
CITY COUNCIL AGENDA

Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, April 12, 2016, 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. Presentation: Friends of Aransas & Matagorda Island Wildlife Refuge
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 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.

5. Deliberate and act on approval of Special Joint Workshop Meeting Minutes of March 21, 2016, and Regular Meeting Minutes of March 22, 2016.
6. Deliberate and act on Resolution approving and adopting Public Funds Investment Policy for the City of Rockport, Texas.
7. Deliberate and act on 2016 Consumer Price Index adjustment to Municipal Telecommunications Right-of-Way Access Line Rates.
8. Deliberate and act on 2nd quarter report from the Texas Maritime Museum for Fiscal Year 2015-2016 marketing expenditures.
9. Deliberate and act on 2nd quarter report from the Rockport-Fulton Chamber of Commerce Fiscal Year 2015-2016 marketing expenditures.
10. Deliberate and act on report from Aransas County Council on Aging for marketing expenditures made for 2016 Bountiful Bowl Pottery Fair/Rockport Clay Expo.
11. Deliberate and act on accepting a donation from Aransas County Leadership Class XX for the purchase of memorial park bench for placement at Spencer Park.

12. Deliberate and act on a Resolution amending Resolution No. 2014-13 by adding eligible certifications.
13. Deliberate and act on approval of allocation of \$15,000 from Hotel Occupancy Tax revenues toward the Aransas County Coast and Harbor Engineering contract for development of coastal resiliency engineering projects and grant applications.

Regular Agenda

14. Deliberate and act on an agreement with Ameresco, Inc., to perform an energy audit of various city facilities.
15. Hear and deliberate on presentation of Aransas County Groundwater Conservation District.
16. Hear and deliberate on presentation of Rockport-Fulton Chamber of Commerce Compass Report: Guidance, Promotion and Support.
17. Deliberate and act on approving the purchase and installation of a natural cedar fence at the new City property located at 1501-1505 Broadway.
18. Hear and deliberate on a presentation by the Rockport Center for the Arts for a license, long-term lease, or sale of the 1100 block of East North Street, between Austin Street and Water Street.
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; 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:

20. Section 551.071(1)(A) Consultation with Attorney on pending or contemplated litigation: (A) Bay Education Center, (B) Manning, and (C) Pena/Dack.
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 regarding real property - deliberate the purchase, exchange, lease, or value of real property: (A) Project Red Fish, (B) 1100 block of East North Street, between Austin Street and Water Street.

Open Session

23. 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.

24. 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 8, 2016, 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 12, 2016

AGENDA ITEM: 3

Presentation: Friends of Aransas & Matagorda Island Wildlife Refuge.

SUBMITTED BY: Tom Staley, Director of Parks & Leisure Services

APPROVED FOR AGENDA: PKC

BACKGROUND: The City partnered with the Friends of Aransas & Matagorda Island Wildlife Refuge beginning with the 2015 Whopping Crane Strut to donate \$5 of each registration to the group to assist with whopping crane habitat at the Refuge. The 28th Whopping Crane Strut on March 12, 2016, raised a total of \$1,085 from 217 registrants. Mayor Wax will present a check to a representative of the Friends of Aransas and Matagorda Island Wildlife Refuge.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Not an action item.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 5

Deliberate and act on approval of Special Joint Workshop Meeting Minutes of March 21, 2016, and Regular Meeting Minutes of March 22, 2016.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: Please see the accompanying minutes of the Special Joint Workshop Meeting on March 21, 2016 and the Regular Meeting of March 22, 2016.

FISCAL ANALYSIS: N/A

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

CITY OF ROCKPORT

MINUTES

JOINT SPECIAL WORKSHOP MEETING 9:00 a.m., Monday, March 21, 2016 Rockport Service Center – 2751 State Highway 35 Bypass

On the 21st day of March 2016, the City Council of the City of Rockport and the Aransas County Commissioners' Court convened in Joint Special Workshop Session at 9:00 a.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, 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

ARANSAS COUNTY JUDGE & COMMISSIONERS PRESENT

County Judge C.H. "Burt" Mills, Jr.
County Commissioner Precinct 1-1A Jack Chaney
County Commissioner Precinct 2 Leslie "Bubba" Casterline
County Commissioner Precinct 3 Charles Smith
County Commissioner Precinct 4 Betty Stiles

CITY STAFF MEMBERS PRESENT

City Manager Kevin Carruth
City Secretary Teresa Valdez
City Attorney Terry Baiamonte
Public Works Director Mike Donoho
Community Planner Kimberly Clark
Finance Director Patty Howard
Police Chief Tim Jayroe
Information Technology Director Brian Jacobs
Communications Center Administrator Lee Zapata
Street Crew Leader Ryan Picarrazi
Park & Leisure Services Director Tom Staley

ELECTED OFFICIALS

Town of Fulton Mayor Jimmy Kendrick

COUNTY STAFF MEMBERS PRESENT

County Attorney Kristen Barnebey
Sheriff Bill Mills
Office & Contract Manager for the County Attorney's Office Carrie Arrington

1. Call to Order - The Honorable Charles J. Wax, Mayor.

With a quorum of the Council Members present, the Joint Special Workshop Meeting of the Rockport City Council was called to order by Mayor Wax at 9:00 a.m. on Monday, March 21, 2016, at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Call to Order - The Honorable C.H. "Burt" Mills, Jr., County Judge.

With a quorum of the Commissioners present, the Joint Special Workshop Meeting of the Aransas County Commissioners' Court was called to order by Judge Burt Mills at 9:00 a.m. on Monday, March 21, 2016, at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Regular Agenda

3. Hear and deliberate on interlocal agreements:

- A. Animal Control**
- B. Community Aquatic Park**
- C. Dispatch**
- D. Extra-Territorial Jurisdiction (ETJ) Regulation**
- E. Jail Services**
- F. Juvenile Case Manager**
- G. Restaurant Health Inspection Services**
- H. Roads & Drainage**
- I. Septic Systems**
- J. Subdivision Regulation**

Judge Mills suggested that items 3.F. Juvenile Case Manager and 3.G. Restaurant Health Inspection Services be addressed first since they are the same every year.

F. Juvenile Case Manager

Mayor Wax stated that the County Agreement that the Council had considered at the December 8, 2015, Council Meeting did not contain an auto renewal clause.

Commissioner Casterline stated the revised version supplied by the County contains the auto renewal clause, as well as the provision for monthly payments and the provision listing the contact information for all notices, communications and reports.

Discussion was held among Council and Commissioners regarding the future procedure of sending and receiving information by email.

It was the consensus of the Council and Commissioners that a "Request a Read Receipt" be attached to emails sent. The City Manager would receive for the City with a copy sent to the City Secretary, the County Judge would receive for the County with a copy to the County Attorney's Office, and the Mayor would receive for the Town of Fulton with a copy sent to the Town Secretary.

It was the consensus of the Council and Commissioners that all agreements on this agenda would be changed to reflect the 60 day clause for written notice of cancellation.

It was the consensus of the Council and Commissioners that a Juvenile Case Manager Interlocal Agreement be prepared with the following: 1) the auto renewal clause, 2) the 60 day clause for written notice of cancellation, 3) the provision for monthly payments, and 4) the provision listing the contact information for all notices, communications and reports, be prepared. *Note: It was later decided that the following be added to each agreement: 1) signature date of July of year of execution be added to each agreement on this Agenda, and 2) a paragraph on requests for information*

G. Restaurant Health Inspection Services

Mayor Wax stated that this agreement is a fee-based. Mayor Wax said the auto-renewal clause was not in this agreement provided by the County.

Commissioner Smith suggested that all renewal agreements be signed by July 31st of each year, so that they can be included in each entity's budget for the following year.

It was the consensus of Council and the Commissioners that Commissioner Smith's suggestion be adopted regarding renewal of interlocal agreements; all interlocal agreements should be executed by July 31st of each year to allow for each entity's budget planning.

It was the consensus of the Council and Commissioners that the Restaurant Health Inspections Services Interlocal Agreement be prepared with the following: 1) auto renewal clause, 2) the 60 day clause for written notice of cancellation, 3) the paragraph on requests for information, 4) the provision listing the contact information for all notices, communications and reports, 5) a signature date of July of year of execution.

I. Septic Systems

Commissioner Stiles stated the auto renewal clause needed to be added to this agreement.

City Manager Carruth stated he had suggested that in the interlocal agreements there be an addition of a paragraph addressing requests for information from one party to another party.

Judge Mills stated he did not have any problem with the addition of that paragraph in all the agreements.

It was the consensus of the Council and Commissioners that the 60 day written notice of cancellation, auto renewal clause, and the paragraph addressing requests for information be included in all the interlocal agreements.

It was the consensus of the Council and Commissioners that the Septic Systems Interlocal Agreement be prepared with the following: 1) the 60 day clause for written notice of cancellation, 2) the auto renewal clause, 3) the paragraph on requests for information, 4) the provision listing the

contact information for all notices, communications and reports, and 5) a signature date of July of year of execution.

H. Roads & Drainage

Commissioner Stiles stated she did not find any different verbiage in the agreement.

City Manager Carruth stated the biggest part of this agreement is the seal coat project.

Mayor Wax stated that if any party wants to make changes to this agreement, they should provide a red-lined copy to the other parties involved.

Mayor Wax added that the agreement should contain the 60 day written notice of cancellation, auto renewal clause, the paragraph addressing requests for information, the provision listing contact information for all notices, communications and reports, and a signature date of July of year of execution.

Mayor Wax stated the City will take the responsibility of providing a red-lined copy to the County Attorney's office.

Commissioner Chaney raised a concern about instances when immediate repairs are necessary, for example during a flood event. Commissioner Chaney suggested that when this agreement is readied, there is a purview that the City and County will work together during emergencies and have the authority to do that without Council or Commissioner approval.

Commissioner Smith said that the law states this cannot be done unless authorized by Commissioners' Court.

County Attorney Barneby stated that the Town of Fulton needed to be added to the agreement along with a signatory line for its Mayor. County Attorney Barneby requested the City Manager email a redlined copy of this agreement to her.

A. Animal Control

Commissioner Smith stated the 90 day clause in this agreement should be changed to 60 days and the auto renewal clause should be added.

Commissioner Casterline said that everything that has been discussed today should be added to this agreement.

Commissioner Smith stated the provision in the agreement stating: "The removal and proper disposal of deal wildlife over 25 pounds from the public right-of-way shall be the responsibility of CITY and TOWN within their respective jurisdictions. The removal and proper disposal of deal animals from county roads shall be the responsibility of COUNTY but not performed by Animal Control," is a new provision that the County had added to the agreement. Commission Smith asked if this is the process that the County and City want.

Mayor Wax stated that this was a draft copy that the County had sent to the City and in reviewing it, there had been a clause deleted regarding removal of dead animals by the County; that has always been a provision in this agreement. Mayor Wax asked why that was taken out of the agreement.

Judge Mills stated that the Health & Safety Code addresses this. Judge Mills said the County has three (3) animal control employees and they receive a lot of calls to pick up live animals. Judge Mills asked what would be the problem with the street departments in the City of Rockport and Town of Fulton picking up the dead animals.

Commissioner Smith read the following excerpt from Health & Safety Code Section 361.117: DISPOSAL OF CARCASSES OF ANIMALS KILLED ON ROADWAYS. (a) Notwithstanding any other provision of this chapter, counties and municipalities may dispose of the carcasses of animals killed on county or municipal roadways by burying the carcasses on property owned by the entity that is responsible for road maintenance.

Commissioner Casterline stated that another concern was the weight of the dead animals; not all are small animals and the County Animal Control does not have front-end loaders, etc. to lift the dead animals.

City Manager Carruth stated the removed provision addressed “domestic pets and well as wildlife under 25 pounds.” Mr. Carruth added that the County has always picked up non-domestic.

City of Rockport Public Works Street Crew Leader Ryan Picarazzi stated that if the City Public Works crew had to pick up dead animals, this would cause contamination to the trucks carrying water pipes, etc.

Further discussion was held among Council and Commissioners.

Commissioner Chaney asked Ms. Zapata how many calls dispatch receives per year concerning carcasses.

Ms. Zapata stated she did not have this information, but she will get it provide it to the City and the County.

City Manager Carruth stated there were a couple of other items that should be discussed, Item 4.b) in the agreement. Mr. Carruth said there has been some questions in regard to data provided and the source of the data.

Judge Mills stated the Animal Control Department now has a software program that will keep a better record of how many animals are picked up or dropped off and in whose jurisdiction they were located or found.

Commissioner Chaney commented that this falls in several of these agreements; the County and the City need to decide what unit of measure is going to be used to determine costs.

Commissioner Smith stated that Item 4.b - "Aransas County will invoice the CITY and TOWN a monthly flat fee of \$8,550.00 for the City of Rockport and a monthly flat fee of \$2,750.00 for the Town of Fulton. Payment shall be made to Aransas County within 30 days from the date of invoice" addresses that; it is a flat fee for this year and starting next year, the data can be utilized to determine the fees.

Mayor Wax suggested the agreement be left at a flat fee for this year and then can be changed next year if necessary. Mayor Wax added that Dispatch sends monthly summaries to all entities.

County Attorney Barnebey stated the County proposed agreement Item 4.a) is different from the City proposed agreement.

Commissioner Chaney commented that in the agreement proposed by the City, Item 4.a)(1) - "A proposed budget will be prepared by the Aransas County Judge and furnished to CITY and TOWN by no later than June 30, and CITY's and TOWN's input may be considered by the Commissioners Court of Aransas County in its approval of the Animal Control Budget. The proposed budget shall be accompanied by a narrative in sufficient detail to explain (1) each line item, ..." is too cumbersome. Commissioner Chaney said he thought it was unnecessary.

Discussion was held among Council, Commissioners and City Manager Carruth.

Mayor Wax suggested that Item 4.a)(1) be deleted and items 4.1(2) and 4.1.(3) be re-numbered respectively.

It was the consensus of the Council and Commissioners that the Animal Control Interlocal Agreement be prepared deleting Item 4.a)(1), and containing the following: 1) monthly payments; 2) the auto renewal clause, 3) the 60 day clause for written notice of cancellation, 4) the provision listing the contact information for all notices, communications and reports, 5) adding the paragraph on requests for information, and 6) a signature date of July of year of execution.

B. Community Aquatic Park

Commissioner Chaney stated that it can be determined where people live who are using the pool. Commissioner Chaney said that at the end of each month all entities are receiving a report from the pool.

City Manager Carruth stated that as of January 1, 2016, a price change was implemented at the pool.

Park & Leisure Services Director Tom Staley stated the price change was on the punch card; instead of \$3.33 per visit it is \$4.00. Mr. Staley added that it is difficult in June and July to obtain information from visitors because of the number of people that visit the pool.

Mayor Kendrick stated there is a YMCA program that may engulf the pool and he does not know how that is going to work yet. Mayor Kendrick expressed that the pool was built for the community, specifically a swim team. Mayor Kendrick said he thought the entities really needed to be careful about the direction they are heading when it comes to the community pool. Mayor Kendrick added

that the entities needed to know where the YMCA stands on this. Mayor Kendrick said it is not fair to the county and it is not fair to the people who have raised money to help keep it open.

Discussion was held among Council and Commissioners.

City Manager Carruth commented that the pool is at the point where its maintenance has greatly increased. Mr. Carruth stated that historically the City has covered the budget deficit and it is concerning him that as the County reduces funding, the City takes on more big ticket maintenance items.

Mayor Kendrick stated that everyone should realize that it is going to be a big issue to keep the pool open and it should not just be the City of Rockport paying to keep it open, it should be all the entities involved.

Mayor Pro-Tem Rios stated the YMCA Development Committee is looking at management of the pool, not giving it up.

Mayor Wax stated he thought the agreement should be extended and if any of the parties want to change something there will be time to do it.

It was the consensus of the Council and Commissioners that the Community Aquatic & Skate Park Interlocal Agreement be prepared with the following: 1) monthly payments; 2) the auto renewal clause, 3) the 60 day clause for written notice of cancellation, 4) the provision listing the contract information for all notices, communications and reports, 5) the paragraph on requests for information, and 6) a signature date of July of year of execution.

C. Dispatch

Commissioner Chaney asked if everyone was together on how the pro-rata rates were being determined.

City Manager Carruth stated that in the agreement that was sent to the City, there is a difference in the data sent to the County because Fulton was included in Rockport; thus the pro-rata shares would be different than what the County had in the agreement.

Mayor Wax stated that this agreement had been auto renewed.

Discussion was held among Council and Commissioners regarding line 39 of the proposed agreement: "Any amendments to the budget during the budget calendar year have to be approved by all three entity governing bodies before any changes can be made to the monthly billings."

Commissioner Casterline stated this was added because of the substantial pay raise given to Dispatch about which the County did not know.

City Manager Carruth stated that the County had been notified about the pay raises and if that action had not been taken, there would have been more costs because of overtime expenses.

Judge Mills commented that he had been informed of the pay raises.

Mayor Wax added that the Communications Boards and Judge Mills had all been notified of the pay raises and the rationale behind it.

Mayor Wax suggested line 39 be left in the agreement and he will take it upon himself to talk to Judge Mills if there are any amendments to the budget.

It was the consensus of the Council and Commissioners that the Dispatch Interlocal Agreement be prepared correcting the pro rata percentages and containing the following: 1) monthly payments, 2) the 60 day clause for written notice of cancellation, 3) the auto renewal clause, 4) the provision listing the contact information for all notices, communications and reports, 5) the paragraph on the requests for information, and 6) a signature date of July of year of execution.

A brief recess was taken from 10:48 a.m. until 10:58 a.m.

E. Jail Services

Judge Mills stated that Item A.1. should be changed to 60 days just like the other agreements, and Item B.4. should be changed to monthly instead of quarterly.

Mayor Wax stated that Item C.2. – “In the course of supplying jail services under this contract, any civil liability relating to the provision of those services shall be the responsibility of the governmental unit which would be responsible for supplying such services in the absence of this contract or agreement” should be deleted because the policies and procedures and training and administration of those procedures are determined by the Sheriff and the City has no part in that.

Sheriff Mills stated he did not have a problem with the deletion of Item C.2.

It was the consensus of the Council and Commissioners that the Jail Services Interlocal Agreement be prepared deleting Item C.2. and containing the following: 1) the 60 day clause for written notice of cancellation; 2) monthly payments, 3) the provision listing the contact information for all notices, communications and reports; 4) adding the paragraph on the requests for information, 5) auto renewal clause, and 6) a signature date of July of year of execution.

D. Extra-Territorial Jurisdiction (ETJ) Regulation

Commissioner Smith asked what Agenda Item J – Subdivision Regulation was, and did that not fall under the Extra-Territorial Jurisdiction (ETJ) Regulation Agreement.

Mayor Wax responded that when the Council and the Commissioners met in August 2015 to discuss the subdivision regulation agreements, it had been the consensus of the Council and the Commissioners to split the agreement into two parts: 1) Subdivision Regulation, and 2) ETJ Regulation.

Commissioner Smith stated that nothing has been done with this Agreement since 2004.

County Attorney Kristen Barnebey stated that the original agreement is dated 2003 and that would be the agreement that is in effect.

Discussion was held among Council on each entity's responsibility for the City's first one-half mile and the County's second one-half mile regulation of floodplain and stormwater management.

Commissioner Smith inquired whether the City has adopted the Best Management Practice (BMP) for water quality.

Mayor Wax stated that the Council will be considering approval of the Master Drainage Plan at their meeting tomorrow night, and if it is approved the City will provide a copy to the County.

Commissioner Smith suggested this item be delayed for 60 days.

Mayor Wax stated that BMP and construction processes are not part of this Interlocal Agreement. Mayor Wax stated that what the City decides to do in its ½ mile of extra-territorial jurisdiction does not impact the County.

Commissioner Casterline stated that his understanding of this was that if the City and County could not agree and this went to mediation, there would be more stringent rules applied to the entire ETJ.

Mayor Wax stated the proposed draft agreement dated October 28, 2015, memorializes what the County and the City have been doing for the last 11 years.

It was the consensus of the Council and Commissioners that a final agreement be prepared imaging the draft agreement dated October 28, 2015, with the following: 1) the 60 day clause for written notice of cancellation, 2) the auto renewal clause, 3) the paragraph on requests for information, 4) the provision listing the contact information for all notices, communications and reports, 5) a signature date of July of year of execution, and 6) monthly payments.

NOTE: Further discussion was held in regard to this item following discussion of Item J. See below.

J. Subdivision Regulation

Mayor Wax called the Council's and the Commissioners' attention to lines 43-46 of the draft copy of the agreement dated July 1, 2015: "The City and the County agree that if a proposed subdivision originates within the City's extraterritorial jurisdiction and fifty percent (50%) or more of the subdivision area extends past the extraterritorial jurisdiction line, the County shall have exclusive right to exercise its jurisdictional authority within the limits of the entire subdivision."

Council Member Day stated the written notice of termination clause should be changed to reflect 60 days instead of 45 days.

It was the consensus of the Council and Commissioners that a final agreement be prepared imaging the draft copy of the Subdivision Regulation Agreement dated July 1, 2015, with the following: 1) the 60 day clause for written notice of cancellation, 2) the auto renewal clause, 3) the paragraph on requests for information, 4) the provision listing the contact information for all notices, communications and reports, and 5) a signature date of July of year of execution.

There was discussion between the County Attorney's Office and Judge Mills concerning lines 31-34 of the Extraterritorial Jurisdiction Agreement - the regulation of permits for onsite septic facilities.

