

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

On this the 4th day of March, 2008 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
RANDALL FREEZE	Secretary
HARLAN ROBERTS	Director
JAMES COVINGTON	Director
VICKIE ABREGO	Director
KAREN GAYLE	Director
ANNABEL SEALS	Director
TERRY STANSBERRY	Director
TOM ANDREWS	Attorney

ABSENT Hope Comingore Vice President

CITY STAFF PRESENT: Tom Ginter Treasurer
Yvonne Stonebraker Administrative Assistant
Bonney Maurer Aquatics Director

OTHERS PRESENT: Orlando Ortiz/Urban Engineering

(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. President Head stated there was a quorum present.

ITEM 2. APPROVAL OF MINUTES OF FEBRUARY 19, 2008 MEETING.

Director Covington made a motion to approve the minutes of the February 19, 2008 meeting with corrections. Director Stansberry seconded the motion and the motion carried unanimously.

ITEM 3. CONSIDER AND ACT UPON INVOICES FOR PAYMENT.

Treasurer Ginter presented invoices to be paid.

<u>Vendor</u>	<u>Fund</u>	<u>Inv. Date</u>	<u>Amount</u>
Tom Andrews	Construction	02/20/08	\$ 850.00

Total \$ 850.00

After a brief discussion, Director Roberts made a motion to approve the invoice for payment. Director Abrego seconded the motion and the motion carried unanimously.

ITEM 4.

CONSIDER AND ACT ON A LEASE AGREEMENT BETWEEN THE CITY OF ARANSAS PASS AND THE APMDD FOR THE BUILDING LOCATED AT 820 W. WHEELER.

Treasurer Ginter presented the lease agreement between the City of Aransas Pas and the APMDD for the building located at 820 W. Wheeler.

Treasurer Ginter stated the primary term of the lease shall commence on the eighteenth (18th) day of February, 2008. Treasurer Ginter also stated the rent would be one dollar (\$1.00) per month beginning on March 1, 2008 and continuing on the first (1st) day of each month thereafter during the term hereof.

Director Roberts made a motion to accept the lease agreement between the City of Aransas Pass and the APMDD for the building located at 820 W. Wheeler. Director Seals seconded the motion and the motion carried unanimously.

ITEM 5.

UPDATE ON AQUATIC CENTER RENOVATIONS.

Aquatics Director Bonney Maurer updated the APMDD on the Aquatic Center Renovations. Aquatics Director Maurer stated that if the weather held up, the Aquatic Center should open on the scheduled time of March 15, 2008.

Treasurer Ginter stated Mr. Glen Curfman, third-party inspector for the Aquatic Center, had been offered a job in the Valley area before accepting the Aransas Pass Aquatic Center job. He stated Mr. Curfman thought he would be finished with the Aquatic Center before he was needed for the Valley job.

Treasurer Ginter welcomed Mr. Orlando Ortiz from Urban Engineering. Treasurer Ginter stated Mr. Ortiz has helped Aquatics Director Maurer with the inspections.

Mr. Ortiz stated the Aquatic Center was looking good and Gary Pools was about seventy percent (70%) to seventy-five percent (75%) completed. Mr. Ortiz stated he was inspecting the pools thoroughly.

ITEM 6.

DISCUSSION OF PROPOSED REVISIONS OF THE BYLAWS OF THE DISTRICT ON ARTICLES I AND II.

The APMDD discussed revisions of the District Bylaws in Articles I and II.

Director Roberts asked if Article II, Section 6: COMMITTEES OF THE BOARD's last sentence – Each committee so designated shall keep regular minutes of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the principle office of the District – could be put in Article I, Section I, and list the principle office as being in the Aransas Pass City Hall?

President Head stated in Article II, Section 1: NUMBER AND TERM OF OFFICE, Letter B, first sentence - The Board shall consist of eleven (11) Directors, each whom shall be appointed by the City Council of the City, could the number of Directors be changed to nine (9) Directors.

Director Roberts stated if Article II, Section 1 changed from eleven (11) Directors to nine (9), then in Article II Section 1 Letter C, the last sentence stated, Nine (9) Directors shall be persons who are not employees, officers of the City or members of the City Council, would change to seven (7) Directors.

President Head stated in Article II, Section 3: MEETINGS OF DIRECTORS, first paragraph, Any member of the Board or officers of the District, may have an item placed on the agenda by delivering the same in writing to the Executive Director no less than five (5) calendar days prior to the date of the Board meeting, he recommended to take out Executive Director and replace with President or Secretary of the Board.

President Head stated Article II, Section 3: MEETINGS OF DIRECTORS, second paragraph, first sentence, The annual meeting of the Board shall be on the second Tuesday of November of each year at 6:00 p.m., be changed to, the monthly meeting of the Board shall be on the second Tuesday of each month at 6:30 p.m.

President Head stated the remaining Bylaws in Articles I and II sounded good and should not be changed.

ITEM 7.

REPORT FROM ATTORNEY PERTAINING TO CONDEMNATION PROCESS.

Treasurer Ginter stated in the State of Texas you cannot take property from someone without proper compensation and it has to be fair market value.

Attorney Tom Andrews stated to acquire a piece of property through condemnation the first step is to have a Resolution. The second step

would be to acquire an up-to-date appraisal on that piece of property.

He stated once you state that the appraisal is for a piece of property that you are going to condemn, the fees change. He stated an appraisal starts at \$350.00 to \$700.00 dollars and once condemnation is mentioned, the fees change to \$1,000.00 to \$2,000.00 dollars. Attorney Andrews stated the drastic change is because the appraiser now has to figure his time for court appearances, to testify for the appraisal, into the price.

Attorney Andrews stated once the appraisal is finished, a lawyer will start the negotiation process for this property. Attorney Andrews stated the lawyer would have to send the owners a list of their rights and give them an opportunity to respond to the offers.

Attorney Andrews stated the owner may want to get their own appraiser. Attorney Andrews stated if the owner hires their own appraiser, then the City would have to hire another appraiser to check both appraisals. Attorney Andrews stated if there still wasn't an agreement, the case would have to appear before a District Judge. Attorney Andrews stated the District Judge would then appoint three Commissioners. Attorney Andrews stated that the three Commissioners would be hired for about \$700.00 to \$800.00 each and would not reside in Aransas Pass. Attorney Andrews stated that the three Commissioners would sign an oath to serve. Attorney Andrews stated there would be a hearing (short trial). Attorney Andrews stated if either party did not like the outcome, they could appeal it, which would take them to a jury trial.

Attorney Andrews stated the condemnation process could add up to \$7,000.00 per case (amount doesn't include the appraised land value).

ITEM 8.

REVIEW AND DISCUSS CONTRACTS WITH VENUWORKS.

President Head stated the APMDD was not ready to review or discuss the sample contract from VenuWorks. President Head stated the APMDD received the sample contract just before the meeting and he wanted the members and the Attorney to read over the sample contract before discussion.

ITEM 9.

GENERAL DISCUSSION

Director Roberts stated the Aransas Pass Civic Center construction was on schedule. Director Roberts stated the plumbing was finished and Teal Construction was about to begin the electrical part of the construction. Director Roberts stated once electrical was finished then Teal Construction would start on the slab for the Civic Center building.

ITEM 10.

ADJOURNMENT OF MEETING.

Director Roberts made a motion to adjourn the meeting. Director Abrego seconded the motion and the motion carried unanimously.

The meeting was adjourned at 8:21p.m.

Richard Head, President

ATTEST:

Randall Freeze, Secretary