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## CITY COUNCIL AGENDA

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Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, July 14, 2015, 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. 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.

4. Deliberate and act on approval of City Council Workshop Minutes of June 23, 2015, Regular Meeting Minutes of June 23, 2015, and Special Meeting Minutes of June 26, 2015.
5. Deliberate and act on 3<sup>rd</sup> quarter report from Rockport Center for the Arts for Fiscal Year 2014-2015 marketing expenditures.
6. Deliberate and act on 3<sup>rd</sup> quarter report from Rockport-Fulton Area Chamber of Commerce for Fiscal Year 2014-2015 marketing expenditures.
7. Deliberate and act on 3<sup>rd</sup> quarter report from the Friends of the Fulton Mansion State Historical Site for Fiscal Year 2014-2015 marketing expenditures.
8. Deliberate and act on 3<sup>rd</sup> quarter report from Texas Maritime Museum for Fiscal Year 2014-2015 marketing expenditures.
9. Deliberate and act on a Resolution supporting Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.
10. Deliberate and act on the awarding of a construction contract for the Spanish Woods area drainage improvement project to ADK Environmental, Inc.

### Regular Agenda

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

12. Deliberate and act on request from Rockport-Fulton Chamber of Commerce for street closures for annual Sea Fair Parade and event and permission to hang street banners and directional signs for Seafair, and HummerBird Celebration.
13. Hear, deliberate, and act on acceptance of YMCA Project Committee final plan.
14. **Tabled June 23, 2015** - Deliberate and act on first reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land located at 3404 Highway 35 South; also known as Lot 1, 18.733 acres, Bays of Rockport, Rockport, Aransas County, Texas, from R-1 (1<sup>st</sup> Single-Family Dwelling District) to R-6 (Hotel/Motel District); repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.
15. **Tabled June 23, 2015** - Deliberate and act on second 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 effective date, reading, publication and severance.
16. **Tabled May 26, 2015** - Deliberate and act on interlocal agreement with Aransas County for subdivision regulation within the extraterritorial jurisdiction of the City of Rockport.
17. Deliberate and act on an agreement with Coastal Paradise RV Resort for construction of a water main at State Highway 188 and Highway 35 Bypass, providing for a pro rata reimbursement fee, and authorizing the Mayor to negotiate and execute all necessary documents.
18. 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 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:

19. Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.
20. Section 551.074 Personnel Matters – Finance Director.

## Open Session

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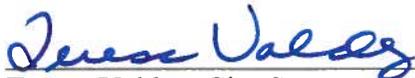
21. City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.
22. Adjournment.

### 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](mailto: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, July 10, 2015, by 5:00 p.m. and on the City's website at [www.cityofrockport.com](http://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*.

  
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Teresa Valdez, City Secretary

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2015**

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**AGENDA ITEM: 4**

Deliberate and act on approval of City Council Workshop Minutes of June 23, 2015, Regular Meeting Minutes of June 23, 2015, and Special Meeting Minutes of June 26, 2015.

**SUBMITTED BY:** City Secretary Teresa Valdez

**APPROVED FOR AGENDA:** PKC

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**BACKGROUND:** Please see the accompanying minutes of the Workshop and Regular Meetings of June 23, 2015, and of the Special Meeting of June 26, 2015.

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**FISCAL ANALYSIS:** N/A

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

# CITY OF ROCKPORT

## MINUTES

### CITY COUNCIL WORKSHOP MEETING 1:30 p.m., Tuesday, June 23, 2015 Rockport City Hall, 622 East Market Street

On the 23<sup>rd</sup> day of June 2015, the City Council of the City of Rockport, Aransas County, Texas, convened in Workshop Session at 1:30 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 Secretary Teresa Valdez  
Police Chief Tim Jayroe  
Public Works Director Mike Donoho  
Finance Director Patty Howard  
Parks & Leisure Services Director Tom Staley  
Information Technology Director Brian Jacobs  
Information Technology Intern Joey Manahan  
Public Works Department Street Division Superintendent Reuben Garza  
Public Works Department Street Division Team Leader Ryan Picarazzi

#### **ELECTED OFFICIALS**

#### **Opening Agenda**

##### **1. Call to Order.**

With a quorum of the Council Members present, the Workshop Session of the Rockport City Council was called to order by Mayor Wax at 1:33 p.m. on Tuesday, June 23, 2015, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

#### **Regular Agenda**

##### **2. Hear and deliberate on presentation by Aransas County Pathways Committee on Connie Hagar Cottage Sanctuary restoration plan.**

Aransas County Pathways Committee Co-Chair Tom Callan addressed the Council. Mr. Callan explained that the Friends of Connie Hagar organization was incorporated in 1990 and originally had 15 members. Mr. Callan said the organization now has five members and has signed a partnership with Aransas Pathways to develop further the 6.25 acre site along Church Street at First Street. Mr. Callan stated the City of Rockport can help by trying to find "friends" for the organization.

Aransas County Project Manager John Strothman addressed the Council. Mr. Strothman stated the Connie Hagar Cottage Sanctuary was leased by Aransas Pathways one year ago.