Mayor Wax stated he interpreted the paragraph to mean that the County exercises its jurisdiction for septic facilities in the City; however, if the septic is in a subdivision, the County does not override the City's subdivision regulation.

County Attorney Kristen Barnebey stated she believed the language in that paragraph could be cleaned up.

Mayor Wax stated he will look for the revised version from Ms. Barnebey, along with the other agreed changes.

4. Adjournment

At 11:25 a.m., Council Member Villa moved to adjourn the Joint Special Workshop Meeting. Motion was seconded by Mayor Pro-Tem Rios and carried unanimously.

At 11:25 a.m., Commissioner Smith moved to adjourn the Joint Special Workshop Meeting. Motion was seconded by Commissioner Casterline 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 22, 2016 Rockport City Hall, 622 East Market Street

On the 22nd day of March 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

STAFF MEMBERS PRESENT

City Manager Kevin Carruth
City Attorney Terry Baiamonte
City Secretary Teresa Valdez
Finance Director Patty Howard
Police Commander Larry Sinclair
Police Commander Jerry Lawing
Public Works Director Mike Donoho
Park & Leisure Services Director Tom Staley
Community Planner Kimber Clark

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 22, 2016, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

2. Pledge of Allegiance.

Brody Karl, son of Brandi Karl with Urban Engineering, led the Pledge of Allegiance to the U.S. flag.

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 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.

- 4. Deliberate and act on approval of City Council Regular Meeting Minutes of March 8, 2016.**
- 5. Deliberate and act on request from Rockport First Assembly of God for the temporary closure of East Laurel Street, from North Live Oak Street to North Church Street, on March 26, 2016, from 10:00 a.m. until 1:00 p.m. for an Easter egg hunt.**
- 6. Deliberate and act on approval of Interlocal Contract with the Town of Fulton for Assistance in Law Enforcement.**

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.

Regular Agenda

- 7. Deliberate and act on presentation of the final draft of the City of Rockport Drainage Master Plan.**

Brandi Karl with Urban Engineering stated the City had received the final, sealed Master Drainage Plan Modeling Report which included two (2) sets of maps. Ms. Karl said she was present to answer any questions.

Mayor Wax thanked Urban Engineering for the work. Mayor Wax stated there was not a significant amount of change from the 2000 Master Drainage Plan.

Brief discussion was held among Council and Ms. Karl.

City Manager Kevin Carruth stated the University of Texas Center for Research in Water Resources Coastal Storm Water Best Management Practices Program has agreed to review the final draft of the plan after Council accepts it from the engineer.

MOTION: Mayor Wax moved to accept the City of Rockport Drainage Master Plan as presented. Council Member Gurtner seconded the motion. Motion carried unanimously.

- 8. Deliberate and act on second and final reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land located at 104 Woodland Drive; also known as Rockport Country Club Estates, Unit 2, .678 acres out of 1.51 acres at the northwest corner of FM 2165 & entry road, Rockport, Aransas County, Texas, from R-1 (1st Single-Family Dwelling District) to R-7 (Residential and Office District); repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

Public Works Director Mike Donoho stated there have been no changes in content or format of the Ordinance since the first reading at the March 8, 2016, City Council Meeting.

MOTION: Council Member Villa moved to approve the second and final reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land located at 104 Woodland Drive; also known as Rockport Country Club Estates, Unit 2, .678 acres out of 1.51 acres at the northwest corner of FM 2165 & entry road, Rockport, Aransas County, Texas, from R-1 (1st Single-Family Dwelling District) to R-7 (Residential and Office District); repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Mayor Pro-Tem Rios seconded the motion. Motion carried unanimously.

- 9. Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 55 “Offenses and Miscellaneous Provisions”, Article I. “In General”, Article II. “Minors”, amending Section 66-36 “Definitions” setting curfew hours for minors; and adding “Table 1”; repealing all Sections in conflict herewith; providing a severability clause; and providing an effective date.**

Mayor Wax stated there have been no changes in content or format of the Ordinance since the first reading at the March 8, 2016, City Council Meeting.

MOTION: Council Member Villa moved to approve the second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 55 “Offenses and Miscellaneous Provisions”, Article I, “In General”, Article II. “Minors”, amending Section 66-36 “Definitions” setting curfew hours for minors; and adding “Table 1”; repealing all Sections in conflict herewith; providing a severability clause; and providing an effective date. Council Member Day seconded the motion. Motion carried unanimously.

- 10. Tabled March 8, 2016 - Deliberate and act on approving the City Attorney to act on behalf of the Rockport Police Department and the City of Rockport in proceedings for forfeiture of contraband.**

MOTION: Mayor Pro-Tem Rios moved to remove this item from the table. Council Member Villa seconded the motion. Motion carried unanimously.

Mayor Wax stated staff recommends Council deny the request in order to dispose of the item from the agenda, and once the additional research is completed the item can be brought back for consideration.

MOTION: Mayor Wax moved to deny the request, without prejudice, to approve the City Attorney to act on behalf of the Rockport Police Department and the City of Rockport in proceedings for forfeiture of contraband until additional research is completed and the item can be brought back to Council for consideration. Mayor Pro-Tem Rios seconded the motion. Motion carried unanimously.

11. Deliberate and act on presentation of Fiscal Year 2014-2015 City of Rockport Comprehensive Annual Financial Report.

Auditor Mike Arnold addressed the Council. Mr. Arnold stated the City is in good financial condition and he did not encounter any problems while conducting the audit. Mr. Arnold informed the Council that the main item this year was GASB 68, which mandates recording unfunded pension liability. Mr. Arnold presented and reviewed the Fiscal Year 2014-2015 City of Rockport Audit.

Discussion was held among Council and Mr. Arnold.

MOTION: Mayor Pro-Tem Rios moved to accept the Fiscal Year 2014-2015 City of Rockport Comprehensive Annual Financial Report as presented. Council Member Villa seconded the motion. Motion carried unanimously.

12. Hear and deliberate on presentation of City of Rockport Police Department 2015 Annual Report.

Police Commanders Larry Sinclair and Jerry Lawing presented and reviewed the 2015 Police Department Report.

Discussion was held among Council and Commanders Sinclair and Lawing.

13. 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; 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 Development 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 the Council that projects had been submitted for the Coastal Resiliency grants. Mayor Wax stated he thought the City should contribute \$15,000 toward the \$35,000 contract Aransas County has with the engineer working on these projects. Mayor Wax said the \$15,000 could be paid out of hotel occupancy tax revenues.

Mayor Wax stated the Key Allegro Homeowners Association has committed \$150,000 towards the work the City will perform on the Bay Shore Drive stabilization project.

Council Member Villa asked the progress of the fence around the newly purchased park property.

Park & Leisure Services Director Tom Staley informed the Council that three (3) fence companies were contacted and one (1) quote was received. Mr. Staley said he has contacted the contractor that provided the one quote and asked him to give another quote with a 280 feet of fence reduction. Mr. Staley stated he will contact the contractor tomorrow and plans to put this on the Council Agenda for the first meeting in April.

Council Member Day informed the Council that the Rockport Heritage District Board is trying to determine the purpose of having two (2) boards, the Heritage District Board and the Heritage District Association.

Council Member Gurtner stated the Keep Aransas County Beautiful group has set-up their board and is looking for more members.

Mayor Pro-Tem Rios stated the YMCA Development Committee met last night and discussed the informational brochure they will be using for marketing. Mayor Pro-Tem Rios said they are going to start making presentations to organizations throughout the community.

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:

- 14. Section 551.071(1)(A) Consultation with Attorney on pending or contemplated litigation: (A) Bay Education Center, and (B) Manning.**
- 15. 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.**
- 16. Section 551.072 Deliberation about Real Property: Deliberate the purchase, exchange, lease, or value of real property: (A) Project Red Fish, and (B) 1600 block of Third Street right-of-way.**

At 7:24 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) Bay Education Center, and (B) Manning; 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; and Section 551.072 Deliberation about Real Property: Deliberate the purchase, exchange, lease, or value of real property: (A) Project Red Fish, and (B) 1600 block of Third Street right-of-way.

Open Session

17. 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 7:54 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.

No action was taken.

18. Adjournment

At 7:55 p.m., Council Member Villa moved to adjourn. Motion was seconded by Mayor Pro-Tem Rios and carried unanimously.

APPROVED:

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

ROCKPORT CITY COUNCIL
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 6

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

SUBMITTED BY: Finance Director Patty Howard

APPROVED FOR AGENDA: PKC

SUMMARY STATEMENT: Public Funds Investment Act (Texas Government Code Sec. 2256.001) requires that the governing body must annually review and adopt an Investment Policy and Strategy. The act requires that the Investment Officers, City Manager Kevin Carruth and Finance Director Patty Howard attend ten hours of Public Fund Investments training every two years. The Investment Officers attend a seminar hosted by the Texas Municipal League last month and taught by Linda Patterson of Patterson & Associates. The existing Investment policy and strategy complies with all of the requirements of the Act. Council last revised the policy and strategy last year following a complete review by Ms. Paterson. Staff does not recommend any changes or updates at this time.

FISCAL ANALYSIS: N/A

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

RESOLUTION NO. _____**A RESOLUTION APPROVING AND ADOPTING AN INVESTMENT POLICY AND STRATEGY 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 and strategy regarding the investment of its funds; and

WHEREAS, the written Investment Policy, as presented, will 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 annually accept and approve the Investment Policy and Strategy.

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 Investment Policy and Strategy 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 12th DAY OF APRIL 2016.

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

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

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.

- 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.

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.

(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.

- (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:

- (1) Provision of an 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%

• 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*;

EXHIBIT "A"

- (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.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 7

Deliberate and act on 2016 Consumer Price Index adjustment to Municipal Telecommunications Right-of-Way Access Line Rates

SUBMITTED BY: Patty Howard, Finance Director

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 2016 rates will reflect a decrease of 0.0878% from the 2015 rates.

The current rates, as detailed in the table below, were set in April 2015. No action is required if Council chooses to accept the default rates as shown. The CPI adjusted default rates will show a decrease of approximately \$105.00 to revenue.

Line Type	Current Rate	Default Rate	Difference
Residential	\$1.67	\$1.66	<\$0.01>
Non-Residential	\$3.77	\$3.76	<\$0.01>
Point-To-Point	\$5.69	\$5.68	<\$0.01>

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, 2016, 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, 2016.

See the accompanying March 10, 2016, letter from the Public Utility Commission of Texas for more information.

FISCAL ANALYSIS: The CPI adjusted default rates will generate approximately \$105.00 less 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

2016 CONSUMER PRICE INDEX (CPI) ADJUSTMENT TO MUNICIPAL TELECOMMUNICATIONS RIGHT-OF-WAY ACCESS LINE RATES

March 10, 2016

PURPOSE

This letter is to notify you that your city's 2016 maximum access line rates have decreased by 0.0878% due to a decrease in the Consumer Price Index (CPI). This adjustment has been made pursuant to Chapter 283 of the Local Government Code (House Bill 1777)

DEFAULT RATES FOR 2016: DECREASE

Based on the choices made by your city in April 2015, your city's 2016 rates will be adjusted for deflation. According to our records, when similar CPI adjustments were made in April 2015, your city chose the MAXIMUM allowable CPI-adjusted rates. Therefore, your 2016 rates will reflect a decrease of 0.0878% from your 2015 rates. You do not have the option to decline this decrease in rates as the adjustment is made pursuant to administrative procedures established for CPI annual adjustments.

ACTION BY CITY: TO ACCEPT THE DECREASE

(1) You do not have to respond to accept the decreased access line rates. (2) Respond ONLY if you want to decrease the access line rates to levels lower than the new caps. (3) To respond, notify the PUC using page 2 of this letter no later than April 30, 2016. (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, 2016?

It is not necessary for the city to respond by April 30, 2016. Rates for your city will automatically decrease from 2015 levels to the new 2016 MAXIMUM allowable CPI-adjusted rates and no further reductions will be made. The next opportunity to adjust your rates will be September 1, 2016.

WHAT HAPPENS NEXT?

The PUC will notify telephone companies of your desired rates and you will be compensated accordingly no later than July 1, 2016.

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 2016, you will receive a similar letter in March 2017.

See over...

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 8

Deliberate and act on 2nd quarter report from the Texas Maritime Museum for Fiscal Year 2015-2016 marketing expenditures.

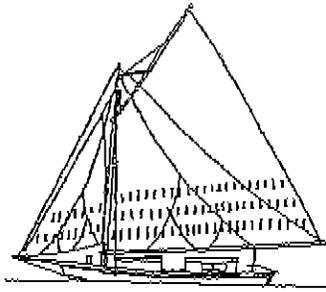
SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: The Texas Maritime Museum has been allocated \$80,000.00 in FY 2015-2016 Hotel Occupancy Tax (HOT) funds. According to our agreement with the Museum, fiscal quarterly financial reports are required to be submitted to the City Council for approval. See the accompanying 2nd quarter HOT expenditure report for additional information.

FISCAL ANALYSIS: Charged to account 6602002. The budgeted amount is \$80,000.00 and YTD expenses are \$16,529.00.

STAFF RECOMMENDATION: Staff recommends Council approve the Texas Maritime Museum's FY 2015-2016 Hotel Occupancy Tax funds 2nd quarter expenditures, as presented.



TEXAS MARITIME MUSEUM

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

TO:

Jeresa Valdez

FAX NUMBER:

361-790-5966

NUMBER OF PAGES INCLUDING COVER SHEET:

2

RE:

2nd. quarter 2015-2016

FROM:

Nathy Roberts-Duncan

DATE:

4/4/2016

NOTES:

Thank you!

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2015-2016

Description of Expense	Approved Budget	1st Quarter Expenses	2nd Quarter Expenses	3rd Quarter Expenses	4th Quarter Expenses	TOTAL
Advertising Expenses	\$ 26,000	\$ 996	\$ 5,251			\$ 6,247
Curatorial Expenses	7,000	1,526	1,578			\$ 3,104
Educational Expenses	7,000	197	900			\$ 1,097
Website Maintenance	6,000	1,500	1,500			\$ 3,000
Office Supply Expenses	6,000	1,434	1,647			\$ 3,081
TOTAL REQUESTED	\$ 52,000	\$ 5,653	\$ 10,876	\$ -	\$ -	\$ 16,529

Description of Administrative Expenses	Current Fiscal Year Administrative Expenses Projection	Fiscal Year Administrative Actual Expenses	Percentage of Fiscal Year Projections
Salary Expenses	\$ 28,000	\$ 14,000	50%
TOTALS	\$ 28,000	\$ 14,000	50%

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 9

Deliberate and act on 2nd quarter report from the Rockport-Fulton Chamber of Commerce Fiscal Year 2015-2016 marketing expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: The Rockport-Fulton Chamber of Commerce has been allocated \$320,000.00 in FY 2015-16 Hotel Occupancy Tax (HOT) funds. According to our agreement with the Chamber, 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 6602001. YTD expenses are \$160,000.00 out of \$320,000.00 budgeted.

STAFF RECOMMENDATION: Staff recommends approval of the Rockport-Fulton Chamber of Commerce FY 2015-2016 Hotel Occupancy Tax funds 1st quarter expenditures and authorization to disburse 3rd Quarter funds in the amount of \$80,000.00, as presented.

Rockport-Fulton Area Chamber of Commerce, Inc.
 Rockport Hotel Tax Account
 October 1, 2015 through
 September 30, 2016

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT 2015 - 2016						
Description of Expense	Approved Budget	1st Quarter Expenses	2nd Quarter Expenses	3rd Quarter Expenses	4th Quarter Expenses	Total
Accounting Fees	1,050.00	-	1,160.00	-	-	1,160.00
Administrative services reimbursement	54,000.00	9,000.00	18,000.00	-	-	27,000.00
Advertising and promotion	243,050.00	69,970.01	53,750.57	-	-	123,720.58
Bank & Card Fees	250.00	74.02	78.46	-	-	152.48
Conference Fees	1,910.00	-	280.00	-	-	280.00
Contract Services	-	-	-	-	-	-
Dues and Subscriptions	450.00	200.00	375.00	-	-	575.00
Event funding assistance	1,100.00	-	-	-	-	-
Food, beverages and meals	1,830.00	40.00	106.17	-	-	146.17
Maintenance and repairs	1,410.00	140.00	280.00	-	-	420.00
Mileage and travel	675.00	151.50	1,238.39	-	-	1,389.89
Postage and freight	1,880.00	1,414.71	753.71	-	-	2,168.42
Printing and publication	8,335.00	-	1,615.00	-	-	1,615.00
Prizes, gifts and awards	325.00	-	-	-	-	-
Rentals and fees	75.00	-	413.60	-	-	413.60
Supplies	700.00	47.87	165.00	-	-	212.87
Telephone	1,650.00	573.07	283.04	-	-	856.11
Telephone Internet Service	110.00	65.27	130.68	-	-	195.95
Web site maintenance	1,200.00	2,925.00	565.00	-	-	3,490.00
TOTAL REQUESTED	320,000.00	84,801.45	79,184.62	-	-	163,786.07

Description of Administrative Expenses	Current Fiscal Year Administrative Expenses Projection	Fiscal Year Administrative Actual Expenses	Percentage of Fiscal Year Projections
Administrative services reimbursement	54,000.00	27,000.00	50.00%
Totals	54,000.00	27,000.00	50.00%

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 10

Deliberate and act on report from Aransas County Council on Aging for marketing expenditures made for 2016 Bountiful Bowl Pottery Fair/Rockport Clay Expo.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: At the Special City Council Workshop held on June 2, 2015, a Fiscal Year 2015-2016 budget request was submitted by the Aransas County Council on Aging Bountiful Bowl Pottery Fair/Rockport Clay Expo for Hotel Occupancy Tax funds to advertise the 14th Annual Rockport Bountiful Bowl Pottery Fair/Rockport Clay Expo. Budget deliberations were held through the summer to finalize the City's Fiscal Year 2015-2016 Budget, with formal adoption at the September 15, 2015, City Council Meeting. Upon approval of the Fiscal Year 2015-2016 Budget, the City Council awarded the Aransas County Council on Aging \$1,500.00 in funding for the Bountiful Bowl Pottery Fair/Rockport Clay Expo.

Attached is documentation submitted by the Aransas County Council on Aging for payment.

FISCAL ANALYSIS: This expenditure is charged to account 660-2043. YTD expenses are \$0.00 out of \$1,500.00 budgeted.

RECOMMENDATION: Staff recommends approval of the report from Aransas Council on Aging for marketing expenditures made for Bountiful Bowl Pottery Fair/Rockport Clay Expo held on February 6, 2016, and authorize disbursement of funds in the amount of \$1,500.00 from the Hotel Occupancy Tax Fund for the event pursuant to the contract Agreement.

ARANSAS COUNTY COUNCIL ON AGING
912 S. CHURCH STREET ROCKPORT, TEXAS 78382
361-729-5352

March 15, 2016

Mayor C.J. Wax
Council Members
City Manager
622 East Market Street
Rockport, Texas 78382

Re: Report for Bountiful Bowl Pottery Fair/Rockport Clay Expo 2016

Dear Mayor and Officials:

In accordance with the agreement we entered into with the City of Rockport, I am enclosing a final accounting for the revenues and expenses for the Bountiful Bowl Pottery Fair held February 6, 2016. We had an excellent show with many excellent potters and enthusiastic attendees. We were more than pleased with the outcome which will raise almost \$17,000 for our meals-on-wheels program once all of the sponsors have sent in their checks.

We would like to thank the Town of Rockport for supporting our efforts to attract people not only for our event, but also to visit and shop at all of our other interesting venues and businesses. We continue to focus on attracting people to stay for the entire weekend. A breakdown of attendees by region is attached. We make this chart from the names submitted for the door prizes and while it is extensive it is not all-inclusive.

Please call me with any questions you have regarding the report. A copy of each of the printed materials is enclosed for your files.

Sincerely,



Mary Ellen Nies
Executive Director

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2015-2016		
Description of Expense	Approved Budget	Amount of Expense
Flyer Printing	1695	1695
Brochure Printing	1718	1718
Festivals of Texas	18	18
On The Water Lifestyle	129.75	
Victoria Advocate	323.90	323.90
Coastal Bend Herald	160.00	160.00
Wonderful Women's Network	300.00	300.00
South Jetty	255.00	255.00
Rockport Pilot	225	<u>225.00</u>
		4694.90
TOTAL REIMBURSEMENT REQUEST	1500.00	

The flyers and brochures are used for out of town advertising. We request partial reimbursement.

