

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, April 28, 2015 Rockport City Hall, 622 East Market Street

On the 28th day of April 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 Larry Sinclair
Public Works Director Mike Donoho
Finance Director Patty Howard
Parks & Leisure Services Director Tom Staley

ELECTED OFFICIALS

Opening Agenda

1. Call to Order.

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Wax at 6:30 p.m. on Tuesday, April 28, 2015, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

2. Pledge of Allegiance.

Council Member Villa led the Pledge of Allegiance.

3. Presentation: Government Finance Officers Association - Distinguished Budget Presentation Award.

Mayor Wax presented a Certificate of Recognition for Budget Presentation to Finance Director Patty Howard for the Distinguished Budget Presentation Award for the current budget from the Government Finance Officers Association.

4. Proclamation: Travel and Tourism Week

Mayor Wax proclaimed May 2-10, 2015 as Travel and Tourism Week in the City of Rockport. Mayor Wax presented the Proclamation to Rockport-Fulton Chamber of Commerce Chair Karen Mella and President Diane Probst.

5. Citizens to be heard.

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

Shawn Johnston addressed the Council. Ms. Johnston stated she appreciated the fact that there are groups trying to improve the quality of life in Rockport, but the banning of plastic bags is an overage. Ms. Johnston voiced opposition to the banning of single-use plastic bags.

Richard Rock addressed the Council. Mr. Rock stated he lives on the south end of Water Street and he can see plastic bags and plastic water bottles in the bay. Mr. Rock voiced support of the banning of single-use plastic bags.

Consent Agenda

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

6. Deliberate and act on approval of City Council Regular Meeting Minutes of April 14, 2015.

7. Deliberate and act on 2nd quarter report from the Rockport Center for the Arts for Fiscal Year 2014-2015 marketing expenditures.

8. Deliberate and act on 2nd quarter report from Rockport-Fulton Chamber of Commerce for Fiscal Year 2014-2015 marketing expenditures.

9. Deliberate and act on request by Rockport Center for the Arts for lease of 402 Laurel Street for the 2015 ArtLink for Kids and Teens program.

10. Deliberate and act on reorganization of TMCA Project Committee.

11. Deliberate and act on bid proposal for digester cleaning at Wastewater Treatment Plant.

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

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

Regular Agenda

12. Hear and deliberate on presentation of Chamber of Commerce Keep Rockport-Fulton Moving quarterly report.

Rockport-Fulton Chamber of Commerce President Karen Mella addressed the Council. Ms. Mella presented the Rockport-Fulton Chamber of Commerce's Keep Rockport-Fulton Moving quarterly report.

Discussion was held between Council and Chamber President & Chief Executive Officer Diane Probst, Ms. Mella and Director of Tourism and Events Sandy Jumper in regard to the quarterly report.

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

MOTION: Mayor Wax moved to take this item off the table. Mayor Pro-Tem Rios seconded the motion. Motion carried unanimously.

MOTION: Mayor Wax moved to deny without prejudice the request for a Conditional Use Permit to property located at 2501 San Antonio Street for the purpose of installation of a mobile home. Council Member Villa seconded the motion. Motion carried unanimously.

14. Deliberate and act on first reading of an Ordinance amending City of Rockport Code of Ordinances, Chapter 2 "Administration" Article VII "Investment Policy"; providing for severability; and providing an effective date.

Finance Director Patty Howard addressed the Council. Ms. Howard stated the suggested changes to the Investment Policy had been presented to the City Council at the March 24, 2014 Council Workshop. Ms. Howard recommended approval of the first reading of the Ordinance.

Brief discussion was held among Council and Ms. Howard.

MOTION: Mayor Pro-Tem Rios moved to approve the first reading of an Ordinance amending City of Rockport Code of Ordinances, Chapter 2 "Administration" Article VII "Investment Policy"; providing for severability; and providing an effective date. Council Member Gurtner seconded the motion. Motion carried unanimously.

15. Deliberate and act on Intergovernmental Cooperation Agreement with Aransas County for jail services.

Mayor Wax stated the Council was aware of the issues and confusion regarding the fees, \$40.00 versus \$55.00. Mayor Wax called the Council's attention to the letter (below) he had sent Aransas County Judge Mills in regard to the \$40.00 versus \$55.00 fee.