Aransas County Pathways Committee Member Pam Stranahan addressed the Council. Ms. Stranahan gave a presentation on the restoration plan for the Connie Hagar Cottage Sanctuary (below).

C. Hagar Cottage Sanctuary Restoration Project

The Friends of Connie Hagar signed a partnership agreement with Aransas Pathways to further develop the 6.25 acre site along Church Street at First Street. The goals are to highlight the historical significance, restore the natural habitat of the Sanctuary and connect the Sanctuary with the Southern T Great Texas Birding Classic rail of the Aransas Pathways project.

C. Hagar Cottage Sanctuary Restoration Project  
A venue of Aransas Pathways

From organizing committee: Pam Stranahan (Aransas Pathways), Glenn Gomez (Master Naturalist & Audubon Society), John Strothman (Aransas Pathways), Rachael Diaz (Friends of Connie Hagar), Mary Lessor (Friends of Connie Hagar), and Sandy Richard (Friends of Connie Hagar)

For Aransas Pathways Steering Committee  
June 5, 2015

Background

Friends of Connie Hagar, Inc., a 501 (c) (3) nonprofit organization was incorporated in 1990 to promote the legacy of Connie Hagar (1886-1973) – specifically her love of birds and her concern for the natural world. She shared her knowledge of nature on her daily rounds through the community while she made many observations that added greatly to the ornithology of Texas. She was an inspiration to all who met her and she continues to be an inspiration to all who learn about her today.

In 1967 the Texas state legislature, recognizing Mrs. Hagar as one of the "finest ornithologists in the country," named Little Bay in Rockport, Texas, *The Connie Hagar Wildlife Sanctuary*, in 1990 a special exception was made by the Texas Historical Commission to allow a historical marker honoring her at the site before the usual waiting period.

In 1995 the Friends of Connie Hagar took on a new challenge when it discovered that the Hagar Cottage site (6.25 acres) was for sale. The group rallied the community and key foundations to raise the funds to purchase the property (ca. \$150,000) and establish a Connie Hagar Cottage Sanctuary at First and Church streets in Rockport, Texas. This property was important because of its historic significance and the habitat that could attract birds and promote the advocacy for nature begun by Mrs. Hagar many years ago.

In 1996 the Connie Hagar Cottage Sanctuary became the first stop on the central coast section of the Great Texas Birding Trail. Roger Tory Peterson came to dedicate the signage.

In 2014 the Friends of Connie Hagar signed a conservation easement with Aransas First Land Trust to insure that the property would remain a nature sanctuary in perpetuity. Friends also partnered with Aransas Pathways to begin a restoration project to emphasize the history and habitat.

Historic Significance – Connie Neblett Hagar

Born Martha Conger Neblett, June 14, 1886, in Corsicana, Texas, Connie and her husband, Jack Hagar, moved to Rockport in 1934 where Jack bought and managed the Rockport Cottages at First and Church streets. After they moved to Rockport, Connie began her twice daily rounds of birdwatching – a routine that continued for some 35 years and changed the world of birdwatching forever. Connie Hagar was a self-taught bird watcher. Her reports were not accepted when she first shared her observations. Her sightings of the many species, especially during migration, were beyond belief. The experts of the day rejected her claims – until they came to Rockport. Here they saw the birds that she reported and verified her findings.

The Future depends on your support

To accomplish the proposed revitalization of the Sanctuary we will need \$80,000 for	
Landscaping, esp. at pavilion & butterfly station	\$16,200
Pavilion on cottage foundation	\$15,800
Infrastructure and utilities	\$7,500
Side walk to pavilion and gardens	\$12,000
Enhanced parking area	\$11,000
Interpretive signs re history & nature	\$17,500
<b>Project total</b>	<b>\$80,000</b>

Allocation of funds

- <Upon receipt of TPWD Birding Classic Conservation Grant \$16,200.00>
- 1. Landscaping: \$16,200.00
  - Create bird dips
  - Provide plans and plant garden around foundation
  - Provide and install benches & trash cans
  - Build new bird blind
  - Grade around pond & landscape
- 2. <2&3 will be done when \$25,000.00 is raised>
- 2. Build pavilion over existing slab: \$15,800.00
- 3. Infrastructure: \$7,500.00
- 4. <4&5 will be done when second \$25,000.00 is raised>
- 4. Sidewalk to pavilion: \$12,000.00
- 5. Enhanced parking area: \$11,000.00
- <6 will be done when balance is raised>
- 6. Interpretive Signs will relate the Connie Hagar story, the birds, and habitat : \$17,500.00

The National Audubon Society awarded a citation to Conger Neblett Hagar which read:  
"Ornithologist and conservationist. Good Citizen of the Rockport she helped make famous. Friend and mentor to three generations of field students of birds. You opened our eyes to that great miracle of the natural world, the migration of birds. You enriched our knowledge by patient, open-minded and courageous observation and reporting of the facts – so many of them at first unbelievable. In your selfless devotion to the truths of Nature you have literally discovered the link between heaven and earth. You stood so straight among the wind-bent trees of your coast that you saw what others before you failed to see."