ARANSAS COUNTY COUNCIL ON AGING
Income/Expenses Bountiful Bowl 2015
 August 1, 2015 through March 15, 2016

Aug 1, '15 - Mar 15, 16

Ordinary Income/Expense		
Income		
LOCAL MATCH		
Fundraisers		
Bountiful Bowl Pottery Fair		
Income		
Admissions	3,445.00	
Advertising Support	3,500.00	
Food Concessions-I	747.00	
Raffle	1,745.00	
Silent Auction	2,194.00	
Sponsorships	7,650.00	
Vendor Space Rental	2,475.00	
Income - Other	1,200.00	
Total Income	22,956.00	
Total Bountiful Bowl Pottery Fair	22,956.00	
Total Fundraisers	22,956.00	
Total LOCAL MATCH	22,956.00	
Total Income	22,956.00	
Gross Profit	22,956.00	
Expense		
Fundraiser Expenses		
Bountiful Bowl Expenses		
Advertising Expense	4,319.88	
Awards/Prizes	525.00	
Food Concession Expenses	506.45	
Misc Expenses	1,700.00	
Postage	7.71	
Printing	154.86	
Total Bountiful Bowl Expenses	7,213.90	
Total Fundraiser Expenses	7,213.90	
Total Expense	7,213.90	
Net Ordinary Income	15,742.10	
Net Income	15,742.10	

ARANSAS COUNTY COUNCIL ON AGING Custom Transaction Detail Report October 31, 2015 through March 22, 2016

03/22/16

Type	Date	Num	Name	Memo	Account	Class	Clr	Split	Amount
Oct 31, '15 - Mar 22, 16									
Bill	11/13/15		H.E.B.	pork butts	Food Concession Ex...	SSC		Accounts Paya...	100.60
Bill	12/22/15		DEBIT CARD	Onthe water L...	Advertising Expense	SSC		Accounts Paya...	129.75
Bill	12/23/15		DEBIT CARD	raffle tickets BB	Printing	SSC		Accounts Paya...	154.86
Bill	12/23/15	ck# 16...	PETTY CASH		Jewelry	SSC		Accounts Paya...	12.96
Bill	01/04/16		DEBIT CARD	stemos	Food Concession Ex...	SSC		Accounts Paya...	24.83
Bill	01/04/16	CK #1...	PAT LIZCANO	start money fo...	Misc Expenses	SSC		Accounts Paya...	1,200.00
Bill	01/11/16		DEBIT CARD	WWN	Advertising Expense	SSC		Accounts Paya...	300.00
Bill	01/12/16	CK# 1...	SeaShore Signs & ...		Advertising Expense	SSC		Accounts Paya...	30.00
Bill	01/15/16	CK #1...	ARANSAS COUNT...		Advertising Expense	SSC		Accounts Paya...	13.00
Bill	01/19/16	CK #1...	Janie Rodriguez		Advertising Expense	SSC		Accounts Paya...	18.81
Bill	01/20/16		SOUTH JETTY	SUPPLIES T...	Food Concession Ex...	SSC		Accounts Paya...	255.00
Bill	02/01/16	CK #1...	Herald Newspaper	B.B.	Advertising Expense	SSC		Accounts Paya...	160.00
Bill	02/05/16		DEBIT CARD	HEB	Food Concessions Ex...	SSC		Accounts Paya...	16.21
Bill	02/05/16	CK# 1...	CHECK CASHED	RAFFLE PRIZE	Misc Expenses	SSC		Accounts Paya...	500.00
Bill	02/05/16	CK #1...	Shikha Joshi	1ST PLACE	Awards/Prizes	SSC		Accounts Paya...	150.00
Bill	02/05/16	CK #...	SALAZAR, JIM BOB	2ND PLAC	Awards/Prizes	SSC		Accounts Paya...	100.00
Bill	02/05/16	CK #...	HOOPER, JASON	3RD PLACE	Awards/Prizes	SSC		Accounts Paya...	75.00
Bill	02/05/16	CK #...	Chin, V	BEST OF SH...	Awards/Prizes	SSC		Accounts Paya...	200.00
Bill	02/05/16		Labatt Food Service		Food Concession Ex...	SSC		Accounts Paya...	205.35
Bill	02/05/16		Labatt Food Service		Food Concession Ex...	SSC		Accounts Paya...	40.86
Bill	02/09/16		DEBIT CARD	CERTIFIED ...	Postage	SSC		Accounts Paya...	4.43
Bill	03/04/16		Grunwald Printing		Advertising Expense	SSC		Accounts Paya...	1,695.95
Bill	03/04/16		Grunwald Printing		Advertising Expense	SSC		Accounts Paya...	1,718.18
Bill	03/04/16		Labatt Food Service		Food Concession Ex...	SSC		Accounts Paya...	99.79
									7,205.58

Oct 31, '15 - Mar 22, 16

<u>Balance</u>
100.60
230.35
385.21
398.17
423.00
1,623.00
1,923.00
1,953.00
1,966.00
1,984.81
2,239.81
2,399.81
2,416.02
2,916.02
3,066.02
3,166.02
3,241.02
3,441.02
3,646.37
3,687.23
3,691.66
5,387.61
7,105.79
7,205.58
<u>7,205.58</u>

SeaShore Signs & Graphics

PO Box 1763
Rockport, TX 78381
361-737-6885

Bill To
Aransas County Council Aging Mary Ellen Nies 912 S. Church St Rockport, TX 78382

Customer Phone
361 729 5352

Quantity	Description
	Remove date and replace with yellow gold vinyl on 2-6-15
	<i>Beautiful Bowl</i>
	<i>Pal ck # 1634</i>

Approved by
Date

ARANSAS COUNTY COUNCIL ON AGING
912 S CHURCH ST. (361) 729-5352
ROCKPORT, TX 78382-2307

FIRST VICTORIA NATIONAL BANK
88-255/131

1634

1/12/16

PAY TO THE ORDER OF *SeaShore Signs & Graphics* \$ *30.00*
DOLLARS

Beautiful Bowl

ARANSAS COUNTY COUNCIL ON AGING
Debbie Thompson

ARANSAS COUNTY COUNCIL ON AGING
Anne R. Montoya

Beautiful Bowl
Jan 2016
001534

0005 PAYMENT # 729 1-14-16 8170

Sales Tax (0.0%)	\$0.00
Total	\$30.00
Payments/Credits	\$0.00
Balance Due	\$30.00

Transaction Successful

Transaction Receipt	
Merchant:	South Jetty - (Port Aransas, TX)
Date/Time:	01/20/2016 3:50:18 PM CST
Transaction ID:	2965384651
Transaction Type:	Card Sale
Entry Method:	Swiped
Amount:	255.00
Credit Card Information	
CC Type:	Mastercard
CC Number:	*****2267
Auth. Code:	671846
Processor:	1603403237
Billing Information	Shipping Information
MARY ELLEN NIES	
Cardholder Authorization	
I agree to pay the above total amount according to card issuer agreement.	
 ----- Customer Signature	

SSC

The Coastal Bend Herald

P.O. Box 1448
Rockport, Texas 78381
Phone: 361-729-1828

Invoice

DATE	INVOICE #
1/29/2016	12156

BILL TO
Aransas County Council on Aging 912 S. Church St Rockport, TX 78382

SHIP TO
Aransas County Council on Aging 912 S. Church St Rockport, TX 78382

P.O. NUMBER
Mary Ellen Nies

TERMS
Due upon Receipt

DUE DATE
1/29/2016

Col. Inch	ITEM CODE	DESCRIPTION	RATE	AMOUNT
4	Insert	2-04-16 Paper Insert - "Rockport Clay Expo"	40.00	160.00

ARANSAS COUNTY COUNCIL ON AGING
912 S CHURCH ST. (361) 729-5352
ROCKPORT, TX 78382-2307

FIRST VICTORIA NATIONAL BANK
88-255/1131

1641

TO THE ORDER OF Coastal Bend Herald \$ 160.00
one hundred sixty dollars ^{00/100} DOLLARS

ARANSAS COUNTY COUNCIL ON AGING
Debbie Thompson
Anne R. Moustaja

BBowl clay expo
2016

⑈001641⑈ ⑆113102552⑆ ⑈0101 19396⑈

--	--	--	--

Thank You for Your Business!	Total \$160.00
-------------------------------------	-----------------------

Subject: Wonderful Women's Network, LLC updated this invoice (1368)
From: Wonderful Women's Network, LLC via PayPal (member@paypal.com)
To: menies46@yahoo.com;
Date: Thursday, January 7, 2016 1:44 PM



Powered by **PayPal**

Wonderful Women's Network, LLC updated this invoice

Hello The Aransas County Council on Aging,
 Wonderful Women's Network, LLC made some changes to the original invoice.

Note from Wonderful Women's Network, LLC

THANK YOU for your purchase Mary Ellen! We're so excited to help you get the word out about Bountiful Bowl--What a great event!! If you don't want to use a PayPal account to pay look for the link "Don't have a PayPal Account?" Then you can use any major credit card. Let me know if you need assistance! 361-205-4055. Paid advertising allows the WWN to continue to provide this FREE Community Service! Have a wonderful day! :) - Alicia

[View and Pay Invoice](#)



Summary of this invoice

Sent to	The Aransas County Council on Aging menies46@yahoo.com
Sent from	Wonderful Women's Network, LLC wwnrockport@gmail.com
Invoice number	1368
Date payment is due	Jan 7, 2016
Amount	\$300.00 USD

[Help](#) | [Security Center](#)

Please don't reply to this email. It'll just confuse the computer that sent it and you won't get a response.

Copyright © 2016 PayPal, Inc. All rights reserved. PayPal is located at 2211 N. First St., San Jose, CA 95131.

PayPal Email ID PP1563 - 932dcf383a69d

The Rockport Pilot

Aransas County's Community Newspaper Since 1869
 P.O. Box 730 • Rockport TX 78381-0730

Advertising Statement THE ROCKPORT PILOT

1/1

Remit Payment To:

P.O. Box 730, Rockport, TX 78381

To charge this amount to your credit card, please complete the following information and return to the address above:

Visa Mastercard Discover American Express

ARANSAS COUNTY COUNCIL ON AGING
 912 S. CHURCH ST.
 ROCKPORT, TX 78382

Credit Card # _____

Exp. Date: _____ Amount of Payment: _____

Signature: _____

Acct #: b0101562

PLEASE RETURN TOP PORTION OF THIS STATEMENT WITH PAYMENT.

TERMS - NET 30 DAYS. ALL PAST DUE CHARGES ARE SUBJECT TO A SERVICE CHARGE.

DATE	TRANS #	DESCRIPTION	INCHES	RATE	CHARGES	PAYMENTS	AMOUNT
01/31/2016		Balance Forward					0.00
02/03/2016	300745235	INSERTS - POTTERY FAIR - 01 THE ROCKPORT PILOT -	0 x 0		225.00		225.00
		<i>SSC 275</i>					
					<i>OK. new M.B. Marketing</i>		

Balance Forward	Total Payments	Total Charges	Total Inches	TOTAL NET AMOUNT DUE
0.00	0.00	225.00	0.00	\$ 225.00
Due and Payable in Aransas County, Texas				PAY AMOUNT IN THIS BLOCK

ARANSAS COUNTY COUNCIL ON

Acct #: b0101562

Billing Date: 02/29/16

CURRENT	AGING				TOTAL NET AMOUNT DUE
	30 DAYS	60 DAYS	90 DAYS	120+ DAYS	
\$ 225.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 225.00

VICTORIA ADVOCATE

Established May 8, 1846 • VICTORIA, TX 77901 • (361) 575-1451

ADVERTISING INVOICE/STATEMENT

ACCOUNT NUMBER
R287546

STATEMENT DATE
02/29/2016

PAGE
1

ARANSAS COUNTY COUNCIL ON AGIN
912 SOUTH CHURCH STREET
ROCKPORT, TX 78382 USA

Amount to be paid before the 25th
\$ 323.90

\$ _____
AMOUNT PAID

TO ENSURE PROPER CREDIT
PLEASE DETACH HERE AND RETURN TOP PORTION WITH PAYMENT

DATE	REFERENCES	DESCRIPTION	TIMES	INCHES/LINES	RATE	CHARGES	CREDITS
'04	00617869-0204	Get Out- GET OUT SECTION-2016	1	3.00 x 5.0000		\$218.80	
'04		Color				\$105.10	

SSC-323.90

OK - with B.B. Advertising

Paia debit # 325793

REMIT TO: VICTORIA ADVOCATE
P.O. BOX 1518
VICTORIA, TEXAS 77902

STATUS OF YOUR ACCOUNT WITH VICTORIA ADVOCATE			
Balance Forward	Current Charges	Current Credit	Balance Due before 25th
\$0.00	\$323.90	\$0.00	\$323.90

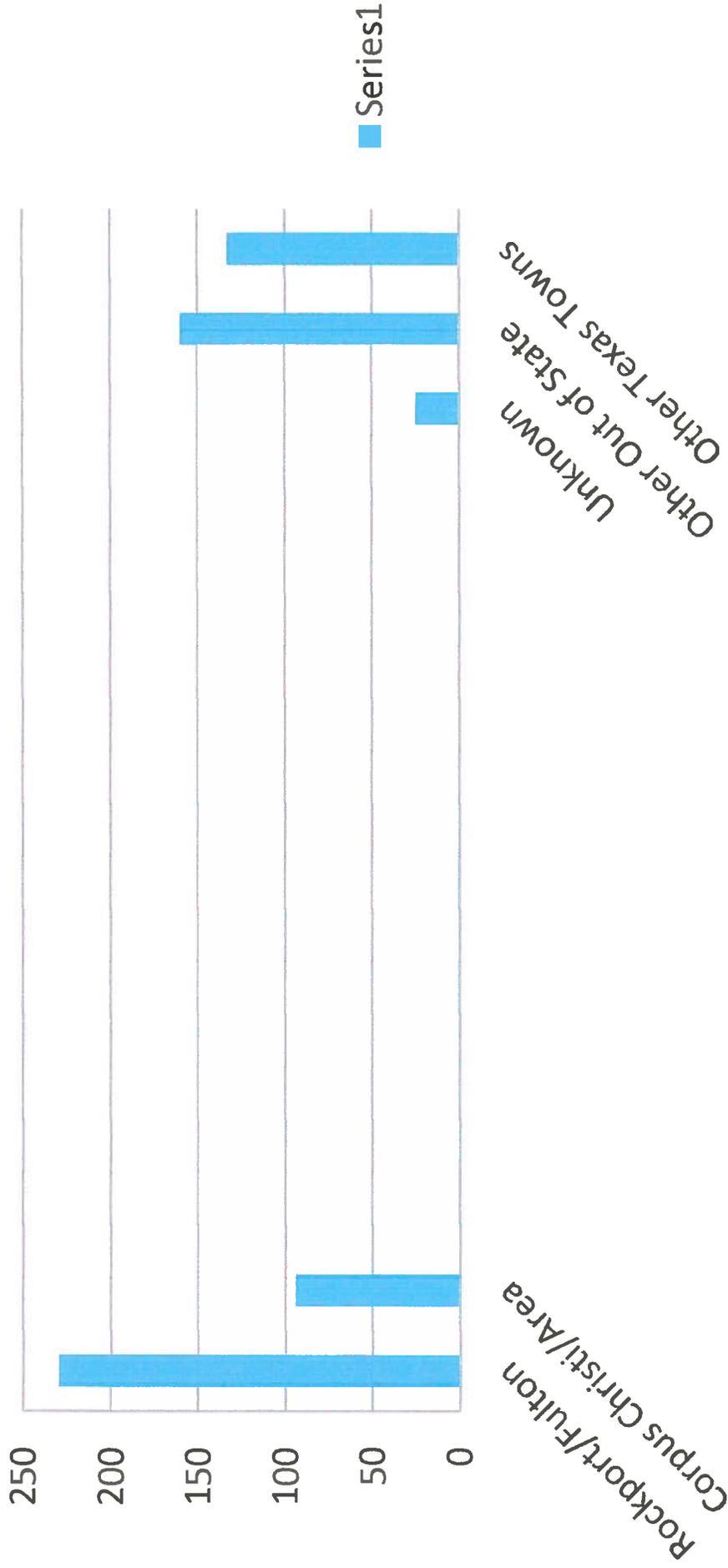
STATUS OF YOUR ACCOUNT WITH VICTORIA ADVOCATE			
OVER 30 DAYS	OVER 60 DAYS	OVER 90 DAYS	OVER 120 DAYS
\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

THANK YOU • WE APPRECIATE YOUR BUSINESS

authorization # 325793

Bountiful Bowl Geographic Statistics 2016

Total Paid Attendance 832 Total Surveys 642



CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 11

Deliberate and act on accepting a donation from Aransas County Leadership Class XX for the purchase of a memorial park bench for placement at Spencer Park.

SUBMITTED BY: Parks & Leisure Services Director Tom Staley

APPROVED FOR AGENDA: PKC

BACKGROUND: Aransas County Leadership Class XX requests the acceptance of a donation in the amount of \$1,134.00 for the purchase of a memorial park bench for placement at Spencer Park. The engraving on the bench will read, "In loving memory of "Avelina Pina and Celia Zamudio".



FISCAL ANALYSIS: The cost to the City is staff time to install the bench and then follow-on maintenance as needed.

RECOMMENDATION: Staff recommends Council accept the donation of \$1,134.00 from Aransas County Leadership Class XX for the purchase of a memorial park bench for placement at Spencer Park, as presented.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 12

Deliberate and act on a Resolution amending Resolution No. 2014-13 adding eligible certifications.

SUBMITTED BY: City Manager Kevin Carruth

APPROVED FOR AGENDA: PKC

BACKGROUND: As shown in the accompanying draft resolution, the proposed changes to the certification pay schedule are in the Parks and Leisure Services Department and add the following certifications at a rate of \$45 per month for each certificate earned:

1. Certified Water or Waterfront Lifeguard Instructor
2. Certified Water or Waterfront Lifeguard Instructor Trainer
3. Certified Water or Waterfront Safety Instructor
4. Certified Water or Waterfront Safety Instructor Trainer
5. Certified First Aid/CPR/AED Instructor
6. Certified First Aid/CPR/AED Instructor Trainer
7. Certified Aquatic Facility Operator

The new Aquatics Manager is scheduled to start by May 3rd and holds all of the proposed certifications except the Aquatic Facility Operator, which he will be encouraged to earn.

FISCAL ANALYSIS: As presented in the initial proposed certification pay plan the net total annual cost was estimated at \$223,871.79. The actual annual expense for certification/education pay, based on current employees and their certifications, is \$199,140.00. The proposed additional certifications will add a maximum annual amount of \$3,780.00, for a grand total of \$202,920.00.

RECOMMENDATION: Staff recommends Council approve the proposed amended resolution, as presented.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ROCKPORT, TEXAS AMENDING RESOLUTION NO. 2014-13 ADDING CERTIFICATION PAY POLICY; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS ADOPTED WAS OPEN TO THE PUBLIC, THAT THE PUBLIC NOTICE OF TIME, PLACE, AND THE SUBJECT MATTER OF THE PUBLIC BUSINESS TO BE CONSIDERED WAS POSTED AS REQUIRED BY LAW, INCLUDING THIS RESOLUTION.

WHEREAS, in FY 2013-2014, it was determined that it had become increasingly difficult to recruit and retain quality personnel with the current Employee Grade/Step Pay Schedule and Grading System as adopted by Resolution No. 2012-11; and

WHEREAS, the City of Rockport encourages its employees to participate in advance training and education, acknowledging that additional training is important to the employees and is an overall benefit to the operation of the City of Rockport.

WHEREAS, Resolution 2014-07 was adopted February 25, 2014, providing for an Employee Certification Pay policy for all qualified full-time employees; and

WHEREAS, Resolution 2014-07 was amended on June 10, 2014 by Resolution 2014-13 to include additional categories of certifications; and

WHEREAS, it has been determined that Resolution 2014-13 Certification Pay policy did not include all applicable categories of certifications for positions in the Park & Leisure Services Department:

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

Section 1: The City of Rockport adopts the following Amended Employee Certification Pay Policy for all qualified full-time employees.

Approved Certification List and Pay

<u>List of Approved Certifications</u>	<u>Approved Pay Per Month</u>
EDUCATION COMPENSATION	
Associate Degree	\$250.00
Bachelor's Degree	\$350.00
Master's Degree	\$450.00
POLICE DEPARTMENT CERTIFICATION/LICENSES	

State Certified Fire Marshall	\$100.00
FBI National Academy Certificate	\$100.00
Administrative Assistant Certification	\$100.00
Intermediate Police Certificate	\$100.00
Advanced Police Certificate	\$200.00
Master Police Certificate	\$300.00
POLICE TELECOMMUNICATIONS OPERATOR CERTIFICATION/LICENSES	
Intermediate TCOLE Certificate	\$100.00
Advanced TCOLE Certificate	\$200.00
Master TCOLE Certificate	\$300.00
PUBLIC WORKS DEPARTMENT CERTIFICATION/LICENSES	
Class D Water Operator	\$ 45.00
Class C Water Operator	\$175.00
Class B Water Operator	\$260.00
Class A Water Operator	\$350.00
Class D Wastewater Operator	\$ 45.00
Class C Wastewater Operator	\$175.00
Class B Wastewater Operator	\$260.00
Class A Wastewater Operator	\$350.00
Stormwater Inspector	\$ 45.00
Hazmat Certification	\$ 45.00
CSI Certification	\$ 45.00
Herbicide/Pesticide Certification	\$ 45.00
Commercial Driver's License	\$ 45.00
Administrative Assistant Certification	\$100.00
PARKS DEPARTMENT CERTIFICATION/LICENSES	
Herbicide/Pesticide Certification	\$ 45.00
Master Gardner's Certification	\$ 45.00
Master Naturalist's Certification	\$ 45.00
Commercial Driver's License	\$ 45.00
Administrative Assistant Certification	\$100.00
Certified Water or Waterfront Lifeguard Instructor	\$ 45.00
Certified Water or Waterfront Lifeguard Instructor Trainer	\$ 45.00
Certified Water or Waterfront Safety Instructor	\$ 45.00
Certified Water or Waterfront Safety Instructor Trainer	\$ 45.00
Certified First Aid/CPR/AED Instructor	\$ 45.00
Certified First Aid/CPR/AED Instructor Trainer	\$ 45.00
Certified Aquatic Facility (AFO) Operator	\$ 45.00
BUILDING AND DEVELOPMENT, INSPECTION, CODE ENFORCEMENT CERTIFICATION/LICENSES	
ICC Certified Building Official	\$100.00
ICC Certified Mechanical Inspector	\$ 45.00
ICC Certified Residential Electrical Inspector	\$ 45.00
ICC Certified Commercial Electrical Inspector	\$ 45.00
ICC Certified Commercial Energy Plans Inspector	\$ 45.00

TFMA Certified Floodplain Manager	\$ 45.00
State Licensed Plumbing Inspector	\$ 45.00
State Certified Code Enforcement Officer	\$ 45.00
State Licensed Master Electrician	\$ 45.00
State Licensed HVAC Contractor	\$ 45.00
Administrative Assistant Certification	\$100.00
CITY SECRETARY DEPARTMENT CERTIFICATION/LICENSES	
Human Resources Certification	\$ 45.00
Records Management Certification	\$ 45.00
City Secretary Certification	\$ 45.00
Administrative Assistant Certification	\$100.00
MUNICIPAL COURT DEPARTMENT CERTIFICATION/LICENSES	
Municipal Court Clerk Level 1	\$ 45.00
Municipal Court Clerk Level 2	\$ 90.00
Municipal Court Clerk Level 3	\$135.00
FLEET DEPARTMENT	
Underground Storage Tank Operator	\$ 45.00
ANIMAL CONTROL DEPARTMENT CERTIFICATION/LICENSES	
Advanced Animal Control License	\$ 45.00
Euthanasia License	\$ 20.00

NOTE: Items highlighted in PINK were added to the list of Approved Certifications

Section 2: The City Council of the City of Rockport hereby finds and determines, and hereby declares that the meeting at which this Resolution is adopted was open to the public, that the public notice of time, place, and the subject matter of the public business to be considered was posted as required by law, including this Resolution.

