

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 20th day of November, 2007 the Aransas Pass Municipal Development (APMDD) convened in a Regular Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT:

RICHARD HEAD	President
HOPE COMINGORE	Vice President
RANDALL FREEZE	Secretary
TOM GINTER	Treasurer
HARLAN ROBERTS	Director
JAMES COVINGTON	Director
TERRY STANSBERRY	Director
VICKIE ABREGO	Director
KAREN GAYLE	Director
TOM ANDREWS	Attorney

ABSENT

Raymond Stone	Director
Annabel Seals	Director
Yvonne Stonebraker	Administrative Assistant

CITY STAFF PRESENT:

Ada Owens	City Secretary
Bonney Maurer	Aquatics Director

OTHERS PRESENT:

Frank Hametner	City Council
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(There may have been others present who did not sign in.)

**ITEM 1.**

**CALL MEETING TO ORDER.**

President Head called the Meeting to order at 6:30 P.M. on November 20, 2007. President Head stated there was a quorum present.

**ITEM 2.**

**APPROVAL OF MINUTES OF OCTOBER 11 AND OCTOBER 16, 2007 MEETINGS.**

Director Abrego made the motion to approve the October 11 and October 16, 2007 minutes. Director Gayle seconded the motion and the motion carried unanimously.

**ITEM 3.**

**CONSIDER AND ACT UPON INVOICES TO BE PAID.**

Treasurer Ginter presented invoices to be paid.

<u>Vendor</u>	<u>Fund</u>	<u>Inv. Date</u>	<u>Amount</u>
Constellation	Operating	10/31/07	\$ 138.45
Harlan Roberts	Capital	11/16/07	\$ 258.60
Galloway Pools	Operating	10/17/07	\$ 6,332.63
		<b>Total</b>	<b>\$ 6,729.68</b>

Director Covington made the motion to approve invoices for payment. Director Stansberry seconded the motion and the motion carried unanimously.

Director Roberts stated that the MDD has a contract with Gary Middlebrook of Middlebrook Enterprises for the repair and painting of 820 W. Wheeler. Director Roberts stated that the contract is for \$1,100.00. Director Roberts stated that Mr. Middlebrook started on the repairs at 820 W. Wheeler yesterday (11/19/07).

**ITEM 4.**

**REVIEW CURRENT FINANCIAL STATEMENTS.**

Treasurer Ginter presented the current financial statement.

Assets

Cash Prosperity Bank	\$ 15,491.91
TexPool-General Fund	\$ 2,934,817.60
TexPool-Capital Fund	\$ 958,498.34
Accounts Receivable	<u>\$ 57,374.84</u>
	\$ 3,966,182.69

Fund Balance

General Fund	\$2,929,204.63
Capital Fund	<u>\$ 998,810.54</u>
	\$3,928,015.17

Total Revenues	\$ 73,670.50
Total Expenses	<u>\$ 35,502.98</u>
Excess Revenues Over Expenses	\$ 38,167.52

Total Liabilities & Fund Balance Equity	<b>\$3,966,182.69</b>
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**ITEM 5.**

**CONSIDER AND ACT ON AQUATIC CENTER BID.**

Treasurer Ginter presented a letter to the APMDD Board from Urban Engineering:

Mr. Tom Ginter  
City of Aransas Pass  
600 W Cleveland  
Aransas Pass, Tx 78336

Subject: Aransas Pass Aquatic Center Remodeling

Mr. Ginter,

I have reviewed the submitted bid for the subject project and have determined that it would be in the best interest for the Aransas Pass Municipal Development District (APMDD) to reject the bid and re-bid the project. I have reason to believe that if the project would be re-advertised and slightly modified to answer any lingering questions, we would receive at least two more competitive bids significantly lower than the current bid.

The APMDD needs to evaluate this option and consider the effects of extending their desired timeline by 2-3 weeks. If we advertise next Wednesday (11/28/07), we could receive bids as early as Thursday, Dec. 13<sup>th</sup>, 2007 and approve the project at next month's meeting (Dec. 18<sup>th</sup>, 2007). The contracts and additional paperwork would then take about a month considering we'll be in the middle of the holidays. I'd expect construction to begin mid January and likely end mid March (given the full 60 days).

