
CITY COUNCIL AGENDA

Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, April 14, 2015, at 6:30 p.m. The meeting will be held at Rockport City Hall, 622 E. Market, Rockport, Texas. The matters to be discussed and acted upon are as follows:

Opening Agenda

1. Call meeting to order.
2. Pledge of Allegiance.
3. Citizens to be heard.

At this time, comments will be taken from the audience on any subject matter that is not on the agenda. To address the Council, please sign the speaker's card located on the table outside the Council Chamber and deliver to the City Secretary before the meeting begins. Please limit comments to three (3) minutes. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda

Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

4. Deliberate and act on approval of City Council Workshop Minutes and Regular Meeting Minutes of March 24, 2015.
5. Deliberate and act on request from Texas Maritime Museum for: 1) Closure of Chamber Street, from Loop 70 to Navigation Circle on Thursday, May 21, 2015, from 2:00 p.m. to 12:00 a.m., and on Saturday, May 23, 2015, and Sunday, May 25, 2015, from 8:00 a.m. to 12:00 a.m.; 2) Use of Festival Site for parking; and 3) Permission for beer and wine consumption on the grounds of the Texas Maritime Museum, for the 19th Annual Festival of Wines and Food.
6. Deliberate and act on 2nd quarter report from Texas Maritime Museum for Fiscal Year 2014-2015 marketing expenditures.
7. Deliberate and act on 2nd quarter report from the Friends of the Fulton Mansion State Historical Site for Fiscal Year 2014-2015 marketing expenditures.
8. Deliberate and act on 2015 Consumer Price Index (CPI) adjustment to Municipal Telecommunications Right-of-Way Access Line Rates.
9. Deliberate and act on approval of Interlocal Contract between City of Rockport and Town of Fulton for Assistance in Law Enforcement.

Public Hearing

10. Call to Order – Rockport Planning & Zoning Commission.

11. Conduct and deliberate a Joint Public Hearing with the Planning & Zoning Commission to consider a request for a zoning change from R-1 (Single-Family Dwelling District) to B-1 (General Business District) on property located at 2402 Myrtle Street; also known as the north one-half of Lot 93, Fulton Outlots, (2.385 acres), Rockport, Aransas County, Texas.
12. Adjourn – Rockport Planning & Zoning Commission.

Regular Agenda

13. ***Tabled March 10, 2015*** - Deliberate and act on first reading of an Ordinance pursuant to Article 23 "Conditional Use Permit" (CUP) Rockport Zoning Ordinance Number 1027 granting a CUP to property located at 2501 San Antonio Street for the purpose of installation of a mobile home; setting out additional conditions in addition to those conditions stipulated under Article 23, Rockport Zoning Ordinance 1027; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.
14. Deliberate and act on request from Ms. Christina Coble for permission to block off sidewalk at 406 S. Austin Street and allow alcoholic beverages on the sidewalk on May 2, 2015, between the hours of 4:30 p.m. to 11:00 p.m.
15. Deliberate and act on proposal for water service for Coastal Paradise RV Resort.
16. Deliberate and act on award of Bank Depository and Finances Services Contract to Wells Fargo Bank, N.A., for a three year period beginning May 1, 2015 and ending April 30, 2018.
17. Deliberate and act on Resolution approving and adopting a revised Investment Policy for the City of Rockport, Texas.
18. Reports from Council.
At this time, the City Council will report/update on all committee assignments, which may include the following: Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Environmental Committee for Water Issues; Keep Rockport Beautiful Advisory Board; Parks & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport Heritage District Board; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; YMCA Project Committee; Texas Maritime Museum, Fulton Mansion, Rockport Center for the Arts, Aransas County, Aransas County Independent School District, Aransas County Navigation District, Town of Fulton, and Texas Municipal League. No formal action can be taken on these items at this time.

Executive Session

City Council will hold an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

19. Section 551.071(1)(A) and Section 551.071(2) Consultation with Attorney: Pending or contemplated litigation: 1) Templeton, 2) Petty, and 3) Bay Education Center.
20. Section 551.076 Deliberations Regarding Security Devices or Security Audits: Closed Meeting.

21. Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.

Open Session

22. City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

23. Adjournment.

Special Accommodations

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213, ext. 225 or FAX (361) 790-5966 or email citysec@cityofrockport.com for further information. Braille is not available. The City of Rockport reserves the right to convene into executive session under Government Code §§ 551.071-551.074 and 551.086.

Certification

I certify that the above notice of meeting was posted on the bulletin board at City Hall, 622 E. Market Street, Rockport, Texas on Friday, April 10, 2015, by 5:00 p.m. and on the City's website at www.cityofrockport.com. I further certify that the following News Media were properly notified of this meeting as stated above: *The Rockport Pilot, Coastal Bend Herald, and Corpus Christi Caller Times.*


Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 14, 2015

AGENDA ITEM: 4

Deliberate and act on approval of City Regular Workshop Meeting Minutes and Regular Meeting Minutes of March 24, 2015.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: Please see the accompanying minutes of the Workshop & Regular Meetings of March 24, 2015.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council approve the Minutes, as presented.

CITY OF ROCKPORT

MINUTES

CITY COUNCIL WORKSHOP MEETING 1:30 p.m., Tuesday, March 24, 2015 Rockport City Hall, 622 East Market Street

On the 24th day of March 2015, the City Council of the City of Rockport, Aransas County, Texas, convened in Workshop Session at 1:30 p.m., at the regular meeting place in City Hall, and notice of meeting giving time, place, date and subject was posted as described in V.T.C.A., Government Code § 551.041.

CITY COUNCIL MEMBERS PRESENT

Mayor Charles J. Wax
Mayor Pro-Tem Pat Rios, Ward 3
Council Member J. D. Villa, Ward 2
Council Member Barbara Gurtner, Ward 4

CITY COUNCIL MEMBER(S) ABSENT

Council Member Rusty Day, Ward 1

STAFF MEMBERS PRESENT

City Manager Kevin Carruth
City Secretary Teresa Valdez
City Attorney Terry Baiamonte
Police Chief Tim Jayroe
Public Works Director Mike Donoho
Finance Director Patty Howard
Parks & Leisure Services Director Tom Staley
Assistant Public Works Director Art Smith
Code Enforcement Officer Angie West

ELECTED OFFICIALS

Opening Agenda

1. Call to Order.

With a quorum of the Council Members present, the Workshop Session of the Rockport City Council was called to order by Mayor Wax at 1:30 p.m. on Tuesday, March 24, 2015, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

4. Hear and deliberate on proposal for water service for Coastal Paradise RV Resort.

Assistant Public Works Director Art Smith addressed the Council. Mr. Smith informed the Council that about two months ago, the City was approached in regard to providing water to a new development, the Coastal Paradise RV Resort. Mr. Smith stated that five years ago, the City had talked to engineers about getting water across Highway 35 and the engineers had stated that if water

were to be routed to the west side of Highway 35, the water line should be a minimum of 12 inches. Mr. Smith said this was discussed with the developers of the Coastal Paradise RV Resort, Tom and Barbara Smith and Jeff Smith. Art Smith added that the Smiths asked what options they have because typically they would need to put in only a six inch water line to service their development. Art Smith stated Tom and Jeff Smith are present to present their proposed development.

JKS Engineering Company Sr. Project Engineer Jeff Smith addressed the Council. Mr. Smith stated Tom Smith is his father, they are developing a RV resort in a natural habit for residents, and they would like the City to participate in the cost of bringing the water to the west side of Highway 35.

Discussion was held among Council, Mr. Tom Smith, Mr. Jeff Smith and Mr. Art Smith in regard to development and costs for a 12 inch or 18 inch water line.

Mayor Wax asked that the Smiths work with Art Smith on breaking down the costs associated with the proposed development, showing the Smiths' costs and the cost for consideration by the City. Mayor Wax stated this could be placed on the next regularly scheduled Council meeting for consideration.

City Manager Kevin Carruth added that if the City decides to participate in cost-sharing, the Council will need to discuss policy issues and how the City will participate.

Regular Agenda

- 2. Hear and deliberate on proposed Ordinance amending the City of Rockport, Texas, Code of Ordinances Chapter 54 "Health and Sanitation," changing Article I. "In General" to Article I. "Regulation of Single-Use Plastic (checkout) Bags"; setting out definitions, prohibitions and requirements, scope and applicability, and exemptions; establishing implementation of a voluntary ban and setting date of mandatory compliance.**

Skip the Plastic member Phil Wildfang addressed the Council. Mr. Wildfang thanked the Council for providing the Skip the Plastic group an opportunity to address the Council. Mr. Wildfang said a 35 page document on Skip the Plastic had been provided for the Agenda packet and he thought the time tonight would be best spent answering questions or clarifying issues.

Gayly Opem addressed the Council. Ms. Opem stated she thought the Skip the Plastic group had answered questions raised at the Council Workshop in December but there may be additional questions. Ms. Opem informed the Council the Skip the Plastic is an educational group, they have presented the information to many groups, and there has been very little controversy with their presentations. Ms. Opem added that the City of Port Aransas adopted an ordinance in December and the ordinance the Skip the Plastic group is proposing the City of Rockport adopt is based on the Port Aransas ordinance.

Mayor Pro-Tem Rios asked if there was any update on what the current Legislative session was going to do in regard to local regulation of matters like this.

Mayor Wax stated Senate Bill 343 will take away home rule authority that would apply to regulation of single-use plastic bags. Mayor Wax stated there is another bill filled with a broader issue but neither bill has come out of committee.

City Attorney Terry Baiamonte stated she researched bills specific to banning plastics and there is a Senate Bill 1806 that has not been referred to committee yet, but prohibits cities from banning plastics.

Council Member Villa stated the Council should probably wait until after the Legislative session is complete to see what bills are adopted.

Council Member Gurtner stated the Agenda packet is posted on the City's website and contains the information provided by the Skip the Plastic group. Ms. Gurtner recommended citizens review the information provided.

Discussion was held among Council, Ms. Opem and Mr. Wildfang in regard to the information provided.

Vice Chair of the Coastal Bend Chapter of the Surfrider Foundation Neil McQueen addressed the Council. Mr. McQueen stated the Skip the Plastic group was successful in getting an Ordinance adopted in Port Aransas and they are still working with the City of Corpus Christi on this. Mr. McQueen said this is a regional effort.

Mayor Wax stated that the Council should know what is coming out of the Legislative committees by the regularly scheduled second meeting of the month in April. Mayor Wax suggested April 28th be set as the target date for the first reading of a proposed ordinance regulating single-use plastic bags.

3. Hear and deliberate on Public Funds Investment Policy and recommended changes.

Finance Director Patty Howard stated the Public Funds Investment Act Government Code §2256.001 required that the governing body must annually review and adopt an Investment Policy. Ms. Howard said the City has worked with Ms. Linda Patterson, President of Patterson & Associates, for several weeks to review and update the City's Public Funds Investment Policy. Ms. Howard added that the proposed changes and reporting will allow the City to maximize its return on investments. Ms. Howard reviewed the proposed changes. Ms. Howard called the Council's attention to the summary of policy revisions recommended and the red-lined version of the Public Investment Policy.

City Manager Kevin Carruth stated that Ms. Patterson had done a very thorough review and he agreed with her suggestions and recommended changes. Mr. Carruth added that Ms. Patterson also reviewed the City's reporting process, and the investment report was revised and is easier to understand both by the Council and the public.

5. Hear and deliberate on staff reports to Council process.

City Manager Kevin Carruth stated that during the staff reports portion of the regular meetings, particularly with Building and Development Department reports, there is the potential for discussion to veer away from the posting and create an opportunity for an Open Meetings Act violation. Mr. Carruth said that additionally, there have been instances where: 1) Discussion of cases on the pending development report become speculative and negatively impact the business environment; 2) Council Members wait for the meeting to bring up new code enforcement violations, potentially delaying action on an issue; 3) Discussion revealing potential or pending litigation of enforcement action can compromise the City's position; and 4) Direction is given to staff. Mr. Carruth added that discussion of pending code enforcement cases every two weeks can also give the impression to observers that no action is being taken, when actually the statutorily mandated due process procedure is very long and drawn out by design. Mr. Carruth indicated that preparation of the Building and Development reports every two weeks consumes labor that can be utilized elsewhere. Mr. Carruth expressed that staff would like Council to consider receiving reports via email on a regular schedule and forwarding any questions to the City Manager because this would not impede access to the information for Council or the public as *The Rockport Pilot* would also be included in the emailing of the reports and the reports would continue to be available on the City website.

Mayor Wax stated that on the surface this sounds good, but his concern is that the Council will have to be very careful as how they respond to the emailed reports. Mayor Wax said the Council will have to respond directly to Mr. Carruth or Mr. Donoho.

6. Adjournment.

At 2:46 p.m., Council Member Villa moved to adjourn. Motion was seconded by Mayor Pro-Tem Rios and carried unanimously.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, March 24, 2015 Rockport City Hall, 622 East Market Street

On the 24th day of March 2015, the City Council of the City of Rockport, Aransas County, Texas, convened in Regular Session at 6:30 p.m., at the regular meeting place in City Hall, and notice of meeting giving time, place, date and subject was posted as described in V.T.C.A., Government Code § 551.041.

CITY COUNCIL MEMBERS PRESENT

Mayor Charles J. Wax
Mayor Pro-Tem Pat Rios, Ward 3
Council Member Rusty Day, Ward 1
Council Member J. D. Villa, Ward 2
Council Member Barbara Gurtner, Ward 4

CITY COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT

City Manager Kevin Carruth
City Attorney Terry Baiamonte
City Secretary Teresa Valdez
Police Chief Tim Jayroe
Public Works Director Mike Donoho
Finance Director Patty Howard
Parks & Leisure Services Director Tom Staley

ELECTED OFFICIALS

Opening Agenda

1. Call to Order.

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Wax at 6:30 p.m. on Tuesday, March 24, 2015, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

2. Pledge of Allegiance.

Council Member Day led the Pledge of Allegiance.

3. Presentation: Friends of Aransas & Matagorda Island Wildlife Refuge.

Mayor Wax stated the Whooping Crane Strut was very successful. Mayor Wax presented a check in the amount of \$735.00 to Fred Lanoue, President of the Friends of Aransas and Matagorda Island Wildlife Refuge.

Mr. Lanoue stated the money is used only for drilling water wells for the wildlife to provide fresh water.

4. Proclamation: Fair Housing Month.

Mayor Wax read a Proclamation declaring the month of April as Fair Housing Month in the City of Rockport, Texas.

Mayor Wax then announced that this is *The Rockport Pilot's* reporter, Ms. Harley Hoot's last meeting with the City Council. Mayor Wax thanked Ms. Hoot for her professionalism and presented her with a Mayor's coin. Mayor Wax wished Ms. Hoot well in her new endeavors.

5. Citizens to be heard.

At this time comments will be taken from the audience on any subject matter that is not on the agenda. To address the Council, please sign the speaker's card located on the table outside the Council Chamber and deliver to the City Secretary before the meeting begins. Please limit comments to three (3) minutes. In accordance with the Open Meetings Act, Council may not discuss or take any action on any item that has not been posted on the agenda.

There were no citizen comments.

Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- 6. Deliberate and act on approval of City Council Regular Meeting Minutes of March 10, 2015.**
- 7. Deliberate and act on request from Rockport First Assembly of God for temporary closure of East Laurel Street, from North Live Oak Street to North Church Street, on April 4, 2015, from 11:00 a.m. until 1:00 p.m. for an Easter egg hunt.**
- 8. Deliberate and act on ratification of Mayor's appointment of citizen to YMCA Project Committee.**
- 9. Deliberate and act on request from Rockport Yacht Club for the City to allow temporary directional signage at the intersection of Market Street and Highway 35 South on May 1-4, 2015, for the 14th Annual Rockport Nautical Flea Market.**

Mayor Wax called for requests to remove any item from the Consent Agenda for separate discussion. There being no requests, Mayor Wax called for a motion.

MOTION: Mayor Pro-Tem Rios moved to adopt the Consent Agenda Items as presented. Council Member Villa seconded the motion. Motion carried unanimously.

Regular Agenda

10. Tabled March 10, 2015 - Deliberate and act on first reading of an Ordinance pursuant to Article 23 "Conditional Use Permit" (CUP) Rockport Zoning Ordinance Number 1027 granting a CUP to property located at 2501 San Antonio Street for the purpose of installation of a mobile home; setting out additional conditions in addition to those conditions stipulated under Article 23, Rockport Zoning Ordinance 1027; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

Mayor Wax stated this item will be left tabled until the Planning and Zoning Commission receives the additional/new information.

11. Reports from Council and Staff.

At this time, the City Council will report/update on all committee assignments which may include the following: Aransas County Storm Water Committee, Community Park Committee, Park & Leisure Advisory Board, Chamber of Commerce, Coastal Bend Council of Governments, Coastal Bend Bays & Estuaries, Texas Maritime Museum, Fulton Mansion, Rockport Center for the Arts, Rockport Tropical Christmas, and Texas Municipal League. Staff reports include the following: Building & Development – Bi-Weekly Code Enforcement, Proposed Development Report; Accounting & Finance – Update on Liens Collection, Financial & Investment Information, Monthly Financial Reports; Police Department – Grant Update, Quarterly Police Reports; Public Works – Building Maintenance, Construction Updates; Park & Leisure Services – Grant Updates, Miscellaneous park projects; Municipal Court; Administration – Interlocal Agreements, Public Information, and Hotel Occupancy Report. No formal action can be taken on these items at this time.

Discussion was held among Council and Public Works Director Mike Donoho in regard to the Code Enforcement Report.

Discussion was held among Council, City Manager Kevin Carruth and Mr. Donoho in regard to the Building & Development Report.

Executive Session

City Council will hold an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

12. Section 551.071(1)(A) and Section 551.071(2) Consultation with Attorney:
1) Pending or contemplated litigation: a) Templeton and b) Bay Education Center;
and 2) Jail Services Agreement.

13. Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.

14. Section 551.074 Personnel Matters - City Secretary evaluation.

At 6:58 p.m., Mayor Wax convened the Rockport City Council into an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in Section 551.071(1)(A) and Section 551.071(2) Consultation with Attorney: 1) Pending or contemplated litigation: a) Templeton and b) Bay Education Center; and 2) Jail Services Agreement; Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal; and Section 551.074 Personnel Matters - City Secretary evaluation.

Open Session

15. City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

At 7:45 p.m., Mayor Wax reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

No action was taken.

Mayor Wax informed the Council he had received an email from Dr. Addison Lawrence stating that Texas A&M University has terminated the AgriLife Research Project and all staff. Mayor Wax stated he sent an email expressing his disappointment.

16. Adjournment

At 7:47 p.m., Council Member Villa moved to adjourn. Motion was seconded by Council Member Day and carried unanimously.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 14, 2015

AGENDA ITEM: 5

Deliberate and act on request from Texas Maritime Museum for: 1) Closure of Chamber Street, from Loop 70 to Navigation Circle on Thursday, May 21, 2015, from 2:00 p.m. to 12:00 a.m., and on Saturday, May 23, 2015, and Sunday, May 25, 2015, from 8:00 a.m. to 12:00 a.m.; 2) Use of Festival Site for parking; and 3) Permission for beer and wine consumption on the grounds of the Texas Maritime Museum, for the 19th Annual Festival of Wines and Food.