INTRODUCED, READ, and PASSED by the affirmative vote on this the 12th day of April 2016.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 13

Deliberate and act on approval of allocation of \$15,000 from Hotel Occupancy Tax revenues toward the Aransas County Coast and Harbor Engineering contract for development of coastal resiliency engineering projects and grant applications.

SUBMITTED BY: Mayor Charles J. Wax

APPROVED FOR AGENDA: PKC

BACKGROUND: The City of Rockport is a member of the Aransas County Coastal Resiliency Initiative Plan Development Committee, along with Aransas County, the Town of Fulton, the Aransas County Navigation District, and homeowner's associations, most notably the Key Allegro Homeowner's Association. The Committee's plan is to submit necessary documents and analysis to support the community's request for grant funding associated with the RESTRORE act. The group has been assisted in these deliberations and the formulation of submittals by Coast and Harbor Engineering's Aaron Horine whose assistance has included direct contact with General Land Office officials charged with receiving the funding requests as well as organizing a coherent submission from the community. There have been several meetings of the Committee, resulting in the City's number one priority, the protection and enhancement of Bay Shore drive to protect City utilities and the single evacuation route which Bay Shore Drive represents, being at the top of the community-wide priorities for funding.

Coast and Harbor Engineering is operating under a \$35,000 personal services contract with Aransas County; however, since this work directly impacts the City's efforts to protect the City's infrastructure and citizens, Judge Mills has asked the City to assist in the funding of Coast and Harbor Engineering's contract. Other entities have also been asked to contribute to the contract for projects in their jurisdictions.

FISCAL ANALYSIS: Shoreline stabilization is an eligible hotel occupancy tax (HOT) expense. This is not a not a budgeted expense but will be charged to the recently created shoreline stabilization account (27-6602095). With this expense our HOT fund balance will be approximately 436 days, 71 days above our 365 fund balance goal.

RECOMMENDATION: Staff recommends Council approve the allocation of \$15,000 from Hotel Occupancy Tax revenues toward the Aransas County Coast and Harbor Engineering contract for development of coastal resiliency engineering projects and grant applications.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 14

Deliberate and act on an agreement with Ameresco, Inc., to perform an energy audit of various city facilities.

SUBMITTED BY: City Manager Kevin Carruth

APPROVED FOR AGENDA: PKC

BACKGROUND: Section 302 of the Local Government Code authorizes local governments to enter into energy savings performance contracts (ESPC). ESPC is a construction method that allows an entity to complete energy-saving improvements within an existing budget by financing them with money saved through reduced utility expenditures. Local governments make no up-front investments and instead finance projects through guaranteed annual energy savings.

To enter into a guaranteed ESPC, a local government issues a request for qualifications, and selects a performance contractor, usually an energy service company. After identifying eligible projects, the contractor designs and installs the needed improvements. The local government pays for the financed project out of savings realized by the improvements. By law, the contractor must guarantee that the savings will always be at least equal to the payments for the cost of the improvements.

Over the last four months Ameresco has performed a preliminary assessment (at no cost to the City) to determine if there is probable cause to think there are sufficient savings to warrant an ESPC. The preliminary assessment has determined a potential for approximately \$400,000 in annual savings. The next step in the process is to conduct a certified energy audit.

Please see the accompanying PowerPoint presentation, draft energy audit agreement, and copy of Section 302 of the Local Government Code for additional information. Ameresco representative George Rash will attend and be available to answer questions.

FISCAL ANALYSIS: The energy audit will cost \$45,000. If the City ultimately enters into an ESPC and completes the design and implementation of the energy and water conservation measures, that cost is rolled into the project and there is no cash expense for the City; however, if the City does not sign an ESPC, it is liable for paying that cost.

RECOMMENDATION: Staff recommends Council authorize an agreement with Ameresco, Inc., to perform an energy audit of various city facilities, as presented.



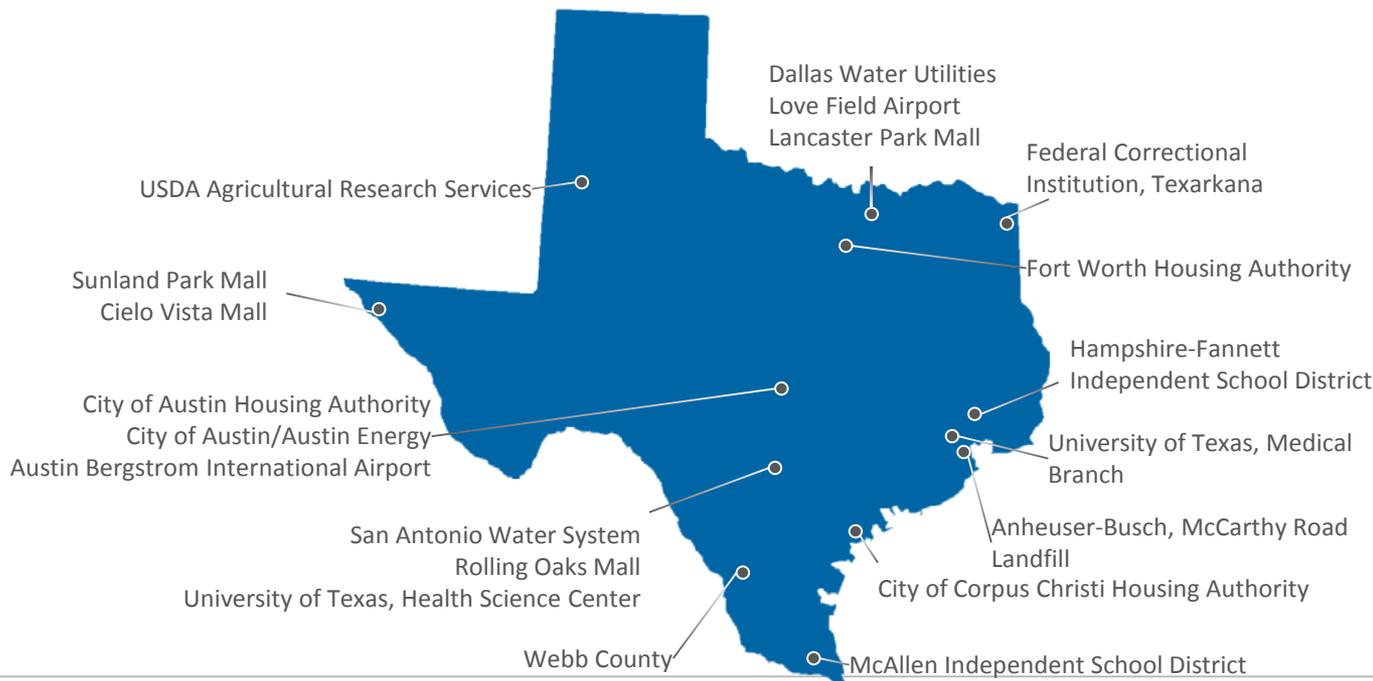
Ameresco – who we are

- Water and energy solutions are our **core business**
- One of the **Nation's Largest Independent Energy Services Companies**
 - Public (NYSE:AMRC)
 - Completed over \$5B in energy efficiency and renewable energy projects
 - 1000 employees throughout 64 offices in 34 states
- **Flexible and customized solutions** developed with in-house engineering staff
- **Vendor and product neutrality**
- On average, **Ameresco achieves 103% of all performance guarantees**



Trusted Experience

- We strive to understand the unique requirements of each client
 - Partnered to complete Billions of \$ **in projects with government agencies**
- We understand the local climate
 - Successful and unique energy projects implemented throughout the **Lone Star State and a team who lives and works here**



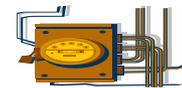
Dallas Water Utilities
4.28 MW Biogas Recovery Facility
Saves City of Dallas \$1.5M Annually

Enabling Legislation By State of Texas

- Local Government Code 302
- Program must be budget-neutral or positive each year (all costs, including debt)
- Typical guarantee term ranges from 10 to 15 years (TX allows for a 20 year term)
- No impact on debt ceiling or bonding capacity
 - third party financing (tax-free municipal lease)
 - not traditional debt because there is an annual non-appropriations clause; thus, not subject to tax or revenue pledge
- Calculations must be verified by licensed, third party engineer
- Performance is ***guaranteed*** by Ameresco

Common areas where funding is often scarce

- Water supply and distribution systems
- Water and wastewater treatment plants
- SCADA systems for plant control
- Facility infrastructure such as HVAC and lighting
- Street lights, traffic signals
- Water meter replacement, right-sizing
- Gas meters and Electric meter replacement
- Demand response
- Renewable—solar; wind; biogas; biomass



This Preliminary Assessment (PA) provides you with a review of the energy conservation measure (ECM) findings.

Findings indicate:

- Significant energy, water, and operational cost reduction opportunities
- You can positively affect your bottom line through energy efficient measures through-out the city
- You can realize the largest savings opportunity, maximize your carbon footprint reduction, and create the best environment for city officials, city staff, and city residents
- Recommend to the city that you proceed with Investment grade audit (IGA)

Potential Magnitude of Cost Reductions

Depending upon your selected ECM's, energy savings from the program are expected to be approx. 15-20 % or greater annually.

Based on your 2014 utility data, and selected facilities, utility observations are :

Water usage :

- **Pumped/purchased – 994,677,000 gal/yr.**
- **Consumed/billed – 852,932,490 gal/yr.**
- **Total Loss factor – 141,744,510 gal/yr. or 14.2 %***
- **Potential savings of up to 5 %**

*Note – loss factor includes leaks, unmetered/unbilled, normal loss of 6-8%, water meter age, etc.

Potential Magnitude of Cost Reductions, cont.

Based on your 2014 utility data, and selected facilities, utility observations are :

Natural Gas usage :

- **Purchased mcf – 172,066 mcf/yr**
- **Consumer billed – 163,403 mcf/yr**
- **Total Loss factor – 5 %***
- **Potential savings of up to 1-2 %**

*Note – loss factor includes age of meter, meter readings, line leakage, unbilled/unmetered meters, etc.

Based on your 2014 utility data, and selected facilities, utility observations are :

Other Energy Conservation Measures (ECM's):

- **Street lights**
- **Lift stations - 42, two pumps at each location**
- **Storm lift stations - 8**
- **City hall - 5000 sq ft (lighting, hvac, water, IAQ, etc.)**
- **Police station – 5000 sq ft (lighting, hvac, water, IAQ, etc.)**
- **New facilities to be built**
- **Billing system update**

- **Estimated Annual Utility Savings** **\$ 400,000**
- **20 Year Project Savings** **\$ 8,000,000***
- **Estimated Project Cost** **\$ 3-4,000,000**
- **Estimated Potential Rebates** **\$ 0**
- **Annual Lease Payment (1st year)** **\$ 400,000**
- **Financing Term Length** **12-15 Years**
- **Annual Financing Rate** **1 %****

*Escalation rate of 3% /yr. would make it well over \$10,000,000

**Rate based on City using QECB's for funding

Sample Cash-flow

<u>Year</u>	<u>Water Meter</u> 5% Accuracy	<u>Sewer Meter</u> 5% Accuracy	<u>Automated Leak Detection</u>	<u>Other Utility Savings</u>	<u>Capital Cost Avoidance</u>	<u>O&M Savings Benefit</u>	<u>Total Inflows</u>	<u>Annual Payment</u>	<u>Measurement & Verification</u>	<u>water meters Annual Maintenance</u>	<u>Total Outflows</u>	<u>Net Cash Flow</u>	<u>Cumulative Cash Flow</u>
1	\$225,000	\$34,343	\$715	\$0	\$1,875	\$135,200	\$397,134	-\$400,000	\$10,000	\$0	-\$390,000	\$7,134	\$7,134
2	\$231,750	\$35,374	\$737	\$0	\$1,931	\$139,256	\$409,048	-\$400,000	\$10,300	\$0	-\$389,700	\$19,348	\$26,481
3	\$238,703	\$36,435	\$759	\$0	\$1,989	\$143,434	\$421,319	-\$400,000	\$10,609	\$0	-\$389,391	\$31,928	\$58,410
4	\$245,864	\$37,528	\$782	\$0	\$2,049	\$147,737	\$433,959	-\$400,000	\$10,927	\$0	-\$389,073	\$44,886	\$103,296
5	\$253,239	\$38,654	\$805	\$0	\$2,110	\$152,169	\$446,978	-\$400,000	-\$30,000	\$0	-\$430,000	\$16,978	\$120,273
6	\$260,837	\$39,813	\$829	\$0	\$2,174	\$156,734	\$460,387	-\$400,000	\$11,255	\$0	-\$388,745	\$71,642	\$191,915
7	\$268,662	\$41,008	\$854	\$0	\$2,239	\$161,436	\$474,198	-\$400,000	\$11,593	\$0	-\$388,407	\$85,791	\$277,706
8	\$276,722	\$42,238	\$880	\$0	\$2,306	\$166,279	\$488,424	-\$400,000	\$11,941	\$0	-\$388,059	\$100,365	\$378,071
9	\$285,023	\$43,505	\$906	\$0	\$2,375	\$171,267	\$503,077	-\$400,000	\$12,299	\$0	-\$387,701	\$115,376	\$493,447
10	\$293,574	\$44,810	\$933	\$0	\$2,446	\$176,405	\$518,169	-\$400,000	\$12,668	\$0	-\$387,332	\$130,837	\$624,284
11	\$302,381	\$46,155	\$961	\$0	\$2,520	\$181,697	\$533,715	-\$400,000	\$13,048	\$0	-\$386,952	\$146,762	\$771,047
12	\$311,453	\$47,539	\$990	\$0	\$2,595	\$187,148	\$549,726	-\$400,000	\$13,439	\$0	-\$386,561	\$163,165	\$934,212
13	\$320,796	\$48,966	\$1,020	\$0	\$2,673	\$192,763	\$566,218	-\$400,000	\$13,842	\$0	-\$386,158	\$180,060	\$1,114,272
14	\$330,420	\$50,434	\$1,050	\$0	\$2,754	\$198,546	\$583,204	-\$400,000	\$14,258	\$0	-\$385,742	\$197,462	\$1,311,734
15	\$340,333	\$51,948	\$1,082	\$0	\$2,836	\$204,502	\$600,700	-\$400,000	\$14,685	\$0	-\$385,315	\$215,386	\$1,527,119
16	\$350,543	\$53,506	\$1,114	\$0	\$2,921	\$210,637	\$618,721	\$0	\$0	\$0	\$0	\$618,721	\$2,145,841
17	\$361,059	\$55,111	\$1,148	\$0	\$3,009	\$216,956	\$637,283	\$0	\$0	\$0	\$0	\$637,283	\$2,783,124
18	\$371,891	\$56,764	\$1,182	\$0	\$3,099	\$223,465	\$656,402	\$0	\$0	\$0	\$0	\$656,402	\$3,439,525
19	\$383,047	\$58,467	\$1,218	\$0	\$3,192	\$230,169	\$676,094	\$0	\$0	\$0	\$0	\$676,094	\$4,115,619
20	\$394,539	\$60,221	\$1,254	\$0	\$3,288	\$237,074	\$696,376	\$0	\$0	\$0	\$0	\$696,376	\$4,811,995
Totals	\$6,045,834	\$922,821	\$19,220	\$0	\$50,382	\$3,632,875	\$10,671,132	-\$6,000,000	\$140,863	\$0	-\$5,859,137	\$4,811,995	

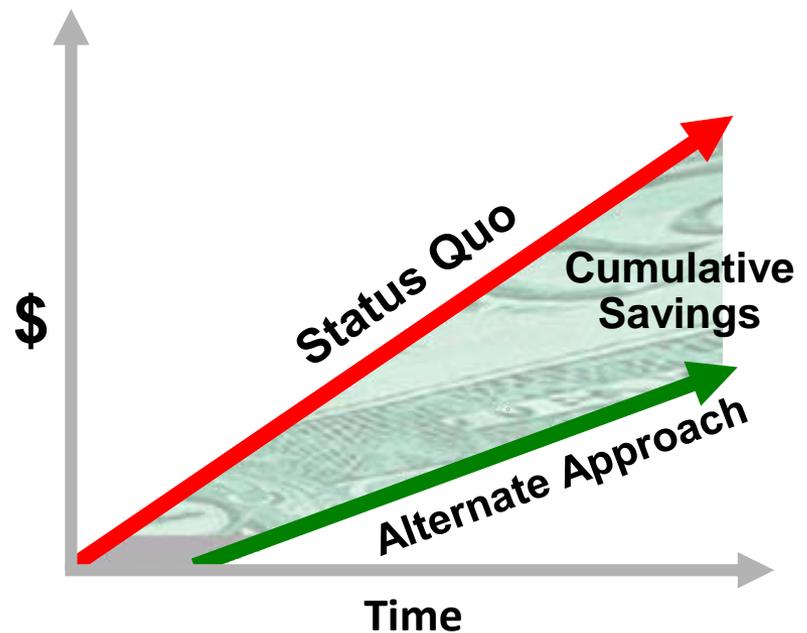
Energy Conservation Measures (ECM'S)



-
- **Water Meters – AMI**
 - **Gas Meters-AMI**
 - **Update Billing system to handle AMI**
 - **HVAC, Lighting, controls, at City hall and Police**
 - **Street lighting , where applicable**
 - **Lift-stations, Water and Storm**
 - **Upgrade SCADA**
 - **Other ECM's that are revealed during IGA**

Benefit Recap

- Solution is self-funded and guaranteed (no tax or rate increases)
- Positive visibility for Local Govt leadership and alignment with their goals
- Aging infrastructure is updated with new technology
- Reduction in energy, operational, and maintenance costs
- Improved safety and comfort for citizens and staff
- Local economic boost
- Local Govt staff determines scope
- Local Govt staff determines suppliers
- Enabled by Texas LG Code
- Grant, rebate, & financing assistance
- Fast implementation
- Start saving now



- Ameresco identifies projects with your staff that are guaranteed to pay for themselves
- This means addressing infrastructure challenges with no capital outlay and without the need to issue bonds
- Can utilize process through Power Purchase Agreements; Energy Savings Contracts; DBOM (Design/Build; Operate; Maintain)

Next Step: Recommend IGA

- **Utility Analysis**
- **Energy Conservation Measures confirmed**
- **Construction Plan, Implementation Outline, & Schedule**
- **Measurement & Verification Plan**
- **Commissioning of Project**

In Conclusion...

ENERGY AUDIT AGREEMENT NO. _____

THIS ENERGY AUDIT AGREEMENT (the "Audit Agreement") is entered into as of the _____ day of _____ (the "Effective Date") by and between City of Rockport, Texas, whose principal offices are located at the 622 E. Market Street, Rockport, Texas 78382 (the "Owner") and Ameresco, Inc., with an address of 60 East Rio Salado Parkway, Suite 1001, Tempe, Arizona 85281 ("Ameresco"). Ameresco and Owner are also referred to individually as "Party" and collectively as the "Parties".

Whereas, the Owner desires that Ameresco perform an Energy Audit (as hereinafter defined) at its facilities listed in Attachment A (the "Premises"); and the scope of services as listed in Attachment B.

Whereas, the Agreement is authorized and governed by the Energy Savings Performance Contracts for Local Governments (Chapter 302 of the Texas Local Government Code);

Whereas, performance of the Energy Audit constitutes the first phase ("Phase 1") of an energy conservation project (the "Project");

Whereas, if Ameresco is directed by the Owner to proceed with the implementation of the recommendations following the Energy Audit, the second phase of the Project ("Phase 2") will consist of the design and installation of energy conservation measures described and recommended in the Energy Audit Report (defined below).

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Owner and Ameresco agree as follows.

ARTICLE 1 PHASES OF PROJECT

1.1 Phase I – Energy Audit.

(a) After execution of this Audit Agreement, Ameresco will conduct an Energy Audit at the Premises. As used in this Audit Agreement, "Energy Audit" means a process including (i) the collection of data related to Owner's use and operation of the Premises, observations of the Premises, determination of base year energy consumption, financial analysis of the cost and benefit of energy and water conservation measures and renewable energy projects that are recommended to be installed at the Premises, determination of potential water and sewer revenue enhancements from new water meters, and (ii) the preparation of a detailed Energy Audit Report, which analyzes current energy consumption at the Premises, recommendations for energy efficient equipment upgrades, energy conservation measures and a detailed analysis of implementation costs, anticipated energy savings resulting from such improvements and assumptions upon which the projected savings are based. The Energy Audit Report is intended to provide the Owner with the information necessary for the evaluation of the costs and benefits of proceeding with the second phase of the Project.

