

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, January 12, 2016 Rockport City Hall, 622 East Market Street

On the 12th day of January 2016, 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

PLANNING & ZONING COMMISSION MEMBERS PRESENT

Edward Bellion
Graham Wilson
Brian Olsen
Shawn Johnston
Diana Severino-Saxon

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
Park & Leisure Services Director Tom Staley
Community Planner Kimber Clark
Building Inspector Frank Truitt

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, January 12, 2016, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

2. Pledge of Allegiance.

Council Member Gurtner led the Pledge of Allegiance to the U.S. flag.

3. Proclamation: Lions Club Appreciation Day

Mayor Wax proclaimed January 23, 2016, as Lions Club Appreciation Day in the City of Rockport.

4. 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.

Kathleen Kalina of 606 Market Street addressed the Council. Ms. Kalina voiced comments regarding the Rockport Beach Park.

Mayor Wax informed Ms. Kalina that the Rockport Beach Park and surrounding beach area are managed by the Aransas County Navigation District and he recommended she share her comments with them. Mayor Wax added that he will share Ms. Kalina's comments with the chairman of the Aransas County Navigation District.

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.

- 5. Deliberate and act on approval of City Council Regular Meeting Minutes of December 8, 2015.**
- 6. Deliberate and act to approve Memorandum of Understanding with Aransas County Independent School District for law enforcement mutual assistance.**
- 7. Deliberate and act on 1st quarter report from the Texas Maritime Museum for Fiscal Year 2015-2016 marketing expenditures.**
- 8. Deliberate and act on report from Rockport-Fulton Chamber of Commerce Seafair Committee for marketing expenditures made for 2015 Seafair.**
- 9. Deliberate and act to accept a donation from the Rockport Lions Club for the purchase of a bicycle rack for placement at the Tule Hike Bike Trail parking lot.**
- 10. Deliberate and act to accept a donation from Laurie Clark for the purchase of a memorial park bench for placement at the Memorial Park dog park.**
- 11. Deliberate and act to appoint member to the Rockport Heritage District Board.**

12. Deliberate and act on 1st quarter report from the Rockport-Fulton Chamber of Commerce for Fiscal Year 2015-2016 marketing expenditures.

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

Public Hearing

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

With a quorum of the Rockport Planning & Zoning Commission present, the meeting of the Rockport Planning & Zoning Commission was called to order by Chairman Brian Olsen at 6:40 p.m. on Tuesday, January 12, 2016, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

14. Conduct and deliberate a Joint Public Hearing with the Planning & Zoning Commission to consider a request for a zoning change from R-1 (1st Single Family Dwelling District) to B-1 (General Business District) on property located at 104 Woodland Drive; also known as .678 acre out of 1.51 acres at the northwest corner of FM 2165 entry road, Rockport Country Club Estates, Unit 2, Rockport, Aransas County, Texas.

Mayor Wax opened the Joint Public Hearing at 6:40 p.m.

Planning & Zoning Commission Chairman Brian Olsen stated the Planning & Zoning Commission will consider this request at their meeting on Monday, January 18, 2016, at 5:30 p.m.

There were no public comments.

15. Adjourn – Rockport Planning & Zoning Commission.

At 6:41 p.m., the Rockport Planning & Zoning Commission adjourned.

Regular Agenda

16. Deliberate and act on an Ordinance authorizing the issuance, sale and delivery of up to \$3,400,000 in aggregate principal amount of “City of Rockport, Texas Combination Tax and Revenue Certificates of Obligation, Series 2016”; securing the payment thereof by authorizing the levy of an annual *ad valorem* tax and a pledge of certain surplus revenues of the City’s waterworks and sewer system; and approving and authorizing the execution of a paying agent/registrar agreement, an official statement and all other instruments and procedures related thereto.

City of Rockport Financial Consultant Bob Henderson addressed the Council. Mr. Henderson stated that in December, the City gave Notice of Intent to Issue Certificates of Obligation for purchase of property. Mr. Henderson informed the Council that a competitive bid sale was offered

and a 2.5997% interest rate was the lowest bid. Mr. Henderson recommended the City accept the bid of 2.5997% interest given by George K. Baum & Company.

MOTION: Mayor Wax moved to approve the Ordinance authorizing issuance, sale and delivery of up to \$3,400,000 in the aggregate principal amount of “City of Rockport, Texas Combination Tax and Revenue Certificates of Obligation, Series 2016”; securing payment thereof by authorizing the levy of an annual *ad valorem* tax and a pledge of certain surplus revenues of the City’s waterworks and sewer system; and approving and authorizing execution of a paying agent/registrar agreement, an official statement and all other instruments and procedures related thereto. Council Member Gurtner seconded the motion. Motion carried unanimously.