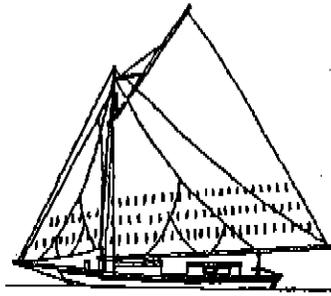
SUBMITTED BY: Kathy Roberts-Douglass, Texas Maritime Museum

APPROVED FOR AGENDA: PKC

BACKGROUND: The Texas Maritime Museum is sponsoring their 19th Annual Festival of Wines and Food. See the accompanying letter requesting street closure, use of the Festival Site for parking, and permission for beer and wine consumption on the grounds of the Texas Maritime Museum. This request is similar to their requests in recent years. The Aransas County Navigation District has already granted their approval.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council approve the request for street closure, use of Festival Site for parking, and permission for beer and wine consumption on the grounds of the Texas Maritime Museum, as presented.



TEXAS MARITIME MUSEUM



1202 Navigation Circle · Rockport, Texas 78382 · (361) 729-1271 · Fax (361) 729-9938 · (866) 729-AHOY · E-mail: KLRD@pelicancoast.net

March 25, 2015

**2014-2015
Board of Trustees**

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Richard Schacht

Rose Williams

Rockport City Council
City of Rockport
622 E. Market St.
Rockport, TX 78382

Dear City Council Members:

It's that time of year again. Time for the 19th Annual Festival of Wines and Food.

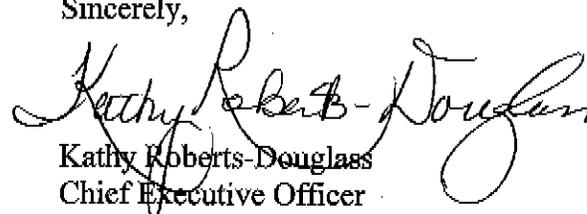
We would like to request the closing of Chamber Street, from Loop 70 to Navigation Circle on the following dates:

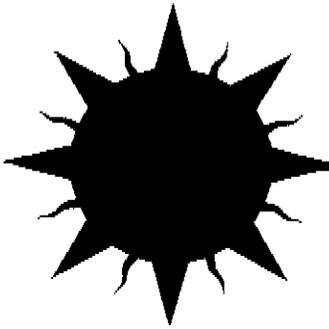
1. Thursday, May 21, 2015 from 2:00p.m to 12:00a.m for the Patron Party
2. Saturday, May 23, 2015 from 8a.m to 12:00a.m and Sunday, May 24, 2015 from 8:00a.m to 12:00a.m, for the above-mentioned event.

In addition to the street closing, we are requesting use of the Festival Site for parking the same days, as well as the **permission for beer and wine consumption on the grounds of the Texas Maritime Museum.**

If you should have any questions about this request, please contact the Texas Maritime Museum office at 361-729-1271.

Sincerely,


Kathy Roberts-Douglass
Chief Executive Officer

**ARANSAS COUNTY NAVIGATION DISTRICT**

January 15, 2015

Ms. Kathy Roberts-Douglass
Texas Maritime Museum
1202 Navigation Circle
Rockport, Texas 78382

Re: Request to use festival site as parking facility during the 19th Annual Festival of Wine & Food

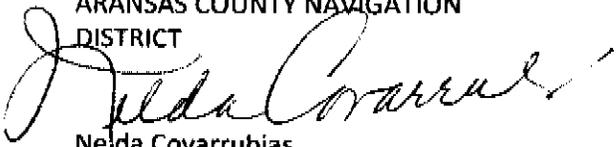
Dear Ms. Roberts-Douglass:

Pursuant to Regular Meeting held on Monday, January 5, 2015, the Board of Commission voted unanimously to approve the request of the Texas Maritime Museum to use festival grounds as a parking facility during the 19th Annual Rockport Festival of Wine & Food on Saturday, May 23, 2015 and Sunday, May 24, 2015 and during the Patron Party Thursday, May 21, 2015 along with the closing of Chamber Street from Loop 70 to Navigation Circle on above dates and the sale/consumption of alcoholic beverages. The use of property is subject to festival site policy, which is attached.

Should you have any question(s), please do not hesitate to contact this office.

Sincerely,

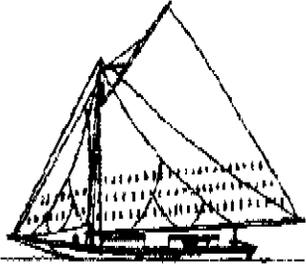
ARANSAS COUNTY NAVIGATION
DISTRICT



Neida Covarrubias
Office Secretary

Nc/
Attachments (2)

COPY VIA FAX: City of Rockport



TEXAS MARITIME MUSEUM



1202 Navigation Circle · Rockport, Texas 78382 · (361) 729-1271 · Fax (361) 729-9938 · (866) 729-AHOY · E-mail:KLRD@pelicancoast.net

December 16, 2014

**2014-2015
Board of Trustees**

Bruce Sherman
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Sally Reynolds
Vice-President

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Robin Rice
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Katrina Brown

David Gibson, II

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Hugh Jamieson

Meinda Mills

Gayle Rogers

Richard Schacht

Rose Williams

Aransas County Navigation District
311 Navigation Circle
Rockport, TX 78382

Re: 19th Annual Rockport Festival of Wine & Food

Dear Commissioners:

The Texas Maritime Museum would like to request the closing of Chamber Street, from Loop 70 to Navigation Circle on the following dates:

1. Thursday, May 21, 2015 from 2:00 p.m. to 12:00 a.m. for the Patron Party
2. Saturday, May 23, 2015 from 8:00 a.m. to 12:00 a.m. and Sunday, May 24, 2015 from 8:00 a.m. to 12:00 a.m., for the above-mentioned event.

In addition to the street closing, we are requesting use of the Festival Site for parking the same days.

If you should have any questions about this request, please contact the Texas Maritime Museum office.

Sincerely,

Kathy Roberts-Douglass
Chief Executive Officer

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 14, 2015

AGENDA ITEM: 6

Deliberate and act on 2nd quarter report from Texas Maritime Museum for Fiscal Year 2014-2015 marketing expenditures.

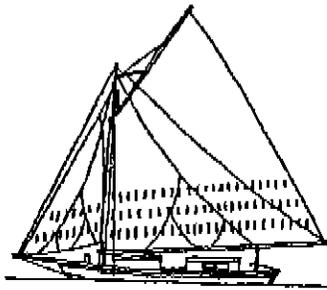
SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: The Texas Maritime Museum has been allocated \$77,000.00 in Fiscal Year 2014-2015 Hotel Occupancy Tax (HOT) funds. According to our agreement with Texas Maritime Museum, HOT funds are paid in advance and a report of the previous quarter's expenditures is required. See the accompanying 2nd Quarter HOT Expenditure Report for additional information.

FISCAL ANALYSIS: Charged to account 6602002. YTD expenses are \$33,015.00 out of \$77,000.00 budgeted.

RECOMMENDATION: Staff recommends approval of Texas Maritime Museum 2014-2015 Hotel Occupancy Tax funds 1st Quarter expenditures and authorization to disburse 3rd Quarter funds in the amount of \$19,250.00.



TEXAS MARITIME MUSEUM

1202 Navigation Circle • Rockport, Texas 78382 • (361) 729-1271 • Fax (361) 729-9938 • E-Mail: tmm@pelicancoast.net

TO: Theresa Valdez, City of Rockport

FAX NUMBER: 790-5966

NUMBER OF PAGES INCLUDING COVER SHEET: 2

RE: 2nd. quarter Hotel Occupancy Budget Report

FROM: Kathy Roberts-Daughen DATE: 4-1-2015

NOTES:
F.U.I.

TEXAS MARITIME MUSEUM ASSOCIATION, INC.
Hotel Occupancy Fund Budget Report
2014 - 2015 Fiscal Year

CATEGORY	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
Advertising	\$2,684	\$1,442			\$4,126
Curatorial	1,335	2,164			\$3,499
Salaries	6,500	6,500			\$13,000
Education	1,535	3,355			\$4,890
Office Supplies	2,672	2,328			\$5,000
Website Maintenance	1,250	1,250			\$2,500
	\$15,976	\$17,039	\$0	\$0	\$33,015

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 14, 2015

AGENDA ITEM: 7

Deliberate and act on 1st quarter report from the Friends of the Fulton Mansion State Historical Site for Fiscal Year 2014-2015 marketing expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: The Friends of the Fulton Mansion State Historical Site has been allocated \$85,000.00 in FY 2014-15 Hotel Occupancy Tax (HOT) funds. According to our agreement with the Friends of the Fulton Mansion State Historical Site, HOT funds are paid in advance and a report of the previous quarter's expenditures is required. See the accompanying 2nd quarter HOT expenditure report for additional information.

FISCAL ANALYSIS: Charged to account 6602009. YTD expenses are \$5,000.00 out of \$85,000.00 budgeted.

STAFF RECOMMENDATION: Staff recommends approval of the Friends of the Fulton Mansion State Historical Site FY 2014-2015 Hotel Occupancy Tax funds 2nd quarter expenditures and authorization to disburse 3rd Quarter funds in the amount of \$21,250.00.

CATEGORY	Grant Amount	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
Fulton Mansion Restoration	\$75,000.00					
Education & History Center	\$10,000.00	\$2,500.00	\$2,500.00			\$5,000.00
<i>TOTAL</i>	\$85,000.00	\$2,500.00	\$2,500.00			
HOT Funds Deposited		\$21,250.00	\$21,250.00			\$43,000.00

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 14, 2015

AGENDA ITEM: 8

Deliberate and act on 2015 Consumer Price Index (CPI) adjustment to Municipal Telecommunications Right-of-Way Access Line Rates

SUBMITTED BY: Finance Director Patty Howard

APPROVED FOR AGENDA: PKC

BACKGROUND: Prior to deregulation, cities had the authority to manage their right-of-ways (ROW), including the setting of franchise or ROW fees. By state law most cities are now compensated for the use of the public right of way by Certificated Telecommunications Carriers using access line rates. These rates are monthly fees paid by customers to the carriers who in turn, pay “franchise fees” to the city. The PUC is required to adjust the maximum access line rates by an amount equal to one half the annual change in the Consumer Price Index (CPI). The 2015 rates will reflect an increase of 0.8449% from the 2014 rates.

The current rates, as detailed in the table below, were set in April 2014. No action is required if Council chooses to adjust for inflation and accept the default rates as shown. The CPI adjusted default rates will generate approximately \$1,050.00 in new revenue.

Line Type	Current Rate	Default Rate	Difference
Residential	\$1.65	\$1.67	\$0.02
Non-Residential	\$3.70	\$3.77	\$0.07
Point-To-Point	\$5.59	\$5.69	\$0.10

The rate adopted by the City can be less than or equal to the new maximum rates but cannot be higher. The city is required to notify the PUC of their desired access line rates no later than April 30, 2015, if the City wants to have a rate different than the proposed CPI default rate. No action is required if the CPI default rate is acceptable. The new rates will be implemented no later than July 1, 2015.

FISCAL ANALYSIS: The CPI adjusted default rates will generate approximately \$1,050.00 in new revenue.

RECOMMENDATION: Staff recommends that Council take no action so that the rates will change to the default rate for the telecommunication access lines.



Public Utility Commission of Texas

1701 N. Congress Ave., PO Box 13326, Austin, TX 78711-3326

2015 CONSUMER PRICE INDEX (CPI) ADJUSTMENT TO MUNICIPAL TELECOMMUNICATIONS RIGHT-OF-WAY ACCESS LINE RATES

March 17, 2015 (REVISION - This letter corrects the rates sent in the March 10, 2015 letter.)

PURPOSE

This letter is to notify you that your city's 2015 maximum access line rates have increased by 0.8449% due to inflation, as measured by the CPI. This adjustment has been made pursuant to Chapter 283 of the Local Government Code (House Bill 1777)

DEFAULT RATES FOR 2015: INCREASE

Based on the choices made by your city in April 2014, your city's 2015 rate will either be adjusted for inflation, or will remain the same as your 2014 rate. According to our records, when similar CPI adjustments were made in April 2014, your city chose the MAXIMUM allowable CPI-adjusted rates. Therefore, your 2015 rates will reflect an increase of 0.8449% from your 2014 rates. You have the option to decline this increase in rates by taking the action explained below.

ACTION BY CITY: TO REFUSE THE INCREASE

(1) You do not have to respond to accept the increased access line rates. (2) Respond ONLY if you want to DECLINE the increase in access line rates. (3) To decline, notify the PUC using page 2 of this letter no later than April 30, 2015. (4) The PUC does not require City council authorization; however, if your city charter requires it, please do so immediately. (5) Verify your contact information and highlight any changes. (6) Make a copy of this document.

WHAT HAPPENS IF A CITY DOES NOT RESPOND BY APRIL 30, 2015?

If a city does not respond by April 30, 2015, the rates for your city will increase from 2014 levels. The next opportunity to adjust your rates will be September 1, 2015.

WHAT HAPPENS NEXT?

The PUC will notify telephone companies of your desired rates and you will be compensated accordingly no later than July 1, 2015.

FUTURE REVISIONS TO CPI

The access line rates will be revised annually in March depending on whether the CPI changes for the previous year. If the CPI changes for the year 2015, you will receive a similar letter in March 2016.

See over...

City of Rockport

SECTION 1: Your 2014 city preferred rates are as follows:

Residential \$1.65 Non-Residential \$3.73 Point-to-Point \$5.64

SECTION 2: Your default rates for 2015 are as follows. Note: These are higher than the 2014 rates due to the CPI inflation adjustment.

Residential \$1.67 Non-Residential \$3.77 Point-to-Point \$5.69

To decline your default increase in rates, notify the PUC by completing the section below. You can mail or fax this page to the PUC. To accept rates in Section 2, no action is required.

I _____, Title _____, am an authorized representative for the City/Town/Village of _____. The City declines to accept the default rates indicated in Section 2 above. Instead, we choose the following rates: Residential _____; Non-Residential _____; Point-to-Point _____.

Date: _____ Signature: _____

Other Comments: [Empty box]

HOW TO RESPOND

Mail: Stephen Mendoza
Public Utility Commission
P.O. Box 13326
Austin, Texas 78711-3326

INQUIRIES

Inquiries only. NOT for sending your response.
HB1777@puc.texas.gov
Phone No: 512-936-7394

OR FAX TO Stephen Mendoza at: 512-936-7428

CITY CONTACT INFORMATION

Please notify us if the contact information we have on file for your city has changed. Thank you.

Phone No. 1 (361) 729-2213
Phone No. 2
Fax No: (361) 790-1165
Email: finance@cityofrockport.com

Address

PATTY HOWARD FINANCE DIRECTOR
or current city official responsible for right-of-way issues
CITY OF ROCKPORT
622 E MARKET
ROCKPORT TX 78382

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 14, 2015

AGENDA ITEM: 9

Deliberate and act on approval of Interlocal Contract between City of Rockport and Town of Fulton for Assistance in Law Enforcement.

SUBMITTED BY: Police Chief Tim Jayroe; City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: In early 2013 the Town of Fulton formed their own one-person Police Department and contracted with the City of Rockport for back-up from the Rockport Police Department at a rate of \$60,000 a year. The original Interlocal Contract was entered into in 2013 with a term ending April 1, 2014, and was renewed last year.

As shown on the accompanying table, the Rockport PD answers an average of 89 (83 in FY 2013-2014) calls per month in Fulton and spends an average of 102 minutes (93 minutes in 13/14) per day answering those calls. This arrangement assists the Town of Fulton but also gives the citizens of Rockport approximately 28 additional hours of patrol per week at essentially no cost.

The Town of Fulton would like to renew the agreement for another year.

FISCAL ANALYSIS: The personnel cost of a four-year veteran Police Officer is \$50,000. The additional \$10,000 in the Agreement helps cover training and equipment costs.

RECOMMENDATION: Staff recommends that City Council approve the Interlocal Contract between City of Rockport and Town of Fulton for Assistance in Law Enforcement.

Fulton Police Assistance 2014-15
Annual Summary

The table below details, by month, the number of calls the Rockport Police Department responded to in the town of Fulton as well as the average minutes spent during each patrol day.

	Avg. Min. Per Day	Number of Calls
1st Quarter		
Apr	61	66
May	112	98
June	97	88
2nd Quarter		
July	119	103
Aug	118	98
Sept	83	80
3rd Quarter		
Oct	119	100
Nov	104	91
Dec	104	92
4th Quarter		
Jan	107	101
Feb	91	74
Mar	101	79
Minutes Per Day Average		102
Calls Per Month Average		89

THE STATE OF TEXAS §
 §
 COUNTY OF ARANSAS §

**INTERLOCAL CONTRACT
 BETWEEN CITY OF ROCKPORT and TOWN FULTON FOR
 ASSISTANCE IN LAW ENFORCEMENT**

In the interest of increasing efficiency and effectiveness of local governments, this Interlocal Cooperation Contract [hereinafter referred to as "Contract"] is entered into by and between the parties.

1. **PARTIES:** The parties to this Interlocal Contract are City of Rockport [hereinafter "City") and Town of Fulton (hereinafter "Fulton"), each acting by and through its duly elected officials; and,
2. **AUTHORITY:** The Interlocal Cooperation Act, Government Code Chapter 791, authorizes this Interlocal Contract. The governing body of each party to the contract has duly authorized this contract.
3. **PURPOSE:** To provide law enforcement assistance to the Fulton Chief of Police in the form of coverage of calls when he is unavailable, back up when needed and investigation services when requested, consistent with Fulton's enabling Ordinance No 98.
4. **TERMS:** The term of this Contract shall be for one year, beginning April 2, 2015 and ending April 1, 2016.
 - a. **Renewal:** Pursuant to Sec. 791.011(f), this Contract may be renewed. The cost for services for any subsequent years shall be negotiated prior to the renewal, after the City has had an opportunity to review the cost of services rendered and as mutually agreed upon by the parties.
5. **PAYMENT:** Each party paying for the performance of governmental functions or services provided for herein agree to make those payments from current revenues available to the paying party.
 - a. **Total Cost:** \$60,000 per year, to be paid in monthly installments equal to 1/12th of total, the first installment to be due and payable on or before April 2, 2015 and each month thereafter payable on or before the 2nd day of each month;
 - b. Additionally, Fulton will pay cost of dispatch and 911 calls attributable to calls originating in Fulton.
 - c. **Funding:** This contract is to be funded by Fulton.

- 6. **RIGHTS AND DUTIES OF THE PARTIES:** As provided for in "Exhibit A" attached hereto and incorporated herein as if set forth verbatim.
- 7. **SUPERVISION AND ADMINISTRATION:** In the performance of all obligations undertaken by City in this contract, City will continue to supervise and administer the law enforcement services provided for herein by the City, by and through its City Police department.
- 8. **LIABILITY:** All parties agree that all of the functions and services provided for herein are governmental functions. In no event shall any provision of this contract be construed as a waiver of any party's sovereign immunity, nor add to or change the liability limits and immunities for a governmental unit provided by the Texas Torts Claims Act, or other law.
- 9. **INDEMNIFICATION AND HOLD HARMLESS:** Fulton assumes entire responsibility and liability for any claim or actions based on or arising out of injuries, including death, to persons or damages to or destruction of property, sustained or alleged to have been sustained in connection with or to have arisen out of or incidental to the performance of this Agreement by Rockport, its agents, members, employees, contractors and its subcontractors, their agents and employees, regardless of whether such claims or actions are founded in whole or in part upon alleged negligence of Town of Fulton, or the Town's representatives, or the employees, agents, invitees or licensees thereof or City of Rockport or the employees, agents, invitees or licensees thereof. Fulton further agrees to indemnify and hold harmless Rockport and its representatives, and the employees, agents, invitees and licensees thereof in respect to any such matters and agrees to defend any claim or suit or action brought against Rockport, its representatives and employees, agents, invitees and licensees thereof, regardless of whether such claims or actions are founded in whole or in part upon alleged negligence of the Town of Fulton, the Town's representatives, or the employees, agents, invitees or licensees thereof or City of Rockport or the Employees, agents, invitees or licensees thereof.