(b) Should Ameresco determine, in its sole discretion, at any time before the completion of the Energy Audit Report that the anticipated energy and water conservation savings cannot be achieved at the Premises in compliance with the financial criteria mandated by federal or state laws pertaining to energy conservation programs, Ameresco will provide written notice to Owner and cease all further Energy Audit activities, in which case Owner will not be charged for any Energy Audit activities performed by Ameresco.

1.2 Energy Audit Price.

(a) If the Owner decides to proceed with the design and implementation of the energy and water conservation measures described in the Energy Audit Report or identified as part of the Special Energy Audit, the Parties shall execute a mutually-acceptable energy services agreement (the "ESA") per Local Government Code 302. If the Parties enter into an ESA which includes the scope of work in the Energy Audit Report, Ameresco will not bill Owner for the Energy Audit Price, but will include such Energy Audit Price in the cost of the work to be performed under the ESA.

(b) In the event Owner instructs Ameresco to prepare a detailed analysis of water and/or waste water treatment facilities, co-generation projects, park and sports lighting, manufacturing or production analyses, or renewable energy projects, which require pre-design activities in order to determine the implementation costs for such improvements ("Special Energy Audit"), or if the Owner adds additional facilities to the scope of the Energy Audit ("Additional Work"), the Owner shall compensate Ameresco for the Special Energy Audit or Additional Work at a mutually agreed upon price, which will be reflected as Special Energy Audit Price.

1.3 Phase 2 – Implementation.

(a) If the Owner decides to proceed with the design and implementation of the energy and water conservation measures described in the Energy Audit Report or identified as part of the Special Energy Audit, the Parties shall execute a mutually-acceptable energy services agreement (the "ESA"). If the Parties enter into an ESA which includes the scope of work in the Energy Audit Report, Ameresco will not bill Owner for the Energy Audit Price, but will include such Energy Audit Price in the cost of the work to be performed under the ESA.

(b) Owner acknowledges that the price for the Energy Audit is \$45,000.00 and will be included in the ESA. Owner also acknowledges that if Ameresco prepares and identifies a workable project that qualifies under Local Government Code 302, and does not proceed with the project within 60 days after completion of the audit, Ameresco will submit a bill not to exceed \$45,000.00 due and payable.

(c) Owner acknowledges that the price for the Project is based on the market cost as of the date of the Energy Audit Report, for steel, copper and similar raw materials incorporated into equipment and material used for the Project. Price increases for such equipment and materials after the Audit Report was issued may either result in a project price increase or a corresponding decrease in the project size.

1.4 Other Terms and Conditions.

(a) Ameresco's receipt of an executed copy of this Audit Agreement shall serve as notification to Ameresco to proceed with the Energy Audit. Ameresco will thereafter promptly initiate the Energy Audit.

(b) Ameresco does not assume responsibility to Owner for the anticipated energy savings projected in the Energy Audit Report unless Ameresco completes the recommended energy conservation measures.

(c) Owner hereby agrees to provide timely and complete access to all necessary property and energy consumption cost records for the three years preceding, the commencement of Ameresco's services.

1.5 Miscellaneous Terms and Conditions.

(a) This Audit Agreement is hereby executed as of the Effective Date, written above.

(b) The signatories hereto represent that they have been duly authorized to enter into to this Audit Agreement on behalf of the Party for whom they sign.

(c) The laws of the State of Texas shall govern the interpretation and enforcement of the terms and conditions stated herein.

(d) This Audit Agreement may not be amended unless in writing signed by authorized representatives of both Parties.

(e) Neither Party may assign this Audit Agreement to another party without the prior written consent of the non-assigning Party, which will not be unreasonably withheld, delayed or conditioned. No un-consented-to assignment will be legally binding upon the non-assigning Party.

AMERESCO, INC.

OWNER

By: _____
Name: Robert Georgeoff
Title: Vice President

By: _____
Name: Kevin Carruth
Title: City Manager

ATTACHMENT A**List of Departments/Facilities**

City Hall
Police Department
Fire Department
Library, other city facilities
Water meters, AMI
Gas meters, AMI
Street lighting
Billing system
Other items that are discovered during
audit

ATTACHMENT B
SCOPE OF SERVICES

- 1) Data and Information.** Collect data and background information from Owner concerning facility operation and energy use for the most recent three years from the effective date of this Contract as follows:
- a. Building square footage.
 - b. Construction data of buildings and major additions including building envelope.
 - c. Utility company invoices.
 - d. Occupancy and usage information.
 - e. Description of all energy-consuming or energy-saving equipment used on the premises.
 - f. Description of energy management procedures utilized on the premises.
 - g. Description of any energy-related improvements made or currently being implemented.
 - h. Description of any changes in the structure of the facility or energy-using or water-using equipment.
 - i. Description of future plans regarding building modifications or equipment modifications and replacements.
 - j. Drawings, as available (may include mechanical, plumbing, electrical, building automation and temperature controls, structural, architectural, modifications and remodels).
 - k. Original construction submittals and factory data (specifications, pump curves, etc.), as available.
 - l. Operating engineer logs, maintenance work orders, etc., as available.
 - m. Records of maintenance expenditures on energy-using equipment, including service contracts.
 - n. Prior energy audits or studies, if any.
- 2) Identify Potential Measures**
- a. Interview individuals with knowledge of the facility such as the facility manager, maintenance staff, subcontractors and occupants of each building regarding:
 - i. Facility operation, including energy management procedures.
 - ii. Equipment maintenance problems.
 - iii. Comfort problems and requirements.
 - iv. Equipment reliability.
 - v. Projected equipment needs.
 - vi. Occupancy and use schedules for the facility and specific equipment.
 - vii. Facility improvements – past, planned and desired.
 - b. Survey major energy-using equipment, including, but not limited to, lighting (indoor and outdoor), heating and heat distribution systems, cooling systems and related equipment, automatic temperature control systems and equipment, air distribution systems and equipment, outdoor ventilation systems and equipment; exhaust systems and equipment; hot water systems, electric motors, transmission and drive systems, special systems such as kitchen/dining equipment and swimming pools, renewable energy systems, other energy using systems, water consuming systems, such as restroom fixtures, water fountains, and irrigation systems.
 - c. Perform "late-night" surveys outside of normal business hours or on weekends to confirm building system and occupancy schedules, if deemed necessary.
 - d. Develop a preliminary list of potential energy and water saving measures. Consider the following for each system:
 - i. Comfort and maintenance problems.
 - ii. Energy use, loads, proper sizing, efficiencies and hours of operation.
 - iii. Current operating condition.
 - iv. Remaining useful life.
 - v. Feasibility of system replacement.

- vi. Hazardous materials and other environmental concerns.
 - vii. Owner's future plans for equipment replacement or building renovations.
 - viii. Facility operation and maintenance procedures that could be affected.
 - ix. Capability to monitor energy performance and verify savings.
- 3) **Base-Year Consumption.** Establish base-year consumption and reconcile with end-use consumption estimates.
- a. Establish appropriate base year consumption by examining utility bills for the past three years for electricity, gas, propane, steam, water, and any other applicable utilities. Present base year consumption in terms of energy units (kWh, kW, ccf, Therms, gallons, or other units used in bills), in terms of energy units per square foot, in terms of dollars, and in terms of dollars per square foot. Describe the process used to determine the base year (averaging, selecting most representative contiguous 12 months, removal of anomalies, or other statistical or weather-normalized method). Consult with facility personnel to account for any anomalous schedule or operating conditions on billings that could skew the base year representation. Contractor shall account for periods of time when equipment was broken or malfunctioning in calculating the base year.
 - b. Estimate loading, usage and/or hours of operation for all major end uses of total facility consumption including, but not limited to: lighting, heating, cooling, motors (fans, pumps, and other pertinent), plug loads, and other major energy and water using equipment. Where loading or usage are highly uncertain (including variable loads such as cooling), Contractor shall use its best judgment, spot measurements or short-term monitoring. Contractor should not assume that equipment run hours equal the operating hours of the building(s) or facility staff estimates.
 - c. Reconcile annual end-use estimated consumption with the annual base year consumption. This reconciliation shall place reasonable "real-world" limits on potential savings. Propose adjustments to the baseline for energy and water saving measures that shall be implemented in the future.
- 4) **Preliminary Analysis.** Develop a preliminary analysis of potential energy and water saving measures.
- a. List all potential opportunities, whether cost-effective or not. Consider technologies in a comprehensive approach including, but not limited to: lighting and daylighting systems, heating/ventilating/air conditioning equipment and distribution systems, controls systems, building envelope, motors, kitchen equipment, pools, renewable energy systems, other special equipment, irrigation systems, and water saving devices.
 - b. Identify measures which appear likely to be cost effective and therefore warrant detailed analysis.
- 5) **Preliminary Meeting.** Meet with Owner to present preliminary analysis prior to complete analysis. Describe how the projected project economics meet the Owner's terms for completing the Energy Audit. Discuss assessment of energy use, savings potential, project opportunities, and potential for developing an energy performance contract. Develop a list of recommended measures for further analysis. The Owner shall at its discretion, have the option to reject any presented calculations of savings, potential savings allowed, or project recommendations.
- 6) **Savings and Cost Analysis.** Analyze savings and costs for each mutually agreed to energy and water saving measure and any mutually agreed to capital improvement measures.
- a. Follow the methodology of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) or other nationally-recognized authorities following the engineering principle(s) identified for each retrofit option.
 - b. Utilize assumptions, projections and baselines which best represent the true value of future energy or operational savings. Include accurate marginal costs for each unit of savings at the time the audit is performed, documentation of material and labor cost

savings, adjustments to the baseline to reflect current conditions at the facility, calculations which account for the interactive effects of the recommended measures.

- c. Use best judgment regarding the employment of instrumentation and recording durations so as to achieve an accurate and faithful characterization of energy use.
- d. Develop a preliminary measurement and verification plan for each measure.

7) Draft Audit Report. Prepare a draft Energy Audit Report. The report provides an engineering and economic basis for negotiating a potential Energy Performance Contract between the Owner and the Contractor. The report shall include:

- a. Overview.
 - i. Contact information.
 - ii. Summary table of recommended energy and water saving measures, with itemization for each measure of total design and construction cost, annual maintenance costs, the first year cost avoidance (in dollars and energy/water units), simple payback and equipment service life.
 - iii. Summary of annual energy and water use by fuel type and costs of existing or base year condition.
 - iv. Calculation of cost savings expected if all recommended measures are implemented and total percentage savings of total facility energy cost.
 - v. Description of the existing facility, mechanical and electrical systems.
 - vi. Summary description of measures, including estimated costs and savings for each as detailed above.
 - vii. Discussion of measures considered but not investigated in detail.
 - viii. Conclusions and recommendations.
- b. Base year energy use.
 - i. Description and itemization of current billing rates, including schedules and riders.
 - ii. Summary of all utility bills for all fuel types and water.
 - iii. Identification and definition of base year consumption and description of how established.
 - iv. Reconciliation of estimated end use consumption (i.e. lighting, cooling, heating, fans, plug loads, etc.) with base year (include discussion of any unusual findings)
- c. Full description of each energy and water saving measure including:
 - i. Written description of:
 - A. Existing conditions.
 - B. Description of equipment to be installed and how it shall function.
 - C. Include discussion of facility operations and maintenance procedures that shall be affected by installation/implementation.
 - D. Present the plan for installing or implementing the recommendation.
 - ii. Savings calculations:
 - A. Base year energy use and cost.
 - B. Post-retrofit energy use and cost.
 - C. Savings estimates including analysis methodology, supporting calculations and assumptions used.
 - D. Annual savings estimates. The cost savings for all energy saving measures must be determined for each year during the contract period. Savings must be able to be achieved each year (cannot report average annual savings over the term of the contract).
 - E. Savings must be limited to savings allowed by the Owner as described above.
 - F. Description and calculations for any proposed rate changes.
 - G. Explanation of how savings interactions between retrofit options are accounted for in calculations.
 - H. Operation and maintenance savings, including detailed calculations and description. Ensure that maintenance savings are only applied in the applicable years and only during the lifetime of the particular equipment.

- I. If computer simulation is used, include a short description and state key input data. If requested by Owner, access shall be provided to the program and all assumptions and inputs used, and/or printouts shall be provided of all input files and important output files and included in the Energy Audit with documentation that explains how the final savings figures are derived from the simulation program output printouts.
 - J. If manual calculations are employed, formulas, assumptions and key data shall be stated.
 - K. Conclusions, observations, caveats.
- iii. Cost estimate – Include a detailed scope of the construction work suitable for cost estimating. Include all anticipated costs associated with installation and implementation. Provide preliminary specifications for major mechanical components as well as detailed lighting and water fixture counts. The following shall also be included:
- A. Engineering/design costs.
 - B. Contractor/vendor estimates for labor, materials, and equipment; include special provisions, overtime, and all other appropriate items, as needed to accomplish the work with minimum disruption to the operations of the facilities.
 - C. Permit costs.
 - D. Construction management fees.
 - E. Identify any hazardous materials that must be abated by the Owner in order for the work to be installed
 - F. Conclusions, observations, caveats.
- d. Miscellaneous:
- i. Estimate of average useful service life of equipment.
 - ii. Preliminary commissioning plan.
 - iii. Preliminary measurement and verification plan, following the International Performance Measurement and Verification Protocol most current International Performance Monitoring and Verification Protocol (IPMVP), explaining how savings from each measure is to be measured and verified.
 - iv. Discussion of impacts that facility would incur after contract ends. Consider operation and maintenance impacts, staffing impacts, budget impacts, etc., and identify who is responsible for maintenance.
 - v. Compatibility with existing systems.
- 8) **Post-Audit Meeting.** Meet with Owner to review the recommendations, savings calculations and impact of the measures on the operations of the facility. Describe how the projected project economics meet the Owner's terms for completing the Energy Audit. Discuss the willingness and capability of Owner to make capital contributions to the project to improve the economics of the overall project. Revise Audit as directed by Owner.
- 9) **Complete and Present Final Energy Audit Report.** Deliver final audit report to Owner for approval.

LOCAL GOVERNMENT CODE

TITLE 9. PUBLIC BUILDINGS AND GROUNDS

SUBTITLE C. PUBLIC BUILDING PROVISIONS APPLYING TO MORE THAN ONE TYPE
OF LOCAL GOVERNMENTCHAPTER 302. ENERGY SAVINGS PERFORMANCE CONTRACTS FOR LOCAL
GOVERNMENTS

Sec. 302.001. DEFINITIONS. In this chapter:

(1) "Baseline" means a calculation or set of calculations in an energy savings performance contract that may be based on historical costs, revenues, accuracy, or related components and used for determining:

(A) the costs for energy or water usage by a local government and related net operating costs;

(B) the billable revenues from providing energy, water, or other utilities to users; or

(C) the efficiency or accuracy of metering or related equipment, systems, or processes or procedures.

(2) "Energy or water conservation or usage measures" means:

(A) the installation or implementation of any of the items, equipment, modifications, alterations, improvements, systems, and other measures described by Subdivision (4) that are intended to provide:

(i) estimated energy savings;

(ii) an estimated increase in billable revenues; or

(iii) an estimated increase in meter accuracy; or

(B) the training for, or services related to, the operation of the items, equipment, modifications, alterations, improvements, systems, or other measures described by Paragraph (A).

(3) "Energy savings" means an estimated reduction in net fuel costs, energy costs, water costs, stormwater fees, other utility costs, or related net operating costs from or as compared to an established baseline of those costs. The term does not include an estimated reduction due to a decrease in energy rates that is not derived from increased conservation or reduced usage.

(4) "Energy savings performance contract" means a contract between a local government and a provider for energy or water conservation or usage measures in which the estimated energy savings, utility cost savings, increase in billable revenues, or increase in meter accuracy resulting from the measures is subject to guarantee to offset the cost of the energy or water conservation or usage measures over a specified period. The term includes a contract related to the pilot program described by Subdivision (9-a) and a contract for the installation or implementation of the following in new or existing facilities, including all causally connected work:

(A) insulation of a building structure and systems within the building;

(B) storm windows or doors, caulking or weather stripping, multiglazed windows or doors, heat-absorbing or heat-reflective glazed and coated window or door systems, or other window or door system modifications that reduce energy consumption;

(C) automatic energy control systems, including computer software and technical data licenses;

(D) heating, ventilating, or air-conditioning system modifications or replacements that reduce energy or water consumption;

(E) lighting fixtures that increase energy efficiency;

(F) energy recovery systems;

(G) electric systems improvements;

(H) water-conserving fixtures, appliances, and equipment or the substitution of non-water-using fixtures, appliances, and equipment;

(I) water-conserving landscape irrigation equipment;

(J) landscaping measures that reduce watering demands and capture and hold applied water and rainfall, including:

(i) landscape contouring, including the use of berms, swales, and terraces; and

(ii) the use of soil amendments that increase the water-holding capacity of the soil, including compost;

(K) rainwater harvesting equipment and equipment to make use of water collected as part of a storm-water system installed for water quality control;

(L) equipment for recycling or reuse of water originating on the premises or from other sources, including treated

municipal effluent;

(M) equipment needed to capture water from nonconventional, alternate sources, including air-conditioning condensate or graywater, for nonpotable uses;

(N) metering or related equipment or systems that improve the accuracy of billable-revenue-generation systems;

(O) alternative fuel programs resulting in energy cost savings and reduced emissions for local government vehicles, including fleet vehicles;

(P) programs resulting in utility cost savings; or

(Q) other energy or water conservation-related improvements or equipment, including improvements or equipment relating to renewable energy or nonconventional water sources or water reuse.

(5) "Guarantee" means a written guarantee of a provider that the energy savings, increase in billable revenues, or increase in meter accuracy from the energy or water conservation or usage measures will at least equal the cost of the energy or water conservation or usage measures, all causally connected work, and ancillary improvements provided for in an energy savings performance contract.

(6) "Increase in billable revenues" means an estimated increase in billable revenues as compared to an established baseline of billable revenues.

(7) "Increase in meter accuracy" means an estimated increase in efficiency or accuracy of metering or related equipment, systems, or processes or procedures that is calculated or determined by using applicable industry engineering standards.

(8) "Local government" means a county, municipality, or other political subdivision of this state. The term does not include a school district authorized to enter into an energy savings performance contract under Section 44.901, Education Code.

(9) "Meter guarantee" means a guarantee of a stipulated or agreed upon increase in billable revenues to result from the estimated increase in meter accuracy, based on stipulated or agreed upon components of a billable revenue calculation in an energy savings performance contract.

(9-a) "Pilot program" means a pilot program operated by the Energy Systems Laboratory at the Texas A&M Engineering Experiment

Station, in consultation with the Texas Facilities Commission and the State Energy Conservation Office, that:

(A) establishes and implements energy efficiency improvements to state-owned buildings maintained by the commission;

(B) generates savings in utility costs resulting from the improvements resulting in at least a 30 percent annual return on the costs of the improvements;

(C) provides for the participation of not fewer than two companies selected by the commission; and

(D) provides for any money attributable to utility cost savings resulting from the pilot program to be appropriated only to the commission.

(10) "Provider" means an entity in the business of designing, implementing, and installing of energy or water conservation or usage measures or an affiliate of such an entity.

Added by Acts 1997, 75th Leg., ch. 635, Sec. 1, eff. June 11, 1997.

Amended by Acts 2001, 77th Leg., ch. 573, Sec. 6, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 1310, Sec. 78, eff. June 20, 2003.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 527 (S.B. 831), Sec. 4, eff. June 16, 2007.

Acts 2011, 82nd Leg., R.S., Ch. 982 (H.B. 1728), Sec. 5, eff. September 1, 2011.

Acts 2015, 84th Leg., R.S., Ch. 1021 (H.B. 1184), Sec. 1, eff. June 19, 2015.

Sec. 302.002. ENERGY SAVINGS PERFORMANCE CONTRACTS. (a) The governing body of a local government may enter into an energy savings performance contract in accordance with this chapter.

(b) Each energy or water conservation or usage measure must comply with current local, state, and federal construction, plumbing, and environmental codes and regulations. Notwithstanding Section 302.001, an energy savings performance contract may not include improvements or equipment that allow or cause water from any condensing, cooling, or industrial process or any system of nonpotable usage over which public water supply system officials do not have sanitary control to be returned to the potable water supply.

Added by Acts 1997, 75th Leg., ch. 635, Sec. 1, eff. June 11, 1997.
Amended by Acts 2001, 77th Leg., ch. 573, Sec. 6, eff. Sept. 1, 2001;
Acts 2001, 77th Leg., ch. 1319, Sec. 4, eff. Sept. 1, 2001; Acts
2003, 78th Leg., ch. 1310, Sec. 79, eff. June 20, 2003.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 527 (S.B. 831), Sec. 5, eff. June
16, 2007.

Sec. 302.003. PAYMENT AND PERFORMANCE BOND. Notwithstanding any
other law, before entering into an energy savings performance
contract, the governing body of the local government shall require the
provider of the energy or water conservation or usage measures to file
with the governing body a payment and performance bond relating to the
installation of the measures in accordance with Chapter 2253,
Government Code. The governing body may also require a separate bond
to cover the value of the guarantee.

