

MINUTES OF THE

COMMISSIONERS' COURT

SPECIAL JOINT MEETING - DECEMBER 12, 2018

On the 12th day of December, 2018, there was a Special Joint Meeting of the Commissioners' Court and the City of Rockport City Council held at The Rockport Service Center, 2751 SH 35 Bypass, Rockport, Aransas County, Texas, with the following members present: **C. H. "Burt" Mills, Jr.**, County Judge; **Jack Chaney**, Commissioner, Precinct 1; **Leslie "Bubba" Casterline**, Commissioner, Precinct 2; **Brian Olsen**, Commissioner, Precinct 3; **Betty Stiles**, Commissioner, Precinct 4; and **Valerie K. Amason**, County Clerk.

City of Rockport Council Members: **Pat Rios**, Mayor; **Rusty Day**, Ward 1; **J. D. Villa**, Ward 2; **Warren Hassinger**, Ward 3 and Mayor Pro Tem; **Barbara Gurtner**, Ward 4;

Other County Officers present were **Jerry Brundrett**, County Surveyor; **Kristen Barnebey**, County District Attorney; **Bill Mills**, Sheriff; **Linda Garcia Haynes**, Executive Assistant to the County Judge; **John Strothman**, Pathways Project Manager; **Jacky Cockerham**; First Assistant County Auditor;

City of Rockport Staff: **Teresa Valdez**, City Secretary; **Terry Biamonte**, City Attorney; **Kevin Carruth**, City Manager; **Mike Donoho**, Public Works Director; **Katie Griffin**, Finance Director;

Long-Term Recovery: **William Whitson**; **Kim Foutz**; **Randall Freeze**; Long Term Recovery Specialist;

Wendy Laubach, Candidate Elect for Commissioner, Pct. 4 effective January 1, 2019;

Members of Local City Government, Community Groups and other Interested Parties present:

Luis Puron, Executive Director, Rockport Center for the Arts;

Steve Smith, General Assignment Reporter for the Rockport Pilot Newspaper;

I. CALL TO ORDER:

The Meeting was convened at **1:01 p.m.**

II. DECLARE QUORUM:

Quorums were declared by Judge Mills and Mayor Rios.

III. BACKGROUND UPDATE ON DOWNTOWN ANCHOR FEMA 428 PROJECT BY WILLIAM WHITSON, LONG-TERM RECOVERY TEAM.

William Whitson: Good afternoon, I'm very pleased to be here, I been your advisor in this process and I just want to congratulate this Council and this Commission on some significant process and progress here. We've gone through the process with FEMA, we were in Austin meeting with the Governor's staff and they recommended that we proceed with the 428 project which allows you the most flexibility in receiving public funding from FEMA than the normal Public Assistance process would. We are going to capture every available dollar we can capture in the 428, that's the good news. The bad news is, once we complete our negotiations with them and the Mayor and the Judge sign on the line, that's it, that will be all of the Federal Assistance money that we can get from FEMA and it will be capped at that point. If you look at my handout it basically lays out the basic funding and how this process works, they of course make you use your insurance, and we have estimated your combined insurance on the City side and the County side at \$7.2 million. We have estimated, although you are continuing to negotiate and finalize, the sum is not final, but right now we are hoping to get \$13.8 million combined City/County in the FEMA

process and then we can bring some CDBG-DR money to the table but we have to be careful how we use it because there are strings that come with those dollars. Then, if there is still funds needed to complete the project, those would have to be secured through a USDA loan. This staff, at the Judge's and Mayor's direction, have been doing all of this all at once, negotiating with FEMA, negotiating and communicating with USDA, coordinating with Structural Engineers, lining up the Bid Process, everything is moving forward. I am waiting for some final guidance on an Construction Manager at Risk from FEMA, and from the Auditor's office for the Feds, and once I get that I'll be putting out one more RFP, you've already set up the committee to evaluate that, and then once that is selected and the architect is selected we have a team and we can get into the design process. The architect will be charged with talking to all elected officials, all of the staff, and the public in various forms this will recreate, because it is the people's house and we want to get their input. Obviously we need your direction and your input and the people that work here will need to put their fingerprints on it. So this Architect will be busy going out gathering that information, taking into account what they present back, then our management team will be working to make sure they stay within the budget resources that are available, once those are finalized the process will go forward. A lot of people have asked me "Well, how long is this going to take?" Here are my goals, have the Architect selected today, negotiate an agreement by the early spring, say late February or March, have a CMR out on the street negotiating and have them marry up in a short time frame thereafter, have a design PA with their

plans put together in it, and by this time next year with shovels and ribbons ready to start construction.

Commissioner Olsen: From groundbreaking to completion, how long do you think?

Will Whitson: My experience tells me 18-24 months in construction, it could be faster, it could be slower, it depends on factors, terms of design, and methods of construction.

Commissioner Stiles: I noticed in September of 2018 the USDA loan was 3.8 to 4 million and in this report today it's 4 to 5 million, why did that change?

Will Whitson: The numbers are moving, there are two main factors I don't know yet, number one, I don't know what the design is and how much that would cost to construct, so that's a big variable; and of course we are still negotiating with FEMA and with the CDBG-DR money, to find out how much is available, so that number could even move around. Worst case scenario, let's say it comes in at top dollar, \$30 million, that would increase that loan out.

Commissioner Stiles: Ok.

Will Whitson: One other disclosure, the Mayor, the Judge, and I have worked really hard with the legislative delegation, we are also doing that, they are going to be requesting additional funds from the state beyond CDBG-DR, you were hit hard and I don't think it's fair to ask you to pay out a lot of loans. So we are going to try to shrink the number as much as we can, but at some point, probably late Spring or Summer I'll have more on the final numbers and you'll swallow hard and figure out how much we are going to have to borrow. One thing that should give you

a little comfort, under this 428 process FEMA did advance us money so you have money in the bank right now to pay this Architect and we will do our best to keep things reasonable and make sure that money covers most of it.

(See attached 1 page Handout)

IV. PRESENTATIONS BY:

1. PGAL
2. WKMC
3. Randall Scott Architects

(See attached Power Points)

V. JOINT OPEN SESSION ITEMS FOR DELIBERATION AND/OR ACTION:

4. Process and Delegation for Contract Negotiations by Negotiation Team, Long Term Recovery Specialist, Will Whitson; City Manager, Kevin Carruth; and County Project Manager, John Strothman.

No action, discussion only.

5. Motion was made by Commissioner Olsen and seconded by Commissioner Stiles; Motion was made by Councilman Villa and seconded by Councilwoman Gurtner; to approve ranking of Architect Proposals as follows:

Number 1: PGAL

Number 2: Randall Scott

Number 3: WKMC

Question. Motion carried unanimously.

It is so ordered.

6. Motion was made by Commissioner Olsen and seconded by Commissioner Casterline; Motion was made by Councilman Villa and seconded by Councilwoman Gurtner; to approve Architect Proposal contract negotiations delegation to Long-Term Recovery Team.

Question. Motion carried unanimously.

It is so ordered.

VI. ADJOURNMENT:

No further business presenting the Court adjourned at 4:43 p.m. on a motion made by Commissioner Stiles and seconded by Commissioner Olsen; Motion was made by Councilman Villa and seconded by Councilman Day.



A handwritten signature in black ink, appearing to read "C. H. Mills, Jr.", written over a horizontal line.

C. H. "BURT" MILLS, JR., COUNTY JUDGE



A handwritten signature in black ink, appearing to read "Valerie K. Amason", written over a horizontal line.

VALERIE K. AMASON,

EX-OFFICIO CLERK OF THE

COMMISSIONERS' COURT