Agreed to:

CITY OF ROCKPORT

ATTEST:

Charles J. Wax, Mayor

Teresa Valdez, City Secretary

Date: _____

TOWN OF FULTON

ATTEST:

Jimmy Kendrick, Mayor

Jan Hill, City Secretary

Date: _____

EXHIBIT A

This EXHIBIT A is incorporated into the INTERLOCAL CONTRACT BETWEEN CITY OF ROCKPORT and TOWN OF FULTON FOR ASSISTANCE IN LAW ENFORCEMENT, and has the same force and effect as of originally written into the text of the agreement.

Generally, it is the intention of the Town of Fulton and the City of Rockport to assist the Police Chief of Fulton in seeing to the safety and wellbeing of residents and visitors to Fulton by acknowledging the following:

1. When Fulton Chief of Police goes off duty he will notify Aransas County Public Safety Communications Center dispatch, and the Rockport Police Department [hereinafter referred to as "Rockport] will then become the first responder for Fulton; Rockport will then respond to all calls for service as dispatched through the Aransas County Public Safety Communications Center or made directly from anyone requiring police service in that jurisdiction at times when the Fulton Police Chief is unavailable;
2. Rockport will take appropriate action on hazardous traffic violations and file these citations with the appropriate agencies;
3. Rockport will not be required to perform routine patrol in Fulton;
4. Rockport may provide patrol assistance periodically in school zones or areas of unusual traffic congestion;
5. Rockport will forward all reports of criminal activity to the Fulton Police Chief for his follow-up;
6. Fulton Chief of Police will provide primary responder service for an average minimum of 40 hours per week, other than vacation, etc.;
7. Fulton Chief of Police can call Rockport for back-up in cases of special need of assistance or the need to possibly transport someone to jail;
8. Rockport will assist the Fulton Police Chief with the investigations upon his request;
9. Fulton Municipal Judge, when available, will magistrate all offenses arising out of Fulton;
10. Any Class C offense that occurs in Fulton will be filed in the Fulton Municipal Court;
11. Fulton Chief of Police will be primarily responsible for Code enforcement;
12. Rockport will not be responsible for Code enforcement unless it is deemed an emergency and requires immediate attention;
13. Fulton will be included in Rockport 911 Communication Center with an assignment of a police call unit number and be responsible for costs thereof;
14. This agreement is not intended to relieve the Aransas County Sheriff's Department from its obligation to provide customary law enforcement in the Town of Fulton.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 14, 2015

AGENDA ITEM: 11

Conduct and deliberate a Joint Public Hearing with the Planning & Zoning Commission to consider a request for a zoning change from R-1 (Single Family Dwelling District) to B-1 (General Business District) on property located at 2402 Myrtle St.; also known as the North one-half of Lot 93, Fulton Outlots, 2.385 acres, Rockport, Aransas County, Texas, according to the Aransas County Appraisal District. Purpose of the request is for personal boat storage / living quarters.

SUBMITTED BY: Public Works Director Michael S. Donoho, Jr.

APPROVED FOR AGENDA: PKC

BACKGROUND: Mr. Rick Crumley is seeking approval for a zoning change at property located at 2402 Myrtle St. in order to build a metal building personal boat storage with living quarters.

Please see the accompanying conditional use application for detail information.

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: Not an action item, public hearing only.



JOINT PUBLIC HEARING
Rockport City Council
and
Planning & Zoning Commission

NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, April 14, 2015, at 6:30 p.m., at Rockport City Hall, 622 E. Market St., Rockport, Texas, to consider a request for a zoning change from R-1 (Single Family Dwelling District) to B-1 (General Business District) on property located at 2402 Myrtle St.; also known as the North one-half of Lot 93, Fulton Outlots, 2.385 acres, Rockport, Aransas County, Texas, according to the Aransas County Appraisal District. Purpose of the request is for commercial boat storage.

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213 ext. 225 or fax (361) 790-5966 or e-mail citysec@cityofrockport.com for further information. Braille is not available.

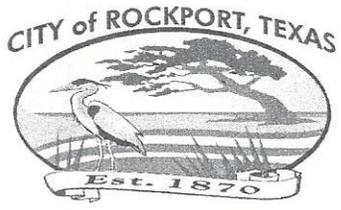
POSTED: the 12th day of March, 2015, by 5:00 p.m., on the bulletin board at Rockport City Hall, 622 E. Market Street, Rockport, Texas and on the website www.cityofrockport.com.

PUBLISHED: in *The Rockport Pilot* in the Saturday, March 21, 2015 Edition, in accordance with the City of Rockport Code of Ordinances.

CITY OF ROCKPORT, TEXAS



Teresa Valdez, City Secretary



RECEIVED
MAR 02 2015
BY: MB

**CITY OF ROCKPORT
ZONING AND LAND DEVELOPMENT APPLICATION**

INSTRUCTION: Please fill out completely. If more space is needed, attach additional pages. Please print or use typewriter.

A. REQUESTING: Rezoning Conditional Permit []
Planned Unit Development (P.U.D.) by Conditional Permit []

B. ADDRESS AND LOCATION OF PROPERTY 2402 Myrtle St

C. CURRENT ZONING OF PROPERTY: R-1

D. PRESENT USE OF PROPERTY: N/A

E. ZONING DISTRICT REQUESTED: B-1

F. CONDITIONAL USE REQUESTED: N/A

G. LEGAL DESCRIPTION: (Fill in the one that applies)

• Lot or Tract 93 North 1/2 of Block N/A

• Tract Fulton Outlots of the _____
Survey as per metes and bounds (field notes attached)

• If other, attach copy of survey or legal description from the Records of Aransas County or Appraisal District.

H. NAME OF PROPOSED DEVELOPMENT (if applicable) N/A

I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): 2.385

J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT:
(Please be specific)

metal storage / house. Storage of Boats

Rick Crumley

K. OWNER'S NAME: (Please print) Rick D Crumley
 ADDRESS: P.O. Box 2460
 CITY, STATE, ZIP CODE: Fulham, Tx. 78358
 PHONE NO 361-230-0315

L. REPRESENTATIVE: (If Other Than Owner) _____
 ADDRESS: _____
 CITY, STATE, ZIP CODE: _____
 PHONE NO _____

NOTE: Do you have property owner's permission for this request?
 YES NO

M. FILING FEE:

REZONING	\$150.00 + \$10.00 PER ACRE
PLANNED UNIT DEVELOPMENT	\$200.00 + \$10.00 PER ACRE
P.U.D. REVISION	\$200.00 + \$10.00 PER ACRE
CONDITIONAL PERMIT	\$150.00 + \$10.00 PER ACRE

(Make check payable to the City of Rockport)

- Submit application and filing fee to the Department of Building & Development, City of Rockport; 2751 S.H. 35 Bypass, Rockport, Texas 78382.

Signed: _____
 (Owner or Representative)

(FOR CITY USE)

Received by: MB Date: 3-2-15 Fees Paid: \$ 173.85

Submitted Information (accepted) (rejected) by: _____

If rejected, reasons why: _____

Receipt No. 24469



INSTRUCTIONS CITY OF ROCKPORT

1. Complete the application form and return it to the Building & Development Department, 275 S.H. 35 Bypass, Rockport, TX with the required filling fee.
2. Official notice of a public hearing to consider the request will be posted on the City Hall bulletin board and published in the official city newspaper at least 15 days prior to the hearing. The owner/applicant and any representative will be notified of the hearing date by mail.
3. The public hearing will be held jointly before the Planning & Zoning Commission & City Council. After which the Planning & Zoning Commission will hold a separate meeting at a posted time and place.
4. Recommendations for the Planning & Zoning Commission will be submitted to the City Council. The City Council will make final determination at their next available meeting.
5. We suggest that the applicant or a representative be present at the public hearings, at the Planning & Zoning meeting and at the City Council meeting to answer any questions that might arise.



EVENT CALENDAR
RE-ZONING – CONDITIONAL USE – PUD
 (Refer to City of Rockport Zoning Ordinance for specific details)

WEEK 1

Submit application of Re-zoning, Conditional Permit or PUD (Planned Unit Development).

Submit survey with legal description, if required.

Submit request for street/alley closures, if any.

WEEK 2

WEEK 3

Joint Public Hearing with City Council* and Planning and Zoning Commission.

Public Hearing on street/alley closed, if any.

WEEK 4

Planning and Zoning Commission Meeting (no public hearing).

WEEK 5

City Council* receives report from Planning and Zoning Commission; possible first reading of Ordinance to Re-zone.

City Council* takes action on request for road closures, if any.

WEEK 6

WEEK 7

City Council* meeting; possible second (and final) reading of ordinance to rezone.

If re-zoning and road closures granted, submit request to plat or re-plat property to the Planning and Zoning Commission (generally, one meeting, no public hearing required, except for true re-plat – then 15 day advertisement for public hearing).

Submit tree plan (tree survey or site plan with trees is okay) to Tree Committee (one meeting, no public hearing required).

After approval received for re-zoning, road closures re-plat and tree plan- REQUEST BUILDING PERMIT. Approximately two weeks for review of construction plans, drainage, utilities, etc. before Building Permit issued (longer if tree plan is submitted with application for building permit).

Aransas CAD

Property Search Results > 19763 CRUMLEY RICK D for Year 2015

Property

Account

Property ID: 19763 Legal Description: Fulton Outlots, Lot 93, N/2 OF, ACRES 2.385
 Geographic ID: 2149-093-000-001 Agent Code:
 Type: Real
 Property Use Code: R 1
 Property Use Description: 1ST SINGLE FAMILY DWELLING DISTRICT

Location

Address: 2402 MYRTLE ST Mapsco:
 ROCKPORT, TX 78382
 Neighborhood: Map ID: A-5
 Neighborhood CD:

Owner

Name: CRUMLEY RICK D Owner ID: 87313
 Mailing Address: PO BOX 2460 % Ownership: 100.0000000000%
 FULTON, TX 78358-2460

Exemptions:

Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A

(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	

(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	

(=) Assessed Value:	=	N/A	

Taxing Jurisdiction

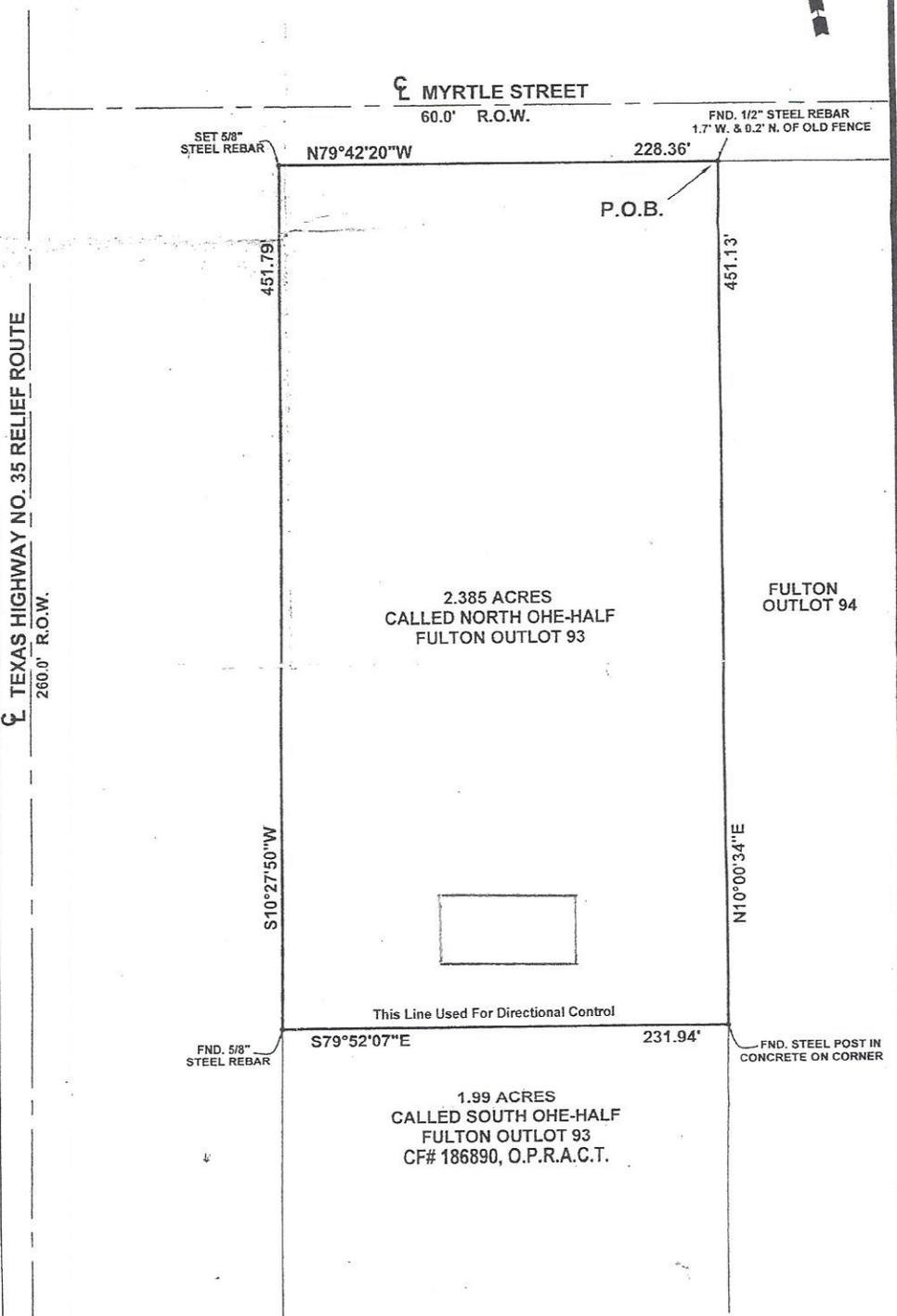
Owner: CRUMLEY RICK D
 % Ownership: 100.0000000000%
 Total Value: N/A

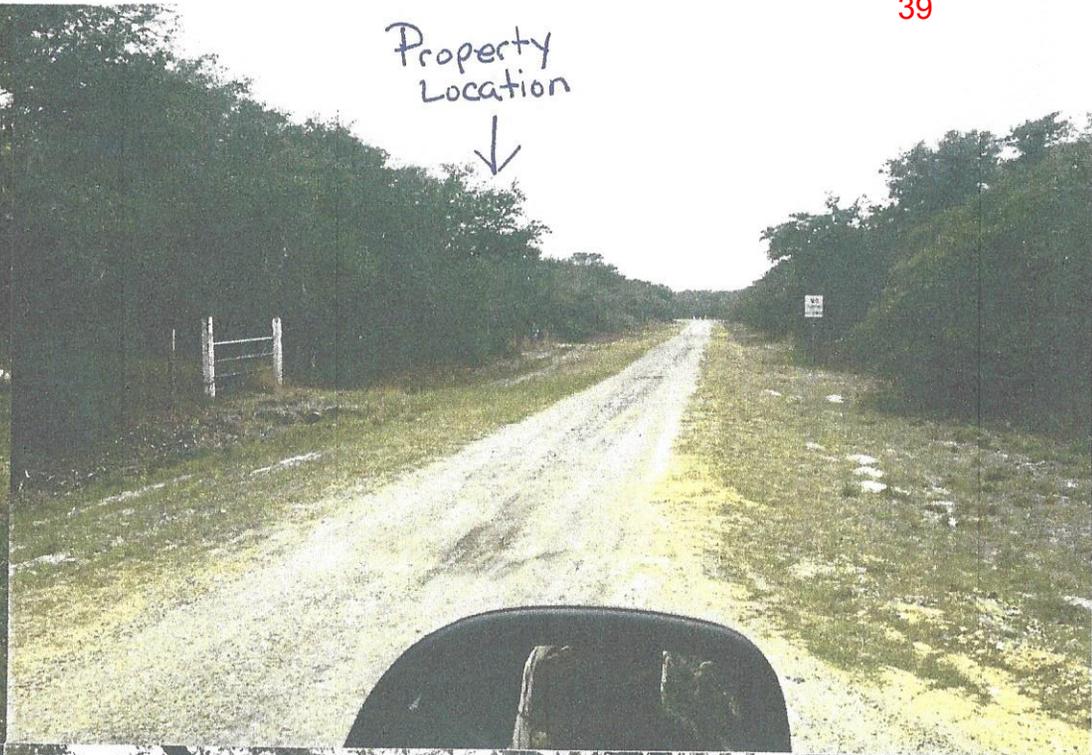
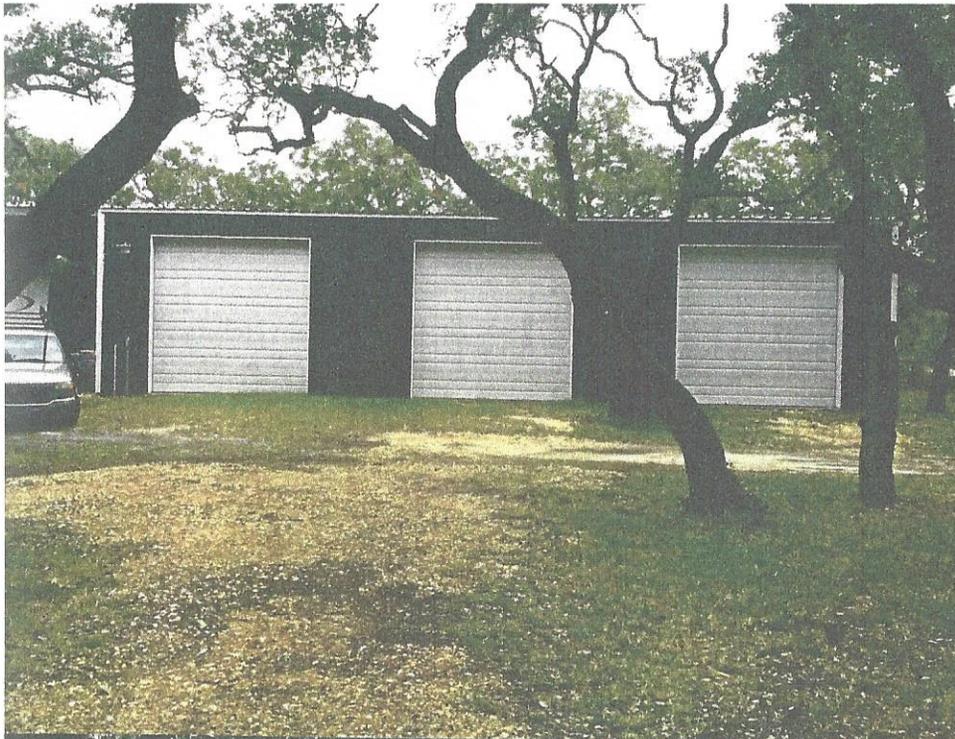
Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	ARANSAS COUNTY APPRAISAL DISTRICT	N/A	N/A	N/A	N/A
CRO	CITY OF ROCKPORT	N/A	N/A	N/A	N/A
GAR	ARANSAS COUNTY	N/A	N/A	N/A	N/A
NVD	NAVIGATION DIST	N/A	N/A	N/A	N/A
SAR	ARANSAS CO ISD	N/A	N/A	N/A	N/A
XSP	COUNTY ROAD & FLOOD	N/A	N/A	N/A	N/A

R-I First Single Family Dwelling

LEGAL DESCRIPTION
PLAT SHOWING SURVEY OF 2.385 ACRES OF LAND CALLED THE NORTH ONE-HALF OF FULTON OUTLOT 93, FULTON TOWNSITE, ARANSAS COUNTY, TEXAS, RECORDED IN VOLUME "E", PAGES 540-541, DEED RECORDS OF ARANSAS COUNTY, TEXAS.
[SEE ACCOMPANYING FIELD NOTES]
Scale: 1" = 60' October 5, 2004
FLOOD DATA
This is to certify that I have consulted the Federal Flood Hazard Map dated 3-4-1985 and found that the property described herein is (or) is not located in a "Special Flood Hazard Area."
Zone: C
Base Flood Elevation: N/A
Panel No.: 0118C
Community No.: 485452
This information is based on scaling the location of this survey on the above referenced map. This information is intended to be used to determine insurance rates only and not to identify specific flooding conditions.
CURRENT PARTY
Prepared For: Gus Kroschewsky and Micha Kroschewsky
COPYRIGHT NOTICE
This survey is being provided solely for the use of the current parties and that no license has been created, expressed or implied, to copy the survey except as is necessary in conjunction with the original transaction which shall take place within six (6) months from the date of this survey.
Copyright: October 5, 2004
NOTES
1. Plat bearing used for directional control unless otherwise shown.
2. This survey is in violation of copyright laws if not accompanied by original seal and signature.
3. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants or ownership of title evidence. Surveyor did not review exceptions in schedule "B" of the title commitment to determine whether they do or do not affect subject property.
SURVEYOR CERTIFICATION
I, J. L. Brundrett, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat correctly shows a survey on the ground of the foregoing property and that there are no intrusions or protrusions (except as shown hereon.)

