

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

On this the 15 day of July, 2008 the Aransas Pass Municipal Development District (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
ANNABEL SEALS	Treasurer
HARLAN ROBERTS	Director
JAMES COVINGTON	Director
TERRY STANSBERRY	Director
KAREN GAYLE	Director

ABSENT

Randall Freeze	Secretary
Vickie Abrego	Director

CITY STAFF PRESENT:

Yvonne Stonebraker	Administrative Assistant
Bonney Maurer	Aquatics Director

OTHERS PRESENT:

Alpha Covington, 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. He stated there was a quorum present.

ITEM 2.

APPROVAL OF MINUTES OF JULY 1, 2008 MEETING.

Director Roberts made a motion to approve the minutes of the July 1, 2008 meeting. Director Gayle seconded the motion and the motion carried unanimously.

ITEM 3.

CONSIDER AND ACT UPON INVOICES TO BE PAID.

Treasurer Seals presented invoices to be paid.

<u>Vendor</u>	<u>Fund</u>	<u>Inv. Date</u>	<u>Amount</u>
NorthShore Title	Construction	07/11/08	\$ 7,521.97
USA Shade Co.	Construction	06/30/08	\$ 9,710.00
ArchitecTKO	Construction	07/09/08	\$ 301.50
Urban Engineering	Construction	05/23/08	\$ 21,692.00
Teal Construction	Construction	06/25/08	\$ 368,550.00
Bear Creek Const.	Construction	04/11/08	\$ 6,250.00
JP Morgan	Operating	07/02/08	\$ 263,226.67

Bank of America	Operating	07/02/08	\$ 62,689.38
Cable One	Operating	07/08/08	\$ 105.95
VenuWorks, Inc	Operating	07/03/08	\$ 12,990.64
Constellation	Operating	07/07/08	\$ 377.54
Verizon	Operating	06/25/08	\$ 207.65
Total			\$753,623.30

Treasurer Seals stated USA Shade Company, the company that supplied Bear Creek Construction with the lifeguard shades, had a charge of \$450.00 for installation fees. She stated Bear Creek Construction installed the shades, not USA Shade Company.

After further discussion, Director Gayle made a motion to approve payment for NorthShore Title, ArchitecTKO, JP Morgan, Cable One, VenuWorks, Constellation and Verizon Southwest invoices. She stated USA Shade and Bank of America invoices needed further discussion and Urban Engineering, Teal Construction and Bear Creek Construction invoices are separate agenda items and will be discussed momentarily. Vice-President Comingore seconded the motion and the motion carried unanimously.

ITEM 4.

CONSIDER AND ACT ON APPROVING TEAL CONSTRUCTION PAY APPLICATION NO. 6 REGARDING CIVIC CENTER

After a brief discussion, Director Roberts made a motion to approve Teal Construction Pay Application Number 6 for payment of \$368,550.00 regarding the Civic Center. Treasurer Seals seconded the motion and the motion carried unanimously.

ITEM 5.

CONSIDER AND ACT ON URBAN ENGINEERING INVOICE FOR AQUATIC CENTER.

INVOICE

City of Aransas Pass
City Hall
Aransas Pass Tx 78336

May 23, 2008
Invoice No.71439
Client ID: 004523

For Professional Services Rendered **\$21,692.00**

Project No. 041214-A7-01
Remodeling the Aransas Pass Aquatic Center

Ordered by Aransas Pass Municipal Development District

Description	Amount <u>Billed</u>	Previous <u>Billed</u>	This invoice <u>Billed</u>
Construction Insp.	\$ 3,960.00	\$0.00	\$ 3,960.00
Spec. & Proj. Admin	\$17,732.00	\$0.00	\$17,732.00

Total Due To Date \$21,692.00

Orlando Ortiz, with Urban Engineering, stated when the Aquatic Center renovation project was handed to him, it was his understanding the project was an hourly basis type project. Mr. Ortiz stated the information came from Jim Urban, Principal Engineer for Urban Engineering. He stated for projects costing over \$100,000.00, the hourly rate is eight percent (8%) of the total cost. He stated the APMDD was charged between three and a half (3 ½) to four percent (4%) of the total cost. Mr. Ortiz stated the verbal agreement was made between Mr. Urban and Tom Ginter. He stated he had looked through his computer and files for an e-mail and any other correspondence to back this information up. He stated he had not found any information.

President Head stated when Tom Ginter was with the City of Aransas Pass, he was not an APMDD member. He stated in the beginning, Mr. Ginter was listed as the Treasurer but had asked to be listed as City Staff. He stated the agreement should have been made between the APMDD and Urban Engineering. President Head asked Mr. Ortiz to go through his files and e-mail again to see if he could find anything on an agreement.

No action taken.

ITEM 7.

REVIEW CURRENT FINANCIAL STATEMENTS.

