

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

On this the 19th day of May, 2008 the City Council of the City of Aransas Pass convened in a Regular Council 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: Tommy Knight, Mayor
Jay Attaway, Mayor Pro Tempore
Vickie Abrego, Council Member
Frank Hametner, Council Member
Karen Mayer, Council Member

ABSENT:

ADMINISTRATIVE PERSONNEL PRESENT: Tom Ginter, City Manager
Allen Lawrence, City Attorney
Ada Owens, City Secretary

ADMINISTRATIVE PERSONNEL ABSENT:

STAFF PRESENT: Darrell Jones, Police Chief
Frank Truitt, City Inspector
Don Brummett Acting Public Works Director

OTHERS PRESENT: Lu & Ralph Arcemont, Rosie Collin, Kayla Hernandez, Jeanie Brummett, Jim & Alpha Covington, Patty Gilden, Rosemary Upton, Betty Collier/Grantworks, Marysue Eulitz, Marilyn Rimer, Rosemary Vega/Chamber of Commerce

There may have been others present who did not sign in.

ITEM 1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:00 p.m. on May 19, 2008.

ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Council Member Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

ITEM 3. CANVASS RETURNS FOR MAY 10, 2008 GENERAL ELECTION AND SPECIAL ELECTION

Mayor Knight announced the unofficial the results of the May 10, 2008 General and Special Election as follows:

City of Aransas Pass General Election and Special Election – May 10, 2008
Unofficial Results

| Council Member Place 2 | Early Votes Cast | Percent | Election | Percent | Total Votes | Total Percentage |
|------------------------|------------------|---------|----------|---------|-------------|------------------|
| Karen Mayer | 72 | 100.00% | 55 | 100.00% | 127 | 100.00% |
| Cast Votes | 72 | 73.47% | 55 | 71.43% | 127 | 72.57% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 22 | 26.53% | 22 | 28.57% | 48 | 27.43% |

| Council Member Place 4 | Early Votes | Percent | Election | Percent | Total Votes | Total Percentage |
|-----------------------------------|--------------------|----------------|-----------------|----------------|------------------------|-----------------------------|
| Vickie Abrego | 78 | 100.00% | 57 | 100.00% | 135 | 100.00% |
| Cast Votes | 78 | 79.59% | 57 | 37.62% | 135 | 100.00% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 20 | 20.41% | 20 | 25.97% | 40 | 22.86% |

| Charter Amendments | Early Votes | Percent | Election | Percent | Total Votes | Total Percentage |
|-------------------------------|--------------------|----------------|-----------------|----------------|------------------------|-----------------------------|
| Amendment No. 1 | | | | | | |
| FOR | 73 | 76.04% | 56 | 83.58% | 129 | 79.14% |
| AGAINST | 23 | 23.96% | 11 | 16.42% | 34 | 20.86% |
| Cast Votes | 96 | 97.96% | 67 | 87.01% | 163 | 93.14% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 2 | 2.04% | 10 | 12.99% | 12 | 6.86% |

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|-----------------|----|--------|----|--------|-----|--------|
| Amendment No. 2 | | | | | | |
| FOR | 74 | 77.89% | 54 | 75.00% | 128 | 76.65% |
| AGAINST | 21 | 22.11% | 18 | 25.00% | 39 | 23.35% |
| Cast Votes | 95 | 90.94% | 72 | 93.51% | 167 | 95.43% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 3 | 3.06% | 5 | 6.49% | 8 | 4.57% |

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|-----------------|----|--------|----|--------|-----|--------|
| Amendment No. 3 | | | | | | |
| FOR | 81 | 85.26% | 61 | 87.14% | 142 | 86.06% |
| AGAINST | 14 | 14.74% | 9 | 12.86% | 23 | 13.94% |
| Cast Votes | 95 | 96.94% | 70 | 90.91% | 165 | 94.29% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 3 | 3.06% | 7 | 9.09% | 10 | 5.71% |

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|-----------------|----|--------|----|--------|-----|--------|
| Amendment No. 4 | | | | | | |
| FOR | 82 | 87.23% | 62 | 87.32% | 144 | 87.27% |
| AGAINST | 12 | 12.77% | 9 | 12.68% | 21 | 12.73% |
| Cast Votes | 94 | 95.92% | 71 | 92.21% | 165 | 94.29% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 4 | 4.08% | 6 | 7.79% | 10 | 5.71% |

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|-----------------|----|--------|----|--------|-----|--------|
| Amendment No. 5 | | | | | | |
| FOR | 83 | 87.37% | 64 | 88.89% | 147 | 88.02% |
| AGAINST | 12 | 12.63% | 8 | 11.11% | 20 | 11.98% |

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|-------------|----|--------|----|--------|-----|--------|
| Cast Votes | 95 | 96.94% | 72 | 93.51% | 167 | 95.43% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 3 | 3.06% | 5 | 6.49% | 8 | 4.57% |

Amendment No. 6

| | | | | | | |
|-------------|----|--------|----|--------|-----|--------|
| FOR | 78 | 82.98% | 62 | 88.57% | 140 | 85.37% |
| AGAINST | 16 | 17.02% | 8 | 11.43% | 24 | 14.63% |
| Cast Votes | 94 | 95.92% | 70 | 90.91 | 164 | 93.71% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 4 | 4.08% | 7 | 9.09% | 11 | 6.29% |