FIRM NAME AND ADDRESS
GRIFFITH & BRUNDRETT Surveying & Engineering
P. O. Box 2322 Rockport, Texas 78382 Phone: (361) 729-6479 Fax: (361) 729-7933
FILE NAME: 041005DT3





JAMES CICHY
270 HILL ST.
LEOMINSTER, MA 01453-3914

E

CHRISTINE WALKER
P. O. BOX 1231
FULTON, TX 78358-1231

SCOTT & ELVIA FOSSUM
16715 BENTFIELD WAY
HOUSTON, TX 78382

MARY ANN MAXWELL OLIVER
433 BURR RD.
SAN ANTONIO, TX 78209-5907

RICK CRUMLEY
P. O. BOX 2460
FULTON, TX 78358



2402 MYRTLE

Print Date: 04/01/2015
Image Date: 01/25/2007
Level: Community

Aransas CAD - Map of Property ID 19763 for Year 2015



Property Details

Account

Property ID: 19763
 Geo ID: 2149-093-000-001
 Type: Real

Legal Description: Fulton Outlots, Lot 93, N/2 OF, ACRES 2.385

Location

Situs Address: 2402 MYRTLE ST ROCKPORT, TX 78382
 Neighborhood: NULL
 Mapsco: NULL
 Jurisdictions: CAD, CRO, GAR, NVD, SAR, XSP

Owner

Owner Name: CRUMLEY RICK D
 Mailing Address: NULL , PO BOX...

Property

Appraised Value: N/A

<http://propertyaccess.aransascad.org/Map/View/Map/1/19763/2015>



Map Disclaimer: This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Aransas County Appraisal District expressly disclaims any and all liability in connection herewith.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 14, 2015

AGENDA ITEM: 13

Tabled March 10, 2015 - Deliberate and act on first reading of an Ordinance pursuant to Article 23 "Conditional Use Permit" (CUP) Rockport Zoning Ordinance Number 1027 granting a CUP to property located at 2501 San Antonio Street for the purpose of installation of a mobile home; setting out additional conditions in addition to those conditions stipulated under Article 23, Rockport Zoning Ordinance Number 1027; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

SUBMITTED BY: Building and Development Department Director Mike Donoho

APPROVED FOR AGENDA: PKC

BACKGROUND: On January 12, 2015, the City received a request from Tammy & Stanley Stewart, for a Conditional Use Permit for the placement of a mobile home on property located at 2501 San Antonio Street.

A joint public hearing with City Council and the Planning and Zoning Commission (P&Z) was held February 10, 2015. P&Z met February 16, 2015, and reviewed the Stewart's request for a Conditional Use Permit for the placement of a mobile home on the property. The P & Z voted unanimously to recommend that this request be accepted by the Council with the conditions stipulated under Article 23, Rockport Zoning Ordinance Number 1027 and the following additional conditions: 1) An annual letter is submitted by the owner to inform the Building and Development Department of the continued need of the conditional use; and 2) When the conditional usage is no longer needed the property owner will have one (1) year from date of notice to remove mobile home from property.

Please see the accompanying memo from P&Z, ordinance, and the application for additional information.

Since the public hearing and P&Z meeting, new information has come to light that requires further consideration and may materially affect P&Z's recommendation and City Council's decision.

On March 10, 2015, the City Council voted to table this item and refer it back to the Planning and Zoning Commission for additional review. Planning Zoning is tentatively scheduled to meet on this issue on April 20.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council table the issue until P&Z meets again.

ORDINANCE NO. _____

AN ORDINANCE PURSUANT TO ARTICLE 23 “CONDITIONAL USE PERMIT” (C.U.P.), ROCKPORT ZONING ORDINANCE NUMBER 1027, GRANTING A C.U.P. TO PROPERTY LOCATED AT 2501 SAN ANTONIO STREET FOR THE PURPOSE OF INSTALLATION OF A MOBILE HOME; SETTING OUT ADDITIONAL CONDITIONS IN ADDITION TO THOSE STIPULATED CONDITIONS STIPULATED UNDER ARTICLE 23, ROCKPORT ZONING ORDINANCE NUMBER 1027; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a Zoning & Land Development request for a Conditional Use Permit (CUP) to property located at 2501 San Antonio Street, Rockport, Aransas County, Texas, was received in the office of Building & Development, City of Rockport, Texas; and

WHEREAS, on January 16, 2015, notice was posted on the bulletin boards at Rockport City Hall, 622 E. Market Street and on the City’s webpage www.cityofrockport.com; and

WHEREAS, on January 24, 2015, the City caused to be published “Notice of Joint Public Hearing” in the official newspaper of the City notifying area residents and the public in general to participate and make their views known regarding this request; and

WHEREAS, on February 10, 2015, at 6:30 p.m., the Rockport City Council and the Planning & Zoning Commission did hold a Joint Public Hearing; and

WHEREAS, on February 16, 2015, the Planning & Zoning Commission did meet and said Commission did vote unanimously to recommend to the City Council approval of this request for a Conditional Use Permit (CUP) with additional conditions, on property located at 2501 San Antonio Street, Rockport, Aransas County, Texas, for installation of a mobile home.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS:

Section 1. Conditional Use Permit

That, pursuant to Article 23 “Conditional Use Permit” (CUP), Rockport Zoning Ordinance Number 1027, a CUP is hereby granted to property located; for the purpose of installation of a mobile home, on land located at 2501 San Antonio Street, Rockport, Aransas County, Texas, subject to compliance with the following conditions as well as those conditions stipulated under

Article 23, Rockport Zoning Ordinance Number 1027:

1. An annual letter is submitted by the owner to inform the Building and Development Department of the continued need of the conditional use; and
2. When the conditional usage is no longer needed the property owner will have one (1) year from date of notice to remove mobile home from property.

Section 2. Repealer.

Any previously adopted ordinances, and any subsequent amendments to them, which are in conflict with this Ordinance, are all hereby repealed.

Section 3. Severability.

If any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is, for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

Section 4. Effective Date.

This Ordinance shall become effective immediately upon adoption by second and final reading.

APPROVED and **PASSED** on first reading this 10th day of March 2015.

CITY OF ROCKPORT:

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

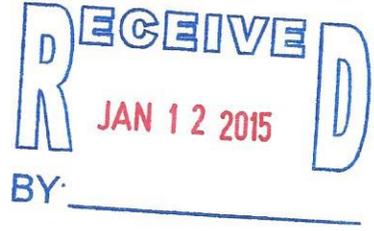
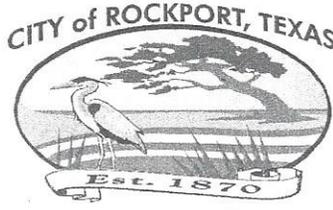
APPROVED, PASSED and ADOPTED on second reading this _____ day of March 2015.

CITY OF ROCKPORT:

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary



**CITY OF ROCKPORT
ZONING AND LAND DEVELOPMENT APPLICATION**

INSTRUCTION: Please fill out completely. If more space is needed, attach additional pages. Please print or use typewriter.

A. REQUESTING: Rezoning [] Conditional Permit
Planned Unit Development (P.U.D.) by Conditional Permit []

B. ADDRESS AND LOCATION OF PROPERTY 2502 MONKEY ROAD E
2501 San Antonio ROCKPORT, TX 78382

C. CURRENT ZONING OF PROPERTY: R-1

D. PRESENT USE OF PROPERTY: Residential

E. ZONING DISTRICT REQUESTED: N/A

F. CONDITIONAL USE REQUESTED: Install mobile home

G. LEGAL DESCRIPTION: (Fill in the one that applies)

- Lot or Tract S, E/2 of 71 Block 250
- Tract Swickheimer of the Samuel Highland Survey as per metes and bounds (field notes attached)
- If other, attach copy of survey or legal description from the Records of Aransas County or Appraisal District.

H. NAME OF PROPOSED DEVELOPMENT (if applicable) N/A

I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): 0.452

J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT:
(Please be specific)

OUR DAUGHTER HAS AN ILLNESS, SHE IS UNABLE TO WORK
SHE HAS 4 CHILDREN. IF SHE HAS AN ATTACK SHE NEEDS
SOMEONE TO TAKE CARE OF HER PLUS THE CHILDREN

K. OWNER'S NAME: (Please print) TAMMY & STANLEY STEWART
 ADDRESS: 2502 MONKEY ROAD
 CITY, STATE, ZIP CODE: ROCKPORT, TX 78382
 PHONE NO 361 230 2933 or 361 230 3659

L. REPRESENTATIVE: (If Other Than Owner) _____
 ADDRESS: _____
 CITY, STATE, ZIP CODE: _____
 PHONE NO _____

NOTE: Do you have property owner's permission for this request?
 YES NO

M. FILING FEE:

REZONING	\$150.00 + \$10.00 PER ACRE
PLANNED UNIT DEVELOPMENT	\$200.00 + \$10.00 PER ACRE
P.U.D. REVISION	\$200.00 + \$10.00 PER ACRE
CONDITIONAL PERMIT	\$150.00 + \$10.00 PER ACRE

(Make check payable to the City of Rockport)

- Submit application and filing fee to the Department of Building & Development, City of Rockport; 2751 S.H. 35 Bypass, Rockport, Texas 78382.

Signed: Tammy S. Stewart Stanley S. Stewart
 (Owner or Representative)

(FOR CITY USE)

Received by: MB Date: 1-12-15 Fees Paid: \$ 150.00

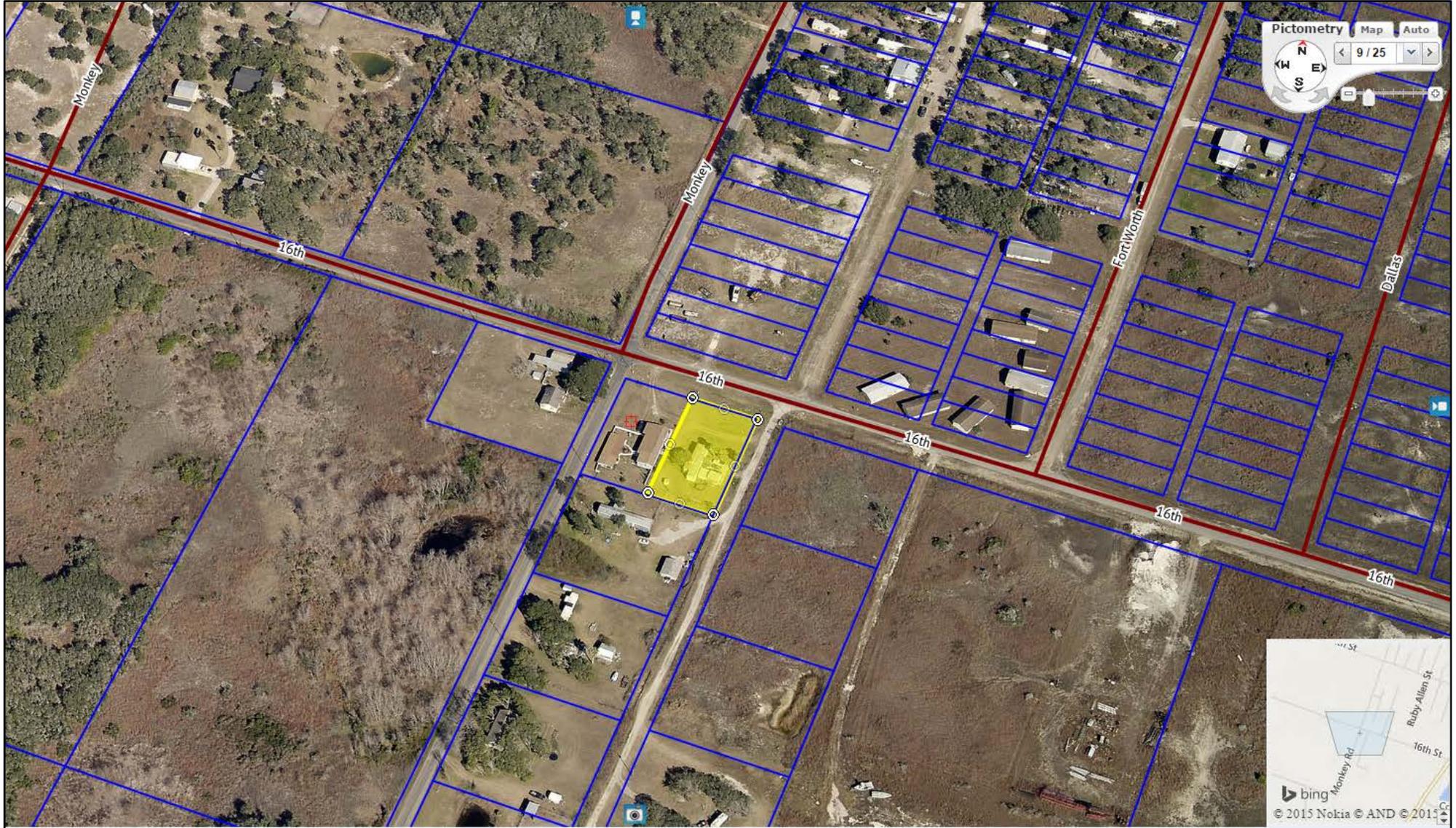
Submitted Information (accepted) (rejected) by: _____

If rejected, reasons why: _____

Receipt No. 024260

Conditional Use Permit Request

2501 San Antonio Street





Statement of Account

51

NOTICE: This is a statement of Taxes Due as of 01/12/2015 10:27:36AM
based upon the tax records of the tax office.

JERI D. COX, TAX ASSESSOR COLLECTOR
ARANSAS COUNTY TELEPHONE: 361-790-0160
319 N. CHURCH ST.
ROCKPORT, TX 78382-2715

Property Information	
Property ID: 69912	Geo ID: 5925-250-071-013
Legal Acres: 0.4520	
Legal Desc: Swickheimer, BLOCK 250, LOT 5, E/2 OF 71, ACRES 0.452 (ADD'N IMPS)	
Situs: 2501 SAN ANTONIO ST ROCKPORT, TX 78382	
DBA:	
Exemptions: HS, OV65	

Owner ID: 83625 Ownership: 100.00%
STEWART STAN ETUX TAMMY
2502A MONKEY RD
ROCKPORT, TX 78382-7277

Value Information	
Improvement HS:	9,030
Improvement NHS:	0
Land HS:	6,780
Land NHS:	0
Productivity Market:	0
Productivity Use:	0
Assessed Value	15,810

Entity	Description	Pct.	Ex Code	Description
CRO	CITY OF ROCKPORT	100.00%	HS	Homestead
GAR	ARANSAS COUNTY	100.00%	OV65	Over 65
NVD	NAVIGATION DIST	100.00%		
SAR	ARANSAS CO ISD	100.00%		
XSP	COUNTY ROAD & FLOOD	100.00%		

Unpaid Bills Summary									
Entity	Year	Statement ID	Tax Rate	Type	Tax Due	Disc/P&I	Attorney Fees	Total Due	
CRO	2014	26005	0.335179	L	11.09	0.00	0.00	0.00	11.09
GAR	2014	26005	0.310572	L	10.28	0.00	0.00	0.00	10.28
NVD	2014	26005	0.053611	L	4.45	0.00	0.00	0.00	4.45
XSP	2014	26005	0.074097	L	6.16	0.00	0.00	0.00	6.16
Total for Year 2014					31.98	0.00	0.00	0.00	31.98
Total For All Years					31.98	0.00	0.00	0.00	31.98
Total Due if Paid By 01/31/2015								31.98	

Paid Refunds Summary
No Information on File.

*** End of Statement ***

NOTICE: This document is not a tax certificate and does not absolve a Taxpayer from tax liability in any way. If this document is found to be in error, it may be corrected by the Collection Office listed above. Responsibility to pay the remaining taxes rests entirely with the Taxpayer, as outlined in the Texas Property Tax Code.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF ARANSAS §

THAT, **LaDONNA BRASUELL and husband, JOHN BRASUELL**, hereinafter called Grantor (whether one or more), for and in consideration of the sum of TEN AND NO/100 DOLLARS and other good and valuable considerations to Grantor in hand paid by **STAN STEWART and wife, TAMMY STEWART**, hereinafter called Grantee (whether one or more), the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee, whose mailing address is as hereinafter set forth, the following described real estate, together with all improvements thereon, situated in Aransas County, Texas, being more particularly described as follows, to-wit:

BEING 0.452 ACRES OF LAND, EMBRACING THE EAST ONE-HALF OF A 0.904 ACRE TRACT OF LAND OUT OF THE NORTHWEST CORNER OF TRACT 71, LANDBLOCK 256, ALSO CALLED LANDBLOCK 250, OF THE FOOR AND SWICKHEIMER SUBDIVISION, SAMUEL HIGHLAND SURVEY, A-73, ARANSAS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 1, PAGE 28, PLAT RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING THAT SAME 0.904 ACRE TRACT OF LAND DESCRIBED IN A CONVEYANCE FROM HERMON T. WATERS TO LADONNA AND JOHN BRASUELL AND STAN AND TAMMY STEWART UNDER CLERK'S FILE NUMBER 278497, OFFICIAL PROPERTY RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 0.452 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto the said Grantee, Grantee's heirs, successors and/or assigns forever. And Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and/or assigns TO WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee herein, Grantee's heirs, successors and/or assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

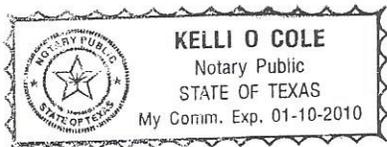
This conveyance and the warranties of title given herein are made subject to any and all restrictions, easements, setback lines, covenants, conditions and reservations, of record affecting the property herein conveyed.