If you have any questions or comments, feel free to contact me.

Sincerely,  
URBAN ENGINEERING  
Orlando Ortiz, P.E.

After further discussion, Secretary Freeze made the motion to reject the Galloway Pool bid and to go out for re-bid on the Aquatic Center remodel. Director Roberts seconded the motion and the motion carried unanimously.

**ITEM 6.**

**CONSIDER AND MAKE RECOMMENDATION ON CIVIC CENTER CONSTRUCTION BID.**

President Head stated that the MDD would go through the Civic Center bids one at a time.

President Head stated that the first bid was from Ewing Construction for \$4,288,000.00. President Head stated that he was not familiar with their Project Manager Mr. Carver. President Head stated that his qualifications looked good. President Head stated that Mr. Carver is not on site at all times. President Head stated that Ewing Construction's bid was \$70,000.00 over the other bids.

President Head stated that the second bid was from Teal Construction for \$4,198,000.00. President Head stated that he was familiar with their project Manager Mr. Thomas Gentry, who was well qualified. President Head stated since May 2006, Teal Construction had erected six steel buildings.

President Head stated that the third bid was from Roth Construction for \$4,219,783.00. President Head stated project manager Mr. Bill Holderfield is the superintendent over the Nueces County Family Library. President Head stated that currently that job is 329 days behind schedule. President Head stated that Roth Construction did not meet the Request for Qualification (RFQ) deadline.

Director Roberts made the motion to award Teal Construction Company, who bid \$4,198,000.00, the bid for the Civic Center Project with a clause for liquidated damages. Secretary Freeze seconded the motion. The motion carried with Vice President Comingore, Treasurer Ginter, Director Stansberry, and Director Gayle voting yes. Director Abrego and Director Covington voted no. President Head stated he would not vote unless there was a tie.

**ITEM 7.**

**GLOBAL SPECTRUM PRESENTATION.**

Treasurer Ginter stated that Global Spectrum was not present for their presentation.

**ITEM 8.**

**CONSIDER AND ACT ON CLOSING DATE ON MR. WEED'S PROPERTY, BLOCK 287, LOTS 29 AND 30.**

After discussion, Director Roberts made the motion to recommend December 12, 2007 to the City Council as the closing date for Mr. Weed's property, Block 287, Lots 29 and 30. Secretary Freeze seconded the motion and the motion carried unanimously.

**ITEM 9.**

**CONSIDER AND ACT ON CLOSING DATE ON MR. SIMS PROPERTY, BLOCK 287, LOTS 23, 24 AND 26.**

After further discussion, Director Roberts made the motion to recommend December 12, 2007 to the City Council as the closing date for Mr. Sims' property, Block 287, Lots 23, 24 and 26. Secretary Freeze seconded the motion and the motion carried unanimously.

**ITEM 10.**

**CONSIDER AND ACT ON BUYING MS. DIOSDADO'S PROPERTY, BLOCK 287, LOTS 27 AND 28.**

Director Roberts stated that Ms. Diosdado made an offer to sell her property for \$15,000.00 for Block 287, Lots 27 and 28. Director Roberts stated that the \$15,000.00 could be negotiated. Director Roberts stated

that the appraised value on Block 287, Lots 27 and 28 is \$3,520.00 per lot.

Mr. Andrews asked does the City of Aransas Pass have a policy on buying property?

Treasurer Ginter stated no.

Mr. Andrews asked if the City had a policy which required an appraisal on a property they would like to acquire?

Treasurer Ginter stated there was not a policy but that is how business is usually conducted.

Mr. Andrews stated that the MDD must maintain that they are dealing in good faith.

After further discussion, Director Roberts made a motion to take no action on Item 10. Director Abrego seconded the motion and the motion carried unanimously.

**ITEM 11.**

**GENERAL DISCUSSION.**

The APMDD discussed agenda items for the next meeting.

**ITEM 12.**

**ADJOURNMENT OF MEETING.**

Director Covington made a motion to adjourn the meeting. Secretary Freeze seconded the motion and the motion carried unanimously.

President Head adjourned the meeting at 7:45 P.M.

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Richard Head, President

ATTEST:

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Randall Freeze, Secretary