Added by Acts 1997, 75th Leg., ch. 635, Sec. 1, eff. June 11, 1997.
Amended by Acts 2001, 77th Leg., ch. 573, Sec. 6, eff. Sept. 1, 2001;
Acts 2001, 77th Leg., ch. 1319, Sec. 5, eff. Sept. 1, 2001; Acts
2003, 78th Leg., ch. 1310, Sec. 80, 121(23), eff. June 20, 2003.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 527 (S.B. 831), Sec. 6, eff. June
16, 2007.

Sec. 302.004. METHOD OF FINANCING; TERMS OF CONTRACT. (a) An
energy savings performance contract may be financed:

(1) under a lease-purchase contract that has a term not to
exceed 20 years from the final date of installation and that meets
federal tax requirements for tax-free municipal leasing or long-term
financing;

(2) with the proceeds of bonds; or

(3) under a contract with the provider of the energy or
water conservation or usage measures that has a term not to exceed the
lesser of 20 years from the final date of installation or the average
useful life of the energy or water conservation or usage measures.

(a-1) Notwithstanding other law, the governing body of a local

government may use any available money, other than money borrowed from this state, to pay the provider of the energy or water conservation measures under this section, and the governing body is not required to pay for such costs solely out of the savings realized by the local government under an energy savings performance contract. The governing body may contract with the provider to perform work that is related to, connected with, or otherwise ancillary to the measures identified in the scope of an energy savings performance contract.

(b) An energy savings performance contract shall contain provisions requiring the provider of the energy or water conservation or usage measures to provide a guarantee. If the term of the contract exceeds one year, the local government's contractual obligations in any one year during the term of the contract beginning after the final date of installation may not exceed the total energy and water savings, the net operating cost savings, and the stipulated or agreed upon increase in billable revenues resulting from the estimated increase in meter accuracy, divided by the number of years in the contract term.

Added by Acts 1997, 75th Leg., ch. 635, Sec. 1, eff. June 11, 1997.

Amended by Acts 1999, 76th Leg., ch. 361, Sec. 4, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 573, Sec. 6, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 1319, Sec. 6, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 1310, Sec. 81, eff. June 20, 2003.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 527 (S.B. 831), Sec. 7, eff. June 16, 2007.

Acts 2011, 82nd Leg., R.S., Ch. 982 (H.B. 1728), Sec. 6, eff. September 1, 2011.

Sec. 302.005. BIDDING PROCEDURES; AWARD OF CONTRACT. (a) An energy savings performance contract under this chapter may be let in accordance with the procedures established for procuring certain professional services by Section 2254.004, Government Code. Notice of the request for qualifications shall be published in the manner provided for competitive bidding.

(b) Before entering into an energy savings performance contract, the governing body must require that the energy savings, increase in

billable revenues, or increase in meter accuracy estimated or projected by a provider be reviewed by a licensed professional engineer who:

(1) has a minimum of three years of experience in energy calculation and review;

(2) is not an officer or employee of a provider for the contract under review; and

(3) is not otherwise associated with the contract.

(c) In conducting the review, the engineer shall focus primarily on the proposed improvements from an engineering perspective, the methodology and calculations related to cost savings, increases in revenue, and, if applicable, efficiency or accuracy of metering equipment. An engineer who reviews a contract shall maintain the confidentiality of any proprietary information the engineer acquires while reviewing the contract. Sections [1001.053](#) and [1001.407](#), Occupations Code, apply to work performed under the contract.

Added by Acts 1997, 75th Leg., ch. 635, Sec. 1, eff. June 11, 1997.

Amended by Acts 2001, 77th Leg., ch. 573, Sec. 12, eff. Sept. 1, 2001;

Acts 2001, 77th Leg., ch. 1319, Sec. 7; Acts 2003, 78th Leg., ch.

1276, Sec. 12.005, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch.

1310, Sec. 82, eff. June 20, 2003.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 527 (S.B. [831](#)), Sec. 8, eff. June 16, 2007.

Sec. 302.006. METER GUARANTEES. (a) This section applies to any energy savings performance contract that:

(1) provides for any metering or related equipment, system, or process or procedure; and

(2) includes a meter guarantee by the provider, regardless of whether the meter guarantee is a part of a broader guarantee applicable to other energy or water conservation or usage measures or causally connected work.

(b) Not later than the fifth anniversary of the effective date of an energy savings performance contract, an engineer shall test a statistically relevant sample of the meters installed or implemented under the contract to determine or calculate the actual average

accuracy and shall compare the actual average accuracy to the baseline average accuracy of those tested meters.

(c) A meter guarantee applies if the engineer reports to the local government and the provider that the average accuracy of the tested meters as of the testing date is less than the baseline average accuracy of the tested meters as of the testing date.

(d) The amount payable under the meter guarantee must be determined for each year subject to the engineer's report and is equal to the difference between:

(1) the agreed increase in billable revenues based on the estimated accuracy of all of the meters for each year, according to the energy savings performance contract; and

(2) the revenues for the same year that would result from applying the engineer's reported actual average accuracy of the tested meters to all of the meters subject to the energy savings performance contract, using the same contract components that were used to calculate the agreed increase in billable revenues for that year, assuming the annual decrease in actual average accuracy of all the meters was a pro rata percentage of the reported total decrease in actual average accuracy.

(e) Notwithstanding Subsection (d), if the meter guarantee in the contract is part of a broader guarantee applicable to other energy or water conservation or usage measures or causally connected work under the contract, the amount payable under the meter guarantee for any year during the measurement period is reduced or offset by the difference between:

(1) the sum of the energy savings and the increase in billable revenues resulting from the other energy or water conservation or usage measures or causally connected work for that year during the measurement period; and

(2) the guaranteed amount of the energy savings and the increase in billable revenues from the other energy or water conservation or usage measures or causally connected work for that year during the measurement period.

(f) A test conducted under this section must be performed in accordance with the procedures established by the International Performance Measurement and Verification Protocol or succeeding standards of the United States Department of Energy.

(g) An engineer conducting a test under this section shall:

- (1) verify that the tested meters have been properly maintained and are operating properly; and
- (2) comply with Section [302.005\(c\)](#).

Added by Acts 2007, 80th Leg., R.S., Ch. 527 (S.B. [831](#)), Sec. 9, eff. June 16, 2007.

Sec. 302.007. EXEMPTION FROM OTHER CONTRACTING LAW. Chapter [2269](#), Government Code, does not apply to this chapter.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1129 (H.B. [628](#)), Sec. 3.04, eff. September 1, 2011.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. [1093](#)), Sec. 22.002(25), eff. September 1, 2013.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 15

Hear and deliberate on presentation of Aransas County Groundwater Conservation District.

SUBMITTED BY: Aransas County Groundwater Conservation District Director at Large and President Tom Callan

APPROVED FOR AGENDA: PKC

BACKGROUND: Aransas County Commissioners Court was able to get the Texas Legislature to pass HB 4207, authorizing a local ballot measure to create the Aransas County Groundwater Conservation District. Director at Large and President Tom Callan will present the accompanying presentation.

See the accompanying PowerPoint, text of HB 4207, and the Senate bill analysis for additional details.

FISCAL ANALYSIS: The proposed district can impose an *ad valorem* tax of up to \$0.01 per \$100 valuation, with the estimated effect on City of Rockport property owners as detailed in the table below:

Residential Value	Tax Paid
Average - \$222,068	\$22.26
Average Homestead - \$216,030	\$21.63
Median - \$171,365	\$17.14

RECOMMENDATION: Not an action item.

Confirmed Groundwater Conservation Districts *

- 1. Bandera County River Authority & Ground Water District - 11/7/1988
- 2. Barton Springs/Edwards Aquifer CD - 8/13/1987
- 3. Bee GCD - 1/29/2001
- 4. Blanco-Pedernales GCD - 1/23/2001
- 5. Bluebonnet GCD - 11/8/2002
- 6. Brazoria County GCD - 11/8/2006
- 7. Brazos Valley GCD - 11/8/2002
- 8. Brewster County GCD - 11/8/2001
- 9. Brush Country GCD - 11/3/2009
- 10. Calhoun County GCD - 11/4/2014
- 11. Central Texas GCD - 9/24/2005
- 12. Clear Fork GCD - 11/8/2002
- 13. Clearwater UWCD - 8/21/1999
- 14. Coastal Bend GCD - 11/6/2001
- 15. Coastal Plains GCD - 11/6/2001
- 16. Coke County UWCD - 11/4/1986
- 17. Colorado County GCD - 11/6/2007
- 18. Comal Trinity GCD - 6/17/2015
- 19. Corpus Christi ASRCD - 6/17/2005
- 20. Cow Creek GCD - 11/8/2002
- 21. Crockett County GCD - 1/28/1991
- 22. Culberson County GCD - 8/22/1998
- 23. Duval County GCD - 7/25/2009
- 24. Edwards Aquifer Authority - 7/28/1996
- 25. Evergreen UWCD - 8/30/1988
- 26. Fayette County GCD - 11/6/2001
- 27. Garza County UWCD - 11/9/1998
- 28. Gateway GCD - 5/3/2003
- 29. Glasscock GCD - 8/22/1981
- 30. Goliad County GCD - 11/6/2001
- 31. Gonzales County UWCD - 11/2/1994
- 32. Guadalupe County GCD - 11/14/1999
- 33. Hays Trinity GCD - 8/3/2003
- 34. Headwaters GCD - 11/8/1991
- 35. Hemphill County UWCD - 11/4/1997
- 36. Hickory UWCD No. 1 - 8/14/1982
- 37. High Plains UWCD No. 1 - 9/29/1951
- 38. Hill Country UWCD - 8/9/1987
- 39. Hudspeth County UWCD No. 1 - 10/5/1987
- 40. Iren County WCD - 8/2/1983
- 41. Jeff Davis County UWCD - 11/2/1993
- 42. Kenedy County GCD - 11/2/2004

Confirmed Groundwater Conservation Districts (Cont.) *

- 43. Kimble County GCD - 5/3/2002
- 44. Kinney County GCD - 1/12/2002
- 45. Lipan-Kickapoo WCD - 11/3/1987
- 46. Live Oak UWCD - 11/7/1989
- 47. Llano Estacado UWCD - 11/3/1998
- 48. Lone Star GCD - 11/8/2001
- 49. Lone Wolf GCD - 12/2/2002
- 50. Lost Pines GCD - 11/8/2002
- 51. Lower Trinity GCD - 11/7/2006
- 52. McMullen GCD - 11/6/2001
- 53. Medina County GCD - 8/26/1991
- 54. Menard County UWCD - 8/14/1999
- 55. Mesa UWCD - 1/29/1990
- 56. Mesquite GCD - 11/4/1988
- 57. Mid-East Texas GCD - 11/5/2002
- 58. Middle Pecos GCD - 11/9/2002
- 59. Middle Trinity GCD - 8/4/2002
- 60. Neches & Trinity Valleys GCD - 11/6/2001
- 61. North Plains GCD - 1/2/1985
- 62. North Texas GCD - 12/1/2009
- 63. Northern Trinity GCD - 6/15/2007
- 64. Panhandle GCD - 1/21/1988
- 65. Panola County GCD - 11/8/2007
- 66. Pecan Valley GCD - 11/8/2001
- 67. Permian Basin UWCD - 9/21/1985
- 68. Pineywoods GCD - 11/8/2001
- 69. Plateau UWCD and Supply District - 3/4/1974
- 70. Plum Creek CD - 6/1/1993
- 71. Post Oak Savannah GCD - 11/8/2002
- 72. Prairielands GCD - 9/1/2009
- 73. Presidio County UWCD - 8/31/1998
- 74. Real-Edwards C and R District - 9/30/1988
- 75. Red River GCD - 9/1/2009
- 76. Red Sands GCD - 11/8/2002
- 77. Reeves County GCD - 11/3/2010
- 78. Retugio GCD - 11/8/2001
- 79. Rolling Plains GCD - 1/26/1999
- 80. Rusk County GCD - 6/8/2004
- 81. San Patricio County GCD - 8/12/2007
- 82. Sandy Land UWCD - 11/7/1988
- 83. Santa Rita UWCD - 3/19/1989
- 84. Saratoga UWCD - 11/7/1988
- 85. South Plains UWCD - 2/8/1992
- 86. Southeast Texas GCD - 11/2/2004
- 87. Southern Trinity GCD - 6/19/2009
- 88. Starr County GCD - 1/8/2007
- 89. Sterling County UWCD - 11/3/1997
- 90. Sutton County UWCD - 4/5/1996
- 91. Terrell County GCD - 11/6/2012
- 92. Texana GCD - 11/6/2001
- 93. Trinity Glen Rose GCD - 11/5/2002
- 94. Upper Trinity GCD - 11/6/2007
- 95. Uvalde County UWCD - 9/1/1993
- 96. Victoria County GCD - 9/5/2005
- 97. Wes-Tex GCD - 11/5/2002
- 98. Whitegarden GCD - 11/7/1988

Unconfirmed Groundwater Conservation Districts

- 99. Aransas County GCD + #

+ Pending Election Results

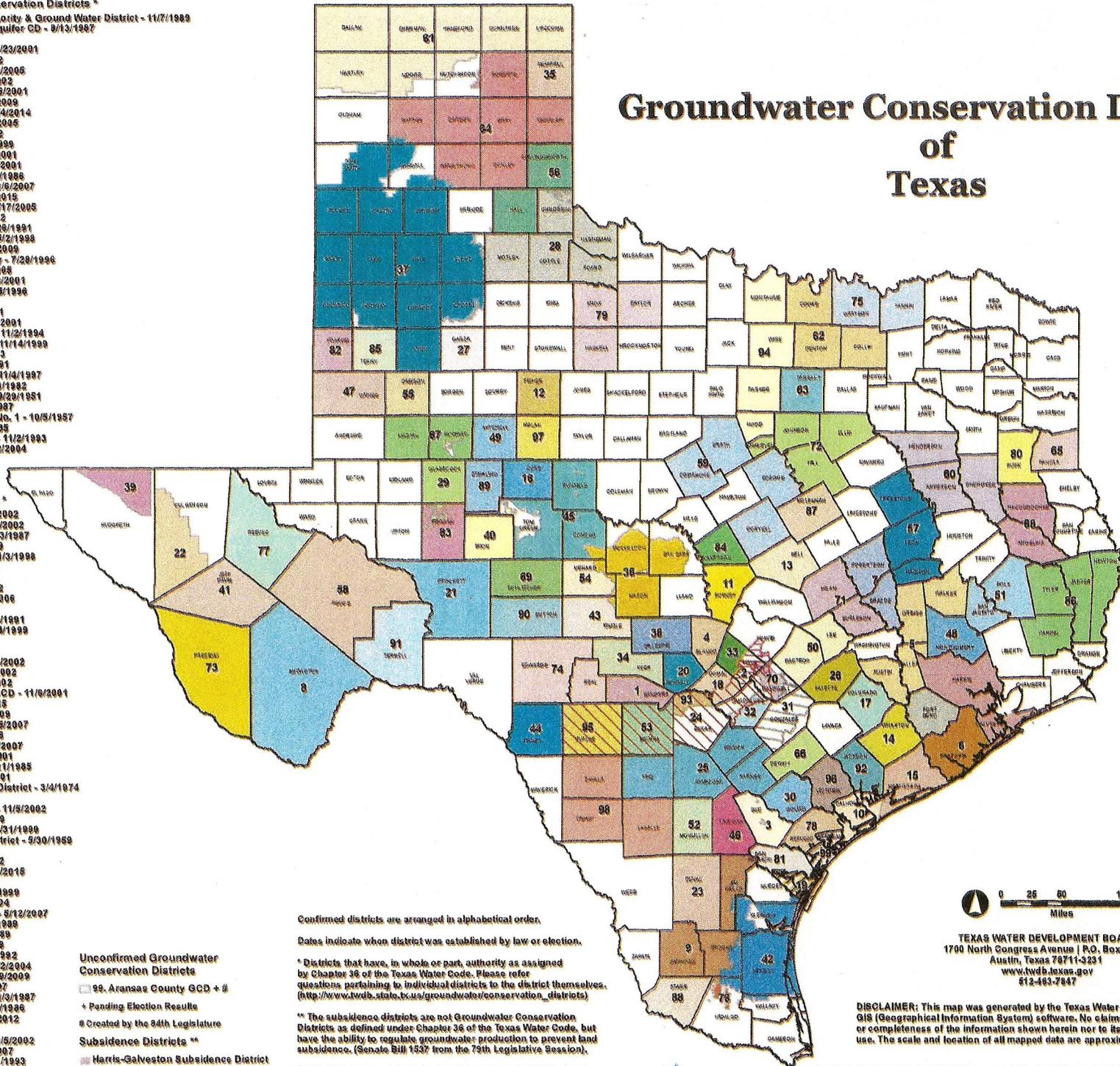
Created by the 84th Legislature

Subsidence Districts **

- Harris-Galveston Subsidence District
- Fort Bend Subsidence District

□ County Boundaries

Groundwater Conservation Districts of Texas



Confirmed districts are arranged in alphabetical order.

Dates indicate when district was established by law or election.

* Districts that have, in whole or part, authority as assigned by Chapter 36 of the Texas Water Code. Please refer questions pertaining to individual districts to the district themselves. (http://www.twdb.state.tx.us/groundwater/conservation_districts)

** The subsidence districts are not Groundwater Conservation Districts as defined under Chapter 36 of the Texas Water Code, but have the ability to regulate groundwater production to prevent land subsidence. (Senate Bill 1537 from the 79th Legislative Session).

Groundwater Conservation District GIS Data created by the Texas Commission on Environmental Quality. For more information, please contact TCEQ at 512-239-1000 or wras@tceq.texas.gov.



TEXAS WATER DEVELOPMENT BOARD
 1700 North Congress Avenue | P.O. Box 13231
 Austin, Texas 78711-3231
www.twdb.texas.gov
 512-463-7847

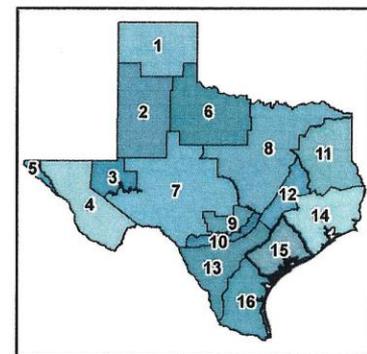
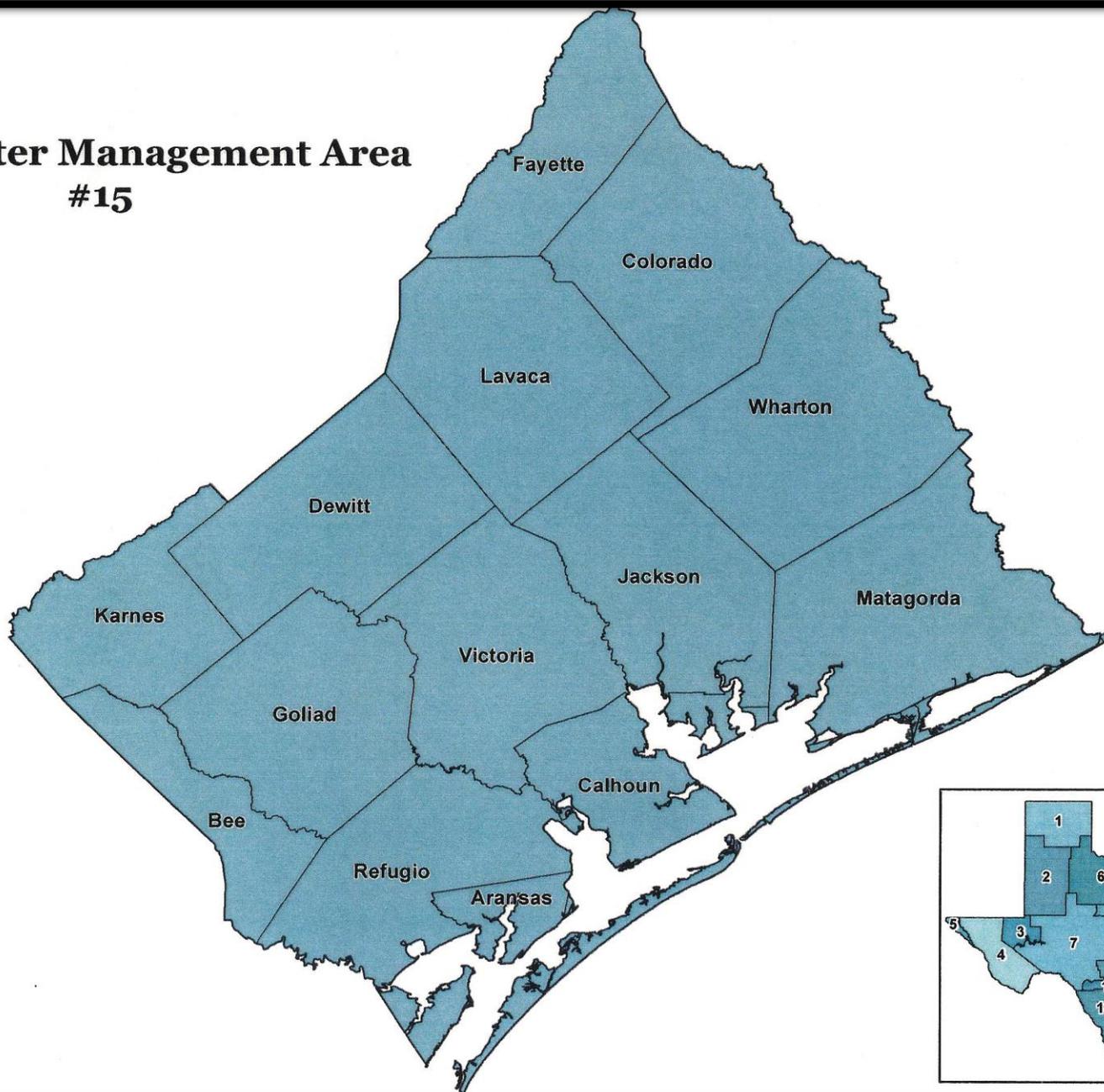
DISCLAIMER: This map was generated by the Texas Water Development Board using GIS (Geographical Information System) software. No claims are made to the accuracy or completeness of the information shown herein nor to its suitability for a particular use. The scale and location of all mapped data are approximate. Map date: NOV-2018

MISSION: The Texas Water Development Board's (TWDB) mission is to provide leadership, planning, financial assistance, information, and education for the conservation and responsible development of water for Texas.



