

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, May 12, 2015 Rockport City Hall, 622 East Market Street

On the 12th day of May 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 Chief Tim Jayroe
Public Works Director Mike Donoho
Finance Director Patty Howard
Public Works Department Water Division Team Leader Shaun Woodruff
Public Works Department Wastewater Division Utility Maintenance Technician Dan Eddy
Public Works Department Water Division Utility Maintenance Technician Robert Decker
Public Works Department Water Division Utility Maintenance Technician Jackie Dunn
Public Works Department Water Division Utility Maintenance Technician Jeff Olson
Public Works Department Wastewater Division Utility Maintenance Technician Jason Gleckner
Public Works Department Water Quality Technician Scott Mazur
Public Works Department Street Division Superintendent Reuben Garza
Public Works Department Street Division Team Leader Ryan Picarazzi
Public Works Department Street Division Equipment Operator Matt Grimes
Public Works Department Street Division Maintenance Technician Pete Cantu
Public Works Department Gas Division Superintendent David Rabroker
Public Works Department Gas Division Regulatory Compliance Officer Debbie Mazur
Public Works Department Building Services Division Office Manager Anna Brandl
Public Works Department Building Services Division Service Center Coordinator Dee Dee Ince
Public Works Department Receptionist/Clerk Christina Boudreaux

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, May 12, 2015, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

2. Pledge of Allegiance.

Mayor Wax led the Pledges of Allegiance to the U.S. and Texas flags.

3. Proclamation: Preservation Month - Aransas County Historical Commission.

Mayor Wax proclaimed May as Preservation Month in the City of Rockport. Mayor Wax presented the proclamation to representatives of the Aransas County Historical Commission.

4. Proclamation: National Public Works Week.

Mayor Wax proclaimed May 17-23, 2015 as Public Works Week in the City of Rockport. Mayor Wax presented the Proclamation to Public Works Director Mike Donoho and Public Works staff members who were in attendance.

The Public Works Department received a standing ovation.

6. Presentation of Certificates of Election to newly-elected officials for Ward 1 and Ward 3.

(Presentación de los certificados de elección a los recién elegidos para el Barrio 1 y Barrio 3.)

Mayor Wax presented the Certificates of Election to re-elected Council Member Ward 1 Rusty Day and re-elected Council Member Ward 3 Pat Rios.

7. Administration of Oath of Office to newly-elected officials for Ward 1 and Ward 3.

(Administración de su juramento a nuevos funcionarios electos para el Barrio 1 y Barrio 3.)

Mayor Wax administered the Oath of Office to re-elected Council Member Ward 1 Rusty Day and to re-elected Council Member Ward 3 Pat Rios.

8. Deliberate and act on election by Council of Mayor Pro-Tem.

MOTION: Council Member Villa moved to elect Council Member Rios as Mayor Pro-Tem for a term of May 2015 to May 2016 pursuant to the City of Rockport Home Rule Charter. Council Member Gurtner seconded the motion. The motion carried unanimously.

5. Citizens to be heard.

All 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.

9. Deliberate and act on approval of City Council Workshop Minutes and Regular Meeting Minutes of April 28, 2015.

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 first reading of an Ordinance amending City of Rockport Code of Ordinances Chapter 42, "Environment," Article II, "Sanitation and Nuisance Abatement," repealing Division 1 "Keep Rockport Beautiful Advisory Board" in its entirety to disband the City of Rockport Keep Rockport Beautiful Advisory Board.

City Manager Kevin Carruth stated the Keep Rockport Beautiful Advisory Board met on May 5, 2015 and voted to recommend to the Council that the Keep Rockport Beautiful Advisory Board be disbanded. Mr. Carruth said staff recommends Council deny the ordinance disbanding the Keep Rockport Beautiful Advisory Board and instead retain the existing Ordinance, thank the current members for their service, and suspend future appointments until there is an interest from the community and/or a new charge from the Council.