EXECUTED ON THE FOLLOWING DATE: 10/09/09

(ACKNOWLEDGEMENT)

STATE OF TEXAS §
COUNTY OF ARANSAS §

This instrument was ACKNOWLEDGED before me, on this the 8th day of OCT, 2009, by LaDONNA BRASUELL and husband, JOHN BRASUELL.



Kelli O Cole
Notary Public, State of Texas

This instrument was prepared solely from information and on instructions given to this office by our client. No title opinion or other information has been furnished to or has been, or is being, given by this office to any person in connection with the preparation of this instrument or the accuracy of the information contained herein.

GRANTEE'S MAILING ADDRESS:
AFTER RECORDING RETURN TO
GRANTEE AT:

*Jimmy Stewart
2502 A Maitland Rd.
Rockport Tx 78382*

PREPARED IN THE OFFICE OF:
WEST & WEST ATTORNEYS, P.C.
2929 Mossrock, Suite 204
San Antonio, Texas 78230

FIELD NOTES**EXHIBIT A**

OCTOBER 1, 2009

BEING THE DESCRIPTION OF 0.452 ACRES OF LAND, EMBRACING THE EAST ONE-HALF OF A 0.904 ACRE TRACT OF LAND OUT OF THE NORTHWEST CORNER OF TRACT 71, LANDBLOCK 256, ALSO CALLED LANDBLOCK 250, OF THE FOOR AND SWICKHEIMER SUBDIVISION, SAMUEL HIGHLAND SURVEY, A-73, ARANSAS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 1, PAGE 28, PLAT RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING THAT SAME 0.904 ACRE TRACT OF LAND DESCRIBED IN A CONVEYANCE FROM HERMON T. WATERS TO LADONNA AND JOHN BRASUELL AND STAN AND TAMMY STEWART UNDER CLERKS FILE NUMBER 278497, OFFICIAL PROPERTY RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 0.452 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE at a 5/8" steel rebar found for the Northwest corner of said Tract 71, and being at the intersection of the East R.O.W. line of Monkey Road, also called Swickheimer Road, and the South R.O.W. line of Sixteenth Street; THENCE, South 70°34'00" East, along and with the South R.O.W. line of Sixteenth Street and the North boundary of Tract 71, a distance of 100.0 feet to a 5/8" steel rebar set for the NORTHWEST corner and PLACE OF BEGINNING of this survey;

THENCE, South 19°26'00" West, crossing said Tract 71, a distance of 197.20 feet to a 5/8" steel rebar set in the North boundary line of a 0.904 acre tract as conveyed to David Choate and described under Clerks File Number 239351, Official Property Records of Aransas County, Texas, and being the SOUTHWEST corner of this survey;

THENCE, South 70°34'00" East, along and with the North boundary line of said 0.904 acre, Choate Tract, a distance of 100.0 feet to a 5/8" steel rebar set in the West R.O.W. line of a 42.0 foot wide dedicated County R.O.W., recorded in Volume Q-3, Page 278, Deed Records of Aransas County, Texas, and being the SOUTHEAST corner of this survey;

THENCE, North 19°26'00" East, along and with the West R.O.W. line of said County Road, a distance of 197.20 feet to a 5/8" steel rebar set at the intersection of the South R.O.W. line of Sixteenth Street and the West R.O.W. line of said County Road and being the NORTHEAST corner of this survey;

THENCE, North 70°34'00" West, along and with the South R.O.W. line of Sixteenth Street and the North boundary line of said Tract 71, a distance of 100.0 feet to the PLACE OF BEGINNING of this survey and containing 0.452 acres of land more or less.

Unless this Field Note description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility or liability for its accuracy. This property is being subdivided between family members with an undivided interest and subject to State replatting exception.

J. L. Brandrett, Jr., R. P. L. S.



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WARRANTY DEED

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF ARANSAS §

THAT, **STAN STEWART and wife, TAMMY STEWART**, hereinafter called Grantor (whether one or more), for and in consideration of the sum of TEN AND NO/100 DOLLARS and other good and valuable considerations to Grantor in hand paid by **LaDONNA BRASUELL and husband, JOHN BRASUELL**, hereinafter called Grantee (whether one or more), the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee, whose mailing address is as hereinafter set forth, the following described real estate, together with all improvements thereon, situated in Aransas County, Texas, being more particularly described as follows, to-wit:

BEING 0.452 ACRES OF LAND, EMBRACING THE WEST ONE-HALF OF A 0.904 ACRE TRACT OF LAND OUT OF THE NORTHWEST CORNER OF TRACT 71, LANDBLOCK 256, ALSO CALLED LANDBLOCK 250, OF THE FOOR AND SWICKHEIMER SUBDIVISION, SAMUEL HIGHLAND SURVEY, A-73, ARANSAS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 1, PAGE 28, PLAT RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING THAT SAME 0.904 ACRE TRACT OF LAND DESCRIBED IN A CONVEYANCE FROM HERMON T. WATERS TO LADONNA AND JOHN BRASUELL AND STAN AND TAMMY STEWART UNDER CLERK'S FILE NUMBER 278497, OFFICIAL PROPERTY RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 0.452 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto the said Grantee, Grantee's heirs, successors and/or assigns forever. And Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and/or assigns TO WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee herein, Grantee's heirs, successors and/or assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This conveyance and the warranties of title given herein are made subject to any and all restrictions, easements, setback lines, covenants, conditions and reservations, of record affecting the property herein conveyed.

EXECUTED ON THE FOLLOWING DATE: 10/19/79

(ACKNOWLEDGEMENT)

STATE OF TEXAS §
COUNTY OF ARANSAS §

This instrument was ACKNOWLEDGED before me, on this the 9 day of Oct, 2009, by STAN STEWART and wife, TAMMY STEWART.



Kelli O Cole

Notary Public, State of Texas

This instrument was prepared solely from information and on instructions given to this office by our client. No title opinion or other information has been furnished to or has been, or is being, given by this office to any person in connection with the preparation of this instrument or the accuracy of the information contained herein.

GRANTEE'S MAILING ADDRESS:
AFTER RECORDING RETURN TO
GRANTEE AT:

Judith & John Brandt
2502 ¹³ Winkley Rd.
Rockport, TX 78382

PREPARED IN THE OFFICE OF:
WEST & WEST ATTORNEYS, P.C.
2929 Mossrock, Suite 204
San Antonio, Texas 78230

FIELD NOTES**EXHIBIT A**

OCTOBER 1, 2009

BEING THE DESCRIPTION OF 0.452 ACRES OF LAND, EMBRACING THE WEST ONE-HALF OF A 0.904 ACRE TRACT OF LAND OUT OF THE NORTHWEST CORNER OF TRACT 71, LANDBLOCK 256, ALSO CALLED LANDBLOCK 250, OF THE FOUR AND SWICKHEIMER SUBDIVISION, SAMUEL HIGHLAND SURVEY, A-73, ARANSAS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 1, PAGE 28, PLAT RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING THAT SAME 0.904 ACRE TRACT OF LAND DESCRIBED IN A CONVEYANCE FROM HERMON T. WATERS TO LADONNA AND JOHN BRASUELL AND STAN AND TAMMY STEWART UNDER CLERKS FILE NUMBER 278497, OFFICIAL PROPERTY RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 0.452 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at a 5/8" steel rebar found for the Northwest corner of said Tract 71, and being at the intersection of the East R.O.W. line of Monkey Road, also called Swickheimer Road, and the South R.O.W. line of Sixteenth Street, and being the NORTHWEST corner and PLACE OF BEGINNING of this survey;

THENCE, South 70°34'00" East, along and with the South R.O.W. line of Sixteenth Street and the North boundary of Tract 71, a distance of 100.0 feet to a 5/8" steel rebar set for the NORTHEAST corner of this survey;

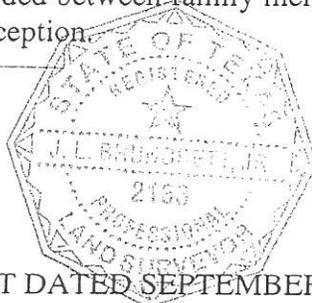
THENCE, South 19°26'00" West, crossing said Tract 71, a distance of 197.20 feet to a 5/8" steel rebar set in the North boundary line of a 0.904 acre tract as conveyed to David Choate and described under Clerks File Number 239351, Official Property Records of Aransas County, Texas, and being the SOUTHEAST corner of this survey;

THENCE, North 70°34'00" West, along and with the North boundary line of said 0.904 acre, Choate Tract, a distance of 100.0 feet to a 5/8" steel rebar set in the East R.O.W. line of Monkey Road, and being the SOUTHWEST corner of this survey;

THENCE, North 19°26'00" East, along and with the East R.O.W. line of Monkey Road, a distance of 197.20 feet to the PLACE OF BEGINNING of this survey and containing 0.452 acres of land more or less.

Unless this Field Note description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility or liability for its accuracy. This property is being subdivided between family members with an undivided interest and subject to State replatting exception.


J. L. Brundrett, Jr., R. P. L. S.
Reg. No. 2133



SEE ACCOMPANYING SURVEY PLAT DATED SEPTEMBER 30, 2009
FILENAME: 090930DT4

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 14, 2015

AGENDA ITEM: 14

Deliberate and act on request from Ms. Christina Coble for permission to block off sidewalk at 406 S. Austin Street and allow alcoholic beverages on the sidewalk on May 2, 2015, between the hours of 4:30 p.m. to 11:00 p.m.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

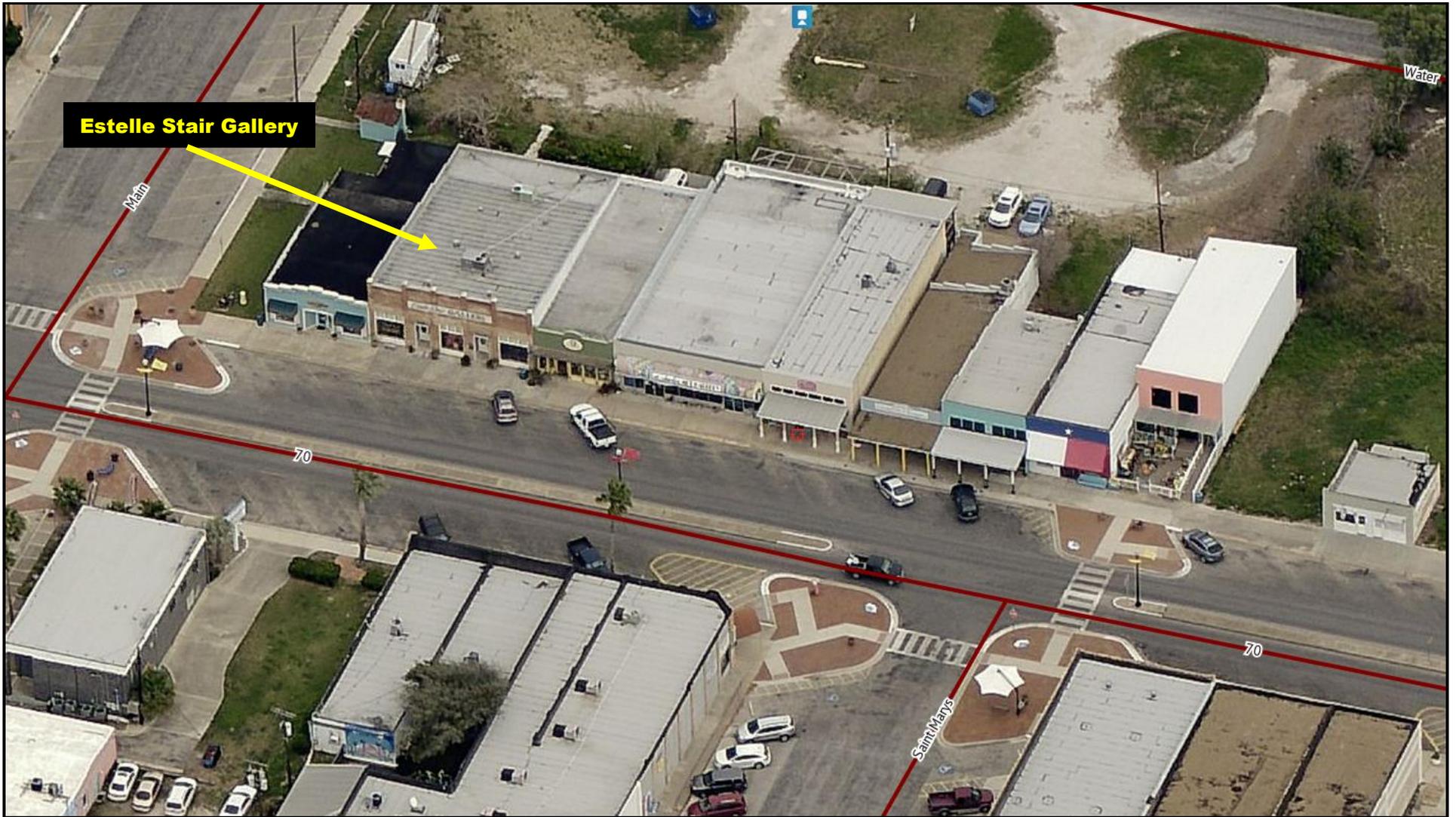
BACKGROUND: The City has received a request from Ms. Christina Coble for permission to block a portion of the sidewalk in front of the Estelle Stair Gallery and permission to allow alcoholic beverages on the sidewalk immediately in front of the Gallery. Ms. Coble will be contacting all the businesses in the same block of the Estelle Stair Gallery requesting their approval of the blocking of the sidewalk and will have that information available prior to the Council Meeting.

Since Ms. Coble will not be selling alcohol and the City does not have an ordinance prohibiting alcohol consumption in public other than in a park, there are no regulatory issues with the alcohol.

See the accompanying aerial photograph and letter of request for additional details.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Assuming no objections from neighbors, staff recommends Council approve the request with the change in the start time to 5:00 p.m.



April 1, 2015

Charles J. Wax and City Council
622 E. Market Street
Rockport, Texas 78382

Re: Formal request to block off sidewalk and have alcoholic beverages in front of the Estelle Stair Gallery, Rockport Texas.

Dear Mr. Wax and City Council,

I, Christina Coble will be hosting a wedding reception for my daughter on Saturday May 2, 2015 at the Estelle Stair Gallery located at 406 S. Austin, Rockport, Texas. We have two Rockport Police Officers to provide security for the event and they will be in uniform. We are expecting between 100 and 110 people to attend this event. We will also have a limo parked at the event for the time allocated to transport people to and from the event.

The time of this event will be from 4:30pm to approximately 11:00pm.

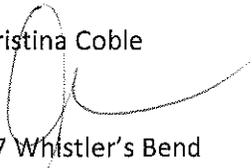
Please consider this my formal request to have a permit issued to block a portion of the sidewalk in front of the Estelle Stair Gallery for this event and a permit issued to allow alcoholic beverages on the sidewalk immediately in front of the Estelle Stair Gallery for this event.

The Groom is Colton Miller, parents are Steve and Juaniece Miller of Rockport.
The Bride is Whitney Coble, parents are Mike & Christina Coble of Rockport.

I thank you all for your time and consideration.

Sincerely,

Christina Coble



107 Whistler's Bend
Rockport, Texas 78382
361-463-9058

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 14

AGENDA ITEM: 15

Deliberate and act on proposal for water service for Coastal Paradise RV Resort.

SUBMITTED BY: Public Works Director, Michael S. Donoho, Jr

APPROVED FOR AGENDA: PKC

BACKGROUND: At the Council Workshop meeting on March 24, 2015, a presentation by RTM Construction, regarding extending water service to Coastal Paradise RV Resort at 1331 State Highway 188 (the southwest corner of Hwy 35 Bypass and State Hwy 188) was discussed.

The proposed multiphase development would have approximately 155 RV units at build out and requires a six-inch water main. The water main would come from the City's ground storage at the northeast corner of the intersection and would have to bore under Highway 35 Bypass.

The proposed project needs a 2-inch main to service its water needs; however, the City's development policy requires a minimum 6-inch main in this situation. To allow for service to future development on the west side of Highway 35 Bypass, staff proposes to increase the size of the main under the highway from 6-inches to 12-inches, with the City paying the difference in cost for the size increase. (Under the former Stillman Ranch proposal, the 12-inch will eventually loop into the 18-inch coming from Pen Oaks). Except for the very northeast corner, all of the property is outside of the City's extraterritorial jurisdiction (ETJ) and none of the property is in a certificated area for water. The remainder of the property is also outside of the Aransas Pass ETJ. If the City decides not to participate in the project and allow a six-inch extension to serve only Coastal Paradise, that line may interfere with the City's ability to extend service to the west side of the Highway in the future.

Basic policy questions for Council's consideration include:

1. From a comprehensive development perspective, does the City want to act to promote additional RV park capacity in the community?
2. If Council wants to increase RV capacity, should the City take advantage of the opportunity to bring the additional service capacity to the west side of Highway 35?

FISCAL ANALYSIS: The table below details the cost estimate for the project depending upon the scope of the work, the developer's proposed cost sharing, and staff's recommendation.

Scope	Total Cost	Developer's Proposal		Staff Recommendation	
		RTM	City	RTM	City
2" Main	\$46,000	\$46,000	\$-0-	N/A	N/A
6" Main	\$119,000	\$59,000	\$59,000	\$119,000	\$-0-
12" Main	\$143,550	\$71,775	\$71,775	\$119,000	\$24,550

This is an unbudgeted expense. Funding for participation in this project would come from the Enterprise Fund Capital Outlay Main Line Extensions and Taps account (no. 02-6418015). Currently the available balance in that expense line is \$23,453. If the project for the project exceeds that cost the balance would have to come from Enterprise fund balance.

STAFF RECOMMENDATION: Staff recommends Council authorize participation with RTM Construction for installation of a 12-inch water main with the City paying for the difference in cost for upsizing the main from the required six-inch size, at an approximate cost of \$24,550.



Engineering Co., P.L.L.C.
CIVIL CONSULTANTS – LAND PLANNERS

TBPE FIRM NO. 13260

March 25, 2015

WATER SERVICE LETTER

City of Rockport
622 E. Market St
Rockport, TX. 78382

Attn: Mayor & City Council

Re: Coastal Paradise RV Resort Water Service Participation

Mayor & City Council,

This letter has been generated at the request of the council, during the City Council Workshop held on March 24, 2015, to help clarify some points of confusion with respect to the discussion of this development's potable water needs and possible city/developer participation agreement for the installation of offsite potable water services or water main extension for this proposed development. A major source of the confusion during the workshop meeting centered around the size of water service needed for this development. Please be advised that JKS Engineering Co., P.L.L.C. would like to respectfully correct the developer and the City of Rockport Water Department's comments with the following information:

Development's Required Water Service – 2" service line with a 2" meter. JKS Engineering Co., P.L.L.C. has obtained approximate existing water main pressure at the point of 2" service tap onto the existing water main of approx. 55 to 57 PSI. A simple 2" water service exhibit has been prepared and submitted to the City of Rockport Water Department showing an approximate 1,160LF of 2" water service route to the proposed development. Typical static and dynamic calculations provide a pressure loss of 15 PSI with a GPM velocity of 50 GPM. Therefore, the end pressure at the development's property will have an approximate water pressure of 40 to 42 PSI. The minimum PSI regulated by TCEQ is 35 PSI for single family residential applications. With this discussion, JKS Engineering Co., P.L.L.C. requests a 2" water service for this development at which there would be no city participation in the cost of the 2" water service installation.