Aquatic Center

Revenue Summary	<u>Current Budget</u>	<u>Y-T-D Actual</u>	<u>Budget Balance</u>
Operating Revenues	\$349,414.00	\$149,326.94	\$200,087.06
Non-Operating Revs.	<u>\$ 0.00</u>	<u>\$ (7,783.74)</u>	<u>\$ (7,783.74)</u>
	\$349,414.00	\$157,110.68	\$192,303.32
 Expenditure Summary	 \$349,414.00	 \$251,164.84	 \$ 98,249.16
Total Expenditures	\$349,414.00	\$251,164.84	\$ 98,249.16
Revenue Over(under)	\$ 0.00	\$(94,054.16)	\$(94,054.16)

Operating Budget Report

Assets

Cash Prosperity Bank	\$ (451.85)
TexPool-Investment Account	\$ 3,155,648.54
Sales Tax Receivable	\$ 54,895.69
Due To Capital Fund	<u>\$ (34,714.76)</u>
	\$ 3,175,377.62

Fund Balance

Capital	\$ 2,898,008.23
 Total Revenues	 \$ 535,577.20
Total Expenses	<u>\$ 258,207.81</u>
	\$ 227,369.39

Total Liabilities & Fund Balance Equity	\$ 3,175,377.62
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Capital Budget Report

Assets

TexPool Capital Fund	\$ 3,008,087.78
Due From Operating	<u>\$ 34,714.76</u>
	\$ 3,042,802.54

<u>Fund Balance – Capital</u>	\$ 1,029,757.40
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Total Revenues	\$ 4,036,557.15
Total Expenses	<u>\$ 2,023,512.01</u>
	\$ 2,013,045.14

Total Liabilities & Fund Balance Equity	\$ 3,042,802.54
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ITEM 6.

CONSIDER AND ACT ON BEAR CREEK CONSTRUCTION INVOICE REGARDING AQUATIC CENTER.

Aquatics Director Bonney Maurer stated the shade structures are in place and look great. She stated the shade attached to the slide platform is anchored with metal plates and isn't solid like the other shade structures.. She stated Bear Creek Construction would be back to address a couple of issues and she would have them look at the slide platform shade.

Director Roberts made a motion to approve Bear Creek Construction invoice of \$6,250.00 for installation of shade structures for the aquatic center but hold the check until Bear Creek Construction has addressed the issues. Vice President Comingore seconded the motion and the motion carried unanimously.

ITEM 8.

CONSIDER AND ACT ON REQUEST OF FINANCE OFFICER FOR AUDIT.

Vice-President Comingore made a motion to request an audit by the City's Finance Officer. Director Covington seconded the motion and the motion carried unanimously.

ITEM 9.

AQUATIC CENTER UPDATES.

Aquatics Director Bonney Maurer gave a verbal report on attendance, booked parties and lounge chairs for the Aquatic Center.

ITEM 10.

CONSIDER AND ACT ON CIVIC CENTER BUDGET FROM VENUWORKS.

President Head stated he received a six page budget analysis report from VenuWorks and had not had a chance to read through it. He stated he would e-mail it to all the APMDD members to review and discuss at the next APMDD meeting.

No action taken.

ITEM 11.

CONSIDER AND ACT ON BANKING RESOLUTION NO. 2008-16 AS DEEMED NECESSARY BY THE BOARD OF DIRECTORS, INCLUDING BOND REQUIREMENTS FOR ACCOUNT SIGNATORIES.

After a brief discussion, Director Gayle made a motion to adopt Banking Resolution No. 2008-16 as deemed necessary by the Board of Directors, including bond requirements for account signatories. Director Stansberry seconded the motion and the motion carried unanimously.

ITEM 12.

CONSIDER AND ACT ON EXTENT OF LEGAL SERVICES REQUIRED OF APMDD ATTORNEY TOM ANDREWS IN REGARDS TO MEETING ATTENDANCE.

Director Gayle stated Mr. Andrew's attendance at the APMDD meetings had helped greatly with legal issues. She stated future agenda items that need his assistance would be at the top of the agenda so he could leave after addressing them.

Director Gayle made a motion to accept legal services from APMDD Attorney Tom Andrews on an as needed basis. Director Stansberry seconded the motion and the motion carried unanimously.

ITEM 13.

GENERAL DISCUSSION.

Director Roberts stated Block 287, Lots 27 & 28 closed Friday, July 11, 2008. He stated Block 287, Lot 25 would close at the end of the month. He stated the only property left was Block 287, Lot 22 which was the tax property sale. He stated once the property was obtained, the APMDD Members would take the legal steps in closing the 100 Block of N. 7th Street.

Director Roberts stated if the APMDD Members would like to visit the Civic Center construction site, they would have to stop at the Teal Construction office and receive a hard hat.

The APMDD discussed equipment for the VenuWorks office.

ITEM 14.

ADJOURNMENT OF MEETING.

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

The meeting adjourned at 8:23 p.m.

Richard Head, President

ATTEST:

Randall Freeze, Secretary