

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, May 24, 2016 Rockport City Hall, 622 East Market Street

On the 24th day of May 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 Chief Tim Jayroe
Public Works Director Mike Donoho
Park & Leisure Services Director Tom Staley

ELECTED OFFICIALS PRESENT

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 6:31 p.m. on Tuesday, May 24, 2016, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

2. Pledge of Allegiance.

Council Member Gurtner led the Pledge of Allegiance to the U.S. and Texas flags.

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 Special Meeting Minutes of May 6 and May 9, 2016, and Regular Meeting Minutes of May 10, 2016.**
- 5. Deliberate and act on 2nd quarter report from Friends of the Fulton Mansion State Historical Site for Fiscal Year 2015-2016 marketing expenditures.**
- 6. Deliberate and act to appoint member to the YMCA Development Committee.**
- 7. Deliberate and act on request from Relay For Life of Rockport-Fulton for approval to close Austin Street between Wharf Street and Main Street from 5:00 p.m. until midnight on Saturday, June 11, 2016, for the Relay For Life event.**
- 8. Deliberate and act to confirm Mayoral re-appointments and appointments to various City of Rockport boards, committees and commissions.**
- 9. Deliberate and act to confirm Mayoral appointments of City Council liaisons to various City of Rockport boards, committees and commissions.**

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

- 10. Deliberate and act on second and final reading of an Ordinance replacing City of Rockport Code of Ordinances Chapter 42 Article V. "Erosion and Sediment Control" with a Stormwater Ordinance.**

Public Works Director Mike Donoho stated there had been no change in format or content of the Ordinance since the first reading on May 10, 2016.

MOTION: Mayor Pro-Tem Rios moved to approve the second and final reading of an Ordinance replacing City of Rockport Code of Ordinances Chapter 42 Article V. "Erosion and Sediment Control" with a Stormwater Ordinance. Council Member Gurtner seconded the motion. Motion carried unanimously.

- 11. Deliberate and act on approval to issue a Request for Proposals to connect the Cape Velero waterline to the waterline on Rattlesnake Point Road.**

Public Works Director Mike Donoho stated currently the Cape Velero area is served by a single 12-inch water line that is approximately 2.5 miles in length and this dead end line feeds an 8-inch distribution system that services multiple customers. Mr. Donoho informed the Council that the detention time in the 12-inch dead end line affects chlorine residuals in the system to the point where the City must spend approximately 90 minutes each day flushing more than 30,000 gallons to maintain proper chlorine residuals at the end of the system. Mr. Donoho added that the cost to maintain the flushing is over \$50,000 per year, not including the equipment and labor to perform this daily task. Mr. Donoho expressed that there is also the intangible cost of wasting the water resource, especially during a drought. Mr. Donoho said that on Rattlesnake Point Road, the City's 8-inch dead end water line is serving over 200 Copano Water Company customers. Mr. Donoho stated engineering studies completed at the request of a developer have determined that this 8-inch dead end line is at its maximum capacity. Mr. Donoho said City staff has determined that the solution to both issues would be to directionally drill an 8-inch water line under Peet's Bend and connect the two water systems; this would loop the system and allow constant flow of water without flushing to properly maintain chlorine residuals and allow future development in both areas of approximately 15 additional homes. Mr. Donoho informed the Council that the preliminary estimates are from \$600,000 to \$800,000 to loop the systems with a scope of work shown on the table included in the Agenda packet. Mr. Donoho added that the developer for the Rattlesnake Point project has submitted a letter of commitment agreeing to contribute \$89,950 towards the project. Mr. Donoho explained that in January 2016, the City acquired a 15-foot wide piece of property at 9 Northpointe Drive for the purpose of a 10-foot permanent utility easement to accommodate the 8-inch waterline needed to loop the systems and no further easements of right-of-way acquisition is required. Mr. Donoho stated that funding will come from the 2007 Bond (Water Capital Improvements) and the 2009 Bond (Cape Velero Loop Line). Mr. Donoho added that the return on investment should be less than 10 years given the developer's contribution, water and labor savings, and revenue from additional customers, and there will also be additional *ad valorem* revenue from properties benefiting from new access to the water line.

Mayor Wax asked if the estimate included the \$89,950 that has been committed to by the developer.

Mr. Donoho answered that the estimate did include the \$89,950 amount.

Brief discussion was held among Council and Mr. Donoho.

MOTION: Council Member Day moved to approve the issuance of Request for Proposals to connect the Cape Velero water line to the waterline on Rattlesnake Point Road. Council Member Villa seconded the motion. Motion carried unanimously.

12. 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 stated the City had received a letter from the Hotel and Lodging Association stating they support the Rockport Cultural Arts District application.

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:

- 13. Section 551.071(1)(A) Consultation with Attorney on pending or contemplated litigation: A) Bay Education Center, (B) Pena/Dack, and (C) Texaz Construction and AZ Southwest Properties.**
- 14. 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.**

At 6:44 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, (B) Pena/Dack, and (C) Texaz Construction and AZ Southwest Properties; and 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.

Open Session

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 7:04 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.

15. Adjournment

At 7:05 p.m., Council Member Gurtner moved to adjourn. Motion was seconded by Council Member Day and carried unanimously.



ATTEST:

Teresa Valdez
Teresa Valdez, City Secretary

APPROVED:

Patrick Rios
Patrick Rios, Mayor Pro-Tem