

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, January 27, 2015 Rockport City Hall, 622 East Market Street

On the 27th day of January 2015, the City Council of the City of Rockport, Aransas County, Texas, convened in Regular Session at 6:30 p.m., at the regular meeting place in City Hall, and notice of meeting giving time, place, date and subject was posted as described in V.T.C.A., Government Code § 551.041.

CITY COUNCIL MEMBERS PRESENT

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

CITY COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT

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

ELECTED OFFICIALS

Opening Agenda

1. Call to Order.

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Wax at 6:35 p.m. on Tuesday, January 27, 2015, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

2. Pledge of Allegiance.

Council Member Day led the Pledge of Allegiance.

3. 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 Regular Meeting Minutes of January 13, 2015.**
- 5. Deliberate and act on 1st quarter report from the Friends of the Fulton Mansion State Historical Site for Fiscal Year 2014-2015 marketing expenditures.**
- 6. Deliberate and act on a Resolution of the Rockport City Council ordering a General Election and establishing procedures for said Election to be held on Saturday, May 9, 2015; the General Election shall be for the purpose of electing a Council Member to represent Ward #1 and a Council Member to represent Ward #3; providing other matters relating to the General Election; and finding and determining that the meeting at which this Resolution is passed is open to the public as required by law.**
Deliberar y tomar medidas sobre la Resolución del Ayuntamiento de la Ciudad de Rockport en la que se ordena la realización de unas Elecciones Generales y se establecen procedimientos para dichas Elecciones, que se llevarán a cabo el sábado 9 de mayo de 2015; las Elecciones Generales se realizarán con el propósito de elegir un Concejal que represente el Distrito #1 y un Concejal que represente el Distrito #3; se estipulan otros asuntos relacionados con las Elecciones Generales, y se decide y determina que la reunión en la cual se aprueba esta Resolución estará abierta al público, como lo requiere la ley.
- 7. Deliberate and act on May 9, 2015 Joint Election Contract for Election Services between the City of Rockport and Aransas County Independent School District in compliance with HB1.**
Deliberar y tomar medidas sobre el Contrato de Elecciones Conjuntas del 9 de mayo de 2015 para Servicio Electorales entre la Ciudad de Rockport y el Distrito Escolar Independiente del Condado de Aransas, en conformidad con HB 1.
- 8. Deliberate and act on awarding the bid for the South Rockport Drainage Improvements Phase 2.**

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. Council Member Day seconded the motion. Motion carried unanimously.

Regular Agenda

9. **Deliberate and act on second reading of a proposed Ordinance authorizing the closing, vacating and abandonment of 0.197 acre of land embracing a portion of the south one-half of Airport Road, adjacent to Lot 1, Copano Village Subdivision, Rockport, Aransas County, Texas, according to the Plat of Record in Volume 1, Pages 72-73, Plat Records of Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment; authorizing the Mayor to execute a Quitclaim Deed for the 0.197 acre of land to be closed, vacated and abandoned; and providing for an effective date.**

Mayor Wax stated there had been no changes in form or content since the first reading of the Ordinance.

MOTION: Mayor Pro-Tem Rios moved to approve the second reading of the Ordinance authorizing the closing, vacating and abandonment of 0.197 acre of land embracing a portion of the south one-half of Airport Road, adjacent to Lot 1, Copano Village Subdivision, Rockport, Aransas County, Texas, according to the Plat of Record in Volume 1, Pages 72-73, Plat Records of Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment; authorizing the Mayor to execute a Quitclaim Deed for the 0.197 acre of land to be closed, vacated and abandoned; and providing for an effective date. Council Member Gurtner seconded the motion. Motion carried unanimously.

10. **Deliberate and act on authorizing the Mayor to negotiate and execute all necessary documents to purchase approximately 40.83 acres of land adjacent to the east side of Highway 35 Bypass and bordered by Teal and Corpus Christi Streets.**

City Manager Kevin Carruth stated these are the five (5) parcels of land that the City has been looking at for some time to develop a sports complex. Mr. Carruth said the final purchase price was \$1,500,000.