Amendment No. 7

| | | | | | | |
|-------------|----|--------|----|--------|-----|--------|
| FOR | 62 | 66.67% | 50 | 72.46% | 112 | 69.14% |
| AGAINST | 31 | 33.33% | 19 | 27.54% | 50 | 30.86% |
| Cast Votes | 93 | 94.90% | 69 | 89.61% | 162 | 92.57% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 5 | 5.10% | 8 | 10.39% | 13 | 7.43% |

Amendment No. 8

| | | | | | | |
|-------------|----|--------|----|--------|-----|--------|
| FOR | 75 | 78.95% | 60 | 84.51% | 135 | 81.33% |
| AGAINST | 20 | 21.05% | 11 | 15.49% | 31 | 18.67% |
| Cast Votes | 95 | 96.94% | 71 | 92.21% | 166 | 94.86% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 3 | 3.06% | 6 | 7.79% | 9 | 5.14% |

Amendment No. 9

| | | | | | | |
|-------------|----|--------|----|--------|-----|--------|
| FOR | 71 | 75.34% | 58 | 82.86% | 129 | 79.14% |
| AGAINST | 22 | 23.66% | 12 | 17.14% | 34 | 20.86% |
| Cast Votes | 93 | 94.90% | 70 | 90.91% | 163 | 93.14% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 5 | 5.10% | 7 | 9.09% | 12 | 6.86% |

Amendment No.
10

| | | | | | | |
|-------------|----|--------|----|--------|-----|--------|
| FOR | 62 | 65.26% | 35 | 50.72% | 97 | 59.15% |
| AGAINST | 33 | 34.74% | 34 | 49.28% | 67 | 40.85% |
| Cast Votes | 95 | 96.94% | 69 | 89.61% | 164 | 93.71% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 3 | 3.06% | 8 | 10.39% | 11 | 6.29% |

Amendment No.
11

| | | | | | | |
|-----|----|--------|----|--------|----|--------|
| FOR | 56 | 58.33% | 43 | 62.32% | 99 | 60.00% |
|-----|----|--------|----|--------|----|--------|

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|-------------|----|--------|----|--------|-----|--------|
| AGAINST | 40 | 41.67% | 26 | 37.68% | 66 | 40.00% |
| Cast Votes | 96 | 97.96% | 69 | 89.61% | 165 | 94.29% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 2 | 2.04% | 8 | 10.39% | 10 | 5.71% |

Amendment No.
12

| | | | | | | |
|-------------|----|--------|----|--------|-----|--------|
| FOR | 66 | 68.75% | 53 | 76.81% | 119 | 72.12% |
| AGAINST | 30 | 31.25% | 16 | 23.19% | 46 | 27.88% |
| Cast Votes | 96 | 97.96% | 69 | 89.61% | 165 | 94.29% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 2 | 2.04% | 8 | 10.39% | 10 | 5.71% |

Amendment No.
13

| | | | | | | |
|-------------|----|--------|----|--------|-----|--------|
| FOR | 66 | 70.21% | 55 | 79.71% | 121 | 74.23% |
| AGAINST | 28 | 29.79% | 14 | 20.29% | 42 | 25.77% |
| Cast Votes | 94 | 95.92% | 69 | 89.61% | 163 | 93.14% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 4 | 4.08% | 8 | 10.39% | 12 | 6.86% |

Amendment No.
14

| | | | | | | |
|-------------|----|--------|----|--------|-----|--------|
| FOR | 60 | 63.83% | 43 | 64.18% | 103 | 63.98% |
| AGAINST | 34 | 36.14% | 24 | 35.82% | 58 | 36.02% |
| Cast Votes | 94 | 95.92% | 67 | 87.01% | 161 | 92.00% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 4 | 4.08% | 10 | 12.99% | 14 | 8.00% |

Amendment No.
15

| | | | | | | |
|-------------|----|--------|----|--------|-----|--------|
| FOR | 76 | 78.35% | 59 | 80.82% | 135 | 79.41% |
| AGAINST | 21 | 21.65% | 14 | 19.18% | 35 | 20.59% |
| Cast Votes | 97 | 98.98% | 73 | 94.81% | 170 | 97.14% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 1 | 1.02% | 4 | 5.19% | 5 | 2.86% |

Amendment No.
16

| | | | | | | |
|-------------|----|--------|----|--------|-----|--------|
| FOR | 79 | 83.16% | 60 | 82.19% | 139 | 82.74% |
| AGAINST | 16 | 16.84% | 13 | 17.81% | 29 | 17.26% |
| Cast Votes | 95 | 96.94% | 73 | 94.81% | 168 | 96.00% |
| Over Votes | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Under Votes | 3 | 3.06% | 4 | 5.19% | 7 | 4.00% |

ITEM 4. CONSIDER AND ACT ON APPROVAL OF RESOLUTION 2008-598 - ORDER DECLARING RESULTS OF CITY OFFICER'S ELECTION.