Developer's Cost: \$46,000

City's Cost: \$0

6" Water Main Extension – If a development needs more water volume than what a 2" service can provide, a 6" water main extension is required as the minimum water main extension size per the City of Rockport to meet fire codes, state regulations, etc. If the City of Rockport decides to require a 6" water main extension across the Bypass 35 corridor for possible service to future developments, then a 12" Diameter Bore Casing must be installed with the associated 6" water main. In this case, the Developer would respectfully ask for a 50/50 participation with the City of Rockport for the upsize from a 2" water service to a 6" water main extension.

Developer's Cost: \$59,500

City's Cost: \$59,500

P.O. BOX 1161 ∞ LA VERNIA TX. 78121 ∞ jeff@jks-engineering.com ∞ (210) 422-8529

Engineering The Future Of Texas - One Project At A Time



12" Water Main Extension – If the City of Rockport decides to require a 12" water main extension for the future needs of the theoretical water master plan and possible connection to FM 1069, then an 18" diameter bore casing will be required for a 12" water main. In this event, the developer would request a 50/50 participation split of the cost of construction with the City of Rockport for the upsize from a 2" water service to a 12" water main extension.

Developer's Cost: \$71,775

City's Cost: \$71,775

Please note that the developer will still need to pay for the potable water impact fees required by City Ordinance. Also note, a pro-rata reimbursement paid to the developer will be required for any development that connects to the aforementioned water main extension during the first 7 yr period after completion of the water main extension construction and acceptance by the City of Rockport as a potable water main. With respect to both the City of Rockport and the Developers, it is in the best interest of the City of Rockport to participate with the developers in a water main extension for future development along State Hwy 188 and portions of Bypass 35.

Please let me know if you have any further questions.

Respectfully Submitted,

Jeffrey S. Smith, P.E.
Manager

Coastal Paradise RV Resort





FM 188 & HWY 35 BYPASS-SOUTH

Print Date: 03/19/2015
Image Date: 11/07/2014
Level: Community



03/19/2015

ENGINEER: Brandi B. Karl, P.E.

ENGINEER'S ESTIMATE

Job No. 1560.00.00

DATE: 4/7/2015

COASTAL PARADISE RV RESORT						
Estimate for 12" Waterline Crossing SH 35 Bypass						
ITEM	DESCRIPTION	UNIT	QUAN	QUAN (+5%)	UNIT PRICE	TOTAL COST
1	24"X12" Tapping Saddle with 12" Gate Valve	LS	1	1	\$5,500.00	\$5,500.00
2	12" PVC C900	LF	154	162	\$55.00	\$8,910.00
3	12" x 45° Bend	EA	3	3	\$1,200.00	\$3,600.00
4	12" HDPE	LF	605	635	\$42.00	\$26,670.00
5	18" W.S. Casing (Installed by Boring)	LF	540	567	\$160.00	\$90,720.00
6	12" Cap	EA	2	2	\$900.00	\$1,800.00
7	12" D.I. Tee	EA	1	1	\$1,300.00	\$1,300.00
8	12"x6" D.I. Tee	EA	1	1	\$1,100.00	\$1,100.00
9	6" Gate Valve	EA	1	1	\$1,100.00	\$1,100.00
10	Fire Hydrant Assembly	EA	1	1	\$3,500.00	\$3,500.00
12" Waterline Project Total						\$144,200.00
Estimate for 6" Waterline Crossing SH 35 Bypass						
1	24"X6" Tapping Saddle with 6" Gate Valve	LS	1	1	\$4,500.00	\$4,500.00
2	6" PVC C900	LF	154	162	\$37.00	\$5,994.00
3	6" x 45° Bend	EA	3	3	\$950.00	\$2,850.00
4	6" HDPE	LF	605	635	\$39.00	\$24,765.00
5	12" W.S. Casing (Installed by Boring)	LF	540	567	\$140.00	\$79,380.00
6	6" Cap	EA	2	2	\$650.00	\$1,300.00
7	6" D.I. Tee	EA	2	2	\$850.00	\$1,700.00
8	6" Gate Valve	EA	1	1	\$1,100.00	\$1,100.00
9	Fire Hydrant Assembly	EA	1	1	\$3,200.00	\$3,200.00
6" Waterline Project Total						\$124,789.00

Urban Engineering
2725 Swantner
Corpus Christi, TX 78404
361-854-3101

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 14, 2015

AGENDA ITEM: 16

Deliberate and act on award of Bank Depository and Finances Services Contract to Wells Fargo Bank, N.A. for a three year period beginning May 1, 2015 and ending April 30, 2018.

SUBMITTED BY: Finance Director Patty Howard

APPROVED FOR AGENDA: PKC

BACKGROUND: Section 7.11 of the Code of Ordinances requires the City Council to review proposals for depository services every two to five years. Staff sent “Request for Proposal – Bank Depository and Financial Services” requests for proposals to each of the eight financial institutions within the City limits of Rockport, in addition to posting on the City of Rockport’s website.

There were three proposals received by the City Secretary for the scheduled bid opening on March 24, 2015: First Community Bank, Prosperity Bank, and Wells Fargo Bank (see accompanying spreadsheets for each proposal). The February Analysis Report was used in each spread sheet to compare bid rates and analyze interest rates for each bank bid. Each financial institution was sent a copy of their bid with extension to verify and sign off on as a true statement of their bid.

Two contract options are provided on the spreadsheets. The first shows the cost using earnings credits to off set the cost of services. The second is the City paying all cost of services and earnings, and being paid for all interest earned.

Depository Proposal Comparison			
Description	1st Community	Prosperity	Wells Fargo
Cost of Service	\$1,504.85	\$0.00	\$2,388.84
Earning Credit	1,252.25	0.00	2,532.39
Net Cost	\$252.60	\$0.00	(\$143.55)
Interest Earned	\$4,119.81	\$4,708.35	\$1,765.63
Other Earnings/ Charges	(117.00)	(1,405.00)	1,000.00
Net Earnings	\$3,750.21	\$3,303.35	\$2,909.18
Difference from Wells Fargo	(\$841.03)	(\$394.17)	\$0.00

FISCAL ANALYSIS: For the representative month used, 1st Community’s proposal was \$841.03 less and Prosperity Bank’s proposal was \$394.17 less than the proposal from Wells Fargo; however 1st Community Bank will not pledge 102% of net aggregate collected balances which is a major concern for the City and in staff’s opinion is not acceptable. In addition, 1st Community and Prosperity do not have the same type of credit card services and reporting that Wells Fargo offers, therefore it would require additional monthly time and labor costs to compile

a monthly credit card report manually instead of having it electronically prepared as currently is offered by Wells Fargo. In addition to the above items, there will be additional one-time labor and other extensive expenses associated with converting to a depository different from Wells Fargo.

RECOMMENDED ACTION: Staff recommends approval a Contract for Depository and Financial Services with Wells Fargo Bank for a three year period beginning May 1, 2015, and ending April 30, 2018.

City of Rockport DEPOSITORY BID

Prosperity Bank

AVERAGE POSITIVE COLLECTED BALANCE

\$ 6,753,043.00

SERVICE VOLUME COST EXTENSION

ACH CEO SUBSCRIPTION - ACCOUNT	1	0.00000	0.00
ELECTRONIC CREDITS POSTED	276	0.00000	0.00
ACH MONTHLY BASE	2	0.00000	0.00
ACH ONE DAY ITEM	2882	0.00000	0.00
ACH TWO DAY ITEM	8	0.00000	0.00
ACH RECEIVED ITEM	121	0.00000	0.00
ACH RETURN ITEM - FAX ADVICE	7	0.00000	0.00
ACH RETURN ITEM-REDEPOSITED	3	0.00000	0.00
ACH TRANSMISSION CHARGE	5	0.00000	0.00
ACH FAX SERVICE	14	0.00000	0.00
SMART DECISION ACH TRANSIT	52	0.00000	0.00
WIRE IN DOMESTIC	3	0.00000	0.00
WIRE-OUTGOING DOMESTIC -CEO	9	0.00000	0.00
WIRE-BOOK TRANSFER -CEO	7	0.00000	0.00
DESKTOP DEPOSIT MTHLY BASE	2	0.00000	0.00
DESKTOP DEPOSIT REPORT PER ITEM	208	0.00000	0.00

"credit items"

"debit items"

COST OF SERVICES TOTAL

\$0.00

EARNINGS CREDIT REALIZED N/A

0.00000 \$

-

NET COST OF SERVICES

\$0.00

BALANCES EARNING INTEREST

\$ 13,859,255.78

INTEREST RATE -Money Market (floor 0.40%)

0.40%

ESTIMATED INTEREST EARNED

\$ 4,708.35

Will pledge 102% of net aggregate collected balances.

yes

Collateral Agreement through Federal Home Loan Bank of Dallas

Initial Implementation Fee for Desktop Scanner

\$200.00 for First Workstation/fee waived

0.00

\$100.00 for Each additional Workstation/fee waived

0.00

\$635.00 for each desktop scanner

1,905.00

Retention bonus used for check and deposit order

500.00

Major Credit Card Services

yes (VISA)

Annual Percentage rate 9.9%, periodic Rate will be equal to .825%

I confirm that this is a fair representation of the Bank's bid response as shown/as corrected and initiated.

Pat Spicano
(signed)

4/2/15
(date)

City of Rockport

1st Community Bank

AVERAGE POSITIVE COLLECTED BALANCE	\$	6,753,043.00
Less Uncollected Funds	\$	(74,150.00)
Less Legal Reserve 10%	\$	(668,116.40)
NET AVAILABLE FOR PERIOD	\$	6,010,776.60

SERVICE	VOLUME	COST	EXTENSION
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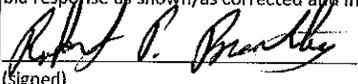
ACCOUNT MAINTENANCE	5	50.00000	250.00	"credit items"
SPECIAL STATEMENT	0	5.00000	0.00	
DEBITS POSTED	467	0.25000	116.75	"debit items"
CREDITS POSTED	539	0.30000	161.70	
TRANSIT ITEMS DEPOSITED	3004	0.10000	300.40	
DEPOSIT CORRECTIONS	0	5.00000	0.00	
CM MAINT FEE	1	25.00000	25.00	
CM PER FILE	5	10.00000	50.00	
CM PER ITEM	2890	0.15000	433.50	
BILL PAY MONTHLY	0	7.95000	0.00	
REMOTE DEPOSIT	1	60.00000	60.00	
RDC ADDITIONAL ACCTS	1	25.00000	25.00	
STRAPPED CURRENCY	100	0.50000	50.00	
ROLLED COIN (CHANGE ORDER)	22	0.10000	2.20	
POSITIVE PAY	1	5.00000	5.00	
POSITIVE PAY EXCEPT ITEMS	52	0.15000	7.80	
MSB	0	300.00000	0.00	
NBF INSTITUTION	0	300.00000	0.00	
SPECIAL SIGNATURES	0	25.00000	0.00	
PAPER STMTS W/IMAGES	5	3.50000	17.50	

COST OF SERVICES TOTAL	\$	1,504.85
EARNINGS CREDIT REALIZED (.25%)	0.00250 \$	1,252.25
NET COST OF SERVICES	\$	(252.60)
BALANCES EARNING INTEREST	\$	13,859,255.78
INTEREST RATE -Savings (floor 0.35%)		0.35%
ESTIMATED INTEREST EARNED	\$	4,119.81

Will pledge 102% of net aggregate collected balances No This should be furnished by Municipality

Desktop Remote
\$35.00 per month/ per scanner lease \$ 105.00

Major Credit Card Services Yes (VISA) \$ 12.00 Annual Fee - No Grace Period
Prime + 9.5%, currently 12.75%

I confirm that this is a fair representation of the Bank's bid response as shown/as corrected and initiated.

 (Signed) 4/7/15
(date)

City of Rockport

Wells Fargo

AVERAGE POSITIVE COLLECTED BALANCE

\$

6,753,043.00

SERVICE	VOLUME	COST	EXTENSION
RECOUPMENT MONTHLY IB	859.01	0.12750	109.52
RECOUPMENT MONTHLY	6958.35	0.12750	887.19
DDA STMT W/IMAGE CLASSIC (MONTHLY BASE)	1	2.00000	2.00
DESKTOP DEPOSIT CREDIT POSTED	142	0.00000	0.00
ACCOUNT MAINTENANE-CHEXSTOR	2	0.00000	0.00
DDA STMT W/IMAGE PREMIUM (MONTHLY BASE)	2	4.00000	8.00
ACCT MAINT CHEXSTOR-PLUS	3	30.00000	90.00
CLIENT ANALYSIS STMT - PAPER	1	0.00000	0.00
COMMERCIAL CARD TRANSACTION	193	0.00000	0.00
COMMERCIAL CARD PROGRAM MAINT FEE A	1	0.00000	0.00
COMMERCIAL CARD CCER MONTHLY BASE	1	100.00000	100.00
SMART DECISION ELEC CK ACH TRANSIT	2,027	0.10500	212.84
SMART DECISION ELEC CK ACH ONUS	632	0.07000	44.24
STORE/NIGHT DROP DEPOSIT	20	0.00000	0.00
POST VERIFY DEPOSIT	73	0.00000	0.00
RETURN ITEM CONVERTED CHK CHGBK	4	3.00000	12.00
DEPOSITED CHECKS - ON US	23	0.00000	0.00
DEPOSITED CHECKS	99	0.00000	0.00
DESKTOP DEPOSIT -WFARGO DEPOSIT ITEM	172	0.00000	0.00
DESKTOP DEPOSIT -NON WFARGO DEPOSIT ITEM	875	0.00000	0.00
POST VERIFY CASH DEPOSITED	73671	0.00000	0.00
CHANGE ORDER CHARGE-BRANCH/STORE	1	5.25000	5.25
ROLLED COIN ORDERED -BRANCH/STORE	22	0.08000	1.76
CURRENCY ORDERET/\$1- BRANCH/STORE	100	0.00100	0.10
RETURN ITEM - CHARGEBACK	1	0.00000	0.00
CEO RETURN ITEM SERVICE MTHLY BASE	1	0.00000	0.00
ADMIN RETURN ITEM-REPAIRED ACH	1	2.25000	2.25

"credit items"

"debit items"

MICR CHECK REJECTS OVER 2%	10	0.00000	0.00
STOP PAYMENT - ONLINE	1	3.00000	3.00
ONLINE IMAGE VIEW<90 DAYS - ITEM	6	1.00000	6.00
DESKTOP DEPOSIT IMAGES RETRIEVED	208	0.50000	104.00
WELLSIMAGE PAID CHECK MONTHLYBASE	1	0.00000	0.00
WELLSIMAGE PAID CHECK PER CD	1	10.00000	10.00
DDA CHECKS PAID	238	0.00000	0.00
CEO SEARCH	11	0.95000	10.45
OFFICIAL BANK CHECK	2	10.00000	20.00
WELLSIMAGE PAID CHECK PER ITEM	232	0.02000	4.64
ACH CEO SUBSCRIPTION - ACCOUNT	4	50.00000	200.00
ELECTRONIC CREDITS POSTED	276	0.00000	0.00
ACH MONTHLY BASE	2	3.00000	6.00
ACH ONE DAY ITEM	2882	0.05000	144.10
ACH TWO DAY ITEM	8	0.05000	0.40
ACH RECEIVED ITEM	121	0.10000	12.10
ACH RETURN ITEM - FAX ADVICE	7	1.00000	7.00
ACH RETURN ITEM-REDEPOSITED	3	3.00000	9.00
ACH TRANSMISSION CHARGE	5	3.00000	15.00
ACH FAX SERVICE	14	1.00000	14.00
SMART DECISION ACH TRANSIT	52	0.11000	5.72
ACH WELLS FARGO NOC - FAX ADVICE	7	0.00000	0.00
ACH NOC - FAX ADVICE	4	5.00000	20.00
OUTGOING WIRE RETURNED	1	55.00000	55.00
WIRE DETAIL RPT SUBSCRIPTION-ACCT	4	5.00000	20.00
WIRE DETAIL RPT SUBSCRIPTION-ITEM	26	0.50000	13.00
WIRE IN DOMESTIC	3	5.00000	15.00
WIRE-OUTGOING DOMESTIC -CEO	9	3.00000	27.00
WIRE-BOOK TRANSFER -CEO	7	0.00000	0.00
DESKTOP DEPOSIT MTHLY BASE	2	15.00000	30.00
DESKTOP DEPOSIT REPORT PER ITEM	208	0.05000	10.40
CEO PREV DAY SUBSCRIPTION MTHLYBASE	5	10.00000	50.00
CEO PREVIOUS DAY ITEM LOADED	657	0.03000	19.71
CEO EVENT MESSAGING SERVICE-EMAIL	72	0.50000	36.00
ELECTRONIC WINDOW EXTENDED STOR 120	1847	0.02500	46.18

COST OF SERVICES TOTAL		\$	2,388.84
EARNINGS CREDIT REALIZED (0.45%)	0.00450	\$	2,532.39
NET COST OF SERVICES		\$	143.55
BALANCES EARNING INTEREST		\$	13,859,255.78
INTEREST RATE -Savings (0.15%) Managed Rate			0.15%
ESTIMATED INTEREST EARNED		\$	1,765.63

Will pledge 102% of net aggregate collected balances. yes Collateral Agreement through Bank of New York Mellon

No charge for Desktop Deposit Scanner

Major Credit Card Services yes (VISA) No Charge

Retention bonus used for check and deposit order 1,000.00

I confirm that this is a fair representation of the Bank's bid response as shown/as corrected and initiated.

Michael Koff 4/6/2015
 (signed) (date)
 MICHAEL KOFF

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 14, 2015

AGENDA ITEM: 17

Deliberate and act on Resolution approving and adopting a revised Investment Policy for the City of Rockport, Texas.

SUBMITTED BY: Finance Director Patty Howard

APPROVED FOR AGENDA: PKC

BACKGROUND: Public Funds Investment Act, V.T.C.A. Government Code, 2256.001 requires that the governing body must annually review and adopt an Investment Policy. City Manager Kevin Carruth and Finance Director Patty Howard have worked with Ms. Linda Patterson, President of Patterson & Associates, for several weeks to review and update the City's Public Funds Investment Policy.

Ms. Patterson has been a hands-on manager of public funds since 1983. She is a register adviser and certified finance administrator and teaches nationally on the full range of treasury functions including investment strategy, investments, benchmarking, cash flow, cash handling and banking. During her 20 years in public finance, Ms. Patterson was the City Treasurer of Fort Worth, TX and Deputy State Treasurer for Texas. Ms. Patterson is an active member of multiple public finance professional organizations, has authored two books on public investing, holds a Master of Public Administration degree, and was a Fulbright Scholar in Germany.