Aransas County Groundwater Conservation District

Groundwater Management Area #15



Aransas County Water Management

Aransas County has no means to manage groundwater.

Aransas is the only county in GMA 15 which does not have a Groundwater Conservation District.

Establishing a County Groundwater District will provide local control and management of groundwater resources.

An Aransas County Groundwater District gives the County the ability to participate in GMA decisions about the allocation of water from the Gulf Coast Aquifer.

Organizational Details

- Legislature authorized the Aransas County District on request of Commissioners Court last May.
- Must be approved by voters of Aransas County.
- If approved, will be funded by a tax of up to one cent per hundred dollars property valuation
- Will be managed by a board of five Directors who are initially appointed by Commissioners Court.
- Directors serve staggered 4 year terms and after initial term will stand for election.

Directors

- Temporary Directors were appointed by Commissioner's Court and sworn in on September 8th. 2015
- Tom Callan, Director at Large and President
- John Alexander, Director, Precinct 4/4A and Vice President
- Lynn Wildman, Director, Precinct 3 and Secretary
- Robert Walls, Director, Precinct 1
- Ed Hegen, Director, Precinct 2

Some History

Wild West – Rule of Capture applies

1904 Constitutional amendment adopted authorizing first public development of water resources

1913 33rd Texas Legislature created the Board of Water Engineers to regulate appropriations of water

1954-1956 Worst severe drought in state's history

1957 Texas Water Development Board created by legislative act and Constitutional amendment

1965 Water Resource Planning functions transferred to TWDB from Texas Water Commission

1997 State Water Plan adopted as consensus effort TWDB, Texas Parks and Wildlife and Texas Natural Resources Conservation Commission (now TCEQ)

Sources of Groundwater

Our source of groundwater is the Gulf Coast aquifer which includes:

- Dune ridge: 40 – 100 feet deep.
- Chicot Aquifer: surface to depths of 300-500 feet.
- Evangeline Aquifer: 500-1400 feet below surface.

All surrounding counties depend on the Gulf Coast Aquifer. It is a shared resource. Withdrawal quotas are coordinated within GMA15.

Economic Value

- Trees are a tourist attraction and depend on groundwater.
- Groundwater as a resource may be required in future for industrial purposes.
- Groundwater (with treatment) can support residential subdivisions if City water is not available).

Current Situation

- Well drilling is unregulated in Aransas County.
- The number of producing wells and details about them is unknown.
- There has been interest in sale of water to business entities outside the County.
- This can be expected to continue with industrial growth if not controlled.
- There is no local control or rules for management of this important resource.

Purpose of a Conservation District

- To assure that there is sufficient groundwater to meet the needs of residents and businesses for the foreseeable future (next 50 Years)
- Prevent wasteful use of groundwater
- Prevent malicious use of groundwater
- Regulate sale of groundwater outside the county
- Set and manage annual drawdown of the water table.

Management Plan

- Outlines goals and the steps needed to reach those goals.
- Provide for the most efficient use of groundwater
- Control and prevent waste of groundwater
- Control and prevent subsidence
- Address conjunctive surface water issues
- Address natural resources issues
- Address drought conditions
- Address conservation

Management Process

- Inventory wells and record production on a continuous basis tracking drawdown
- Monitor recharge rates
- Manage consumption by controlling the amount of water used within the District.
- Tools to reduce consumption and protect users include well spacing, permits for high volume wells, and permits for sales of water outside the District.

Management Process cont'd.

- Plans are approved by the Texas Water Development Board. They are coordinated with other Districts within Conservation Management Area.
- Plans are evaluated and revised if necessary every five years.

Mandated Duties

- Develop and adopt a management plan, coordinating planning with regional planning groups, state agencies and other GCDs.
- Adopt rules necessary to implement the plan
- Keep records of drilling, equipping, and completing of water wells and the production and use of water.
- Permit and register certain wells.

Benefits

- Ecological – our trees depend on groundwater and are a significant factor in our tourist driven economy.
- Planning can help to assure that commercial or industrial needs can be met in future.
- Local control of local resource.
- Within GMA15 our needs will be coordinated with water planning by other Districts.

Benefits

- Economic: Aquifers support our trees which are a major attraction for our County and reserve water for commercial purposes which may be required in future years
- Assure equitable sharing and access to the ground water supply.
- Compared to the rule of capture a GCD can protect your water availability
- Adoption, election of board of directors and administration are all locally controlled.

Benefits cont'd

- The local board is closest to the issues of evaluating and monitoring water use.
- There is local management of administrative tasks.
- The GCD can offer services unavailable elsewhere.

Downside

- Some people prefer the rule of capture.
- A GCD creates another layer of government.
- Taxes may be imposed.
- Water usage may be limited
- Additional regulations may be adopted.
- A GCD cannot prevent water from being exported outside the boundaries of the District.

H.B. No. 4207

1 AN ACT

2 relating to the creation of the Aransas County Groundwater
3 Conservation District; providing authority to issue bonds and
4 impose a tax; providing general law authority to impose fees and
5 surcharges.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Subtitle H, Title 6, Special District Local Laws
8 Code, is amended by adding Chapter 8823 to read as follows:

9 CHAPTER 8823. ARANSAS COUNTY GROUNDWATER

10 CONSERVATION DISTRICT

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 8823.001. DEFINITIONS. In this chapter:

13 (1) "Board" means the board of directors of the
14 district.

15 (2) "Director" means a member of the board.

16 (3) "District" means the Aransas County Groundwater
17 Conservation District.

18 Sec. 8823.002. NATURE OF DISTRICT. The district is a
19 groundwater conservation district in Aransas County created under
20 and essential to accomplish the purposes of Section 59, Article
21 XVI, Texas Constitution.

22 Sec. 8823.003. CONFIRMATION ELECTION REQUIRED. If the
23 creation of the district is not confirmed at a confirmation
24 election held before September 1, 2019:

H.B. No. 4207

1 (1) the district is dissolved on September 1, 2019,
2 except that:

3 (A) any debts incurred shall be paid;

4 (B) any assets that remain after the payment of
5 debts shall be transferred to Aransas County; and

6 (C) the organization of the district shall be
7 maintained until all debts are paid and remaining assets are
8 transferred; and

9 (2) this chapter expires on September 1, 2021.

10 Sec. 8823.004. INITIAL DISTRICT TERRITORY. The initial
11 boundaries of the district are coextensive with the boundaries of
12 Aransas County, Texas.

13 Sec. 8823.005. APPLICABILITY OF OTHER GROUNDWATER
14 CONSERVATION DISTRICT LAW. Except as otherwise provided by this
15 chapter, Chapter 36, Water Code, applies to the district.

16 SUBCHAPTER A-1. TEMPORARY PROVISIONS

17 Sec. 8823.021. APPOINTMENT OF TEMPORARY DIRECTORS. (a)
18 Not later than the 10th day after September 1, 2015, the Aransas
19 County Commissioners Court shall appoint five temporary directors
20 as follows:

21 (1) one temporary director shall be appointed from
22 each of the four commissioner precincts in the county to represent
23 the precinct in which the temporary director resides; and

24 (2) one temporary director who resides in the district
25 shall be appointed to represent the district at large.

26 (b) If there is a vacancy on the temporary board of
27 directors of the district, the remaining temporary directors shall

H.B. No. 4207

1 select a qualified person to fill the vacancy. If, at any time,
 2 there are fewer than three qualified temporary directors, the
 3 Aransas County Commissioners Court shall appoint the necessary
 4 number of persons to fill all vacancies on the board.

5 (c) To be eligible to serve as a temporary director, a
 6 person must be a resident of Aransas County and at least 18 years of
 7 age.

8 (d) Temporary directors serve until the earlier of:

9 (1) the time the temporary directors become initial
 10 directors as provided by Section 8823.024; or

11 (2) the date the district is dissolved under Section
 12 8823.003.

13 Sec. 8823.022. ORGANIZATIONAL MEETING OF TEMPORARY
 14 DIRECTORS. As soon as practicable after all the temporary
 15 directors have qualified under Section 36.055, Water Code, a
 16 majority of the temporary directors shall convene the
 17 organizational meeting of the district at a location within the
 18 district agreeable to a majority of the directors. If an agreement
 19 on location cannot be reached, the organizational meeting shall be
 20 at the Aransas County Courthouse. At the meeting, the temporary
 21 directors shall elect a chair, vice chair, and secretary from among
 22 the temporary directors.

23 Sec. 8823.023. CONFIRMATION ELECTION. (a) The temporary
 24 board shall order an election to be held on a uniform election date
 25 prescribed by Section 41.001, Election Code, in May of the first
 26 even-numbered year after the effective date of this Act to confirm
 27 the creation of the district.

H.B. No. 4207

1 (b) The ballot for the election must be printed to permit
 2 voting for or against the following proposition: "The creation of
 3 the Aransas County Groundwater Conservation District and the
 4 imposition of an ad valorem tax in the district at a rate not to
 5 exceed one cent for each \$100 of assessed valuation."

6 (c) The temporary board may include any other proposition on
 7 the ballot that it considers necessary.

8 (d) Except as provided by this section, a confirmation
 9 election must be conducted as provided by Sections 36.017(b)-(i),
 10 Water Code, and the Election Code. The provision of Section
 11 36.017(d), Water Code, relating to the election of permanent
 12 directors does not apply to a confirmation election under this
 13 section.

14 Sec. 8823.024. INITIAL DIRECTORS. (a) If creation of the
 15 district is confirmed at an election held under Section 8823.023,
 16 the temporary directors of the district become the initial
 17 directors of the district and serve on the board of directors until
 18 permanent directors are elected under Section 8823.025.

19 (b) The initial directors shall draw lots to determine which
 20 two directors serve until the first regularly scheduled election of
 21 directors under Section 8823.025 and which three directors serve
 22 until the second regularly scheduled election of directors under
 23 Section 8823.053.

24 Sec. 8823.025. INITIAL ELECTION OF PERMANENT DIRECTORS. On
 25 the uniform election date prescribed by Section 41.001, Election
 26 Code, in November of the first even-numbered year after the year in
 27 which the creation of the district is confirmed at an election held

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1 under Section 8823.023, an election shall be held in the district
 2 for the election of two directors to replace the initial directors
 3 who, under Section 8823.024(b), serve until that election.

4 Sec. 8823.026. EXPIRATION OF SUBCHAPTER. This subchapter
 5 expires September 1, 2021.

6 SUBCHAPTER B. BOARD OF DIRECTORS

7 Sec. 8823.051. DIRECTORS; TERMS. (a) The district is
 8 governed by a board of five directors.

9 (b) Directors serve staggered four-year terms.

10 Sec. 8823.052. METHOD OF ELECTING DIRECTORS: COMMISSIONERS
 11 PRECINCTS. (a) The directors of the district shall be elected
 12 according to the commissioners precinct method as provided by this
 13 section.

14 (b) One director shall be elected by the voters of the
 15 entire district, and one director shall be elected from each county
 16 commissioners precinct by the voters of that precinct.

17 (c) Except as provided by Subsection (e), to be eligible to
 18 be a candidate for or to serve as director at large, a person must be
 19 at least 18 years of age and a resident of the district. To be a
 20 candidate for or to serve as director from a county commissioners
 21 precinct, a person must be at least 18 years of age and a resident of
 22 that precinct.

23 (d) A person shall indicate on the application for a place
 24 on the ballot:

25 (1) the precinct that the person seeks to represent;

26 or

27 (2) that the person seeks to represent the district at

H.B. No. 4207

1 large.

2 (e) A person's eligibility to serve a term as director is
 3 not affected when the county commissioners precincts are redrawn
 4 after each federal decennial census to reflect population changes
 5 by a boundary change that:

6 (1) removes the person's residence from the precinct
 7 the person serves; and

8 (2) takes effect during the term for which the person
 9 was elected or appointed.

10 Sec. 8823.053. ELECTION DATE. After the creation of the
 11 district is confirmed, the district shall hold an election to elect
 12 the appropriate number of directors on the uniform election date
 13 prescribed by Section 41.001, Election Code, in November of each
 14 even-numbered year.

15 Sec. 8823.054. VACANCIES. A vacancy on the board shall be
 16 filled by appointment of the board until the next regularly
 17 scheduled directors' election. The person appointed to fill the
 18 vacancy shall serve only for the remainder of the unexpired term.

19 SUBCHAPTER C. POWERS AND DUTIES

20 Sec. 8823.101. PROHIBITION ON DISTRICT USE OF EMINENT
 21 DOMAIN. The district may not exercise the power of eminent domain.

22 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

23 Sec. 8823.151. LIMITATION ON TAXES. The district may not
 24 impose ad valorem taxes at a rate that exceeds one cent on each \$100
 25 of assessed valuation of taxable property in the district.

26 SECTION 2. (a) The legal notice of the intention to
 27 introduce this Act, setting forth the general substance of this

H.B. No. 4207

1 Act, has been published as provided by law, and the notice and a
2 copy of this Act have been furnished to all persons, agencies,
3 officials, or entities to which they are required to be furnished
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
5 Government Code.

6 (b) The governor, one of the required recipients, has
7 submitted the notice and Act to the Texas Commission on
8 Environmental Quality.

9 (c) The Texas Commission on Environmental Quality has filed
10 its recommendations relating to this Act with the governor, the
11 lieutenant governor, and the speaker of the house of
12 representatives within the required time.

13 (d) All requirements of the constitution and laws of this
14 state and the rules and procedures of the legislature with respect
15 to the notice, introduction, and passage of this Act are fulfilled
16 and accomplished.

17 SECTION 3. This Act takes effect September 1, 2015.

H.B. No. 4207

President of the Senate

Speaker of the House

I certify that H.B. No. 4207 was passed by the House on May 15, 2015, by the following vote: Yeas 139, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 4207 was passed by the Senate on May 26, 2015, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

APPROVED: _____
Date

Governor

BILL ANALYSIS

Senate Research Center
8421184 AAF-D

H.B. 4207
By: Morrison (Kolkhorst)
Administration
5/18/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note that with the threat of reoccurring drought and the state's increasing population growth and related increase in water demand, groundwater resources are under pressure to supply existing and future needs. The parties contend that local groundwater supplies should be adequately protected for future local use and other needs. H.B. 4207 seeks to address this issue for Aransas County by providing for the creation of the Aransas County Groundwater Conservation District.

H.B. 4207 amends the Special District Local Laws Code to create the Aransas County Groundwater Conservation District. The bill provides for the dissolution of the district on September 1, 2019, and sets the bill's provisions to expire on September 1, 2021, if the creation of the district is not confirmed at a confirmation election held before September 1, 2019. The bill, among other provisions, prohibits the district from exercising the power of eminent domain and caps district property taxes at one cent on each \$100 of assessed valuation of taxable property in the district.

H.B. 4207 amends current law relating to the creation of the Aransas County Groundwater Conservation District, provides authority to issue bonds and impose a tax, and provides general law authority to impose fees and surcharges.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle H, Title 6, Special District Local Laws Code, as follows

CHAPTER 8823. ARANSAS COUNTY GROUNDWATER CONSERVATION DISTRICT

Sets forth standard language for the creation of the Aransas County Groundwater Conservation District (district) in Aransas County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8823.001-8823.005);

Temporary provisions including initial directors (Sections 8823.021-8823.026);

Size, composition, election, and terms of the board of directors of the district (Sections 8823.051-8823.054)

Powers and duties of the district (Section 8823.101); and

General financial provisions including limitation on taxes (Section 8823.151).

Prohibits the district from exercising the power of eminent domain.

SECTION 2. Provides that all requirements of the constitution and the laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3. Effective date: September 1, 2015.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 16

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

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: Chamber President Tiffanie Hoover will present the Chamber's accompanying quarterly report.

FISCAL ANALYSIS: N/A

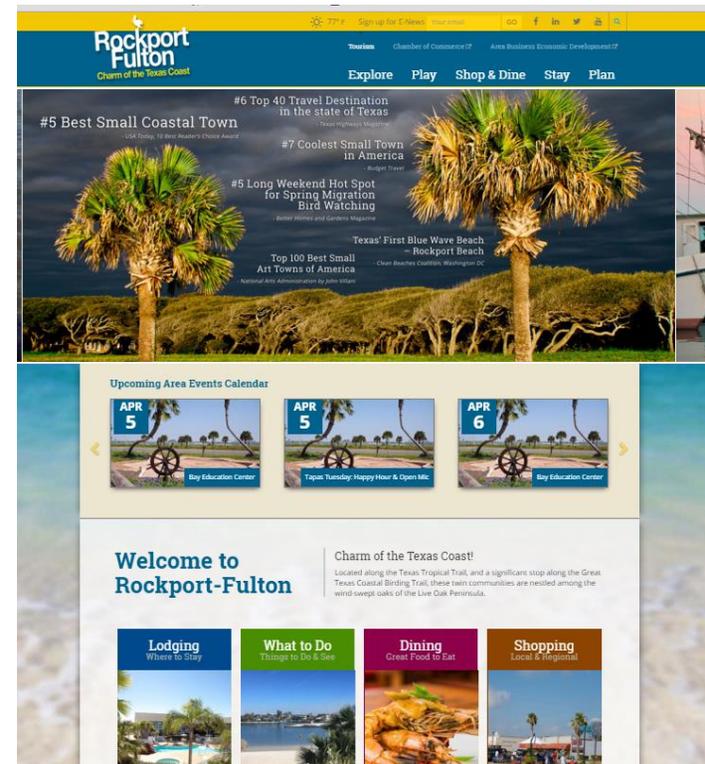
RECOMMENDATION: Not an action item.



Rockport-Fulton Chamber of Commerce and Visitor Center
Highlights for January – March 2016

- USA Today readers voted Aransas National Wildlife Refuge as Top #1 Best Place for Birding and we are in the running again for Best Small Coastal Town.
- New Website Design created by Go Travel who develops tourism websites.
- Reworked all brochures so the look is fresh and the material is new.
- KNBT New Braunfels featured “What’s Rockin in Rockport-Fulton” 2-minute radio show each Wednesday for six-weeks during this quarter. It featured local interviewees.
- We continue to work with local businesses and go in the schools teaching about hospitality and customer service. This quarter we held several sessions including the entire staff of Miss Kitty’s Fishing Getaways.
- Event Calendar information is going out monthly to a list of 35,000 “visitor” emails. We are highlighting an event per month and then listing everything to do in the month. It is generating a good following from Austin and Houston.
- Austin Monthly ad ran reaching 32,000 readers in the Urban Lifestyle atmosphere of Austin.
- We had strong ads in Texas Monthly which 22% of its circulation is in Houston and 14.5% in Austin.
- Great Day SA San Antonio shows featured great segments on family outings, events and seafood.
- Great Day Houston segments ran on KHOU-TV. It is Houston’s #1 entertainment/lifestyle show. We discussed the Tour of Homes and how they needed to make their reservations right now and come down to visit.
- Austin Cable TV Spots ran in popular programming such as ESPN and the Food Channel. We received a “Clicked-In Promotion” where we put together a Weekend for 4 Getaway Trip to Rockport-Fulton.

- We are excited about our ad redesigns with Dawn Huff of Miss Kitty's Fishing Getaways who helped with design and photograph selection. Check out the new headers: It's A Grand Thing! Front Row Seats, Friends plus Fishing equals Net Results and Positive Pier Pressure.
- Local Attractions meetings are going well. We generally have 18-20 attractions in attendance. Good collaboration on calendars and projects. Comradery is a big part of the meeting.
- We have been working on the Marketing Plan for the 2016-17 year. We had a great Marketing Workshop. We will present the plan to you in June.



CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 17

Deliberate and act approving the purchase and installation of a natural cedar fence at the new city property located at 1501-1505 Broadway.

SUBMITTED BY: Parks & Leisure Services Director Tom Staley

APPROVED FOR AGENDA: PKC

BACKGROUND: The City recently purchased an 8.856 tract of land that fronts Hwy. 35 Business on the west, Broadway on the east, and Maple Street on the south. In earlier meetings Council determined that a bordering fence is desirable along the Broadway and Maple sides of the property and that it should be constructed of cedar, similar to the fence around Big Tree. As shown in the accompanying aerial image, the proposed fence will end after a short turn along Maple Street, leaving approximately 200' unfenced to the Maple Street property line to the west. The remaining section will be used for Parks Department maintenance access, and for future public parking. Signage and temporary fencing can be installed along the Maple Street side during high traffic periods to control access, if necessary.