Councilmember Mayer made the motion to approve Resolution 2008-598 – Order declaring results of City Officer's Election. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 5. OATH OF OFFICE AND SWEARING IN ELECTED OFFICIALS COUNCIL MEMBER PLACE 2, KAREN MAYER AND COUNCIL MEMBER PLACE 4, VICKIE ABREGO BY CITY ATTORNEY ALLEN LAWRENCE.

Councilmember Mayer and Councilmember Abrego were sworn in by City Attorney Allen Lawrence.

ITEM 6. PRESENTATION OF CERTIFICATE OF ELECTION TO ELECTED OFFICIALS BY MAYOR KNIGHT AND SEATING IN THEIR PLACE.

Mayor Knight presented Certificate of Elections to Councilmember Mayer and Councilmember Abrego and they were seated.

ITEM 7. CONSIDER AND ACT ON APPOINTING MAYOR PRO TEMPORE FOR ENSUING YEAR.

After discussion, Councilmember Abrego made the motion to reappoint Mayor Pro Tempore Attaway as Mayor Pro Tempore for the ensuing year. Councilmember Hametner seconded the motion and the motion carried unanimously.

ITEM 8. CONSENT AGENDA: *"All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately."*

A. Approval of minutes of May 5, 2008.

Mayor Pro Tempore Attaway made the motion to approve the Consent Agenda. Councilmember Mayer seconded the motion and the motion carried unanimously.

ITEM 9. PUBLIC HEARING OR PUBLIC COMMENT OF TEXAS COMMUNITY DEVELOPMENT PROGRAM (TCDP) PROJECT 726021 (GILLESPIE LANE WATER & SEWER PROJECT).

The City Attorney opened the Public Hearing at 7:11 p.m. to hear public comments on the TCDP Project 726021, Gillespie Lane water and sewer project.

Betty Collier with Grantworks stated the public hearing was held to close out the project. She stated the project provided water and sewer service to 12 residents on Gillespie Lane, but not all were connected at this time. She stated two fire hydrants and a lift station were also installed. She stated the project was very successful.

Discussion was held on the project and future projects for water and sewer expansion.

The City Attorney asked if there were any further questions or comments. Seeing none, he closed the public hearing at 7:15 p.m.

ITEM 10. COMMUNITY OUTREACH PRESENTATION BY THE INGLESIDE LOCAL REDEVELOPMENT AUTHORITY (LRA).

Rosie Collin stated the Ingleside Local Redevelopment Authority (LRA) was currently conducting Community Outreach presentations as a means of soliciting public input for Naval Station Ingleside Electromagnetic Reduction Facility (EMR). She stated the EMR facility was the only surplus property resulting from the 2005 Base Realignment and Closure (BRAC) actions in this area. She discussed the Ingleside LRA, the EMR facility and how they were moving forward in the redevelopment process. She stated they were working closely with the Office of Economic Adjustment and the Department of the Navy. She stated it was their desire to seek broad based public participation as the Coastal Bend community was affected by BRAC.

Discussion was held regarding the EMR facility.

ITEM 11. CONSIDER AND ACT ON APPROVAL OF PAY APPLICATION NO. 4 TO TEAL CONSTRUCTION FOR CONSTRUCTION OF THE CIVIC CENTER.

After a brief discussion, Councilmember Mayer made the motion to approve Pay Application No. 4 to Teal Construction for construction of the Civic Center in the amount of \$425,520.00. Councilmember Abrego seconded the motion and the motion carried unanimously.

ITEM 12. CONSIDER AND ACT ON AUTHORIZING STAFF TO INITIATE THE REZONING OF CONN BROWN HARBOR AND SURROUNDING PROPERTY.

No discussion or action on this item. Item was passed over.

ITEM 19. REPORTS FROM CITY MANAGER AND STAFF AND PUBLIC COMMENTS: *At this time the Mayor, City Council, Staff and Public comments may be given. Reports or updates on any assignments which include but are not limited to grants, building and development, budgets, financial reports and any other projects may be given. No formal action can be taken on any of these items at this time. Comments will be limited to 3 minutes each.*

The City Manager stated Phase 1 of the Civic Center had started and was due to finish in October. He stated the metal building would be delivered May 30 – June 2.

The City Manager stated he had been approached by the Coastal Bend Foundation (CBF) to restore Newbury Park to its original use. He stated the CBF would hire a landscape architect for planning the landscape and the City would implement the plan.

The City Manager introduced Carl St. Clair with Venuworks, the management company for the Civic Center.

Mr. St. Clair stated he would speak to the community and attend the Aransas Pass Municipal Development District meeting Tuesday night.

Discussion was held regarding management of the Civic Center.

Councilmember Hametner stated if anyone saw a derelict area (public area) they should report it to the Coastal Bend Foundation (CBF). He stated the CBF had funds and was always looking for projects to improve the City.

ITEM 20. ADJOURNMENT OF MEETING.

Mayor Pro Tempore Attaway made the motion to adjourn the meeting. Council Member Mayer seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:45 p.m.

Tommy Knight, Mayor

ATTEST:

Ada Owens, City Secretary