The proposed changes were reviewed and discussed at the March 24, 2014, Council Workshop.

Please see attached finalized Investment Policy for additional details.

FISCAL ANALYSIS: The proposed changes and reporting will allow the City to maximize its return on investments.

RECOMMENDATION: Staff recommends Council adopt the resolution, as presented.

RESOLUTION NO. _____**A RESOLUTION APPROVING AND ADOPTING A REVISED INVESTMENT POLICY FOR THE CITY OF ROCKPORT, TEXAS, AND MAKING VARIOUS PROVISIONS RELATED TO THE SUBJECT.**

WHEREAS, the Public Funds Investment Act, Texas Government Code Ann. Chapter 2256 (the "Act"), provides that the governing body of an investment entity shall adopt a written investment policy regarding the investment of its funds; and

WHEREAS, the written Investment Policy, as amended, will further protect City assets by identifying investment objectives, addressing the issues of investment risks versus rewards, and providing the framework for the establishment of controls, limitations and responsibilities of City employees in the performance of their fiduciary responsibilities; and

WHEREAS, the City Council must approve any amendments to such Investment Policy.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS THAT:

- (1) The City Council of the City of Rockport, Texas, approves and adopts the revised Investment Policy attached hereto as Exhibit A and made a part hereof by this reference.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT THIS 14th DAY OF APRIL 2015.

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

EXHIBIT A

ARTICLE VIII. INVESTMENT POLICY AND STRATEGY**Sec. 2-211. Policy Statement.**

It is the policy of the City that the administration of its funds and the investment of those funds shall be handled as its highest public trust. Investment shall be made in a manner which will provide the maximum security of principal invested through limitations and diversification while meeting the daily cash flow needs of the City and conforming to all applicable state statutes governing the investment of public funds.

The receipt of a market yield will be secondary to the requirements for safety and liquidity. It is the intent of the City to be in complete compliance with local law and the Texas Public Funds Investment Act, Chapter 2256, Texas Government Code (the "Act"). The earnings from investments will be used in a manner that best serves the interests of the city.

Sec. 2-212. Scope.

This Investment Policy applies to all the financial assets and funds of the City. The City commingles its funds into one pooled investment portfolio for investment purposes to gain efficiency and maximum investment opportunity. These funds are defined in the City's comprehensive annual financial report (CAFR) and include:

- (1) General fund;
- (2) Enterprise funds;
- (3) Special revenue funds;
- (4) Capital project funds;
- (5) Debt Service funds;
- (6) Trust and agency funds;
- (7) Vehicle and equipment replacement funds; and
- (8) Any new fund created, unless specifically exempted by City council and this policy.

Sec. 2-213. Objectives and Strategy.

It is the policy of the City that all funds shall be managed and invested with four primary objectives, listed in order of their priority: safety, liquidity, diversification and yield. Investments are to be chosen in a manner which promotes diversity by market sector, credit and maturity in

EXHIBIT A

response to cash needs and market conditions. The choice of high-credit quality government investments and money market instruments are designed to assure the marketability of those investments should liquidity needs arise. To meet anticipated cash flow and control for over-extension the maximum weighted average maturity (WAM) of the overall portfolio shall not exceed six months.

(1) *Safety of principal.* Safety of principal is the foremost objective of the City. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital. Each investment transaction shall be conducted in a manner to avoid capital losses, whether they be from security defaults, safekeeping, or erosion of market value.

(2) *Liquidity.* The City's investment portfolio will be based on a cash flow analysis of needs and will remain sufficiently liquid to enable it to meet all operating requirements which might be reasonably anticipated.

(3) *Diversification.* Diversification of the portfolio will include diversification by maturity and market sector and will include the use of a number of broker/dealers for diversification and market coverage.

(4) *Yield.* The City's investment portfolio shall be designed with the objective of attaining a reasonable market rate, taking into account the City's risk constraints and the cash flow needs of the portfolio. The benchmark for the commingled portfolio shall be the yield on the current six month U.S. Treasury Bill For the comparable period designated for its comparability to the expected cash flow and maximum weighted average maturity (WAM).

Strategy.

The City maintains one commingled portfolio for investment purposes which incorporates the specific investment strategy considerations and the unique characteristics of the fund groups represented in the portfolio. The City shall pursue a conservative strategy. Securities may be sold before they mature if market conditions present an opportunity to benefit from the trade but the strategy will be primarily buy-and-hold.

- A. The investment strategy for operating funds has as its primary objective assurance that anticipated liabilities are matched and adequate liquidity provided. This may be accomplished by purchasing high credit quality securities (0-2 years) which will complement each other in a laddered maturity structure permitting some extension for yield enhancement.
- B. The investment strategy for debt service funds shall have as its primary objective the assurance of available funds adequate to fund the debt service obligations on a timely basis. Successive debt service dates will be fully funded before any maturity extension.
- C. The investment strategy for debt service reserve funds shall have as its primary objective the ability to generate a revenue stream to the debt service funds from high quality securities. The potential for loss shall be further controlled through the purchase of securities within the desired maturity range.

EXHIBIT A

- D. The investment strategy for capital projects or capital project funds will have as its primary objective assurance that anticipated cash flows are matched and provide adequate investment liquidity. A liquidity buffer should be maintained to provide flexibility and for unanticipated project outlays.

Effective cash management is recognized as essential to good fiscal management. Cash management is defined as the process of managing monies in order to ensure maximum cash availability. The City shall maintain a cash management program which includes timely collection of accounts receivable, prudent investment of its available cash, disbursement of payments in accordance with invoice terms and the management of banking services.

Sec. 2-214. Legal limitations, responsibilities and authority.

Authority to manage the City's investment program is derived from the City Charter, ordinances, statutes and resolutions. Direct specific investment parameters for the investment of public funds in Texas are found in the Act. (<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.2256.htm>). The Public Funds Collateral Act, Chapter 2257, Texas Government Code, specifies collateral requirements for all public funds deposits. All investments will be made in accordance with these statutes, bond requirements and City ordinances to include Ord. 1351, § 3, 5-9-06; Ord 1354, § 1, 05-09-06, Ord. 1433, §1, 05-27-08, Ord. 1499, § 1, 4-27-10, and Ord. 1559, §1, 2-14-12.

Sec. 2-215. Delegation of investment authority.

Management responsibility for the investment program is hereby delegated to the City Manager who shall be responsible for administrative oversight.

The City Manager is also responsible for considering the quality and capability of staff, investment advisors, and consultants involved in investment management and procedures. All participants in the investment process shall seek to act responsibly as custodians of the public trust.

Investment Officer(s).

The City Council will designate Investment Officer(s) by resolution. The Investment Officer(s) shall develop and maintain procedures for the operation of the investment program consistent with this Investment Policy. Procedures will include safekeeping, , funds transfers, investment procedures, banking services, and collateral.

The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials and staff. The Investment Officer(s) shall designate a staff person as a liaison/deputy in the event circumstances require timely action and the Investment Officer is not available.

No officer or designee may engage in an investment transaction except as provided under the terms of this policy and the supporting procedures.

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Each designated Investment Officer will obtain ten hours of investment training within the first 12 months of taking the position and ten hours of training within each two year fiscal years thereafter.

City Council Responsibilities

The City Council holds ultimate fiduciary responsibility for the portfolio. It will designate investment officer(s), receive and review quarterly reporting, provide for investment officer training, approve broker/dealers, and review and adopt the Investment Policy and Strategy at least annually.

Sec. 2-216. Prudence.

The standard of care to be used in the investment function shall be the "prudent person rule" and shall be applied in the context of managing the overall portfolio. This standard states: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the expected income to be derived."

Limitation of personal liability.

The Investment Officer(s) and those delegated investment authority under this policy, when acting in accordance with the written procedures and this Policy and in accord with the prudent person rule, shall be relieved of personal liability in the management of the portfolio provided that deviations from expectations for a specific security's credit risk or market price change or portfolio shifts are reported in a timely manner and that appropriate action is taken to control adverse market effects. In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration the investment of all funds over which the Officer has responsibility rather than a consideration as to the prudence of a single investment.

Sec. 2-217. Internal controls.

(a) *Controls.* The investment Officer(s) shall establish a system of written internal controls which will be reviewed annually with the independent auditor of the City. The controls shall be designed to prevent loss of public funds due to fraud, employee error, misrepresentation by third parties, unanticipated market changes, or imprudent actions by employees of the city.

(b) *Cash flow forecasting.* Cash flow forecasting is designed to protect and sustain cash flow requirements. Supplemental to the financial and budgetary systems, the Investment Officer(s) will maintain a cash flow forecasting process designed to monitor and forecast cash positions for investment purposes.

(c) *Monitoring Credit Ratings.*__The Investment Officer(s) shall monitor, on no less than a monthly basis, the credit rating on all authorized investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by Policy, the Investment Officer shall notify the City Manager of the loss of rating, and liquidate the investment within one week.

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(d) *Monitoring FDIC Status for Mergers and Acquisitions.* __The Investment Officer(s) shall monitor, on no less than a weekly basis, the status and ownership of all banks issuing brokered CDs owned by the City based upon information from the FDIC. If any bank has been acquired or merged with another bank in which brokered CDs are owned, the Investment Officer shall immediately liquidate any brokered CD which places the City above the FDIC insurance level.

(e) *Competitive Bidding.* All securities, including certificates of deposit, will be purchased or sold only after three or more offers/bids are taken to verify that the City is receiving fair market value/price for the investment.

(f) *Delivery versus Payment (DVP).* All securities shall be purchased on a delivery versus payment (DVP) settlement basis. The safekeeping agent shall not release City funds until receipt of the security. The safekeeping agent shall provide the City with proof of ownership delivered within one business day.

(g) *Unauthorized Investments.* Investments need not be liquidated if authorized at the time of purchase.

(h) *Documentation of Investment Transactions.* All investment transactions, including the transfer of funds for investment purposes, shall be documented and such documentation maintained by the Investment Officer(s).

(i) *Compliance Audit.* At least once a year, the Investment Officer(s) shall complete a compliance audit to assure that the investment program is operating in compliance with the Policy and the Act.

Sec. 2-218. Authorized investments.

(a) Authorized investments shall be limited to the instruments listed below and as further described by the Act. If additional types of securities are approved for investment by state statute, they will not be eligible for investment by the City until this Policy has been amended and the amended version adopted by the City Council.

- (1) Obligations of the United States government, its agencies and instrumentalities, not to exceed two years to stated maturity, excluding all mortgage-backed securities ;
- (2) Fully insured or collateralized depository certificates of deposit issued by a bank or a savings bank doing business in Texas which is guaranteed or insured by the Federal Deposit Insurance Corporation, or its successor, or collateralized in accordance with this Policy not to exceed two years to stated maturity, to include CDARS.
- (3) Fully insured share certificates from Texas based credit unions, insured by the NCUIF, with a stated maturity not to exceed two years.

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- (4) FDIC insured *brokered* certificates of deposit *securities* from a bank in any US state, delivered versus payment to the City's safekeeping agent, not to exceed two years to maturity. Purchased from a bank or broker doing business in Texas. Before purchase, the Investment Officer must verify the FDIC status of the bank (on www.fdic.gov) to assure that the bank is FDIC insured.
- (5) Fully collateralized repurchase agreements as defined by the Act, not to exceed 180 days to stated maturity, managed under an executed Bond Market Association Master Repurchase Agreement. The repurchase transactions shall be placed only through a primary government securities dealer, as defined by the Federal Reserve of NY, or a financial institution doing business in Texas. Flex repurchase agreements specifically for capital projects may extend beyond two years but must to match the expenditure plan of the bond projects;
- (6) AAA-rated SEC registered money market mutual funds which strive to maintain a \$1 net asset value;
- (7) Texas Local Government Investment Pools, complying with the Act, which strive to maintain a \$1 net asset value; and,
- (8) Fully insured or collateralized interest-bearing accounts in any bank in Texas..

Sec. 2-219. Ethics and conflicts of interest.

Investment Officer(s) and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

Investment Officer(s) shall disclose to the Texas Ethics Commission and the City Council, within the quarter, any personal financial interest representing ten percent ownership or voting stock in an amount greater than \$10,000.00 with a business, or receipt of funds from the business exceeding ten percent of gross income for the previous year, or interest in real property if the interest has a fair market value of \$2,500.00 or more. Any relationships within the second degree by affinity or consanguinity, as specified in chapter 171 of the Texas Local Government Code with their officers, brokers and employees who conduct business with the City shall also be reported.

Sec. 2-220. Authorized financial dealers and institutions.

(a) All investments made by the City will be made through an authorized broker/dealer or a bank in Texas. A list of a least three broker/dealers will be maintained in order to assure competitive bidding (Exhibit A to the Policy).

(b) Securities broker/dealers must meet certain criteria as determined by the Investment Officer(s). The following criteria must be met by those firms on the list:

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- (1) Provision of a audited financial statement each year,
 - (2) Proof of certification by the Financial Industry Regulatory Agency (FINRA) and provision of firm's CRD number,
 - (3) Proof of current registration with the Texas State Securities Commission, and
 - (4) Policy certification.
- (c) Every broker/dealer, pool, and bank with whom the City transacts business will be provided a copy of this Investment Policy for review to assure that they are familiar with the goals and objectives of the investment program. A representative of the firm will be required to return a signed certification acceptable to both parties stating that the Policy has been received and reviewed and that controls are in place to assure that only authorized securities are sold to the City. Material changes to the Policy will require re-certification of the Policy.
- (d) A list of qualified broker/dealers will be reviewed and adopted at least annually by the City Council.
- (e) In order to perfect the DVP process the banking services depository, or its brokerage subsidiary, will not be used as a broker.

Sec. 2-221. Diversification and Maturity Limitations.

(a) It is the policy of the City to diversify its investment portfolio. Invested funds shall be diversified to minimize risk or loss resulting from over-concentration of assets in a specific maturity, specific issuer, or specific class of securities. Diversification strategies shall be established and periodically reviewed. Diversification guidelines by security type shall be:

<i>SECURITY TYPE</i>	<i>MAX % OF PORTFOLIO</i>
U.S. Treasury Obligations	100%
U.S. Government agencies and instrumentalities	Not to exceed 80%
Depository CDs	Not to exceed 50%
Brokered Certificate of Deposit Securities	Not to exceed 30%
Repurchase Agreement	Not to exceed 20%
Flex agreement by bond issue	100%
Money Market Fund	100%
% Ownership of Fund	Not to exceed 10%
Local Government Investment Pools	100%

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• Maximum percent ownership of pool	Not to Exceed 20%
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(b) The Investment Officer(s) shall diversify security types and maturities, to the extent possible and attempt to match investments with anticipated cash flow requirements. Matching maturities with cash flow dates will reduce the need to sell securities prior to maturity, thus reducing market risk. The Investment Officer may not invest more than 20 percent of the portfolio for a period greater than one year. The Investment Officer may not invest any portion of the portfolio for a period greater than two years with the exception of a flex repurchase agreement.

Sec. 2-222. Safekeeping.

(a) The laws of the state and prudent treasury management require that all purchased securities be bought on a delivery versus payment basis and be held in safekeeping by either the City, an independent third party financial institution, or the City's designated banking services depository.

(b) All safekeeping arrangements shall be designated by the Investment Officer(s) and an agreement of the terms executed in writing. The third party custodian shall be required to issue safekeeping receipts to the City listing each specific security, rate, description, maturity, cusip number, and other pertinent information. Each safekeeping receipt will be clearly marked that the security is held for the City or pledged to the city. Substitution allowed with prior City approval.

(c) All securities pledged to the City for certificates of deposit or demand deposits shall be held by an independent third party bank doing business in Texas. The safekeeping bank may not be within the same holding company as the bank from which the securities are pledged.

Sec 2-223 Collateralization of Time and Demand Deposits

(a) *Collateralization.* Collateralization is required on all time and demand deposits above FDIC insurance coverage. In order to anticipate market changes and provide a level of additional security for all funds, the collateralization level required will be 102 percent of the book value of the principal plus accrued interest. Collateral will be held in accordance with a written agreement approved by the pledging bank's Board or Loan Committee to fulfill FDIC requirements.

(b) *Custody.* Collateral shall be held by an independent, third party custodian approved by the City. The custodian shall provide a written monthly report directly to the City listing all pledged collateral by description and market value at a minimum. The pledging bank is responsible for maintaining collateral levels at all times.

[e] *Authorized collateral.*

(1) Obligations of the U.S. government, its agencies and instrumentalities including mortgage-backed securities and CMO which pass the *bank test*;

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- (2) Obligations of any U.S. state, agencies, counties, cities, or other political subdivisions of any state rated at least A as to investment quality by a nationally recognized rating agency;
- (3) An irrevocable Letter of Credit from the FHLB.
- (4) Pooled collateral under the terms of the Public Funds Collateral Act.

Sec. 2-223. Performance evaluation and reporting.

The Investment Officer(s) shall submit monthly to the City Manager and quarterly to the City Council investment reports containing sufficient information to permit an informed outside reader to evaluate the performance of the investment program and in compliance with the Act. Market prices for market valuations will be obtained from an independent source.

Sec. 2-224. Depositories.

(a) *Banking Services Depository.* The City will designate one banking institution through a competitive process as its central banking services provider at least every five years. This institution will be used for normal banking services including disbursements, collections, and safekeeping of securities. In selecting a depository, the services, cost of services, credit worthiness, earnings potential, and collateralization by the institutions shall be considered.

All time and demand deposits in any depository shall be insured or collateralized at all times in accordance with this Policy.

(b) *Additional Depositories.* Other banking institutions from which the City may purchase certificates of deposit will also be designated as a depository after they provide their latest audited financial statements to the City. All depositories holding deposits above FDIC coverage will execute a written depository agreement and have the Bank's Board or Bank Loan Committee pass a resolution approving the agreement and provide collateral in accordance with the Policy.

Sec. 2-225. Investment Policy and Strategies Review and Adoption by City Council

The City's Investment Policy and Strategies shall be reviewed and adopted annually by the City Council. A written resolution adopting that review and denoting changes to the Policy from the review will be passed by the City Council.

Secs. 2-226—2-239. Reserved.

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ARTICLE VIII. INVESTMENT POLICY AND STRATEGY^{*}

Sec. 2-211. Policy Statement.

It is the policy of the City that the administration of its funds and the investment of those funds shall be handled as its highest public trust. Investment shall be made in a manner which will provide the maximum security of principal invested through limitations and diversification while meeting the daily cash flow needs of the City and conforming to all applicable state statutes governing the investment of public funds.

The receipt of a market **rate of return yield** will be secondary to the requirements for safety and liquidity. It is the intent of the City to be in complete compliance with local law and the Texas Public Funds Investment Act, **Chapter 2256, Texas Government Code** (the "aAct"). The earnings from investments will be used in a manner that best serves the interests of the city.

(Ord. No. 1351, § 3, 5-9-06)

Sec. 2-212. Scope.

This **investment pPolicy** applies to all the financial assets and funds of the **cCity**. The City commingles its funds into one pooled investment **fund portfolio** for investment purposes **for to gain** efficiency and maximum investment opportunity. These funds are defined in the **cCity's** comprehensive annual financial report (CAFR) and include:

- (1) General fund;
- (2) Enterprise funds;
- (3) Special revenue funds;
- (4) Capital project funds;
- (5) Debt Service funds;
- (6) Trust and agency funds;
- (7) Vehicle and equipment replacement funds; and
- (8) Any new fund created, unless specifically exempted by City council and this policy.