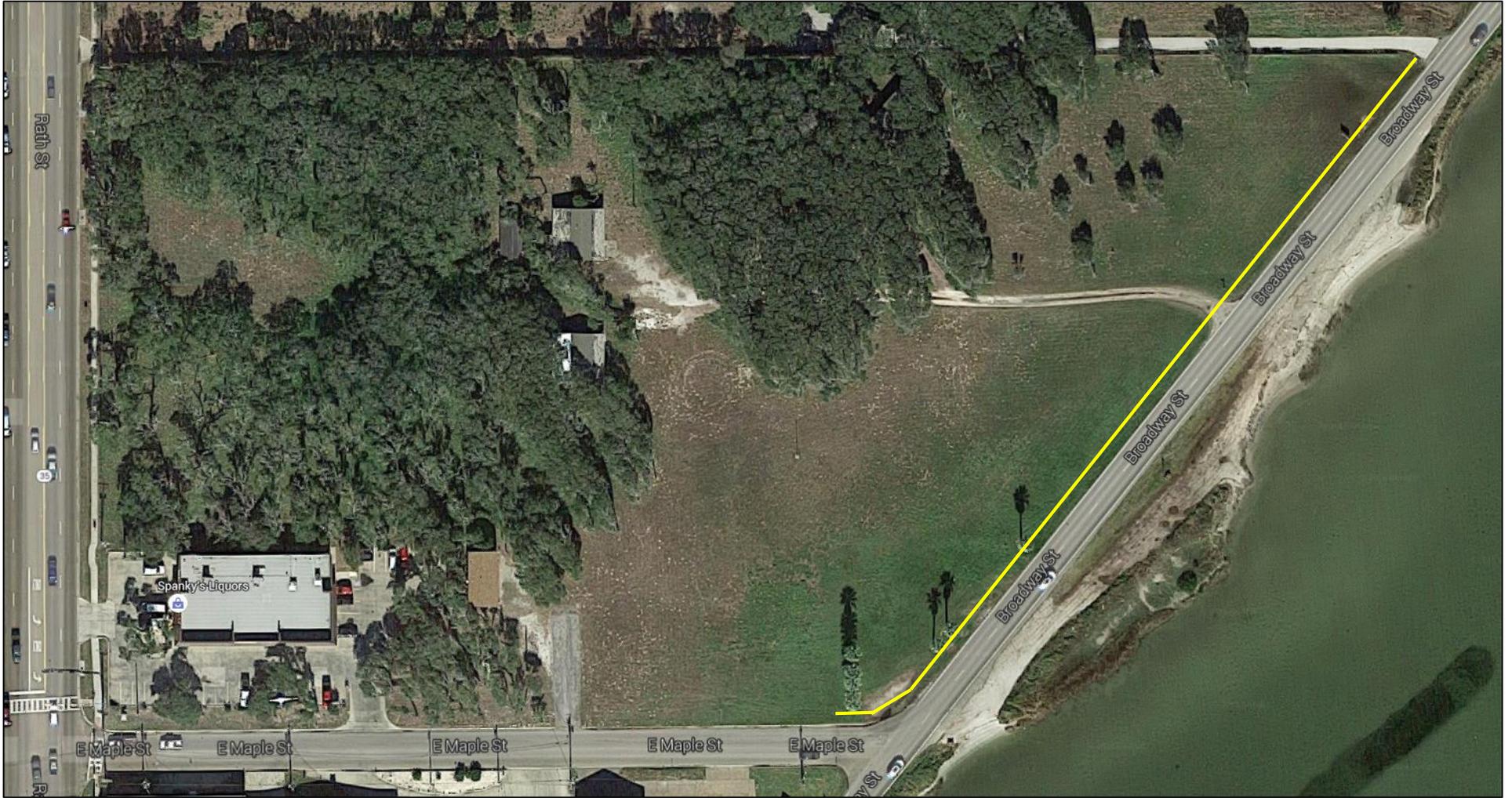
The fence will be approximately 28 feet from the pavement in order to allow for parking on Broadway. The total length will be 715 feet, 48 inches high, have three rails on six-inch posts on eight foot centers, and use stainless steel fasteners.

Three companies, including one local, were solicited for bids and D&C Fencing Company of Corpus Christi, responded.

See the accompanying aerial image and proposal from D & C Fence Company for additional information.

FISCAL ANALYSIS: The \$30,562 expense will be charged to the Bent Oaks bond fund (account 98-6648010).

RECOMMENDATION: Staff recommends Council approve the expenditure of \$30,562 to D&C Fence Company for installation of a natural cedar fence at 1501-1505 Broadway.





Proposal

D & C Fence Co.

Integrity - Honesty - Commitment

P.O. Box 4769

Corpus Christi, Tx 78469

Phone (361) 289-2819 Fax (361) 289-5106

Proposal Submitted To: CITY OF ROCKPORT	Phone: 361-790-1136	Date: Revised Date: 03/23/2016	
Billing Address: 1501-1505 BROADWAY		Job Name: CITY OF ROCKPORT/TOM STALEY/1501-1505 BROADWAY	
City, State, Zip: ROCKPORT, TX 78382		Job Location: 1501-1505 BROADWAY ROCKPORT, TX 78382	
Contact/Architect: TOM STALEY	Date of Plans:	Email Address: parks@cityofrockport.com	Mobile/Pager: 361-790-1136

We are pleased to submit this proposal for your consideration:

Bid: Natural Cedar 3-Rail Fencing

D&C Fence Co. will install 715'LF of 3-rail cedar fence, 48" overall height, using 6" natural cedar posts set on 8' centers, set in pairs (2 posts per 8') and backfilled with cement stabilized dirt. Rails will consist of (3) 4" natural cedar rails, through-bolted between posts using 5/8" all thread with washers and nuts. All fasteners will be galvanized.

Item Total: \$27,440.00 _____ Initial to accept

Option Stainless Hardware

To upgrade fastening hardware to 18-8 stainless steel, please add this amount:

Item Total: \$3,122.00 _____ Initial to accept

PLUS SALES TAX IF APPLICABLE

Proposal price is good for 30 days from creation date, after said date price is no longer valid and may change.

If a contract is delayed by the customer for longer than 90 days from acceptance date the price may be subject to change.

If building permit is required additional fees will apply.

Proposal Submitted To: CITY OF ROCKPORT	Phone: 361-790-1136	Date: 03/29/2016
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CONTRACT CONDITIONS

The above Proposal when accepted by D & C Fence Co., Inc. becomes a contract between two parties and is not subject to cancellation. Silence on the part of D & C Fence Co., Inc. shall not be construed as an acceptance of this Proposal.

PAYMENT TERMS FOR ALL CONTRACTS: A DEPOSIT OF 1/2 IS DUE PRIOR TO STARTING JOB ON ALL PROJECTS. THE REMAINING BALANCE IS DUE UPON COMPLETION UNLESS OTHERWISE NOTED ON CONTRACT. More or less material other than the amount contracted for will be debited or credited at current rate acceptance. There will be a 10% charge if customer cancels contract. D&C Fence may convert their check to an electronic transaction and we are not responsible for any fees charged by their bank.

In case payment is not made as specified in (Terms) D & C Fence Co., Inc. reserves the right to repossess all materials used on this job without recourse. Buyer agrees to a charge of 1 1/2 per month or 18% annual percentage rate on past due balance and to pay a reasonable fee if it becomes necessary to refer this contract to an attorney for collection.

*****D & C Will notify 1-800-DIG-TESS for location of public utilities outside of the property line. Property Owner is **solely responsible** for marking ANY underground or visible lines (miscellaneous: irrigation, pool, gas, electric, etc...) which are located within the property and may interfere with the excavation. D & C Fence will **NOT** be held responsible or liable for damage of any nature to unmarked underground obstructions encountered.

Contractor is NOT responsible for removal or spreading of excavated dirt unless specified above.

Property owner is solely responsible for securing access to all pools and Jacuzzis during demolition and installation of fence. D & C Fence will **NOT** be held responsible or liable for any damage or accidents or deaths resulting from access to pools or Jacuzzi areas.

Unless otherwise specified customer is responsible for clearing all bushes, trees, and debris from the fence line in order to remove and install the fence.

WARRANTY: Guaranteed to be free from defects in material or workmanship for four years of completion including weather for the first year not including natural disasters. D & C Fence cannot warrant wood products that may over time warp, split, or shrink. This is a natural characteristic of some woods that the Contractor has no control over. **D&C Fence Company offers the BEST warranty compared with our competitors in most cases.**

Aluminum and Vinyl/PVC fence comes with a manufacturer's limited lifetime warranty.

Gate operators come with a manufacturer's warranty plus D&C Fence will warranty labor for one year.

Estimator: Richard Hanner Ph. 361-816-4169 Email: rhanner@dcfence.com
 Wes McDonell Ph. 361-232-3360 Email: wmcdonell@dcfence.com

By signing you are agreeing to the following terms and conditions listed below.

Accepted: _____
 Accepted Date: _____

THANK YOU!



CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 12, 2016

AGENDA ITEM: 18

Hear and deliberate on a presentation by the Rockport Center for the Arts for a license, long-term lease, or sale of the 1100 block of East North Street, between Austin Street and Water Street.

SUBMITTED BY: City Manager Kevin Carruth

APPROVED FOR AGENDA: PKC

BACKGROUND: The Rockport Center for the Arts is considering the purchase of 106 S. Austin Street, 204 S. Austin Street, and 203 Water Street for a new Art Center facility. They have presented a petition for the long-term lease or purchase of the 1100 block of E. North Street. Executive Director Louise Purón will give the accompanying presentation and be available to answer any questions.

FISCAL ANALYSIS: Undetermined, pending Council direction.

RECOMMENDATION: Not an action item.



R O C K P O R T
C E N T E R *for the* A R T S

April 6, 2016

Honorable Mayor C. J. Wax,
Mayor Pro-Tem Patrick R. Ríos, Council Members James Russell Day Jr., Joe David Villa, and
Barbara Gurtner
City of Rockport
622 E. Market St.
Rockport, Texas 78382

Subject: North St. between S. Austin St. and Water St.

Honorable Mayor and Distinguished Members of Council:

On February 9, 2016 Rockport Center for the Arts escrowed a real estate contract for the following two sets of property that sit adjacent to North St.: 106 S. Austin St. (on the North side of North St.); and 204 S. Austin St. and 203 Water St. (on the South side of North St.) in Rockport, Texas. The escrowed contract has a feasibility period of 90 days, which expires May 9, 2016.

The Art Center is considering purchasing these properties for future development of a new and improved Art Center facility. The vision is to create a campus environment between the two properties by using North St. as a safe pedestrian walkway. To accomplish that vision we are petitioning the City of Rockport for a long-term lease *or* an outright purchase of North St. to bridge the aforementioned properties. North St. would become a landscaped pedestrian walkway that will comply with the line of sight requirements in the City of Rockport's Master Plan and provide an easement for the passage of emergency vehicles.

Inclusion of North St. in the overall vision for this development weighs heavily on the Art Center's decision to purchase the properties. The deadline for this decision is May 9, 2016.

There are many benefits to having the Art Center in a high visibility location in the Heritage District. The Art Center's marketing efforts for programs, events and festivals have been successful for over four and half decades and reach an established customer base of over 35,000 constituents. This project will revitalize an important sector of the community and it will have a positive economic domino-effect for the downtown area as a whole.

Respectfully yours,

Luis Purón
Executive Director

Rockport Center for the Arts



Petition to City Council

April 12, 2016

Fact:

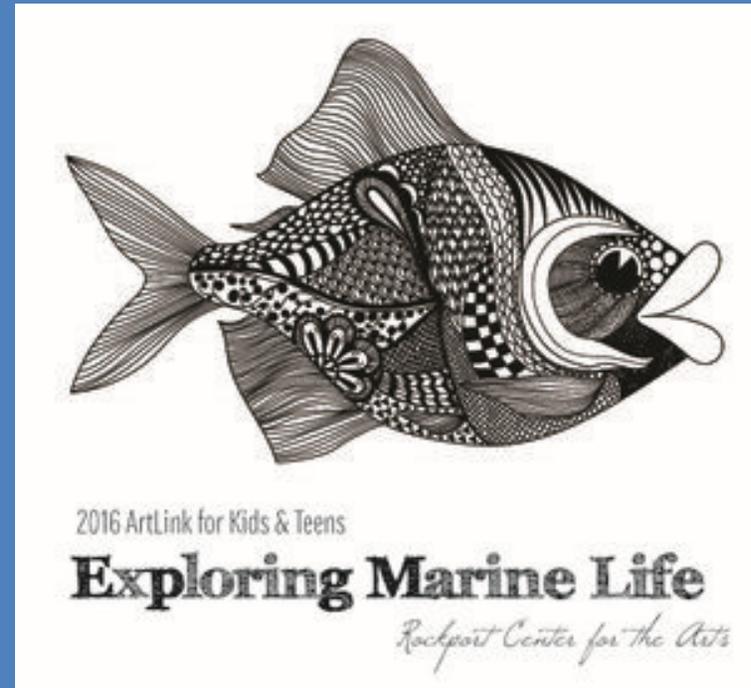
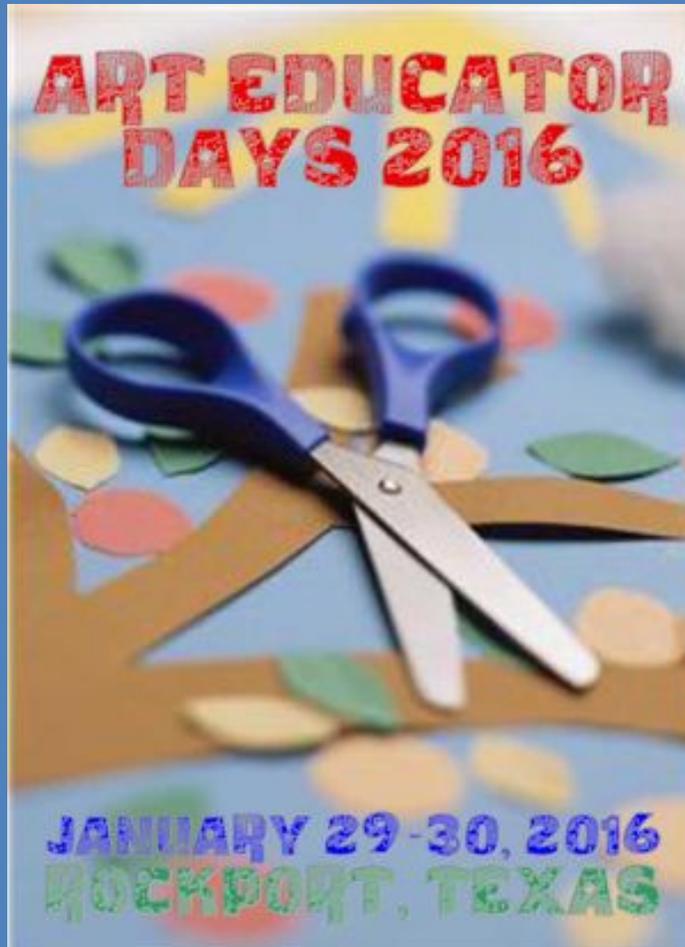
The Art Center has grown tremendously and reached beyond its genesis as an Art Guild where members of Rockport's celebrated Art Colony exchange ideas.

Fact:

Mission-oriented educational and visual arts programming was developed and promoted, enhancing the Art Center's reputation beyond our region.

Explore. Discover. Express.

Educational Programming:



Fact:

Annual Snapshot Free Art Education Programming June 2015-May 2016	Youth	Parents / Family Members	Total
FREE Family Saturdays			980
ArtLink Summer Art Camp for Kids and Teens	365	548	913
Art Festival Kids Tent	350	525	875
Halloween on the Harbor			1,100
Tropical Christmas Workshop	200	150	300
Coloring Contest Christmas	600	0	600
Art Festival T-Shirt Contest	125	2	127
Artist in Residence to High School	120	0	120
Student Show, Rising Eyes	52	78	130
Odyssey After School	90	0	90
Field Trips to the Art Center	120	0	120
Kite Making Partnership	30	0	30
Hummer Bird Signs	150	0	150
Total Annual Impact (number of people impacted)			5,535

Fact:

The Art Center sustains a solid base of special events that has become a staple attraction for cultural tourism—drawing over 14,000 visitors per year

Spring Tour of Homes 27 years

Summer Art Festival 47 years

Fall Film Festival 10 years

Important Art Center Economic Drivers (per annum):

Over 19,000 people visit the Art Center

***18 art exhibits per year including
traveling shows from prestigious
museums***

***2015 arts sales exceeded \$110,000
primarily benefiting working artists***

A growing membership base of 650+

Space Demands: Rockport Center for the Arts

Exhibits Education Offices Gift Shop Archives Collections Meetings Events Storage



Operating-in and sustaining the current facility has become burdensome.
The Art Center could be doing more to fulfill its mission in a larger and more efficient facility.

Strategic Planning Board Retreat:

In September 2015, the board of directors held a strategic planning retreat for the organization.

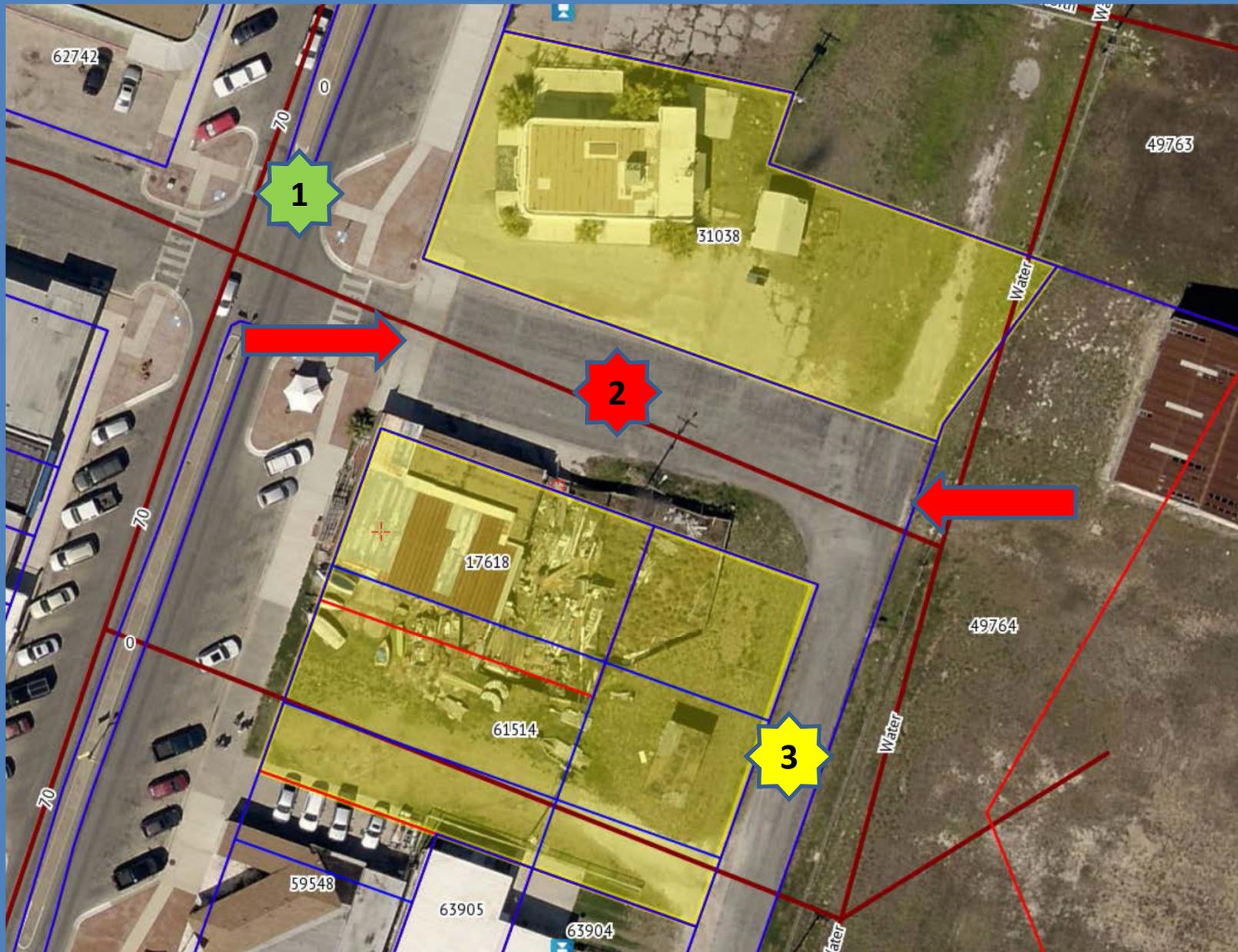
Non-profit consultant, Marion Lee of Bacon Lee and Associates (San Antonio), was contracted to lead the effort.

The activity yielded forward momentum to plan for expansion.

Goals identified as significant continue to be worked on today.

A working committee looked at 11 properties in a variety of locations before deciding on 2 properties in the Heritage District.

Areas Shaded in Green are the Properties of Interest



100 and 200 Block of S. Austin St. @ North St. (Legend: 1- S. Austin, 2- North, 3- Water).
North St. is shown between the arrows.

Our Vision: Create a Campus Environment

Safe, visitor friendly pedestrian walkway on North St. that will bridge the two properties

***Water Street dead-ends at one of the properties of interest to the Art Center –
106 S. Austin***

Easement for emergency vehicles

Our Vision: Consistent with the City's Master Plan

Diversification

Development of Blighted and Transitional Property

Forming Street Character & Streetscape

Walkable & Accessible via Bicycle

Pedestrian Connectivity

Year Round vs. Seasonal

Using Art to add Character

Our goal: To enhance downtown's attraction as a walkable destination for the community, visitors and cultural tourists

North Street:



Business Support:

A survey of 39 businesses on South Austin St. has complete support for the Art Center's petition to use North St. to bridge the two properties of interest.



Thank you