17. Hear and deliberate on presentation of Rockport-Fulton Chamber of Commerce Compass Report: Guidance, Promotion and Support.

Rockport-Fulton Area Chamber of Commerce Board Chair Tiffanie Hoover addressed the Council. Ms. Hoover presented the Rockport-Fulton Area Chamber of Commerce Compass Report: Guidance, Promotion and Support.

Discussion was held among Council and Chamber Board Chair Ms. Hoover in regard to the quarterly report.

18. Deliberate and act on first reading of an Ordinance amending City of Rockport Code of Ordinances Chapter 50 “Floods.”

Public Works Director Mike Donoho stated that on November 17, 2015, in preparation for the required updated Floodplain Management Ordinance, the Council approved entering into a contract with Lockwood Andrews and Newnam, Inc. (LAN) to assist in developing higher floodplain development standards and participating in the Community Rating System (CRS).

Community Planner Kimber Clark addressed the Council. Ms. Clark stated the proposed amendments to the Ordinance incorporates Council’s input, LAN’s recommendations, and comments from a preliminary review by Federal Emergency Management Association. Ms. Clark added that the biggest change is the added 18-inch freeboard requirement throughout the Special Flood Hazard Area. Ms. Clark said she spoke with Jim Urban of Urban Engineering and he stated he had no problem with the 18-inch freeboard requirement.

Discussion was held among Council and Ms. Clark.

MOTION: Mayor Pro-Tem Rios moved to approve the first reading of an Ordinance amending City of Rockport Code of Ordinances Chapter 50 “Floods.” Council Member Villa seconded the motion. Motion carried unanimously.

19. 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 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.

Mayor Wax informed everyone that the City is scheduled to close on purchase of the windswept oaks property on Friday, January 15, 2016.

Council Member Gurtner stated she attended the Keep Aransas County Beautiful meeting. Council Member Gurtner said the first clean-up is scheduled for February 27, 2016. Council Member Gurtner added that they are looking for extra help and volunteers to serve on the board of directors.

Mayor Pro-Tem Rios stated the YMCA Development Committee had a great meeting on Monday. Mayor Pro-Tem Rios said the Committee is moving along with development of the YMCA and is working on the design. Mayor Pro-Tem Rios added that a presentation was given by Mike Mahoney, the architect working on design of the building.

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:

- 20. Section 551.071(1)(A) Consultation with Attorney on pending or contemplated litigation: a) Aumada, b) Templeton, c) Pena/Dack, and d) Bay Education Center.**
- 21. Section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.**
- 22. Section 551.072 Deliberation about Real Property: Deliberate the purchase, exchange, lease, or value of real property: a) 1501 and 1505 Broadway, and b) Project Red Fish.**
- 23. Section 551.076 Deliberation Regarding Security Devices or Security Audits: Closed Meeting.**
- 24. Section 551.074 Personnel Matters: City Manager Evaluation.**
- 25. Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.**

At 7:16 p.m., Mayor Wax convened the Rockport City Council into an executive session pursuant to provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in Section 551.071910(A) Consultation with Attorney on pending or contemplated litigation: a) Aumada, b) Templeton, c) Pena/Dack, and d) Bay Education Center; Section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rule of Professional Conduct of the State Bar of Texas clearly conflicts with the chapter; Section 551.072 Deliberation about Real Property- Deliberate the purchase, exchange, lease, or value of real property: a) 1501 and 1505 Broadway,

and b) Project Red Fish; Section 551.076 Deliberation Regarding Security Devices or Security Audits: Closed Meeting; Section 551.074 Personnel Matters: City Manager Evaluation; and Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.

Open Session

26. 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 8:03 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 necessary actions related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

MOTION: Mayor Wax moved that the City Council approve the draft settlement agreement, pursuant to Federal Rules of Civil Procedure, between the City of Rockport and the plaintiff, Mr. Aumada, in the amount of \$2,000.00. Council Member Gurtner seconded the motion. Motion carried unanimously.

27. Adjournment

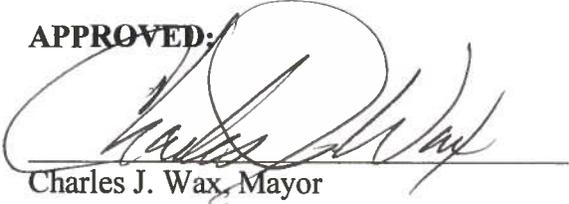
At 8:04 p.m., Council Member Villa moved to adjourn. Motion was seconded by Mayor Pro-Tem Rios and carried unanimously.



ATTEST:


Teresa Valdez, City Secretary

APPROVED:


Charles J. Wax, Mayor