(Ord. No. 1351, § 3, 5-9-06; Ord. No. 1433, § 1, 5-27-08)

Sec. 2-213. Objectives and sStrategy.

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It is the policy of the City that all funds shall be managed and invested with four primary objectives, listed in order of their priority: **S**safety, liquidity, diversification and yield. Investments are to be chosen in a manner which promotes diversity by market sector, credit and maturity **in response to cash needs and market conditions**. The choice of high-**credit quality grade** government investments and **high-grade**, money market instruments are designed to assure the marketability of those investments should liquidity needs arise. To **match meet** anticipated cash flow **requirements and control for over-extension** the maximum weighted average maturity (**WAM**) of the overall portfolio **may shall** not exceed six months.

(1) *Safety of principal.* Safety of principal is the foremost objective of the **c**City. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital **in the overall portfolio**. **Each investment transaction shall be conducted in a manner to avoid capital losses, whether they be from security defaults, safekeeping, or erosion of market value.**

(2) *Liquidity.* The **c**City's investment portfolio will be based on a cash flow analysis of needs and will remain sufficiently liquid to enable it to meet all operating requirements which might be reasonably anticipated.

(3) *Diversification.* Diversification of the portfolio will include diversification by maturity and market sector and will include the use of a number of broker/dealers for diversification and market coverage. **Competitive bidding will be used on each sale and purchase.**

(4) *Yield.* The **c**City's investment portfolio shall be designed with the objective of attaining a **reasonable** market rate of **return**, taking into account the **c**City's risk constraints and the cash flow needs of the portfolio. **"Market rate of return: may be defined as the average yield of The benchmark for the commingled portfolio shall be the yield on the current six month U.S. Treasury Bill."** For the comparable period designated for its comparability to the expected cash flow and maximum weighted average maturity (**WAM**).

Strategy.

The City maintains one commingled portfolio for investment purposes which incorporates the specific investment strategy considerations and the unique characteristics of the fund groups represented in the portfolio. The City shall pursue a conservative strategy. Securities may be sold before they mature if market conditions present an opportunity to benefit from the trade but the strategy will be primarily buy-and-hold.

A. The investment strategy for operating funds has as its primary objective assurance that anticipated liabilities are matched and adequate liquidity provided. This may be accomplished by purchasing high credit quality securities (0-2 years) which will complement each other in a laddered maturity structure permitting some extension for yield enhancement.

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- B. The investment strategy for debt service funds shall have as its primary objective the assurance of available funds adequate to fund the debt service obligations on a timely basis. Successive debt service dates will be fully funded before any maturity extension.
- C. The investment strategy for debt service reserve funds shall have as its primary objective the ability to generate a revenue stream to the debt service funds from high quality securities. The potential for loss shall be further controlled through the purchase of securities within the desired maturity range.
- D. The investment strategy for capital projects or capital project funds will have as its primary objective assurance that anticipated cash flows are matched and provide adequate investment liquidity. A liquidity buffer should be maintained to provide flexibility and for unanticipated project outlays.

Effective cash management is recognized as essential to good fiscal management. Cash management is defined as the process of managing monies in order to ensure maximum cash availability. The City shall maintain a **comprehensive** cash management program which includes **timely** collection of accounts receivable, prudent investment of its available cash, disbursement of payments in accordance with invoice terms and the management of banking services.

(Ord. No. 1351, § 3, 5-9-06)

Sec. 2-214. Legal limitations, responsibilities and authority.

Authority to manage the cCity's investment program is derived from the City Charter, ordinances, statutes and resolutions. Direct specific investment parameters for the investment of public funds in Texas are found in the Act, (<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.2256.htm>). The Public Funds Collateral Act, Chapter 2257, Texas Government Code, specifies collateral requirements for all public funds deposits. All investments will be made in accordance with these statutes, **bond requirements and City ordinances to include Ord. 1351, § 3, 5-9-06; Ord 1354, § 1, 05-09-06, Ord. 1433, §1, 05-27-08, Ord. 1499, § 1, 4-27-10, and Ord. 1559, §1, 2-14-12.**

(Ord. No. 1351, § 3, 5-9-06)

Editor's note—It should be noted that Exhibit A referenced above is not set out at length herein, but is on file and available for inspection in the office of the City secretary.

Sec. 2-215. Delegation of investment authority.

Management responsibility for the investment program is hereby delegated to the City mManager who shall **develop and maintain written be responsible for** administrative **oversight.**

The City Manager is also responsible for considering the quality and capability of staff, investment advisors, and consultants involved in investment management and procedures. All

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participants in the investment process shall seek to act responsibly as custodians of the public trust.

Investment Officer(s).

The City Council will designate Investment Officer(s) by resolution. The Investment Officer(s) shall develop and maintain procedures for the operation of the investment program which are consistent with this Investment Policy. Procedures will include reference to safekeeping, require and include repurchase agreements, wire funds transfers agreements, investment procedures, banking services contracts, and other investment related activities collateral.

The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials and staff. The Investment Officer(s) shall designate a staff person as a liaison/deputy in the event circumstances require timely action and the Investment Officer is not available.

No officer or designee may engage in an investment transaction except as provided under the terms of this policy and the supporting procedures established.

Each designated Investment Officer will obtain ten hours of investment training within the first 12 months of taking the position and ten hours of training within each two year fiscal years thereafter.

City Council Responsibilities

The City Council holds ultimate fiduciary responsibility for the portfolio. It will designate investment officer(s), receive and review quarterly reporting, provide for investment officer training, approve broker/dealers, and review and adopt the Investment Policy and Strategy at least annually.

Sec. 2-216. Prudence.

(a) The standard of prudence care to be used in the investment function shall be the "prudent person" standard rule" and shall be applied in the context of managing the overall portfolio. This standard states: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the expected income to be derived."

(b) Limitation of personal liability.

The Investment Officer(s) and those delegated investment authority under this policy, when acting in accordance with the written procedures and this Policy and in accord with the prudent person rule, shall be relieved of personal liability in the management of the portfolio provided that deviations from expectations for a specific security's credit risk or market price change or portfolio shifts are reported in a timely manner and that appropriate action is taken to control adverse market effects. In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration the investment of all funds over which the Officer has responsibility rather than a consideration as to the prudence of a single investment.

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(Ord. No. 1351, § 3, 5-9-06)

Sec. 2-217. Internal controls.

(a) *Controls.* The investment officer(s) shall establish a system of written internal controls which will be reviewed annually with the independent auditor of the City. The controls shall be designed to prevent loss of public funds due to fraud, employee error, misrepresentation by third parties, unanticipated market changes, or imprudent actions by employees of the city.

(b) *Cash flow forecasting.* Cash flow forecasting is designed to protect and sustain cash flow requirements of the city. Supplemental to the financial and budgetary systems, the investment officer(s) will maintain a cash flow forecasting process designed to monitor and forecast cash positions for investment purposes.

(c) *Monitoring Credit Ratings.* The Investment Officer(s) shall monitor, on no less than a monthly basis, the credit rating on all authorized investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by Policy, the Investment Officer shall notify the City Manager of the loss of rating, and liquidate the investment within one week.

(d) *Monitoring FDIC Status for Mergers and Acquisitions.* The Investment Officer(s) shall monitor, on no less than a weekly basis, the status and ownership of all banks issuing brokered CDs owned by the City based upon information from the FDIC. If any bank has been acquired or merged with another bank in which brokered CDs are owned, the Investment Officer shall immediately liquidate any brokered CD which places the City above the FDIC insurance level.

(e) *Competitive Bidding.* All securities, including certificates of deposit, will be purchased or sold only after three or more offers/bids are taken to verify that the City is receiving fair market value/price for the investment.

(f) *Delivery versus Payment (DVP).* All securities shall be purchased on a delivery versus payment (DVP) settlement basis. The safekeeping agent shall not release City funds until receipt of the security. The safekeeping agent shall provide the City with proof of ownership delivered within one business day.

(g) *Unauthorized Investments.* Investments need not be liquidated if authorized at the time of purchase.

(h) *Documentation of Investment Transactions.* All investment transactions, including the transfer of funds for investment purposes, shall be documented and such documentation maintained by the Investment Officer(s).

(i) *Compliance Audit.* At least once a year, the Investment Officer(s) shall complete a compliance audit to assure that the investment program is operating in compliance with the Policy and the Act.

(Ord. No. 1351, § 3, 5-9-06)

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Sec. 2-218. Authorized investments.

(a) **AcceptableAuthorized** investments **under this policy** shall be limited to the instruments listed below and as further described by the **Public Funds Investment** Act. If additional types of securities are approved for investment by state statute, they will not be eligible for investment by the City until this Policy has been amended and the amended version adopted by the City Council.

- (1) Obligations of the United States government, its agencies and instrumentalities, **and government sponsoring enterprises**, not to exceed two years to stated maturity, excluding **all mortgage-backed securities collateralized mortgage obligations (CMOs); and securities issued by the Student Loan Marketing Association (SLMAs)**;
- (2) Fully insured or collateralized **depository** certificates of deposit **issued by a bank or a savings bank doing business in Texas which is guaranteed or insured by the Federal Deposit Insurance Corporation, or its successor, or collateralized in accordance with this Policy not to exceed two years to stated maturity, to include CDARS.**
- (3) Fully insured share certificates from Texas based credit unions, insured by the NCUIF, with a stated maturity not to exceed two years.
- (4) FDIC insured **brokered** certificates of deposit **securities** from a bank in any US state, delivered versus payment to the City's safekeeping agent, not to exceed two years to maturity. Purchased from a bank or broker doing business in Texas. Before purchase, the Investment Officer must verify the FDIC status of the bank (on www.fdic.gov) to assure that the bank is FDIC insured.

from:

- a. A broker or the depository institution that has its main office or a branch office in this state and is selected from a list adopted by the investing entity as required by Government Code Section 2256.025;
- b. A broker or the depository institution selected by the investing entity that arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located for the account of the investing entity;
- c. Any other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of the State of Texas of the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States, and under the terms of a written depository agreement with that bank, not to exceed two years to stated maturity to include certificates of deposits purchased through the CDARS program with a Texas bank.

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(53) Fully collateralized Rrepurchase agreement and reverse repurchase agreements as defined by the aAct, not to exceed 180 days to stated maturity, provided managed under an executed Bond Market Association Master Repurchase Agreement is on file with the City and the counterparty bank or primary dealer. The repurchase transactions shall be placed only through a primary government securities dealer, as defined by the Federal Reserve of NY, or a financial institution doing business in Texas. Flex repurchase agreements used specifically for capital projects may extend beyond two years but only must to match the expenditure plan of the bond projects;

(64) AAA-rated No-load, SEC registered money market mutual funds, each approved specifically before use by the city which strive to maintain a \$1 net asset value;

(75) Texas Local Government Investment Pools, as defined by complying with the Public Funds Investment Act, which strive to maintain a \$1 net asset value; and,

(86) Fully insured or collateralized linterest-bearing accounts in any bank in Texas. negotiated order of withdrawal (NOW) accounts.

(b) If additional types of securities are approved for investment by public funds by state statute, they will not be eligible for investment by the City until this policy has been amended and the amended version approved by the City council.

(c) *Competitive bidding requirement.* All securities, including certificates of deposit, will be purchased or sold after three offers/bids are taken to verify that the City is receiving fair market value/price for the investment.

(d) *Delivery versus payment.* All security transactions, including collateral for repurchase agreements, entered into by the city, shall be conducted on a delivery versus payment (DVP) basis.

(Ord. No. 1351, § 3, 5-9-06; Ord. No. 1354, § 1, 6-27-06; Ord. No. 1433, § 1, 5-27-08; Ord. No. 1499, § 1, 4-27-10; Ord. No. 1559, § 1, 2-14-12)

Sec. 2-219. Ethics and conflicts of interest.

Investment Officer(s) and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

Investment officials Officer(s) shall disclose to the Texas Ethics Commission and the City cCouncil, within the quarterly reports, any personal financial interest of representing ten percent ownership or voting stock in an amount greater than \$10,000.00 with financial a institutions business, or receive receipt of funds from the business exceeding ten percent of gross income for the previous year, or has an interest in real property if the interest has a fair market value of \$2,500.00 or more. , and aAny relationships within the second degree by affinity or consanguinity, as specified in chapter 171 of the Texas Local Government Code with

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their officers, brokers and employees who conduct business with the cCity shall also be reported.

(Ord. No. 1351, § 3, 5-9-06)

Sec. 2-220. Authorized financial dealers and institutions.

(a) All investments made by the City will be made through either the city's banking services bank or a primary an authorized broker/dealer or a bank in Texas. A list of a least three broker/dealers will be maintained in order to assure competitive bidding and shown as (Exhibit "A" to the Policy) to this section, a copy of which is on file in the office of the City Secretary of the City of Rockport, Texas. Said exhibit is hereby referred to, adopted, and made a part hereof, as if fully set out in this section.

(b) Securities broker/dealers must meet certain criteria as determined by the iInvestment oOfficer(s). The following criteria must be met by those firms on the list:

- (1) Provision of a audited financial statement each year,
- (2) Proof of certification by the National Association of Securities Dealers Financial Industry Regulatory Agency (NASDFINRA) and provision of firm's CRD number,
- (3) Proof of current registration with the Texas State Securities Commission, and
- (4) Proof of errors and omissions insurance.Policy certification.

(c) Every broker/dealer, pool, and bank with whom the City transacts business will be provided a copy of this iInvestment pPolicy for review to assure that they are familiar with the goals and objectives of the investment program. A representative of the firm will be required to return a signed certification acceptable to both parties stating that the pPolicy has been received and reviewed and that controls are in place to assure that only authorized securities are sold to the cCity. Material changes to the Policy will require re-certification of the Policy.

(d) A list of qualified broker/dealers will be reviewed and adopted at least annually by the City Council.

(e) In order to perfect the DVP process the banking services depository, or its brokerage subsidiary, will not be used as a broker.

(Ord. No. 1351, § 3, 5-9-06; Ord. No. 1559, § 2, 2-14-12)

Sec. 2-221. Diversification and mMaturity lLimitations.

(a) It is the policy of the City to diversify its investment portfolio. Invested funds shall be diversified to minimize risk or loss resulting from over-concentration of assets in a specific maturity, specific issuer, or specific class of securities. Diversification strategies shall be

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established and periodically reviewed. At a minimum, diversification guidelines standards by security type and issuer shall be:

<i>SECURITY TYPE</i>	<i>MAX % OF PORTFOLIO</i>
U.S. Treasury Obligations	100%
U.S. Government agencies and instrumentalities	Not to exceed 580%
Fully insured or collateralized Depository CDs	Not to exceed 50%
Brokered Certificate of Deposit Securities	Not to exceed 30%
Repurchase Agreements	Not to exceed 1020%
Flex agreement by bond issue	100%
Money Market Funds	100%
% Ownership of Fund	Not to exceed 10%
• For Bond Funds	80%
Local Government Investment Pools	100%
• Liquidity Pools	100%
• Maximum percent ownership of pool	Not to Exceed 20%
• For Bond Funds	50%

(b) The investment officer shall be required to diversify maturities. The investment officer(s) shall diversify security types and maturities, to the extent possible, and will attempt to match investments with anticipated cash flow requirements. Matching maturities with cash flow dates will reduce the need to sell securities prior to maturity, thus reducing market risk. Unless matched to a specific requirement, the investment officer may not invest more than 20 percent of the portfolio for a period greater than one year. Unless matched to a specific requirement, the investment officer may not invest any portion of the portfolio for a period greater than two years with the exception of a flex repurchase agreement.

(Ord. No. 1499, § 2, 4-27-10)

Sec. 2-222. Safekeeping and collateralization.

(a) The laws of the state and prudent treasury management require that all purchased securities be bought on a delivery versus payment basis and be held in safekeeping by either the City, an independent third party financial institution, or the City's designated banking services depository.

(b) All safekeeping arrangements shall be designated by the investment officer(s) and an agreement of the terms executed in writing. The third party custodian shall be required to issue

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safekeeping receipts to the City listing each specific security, rate, description, maturity, cusip number, and other pertinent information. Each safekeeping receipt will be clearly marked that the security is held for the City or pledged to the city. Substitution allowed with prior City approval.

(c) All securities pledged to the City for certificates of deposit or demand deposits shall be held by an independent third party bank doing business in Texas. The safekeeping bank may not be within the same holding company as the bank from which the securities are pledged.

Sec 2-223 Collateralization of Time and Demand Deposits

(a) *Collateralization.* Collateralization is required on all time and demand deposits over above the FDIC insurance coverage. In order to anticipate market changes and provide a level of additional security for all funds, the collateralization level required will be 102 percent of the market book value of the principal and plus accrued interest. Collateral will be held in accordance with a written agreement approved by the pledging bank's Board or Loan Committee to fulfill FDIC requirements.

(b) *Custody.* Collateral shall will be held by an independent, third party custodian approved by the City. The custodian shall provide a written monthly report directly to the City listing all pledged collateral by description and par market value at a minimum. The pledging Bbank is responsible for maintaining collateral levels at all times.

[e] *Authorized collateral.*

(1) Obligations of the U.S. government, its agencies and instrumentalities including mortgage-backed securities and CMO which pass the bank test; and

(2) Obligations of any U.S. state, agencies, counties, cities, or other political subdivisions of any state rated at least AA as to investment quality by at least two a nationally recognized rating agencies;

(3) An irrevocable Letter of Credit from the FHLB.

(4) Pooled collateral under the terms of the Public Funds Collateral Act.

(Ord. No. 1433, § 1, 5-27-08; Ord. No. 1499, § 3, 4-27-10)

Sec. 2-223. Performance evaluation and reporting.

The finance Investment oOfficer(s) shall submit monthly to the City mManager and quarterly to the City cCouncil investment reports containing sufficient information to permit an informed outside reader to evaluate the performance of the investment program and consistent with statutory requirements. All reports shall be in compliance with the aAct. Market prices for market evaluations will be obtained from an independent source.

(Ord. No. 1351, § 3, 5-9-06)

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Sec. 2-224. Depositories.

(a) *Banking Services Depository.* The City will designate one banking institution through a competitive process as its central banking services provider at least every **three five** years. This institution will be used for normal banking services including disbursements, collections, and safekeeping of securities. **In selecting a depository, the services, cost of services, credit worthiness, earnings potential, and collateralization by the institutions shall be considered.**

All time and demand deposits in any depository shall be insured or collateralized at all times in accordance with this Policy.

(b) *Additional Depositories.* Other banking institutions from which the City may purchase certificates of deposit will also be designated as a depository after they provide their latest audited financial statements to the **cCity**. **All depositories holding deposits above FDIC coverage will execute a written depository agreement and have the Bank's Board or Bank Loan Committee pass a resolution approving the agreement and provide collateral in accordance with the Policy.**

(Ord. No. 1351, § 3, 5-9-06)

Sec. 2-225. Investment **pPolicy** and **sStrategies rReviewed** and **aAdopted** by City **cCouncil**.

The **cCity's iInvestment pPolicy** and **sStrategies** shall be reviewed and adopted annually by the **City Ccouncil**. A written resolution **approving adopting** that review and **denoting** changes to the **pPolicy** from the review will be passed by the City **cCouncil**.

(Ord. No. 1433, § 1, 5-27-08; Ord. No. 1499, § 4, 4-27-10)

Secs. 2-226—2-239. Reserved.