Council thanked the members of the Keep Rockport Beautiful Advisory Board for volunteering their time and efforts in doing good acts for the City of Rockport.

MOTION: Mayor Pro-Tem Rios moved to deny the proposed Ordinance disbanding the Keep Rockport Beautiful Advisory Board and suspend future appointments to the Keep Rockport Beautiful Advisory Board until there is an interest from the community and/or a new charge from the Council. Council Member Gurtner seconded the motion. Motion carried unanimously.

11. Deliberate and act on first reading of an Ordinance amending the City of Rockport, Texas Code of Ordinances Chapter 54 "Health and Sanitation," by renaming Article I "In General" to Article I "Regulation of Single-Use Plastic (checkout) Bags"; setting definitions, prohibitions and requirements, scope and applicability, and exemptions; establishing implementation of a voluntary ban and setting date of mandatory compliance; and providing for an effective date, reading, publication and severance.

City Manager Kevin Carruth stated that following deliberation on single use plastic bags at the December 9, 2014, City Council Workshop, staff was directed to bring a draft ordinance to City Council for review and consideration. Mr. Carruth informed the Council that the proposed Ordinance was drafted with the assistance of Skip the Plastic group and is modeled on the ordinance adopted by the City of Port Aransas in November 2014. Mr. Carruth added that the City Council discussed regulations concerning single use plastic bags at its March 24, 2015, Workshop and that since the Texas Legislature was considering bills that would prevent the City's ability to adopt such regulations, it was the consensus of Council to wait until April to evaluate the status of the bills. Mr. Carruth said two legislative bills were referred to committee and neither bill has had action since then. Mr. Carruth called the Council's attention to page 3 of the Ordinance and requested the dates that the Council wanted to insert in that paragraph.

Mayor Wax stated that House Bill 1939 has been referred to committee as well as two other bills that could affect the City's ability to adopt regulations concerning single use plastic bags as well as other matters.

Brief discussion was held among Council.

MOTION: Mayor Wax moved to table the first reading of the Ordinance amending the City of Rockport, Texas Code of Ordinances Chapter 54 "Health and Sanitation," by renaming Article I "In General" to Article I "Regulation of Single-Use Plastic (checkout) Bags"; setting definitions, prohibitions and requirements, scope and applicability, and exemptions; establishing implementation of a voluntary ban and setting date of mandatory compliance; and providing for effective date, reading, publication and severance, until the City knows which Legislative bills are passed. Council Member Day seconded the motion. The motion carried unanimously.

12. Deliberate and act on second 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.

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

MOTION: Council Member Villa moved to adopt the 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.

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; 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 distributed to the Council a handout of "Status of bills attacking local control." Mayor Wax called the Council's attention to the bills highlighted in yellow and circled in red.

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

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

At 6:53 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; and Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.

Open Session

16. 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 7:25 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.

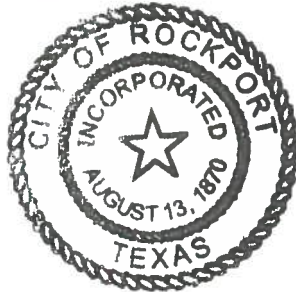
No action was taken.

Mayor Wax reminded Council that budget workshops are scheduled and the first will be the workshop where entities present their requests for hotel occupancy tax revenue funding.

Mayor Wax congratulated Mayor Pro-Tem Rios and Ward #1 Council Member Day for their re-election to Council.

17. Adjournment

At 7:31 p.m., Council Member Villa moved to adjourn. Motion was seconded by Mayor Pro-Tem Rios and carried unanimously.



CITY OF ROCKPORT, TEXAS

A handwritten signature in black ink, appearing to read 'Charles J. Wax', is written over a horizontal line. The signature is stylized and cursive.

Charles J. Wax, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read 'Teresa Valdez', is written over a horizontal line. The signature is cursive.

Teresa Valdez, City Secretary