right-Of-Way Adjacent to State Highway 361 also Known as 2233 SH 361; Legal Description Identified as Blue Bayou Business Park II, Block 1, Lots 1 and 2; Directing That Owner(s) Replat the Partial Vacated Property to Become a Part of Their Existing Lot(s); And Providing for an Effective Date.
- K. Discuss and take action on second reading of an Ordinance Amending Chapter 25 "Zoning" Article XI. "Flexible Development" by Adding Purpose, Examples of Eligible Projects; Enumerating Suggested Development Bonuses and Allowances; Establishing Procedure for Flexible Developments; and Providing for Severance, Reading and Effective Date.
- L. Discuss and take action on third and final reading of an Ordinance Amending Chapter 5 "Building & Building Regulations" Article I. "In General" by Clarifying Licensing & Permit Fees, Funds and Homeowner Exemptions; Article III. "Building Standards" Division 3. "Licensing of Contractors" and Division 4 "Permits & Plan Review Procedure" by Establishing Guidelines for Building Contractor Licensing, Terms, Fee, License Denial, Revocation or Suspension, of License Procedures; Providing General Housekeeping by Deleting Sections no Longer Effective; Providing For Severance, Reading And Effective Date.
- M. Discuss and take action on Resolution Authorizing Renewal Option for DRC Emergency Services, LLC Contract Agreement for Disaster Debris Removal, Reduction Disposal and Other Emergency Services; Authorizing the city manager to exercise the city's second of four possible renewals effective from July 1, 2016 to June 2017 And directing Staff to notify company pursuant to article 1 of said agreement.
- N. Discuss and take action on third and final reading of An Ordinance Amending Chapter 12 "Licenses and Business Regulations", Article VII "Vehicles for Hire", to Division 2. "Passenger Vehicles For Hire"; by Establishing Definitions, Application Process, Recordkeeping, Licensing Procedures and Prohibited Activities; Setting Requirements,

Fees, Permit, Insurance, and General Conditions; Providing for Severance, Reading, and Effective Date.

- O. Discuss and take action on a Resolution of the Port Aransas City Council Designating and Appointing the Mayor, Mayor Pro-Tem, City Manager David Parsons, City Secretary Irma Parker, and Director of Planning & Development Rick Adams as Signators to the City's Depository, Valuebank Texas; and Directing the City Secretary Forward a Certified Copy of This Resolution to the Finance Director for Submittal to the Above-Named Depository.
- P. Presentation and general discussion regarding services provided by the Coastal Bend Council of Governments (CBCOG) and appointment of City representative(s) and alternative(s) to CBCOG at the June Regular City Council Meeting.
- Q. Deliberate and take action to appoint and/or re-appoint members of the City Council to the Recreational Development Corporation Place 4, 5, 6 and 7 for a one year term ending May 2017.
- R. Deliberate and take action to approve the April 21, 2016 City Council Regular Meeting Minutes as presented.
- S. Discuss and take action on a Resolution Authorizing Payment to Nueces County Tax Office in the Amount of \$22,153.31 for Delinquent Taxes on Property Acquired by the City Through Judgement or Purchase for the Years 2003 - 2007; Directing Payment of Delinquent Taxes From FY 2015-2016 Budget to Mayor & Council Account #050-52250-Legal Settlements; Approving Budget Amendment to Said Account; and Directing the finance director to make Appropriate Budget Amendments.
- T. Discuss and take action on Resolution approving the 2016 Youth Services Standards of Care Policy after Receiving Public Input and Reviewing Said Policy; Directing the Parks & Recreation Director to Provide Copies of the Policy at Each Program Site and to furnish a Current Copy to the Parents of Each Participant during the Registration Process.
- U. Discuss and take action on a Resolution authorizing purchase of shade structures, labor and equipment for installation at Robert's Point Park playground to the Playwell Group, Inc. in the amount of \$29,927.60; Funding from FY 2015-2016 Recreational Development Corporation Capital Outlay Account #58320 purchased through Buy Board Purchasing Cooperative; 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. Pursuant to Public Funds Investment Act, discuss and take action to approve FY 2015-2016 2nd Quarter Investment Report.
- W. Discuss and take action on Resolution Authorizing the Submission of a Texas General Land Office Grant Application for State Assistance in Cleaning and Maintaining 35,237 Linear Feet of Public Beaches Abutting the Gulf of Mexico and Located Within the

City's Jurisdiction for Fiscal Year 2017; approve equipment list and rate sheet for Fiscal Year 2017; and Authorizing the City Manager to Act as the Executive Officer and Authorized Representative in all Matters Pertaining to the Participation in Said Grant Program.

10. **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
- ii. Police – Scott Burroughs, Police Chief
- iii. EMS – Tim McIntosh, EMS Director
- iv. Nature Preserve – Colleen Simpson

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

- i. Planning & Zoning Commission – April 25, 2016 Meeting

11. **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.

12. **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 May 16, 2016 at 3:30 pm and on the City's website at www.cityofportaransas.org. I further certify that the following News Media were properly 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, 551.074, 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.