March 26, 2015



Honorable C. H. Mills, Jr.
Aransas County Judge
301 N. Live Oak St.
Rockport, TX 78382

Dear Judge Mills

Thank you for your letter of March 20, 2015, in which you explained your reasoning for the charges to include in our Jail Services Agreement with Aransas County. You mentioned that you were disappointed in being excluded from the most recent discussions regarding this interlocal agreement. I assume you were talking of my email of March 11 in which I had provided a copy of the most recent letter I shared with you on February 13. I had been asked, in a social setting, about the status of the interlocal and I provided a copy to each of the Commissioners to bring them up to date. Since you already had the letter in hand, I did not see the need to provide you with an additional copy.

Within your letter of March 20, you requested the following stipulations be included in the agreement:

"The City of Rockport will pay Aransas County a Booking Fee of \$40.00 for each prisoner for up to six (6) hours. Thereafter, the City would be charged the normal [daily] fee of \$55.00 per day per inmate, defined as a twenty-four (24) hour day to start at the time of initial booking."

Following our conversation this morning, we understand that the \$40.00 charge is for the first six hours of incarceration. Should that incarceration extend past six hours, then the daily rate of \$55 will apply. This approach to future billings appears more fair to the citizens of Rockport and we agree with the wording. I would ask your staff to redraft the agreement with this inclusion and we shall move quickly to respond and execute the final agreement.

Sincerely,


Charles J. Wax
Mayor

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www.cityofrockport.com

Discussion was held among Council and City Manager Kevin Carruth.

MOTION: Council Member Day moved to approve the Intergovernmental Cooperation Agreement with Aransas County for jail services. Council Member Villa seconded the motion. Motion carried unanimously.

16. Reports from Council.

At this time, the City Council will report/update on all committee assignments, which may include the following: Aransas Pathways Steering Committee, Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Environmental Committee for Water Issues; Keep Rockport Beautiful Advisory Board; Parks & Leisure Services Advisory Board; Planning Zoning Commission; Rockport Heritage Board; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; YMCA Project Committee; Texas Maritime Museum; Fulton Mansion; Rockport Center for the Arts; Aransas County; Aransas County Independent School District; Aransas County Navigation District; Town of Fulton; and Texas Municipal League. No formal action can be taken on these items at this time.

Mayor Wax complimented the City Department Directors and City Manager for distributing the department reports earlier than previously distributed. Mayor Wax asked that staff verify that these reports are being placed on the City's website.

Mayor Wax informed the Council that he had checked on the legislative bills dealing with plastic bags. He stated Senate Bill 1806 that deals with fracking, trees, red lights, plastic bags, etc. is scheduled for a hearing on Thursday, April 30th. Mayor Wax said he has a 13 page summary of bills that impact local control, which the Texas Municipal League is watching. Mayor Wax asked the City Secretary to provide a copy of this to the Council.

Mayor Wax stated that as he had announced at the last Council meeting, the Aransas Pathways volunteer appreciation luncheon will be held on May 9, 2015, at 12:15 p.m. at the Linda S. Castro Sanctuary. Mayor Wax informed the Council that the City had received a request for a \$500 contribution to help defray cost of the luncheon. Mayor Wax expressed that the City should support this volunteer based organization.

Mayor Wax reminded the Council of the Texas Municipal League Region 11 meeting to be held in Cuero on Thursday, April 30, 2015, beginning at 5:30 p.m.

Mayor Pro-Tem Rios stated he had been given a copy of a 2011 petition circulated in Ward 3 that was in opposition to the banning of plastic bags. Mayor Pro-Tem Rios said this petition contained over 200 signatures.

Council Member Villa informed the Council he will begin active duty in two weeks, but he will remain in Rockport.

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:

17. Section 551.071(1)(A) and Section 551.071(2) Consultation with Attorney: Pending or contemplated litigation: 1) Templeton, 2) Petty, and 3) Bay Education Center.

18. Section 551.076 Deliberations Regarding Security Devices or Security Audits: Closed Meeting.

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

At 7:25 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: Pending or contemplated litigation: 1) Templeton, 2) Petty, and 3) Bay Education Center; Section 551.076 Deliberations Regarding Security Devices or Security Audits: Closed Meeting; and Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.

Open Session

20. 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 8:18 p.m., Mayor Wax reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

No action was taken.

21. Adjournment

At 8:19 p.m., Council Member Gurtner moved to adjourn. Motion was seconded by Council Member Villa and carried unanimously.



ATTEST:


Teresa Valdez, City Secretary

CITY OF ROCKPORT, TEXAS


Charles J. Wax, Mayor