Mayor Wax stated this is the direct result of some tremendous work on behalf of the City by City Manager Kevin Carruth, City Finance Director Patty Howard and the City's Financial Advisor Bob Henderson of RBC Capital Markets, who did an outstanding job in preparing the sale of the City's bonds. Mayor Wax said the City was able to sell the bonds to release \$2,000,000 to cover the purchase of these 40.83 acres without raising taxes; there is zero impact on the taxpayer and the City of Rockport. Mayor Wax added that because of the sale of bonds, the City was able to save the taxpayers over \$601,000. Mayor Wax said it was important to recognize the hard work done to save the community over one-half million dollars, as well as release the funds necessary to purchase this property, that will have a very positive impact on the future of Rockport and offer some tremendous improvements in the City's recreational sports activities here in this community.

Council Member Day asked if the City has seen a second plan for the proposed sports complex.

Parks & Leisure Services Director Tom Staley answered that he has another plan with more detail.

Mayor Wax stated the plan deals only with the property to the west. Mayor Wax asked Mr. Staley to provide the plan he has to the Council and to *The Rockport Pilot* for its information. Mayor Wax added that the City needs to have the additional property information included in the plan. Mayor Wax said there are a few details that need to be discussed in Executive Session.

MOTION: Council Member Day moved to authorize the Mayor to negotiate and execute all necessary documents to purchase approximately 40.83 acres of land adjacent to the east side of Highway 35 Bypass and bordered by Teal and Corpus Christi Streets. Mayor Pro-Tem Rios seconded the motion. Motion carried 4:0.

FOR MOTION: Council Member Day, Mayor Pro-Tem Rios, Council Member Gurtner and Mayor Wax.

ABSTAIN: Council Member Villa

11. Reports from Council and Staff.

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

City Manager Kevin Carruth read an email he had received from Gregg and Diana Ingraham of Minneapolis (Winter Texans) expressing their appreciation to the City of Rockport for their enjoyment of the City's parks and hike & bike trails.

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

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

Executive Session

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

**12. Section 551.071(1)(A) and Section 551.071(2) Consultation with Attorney:
1) Pending or contemplated litigation; and 2) Jail Services Agreement.**

13. Section 551.072 Deliberation about Real Property: Acquisition of property for public purpose - Project Ibis.

14. Section 551.074 Personnel Matters - City Manager evaluation.

At 6:58 p.m., Mayor Wax convened the Rockport City Council into an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in Section 551.071(1)(A) and Section 551.071(2) Consultation with Attorney: 1) Pending or contemplated litigation; and 2) Jail Services Agreement; Section 551.072 Deliberation about Real Property: Acquisition of property for public purpose - Project Ibis; and Section 551.074 Personnel Matters - City Manager evaluation.

Open Session

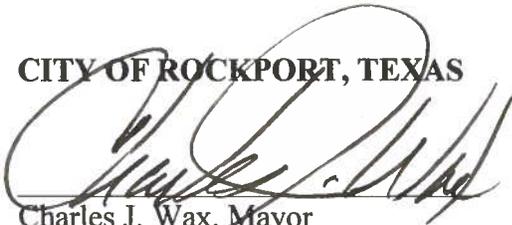
15. City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

At 8:27 p.m., Mayor Wax reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

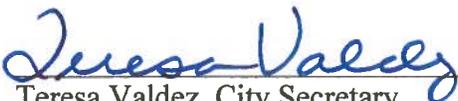
Mayor Wax stated the Council has authorized him to negotiate further with the Aransas County Judge on the Jail Services Agreement.

16. Adjournment

At 8:28 p.m., Council Member Day moved to adjourn. Motion was seconded by Council Member Villa and carried unanimously.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:


Teresa Valdez, City Secretary