Natural Habitat

The Connie Hagar Cottage Sanctuary is located within the Gulf Coast Prairies and Marshes Ecoregion, a Tier 3 Priority Ecoregion in the Texas Wildlife Action Plan. While coastal marshes and barrier islands are relatively well conserved, the inland prairies and coastal woodlands, such as those found in the Connie Hagar Cottage Sanctuary, are not. The coastal prairies historically covered 6 million acres. Today only 0.5 percent of those acres remain. Increased population growth and associated development along the coast have fragmented habitats and converted the once prevalent coastal prairies and oak mottes to other land uses. The Connie Hagar Cottage Sanctuary is situated on a geologic formation known as the barrier strand plain, unique to the central Texas coast and characterized by live oak and bay mottes growing on deep, sandy soils.

The Cottage Sanctuary is located within the Central Flyway, an important migrating route for songbirds and hummingbirds. The Cottage Sanctuary is consistently used as a stopover for migrant birds. Volunteer led bird walks on the Cottage Sanctuary are popular with local and visiting birders during the spring and fall migration periods. High priority species for the Gulf Coast Prairies and Marshes include many listed federal and state endangered and threatened species, including resident and migratory songbirds, many of which use the habitats found in the Connie Hagar Cottage Sanctuary. Restoring this Sanctuary will protect a small segment of land that is rare coastal prairie and, more importantly, the Sanctuary will showcase the habitat and the wildlife.

Anchor for Aransas Pathways Southern Trail

The Connie Hagar Cottage Sanctuary will be the anchor for the Southern Trail of Aransas Pathways. This trail connects Water Street, Live Oak Street and First Street which the Sanctuary is located. See attached map with existing sidewalks and proposed sidewalks highlighted. This loop promises to connect walkers and cyclists to trails across the county.

Today

The Friends of Connie Hagar have signed a partnership agreement with Aransas Pathways to further develop the 6.25 acre site along Church Street at First Street in Rockport. The goals are to highlight the historical significance, restore the natural habitat of the Sanctuary and connect the Sanctuary with the Southern Trail of the Aransas Pathways project.

Plans call for an enhanced parking area, fencing to delineate the boundaries, walk ways to access the cottage foundation where interpretive signs will relate stories of Connie's life and contributions to the community and ornithology, and landscaping to highlight native plants with an emphasis on food sources for butterflies and birds.

This partnership agreement will insure maintenance by Aransas Pathways, a county venue tax project, and active outreach by the Friends of Connie Hagar to attract visitors to the site. The Aransas Pathways web site will be used to promote activities of the Friends.

**The Future depends on your support**

To accomplish the proposed revitalization of the Sanctuary we will need \$80,000 for

Landscaping, esp. at pavilion & butterfly station	\$16,200
Pavilion on cottage foundation	\$15,800
Infrastructure and utilities	\$7,500
Side walk to pavilion and gardens	\$12,000
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Interpretive signs re history & nature	\$17,500
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**Allocation of funds**

- Upon receipt of TPWD Birding Classic Conservation Grant \$16,200.00-
  1. Landscaping: \$16,200.00
    - Create bird's dips
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    - Provide and install benches & trash cans
    - Build new bird blind
    - Grade around pond & landscape
  2. Build pavilion over existing slab: \$15,800.00
  3. Infrastructure: \$7,500.00
  4. Sidewalk to pavilion: \$12,000.00
  5. Enhanced parking area: \$11,000.00
  6. Interpretive Signs will relate the Connie Hagar story, the birds, and habitat : \$17,500.00

**Timeline**

- 2014
    - FALL Agreement between Friends of C Hagar and Ar. Pathways - complete
    - WINTER Removal of invasive species; general maintenance by Ar. Pathways (\$14,000) - done
  - 2015
    - SPRING Outline and budget for project
    - SUMMER Grant submitted by May 1 to TPWD Great Texas Birding Classic for \$16,200
- Funding sources\* identified - see below  
 Opportunities\*\* to promote project - see below Great Texas Birding Classic  
 In-kind donation of time by Audubon Conservation Treks, June 30 (\$3,000)

See Allocation of Funds on page 3 for restoration tasks prioritized.

**\*FUNDING SOURCES** -possibilities for grant requests

- Aransas Pathways - \$11,000
- Great Texas Birding Classic - \$16,200
- Audubon (Corpus, Texas, National)\*
- Roger Tony Peterson Foundation
- Castaways
- South Rockport Neighbors
- Aransas Woman's Club (Hagar was Pres.)
- Nat. Fish and Wildlife Foundation\*
- Sid Richardson Foundation\*
- Meadows Foundation\*
- A. H. Belo Foundation
- Walton Family Foundation
- Individuals
- Audubon Conservation Treks - \$3,000
- Area nurseries for in-kind
- Aransas County Bird and Nature Club in-kind
- Master Gardeners in-kind
- Master Naturalists in-kind

- reserved for match submitted May 1 (Greg Harlan)
- Aug. 10 deadline (Glenn Gomez) inquiry (Glenn Gomez)
- Oct. 1 deadline (Friends C.H.) local (Pam Stranahan)
- June 11 deadline (Greg Harlan)
- Jan. 15, 2016 (Glenn Gomez) open submittal (Glenn Gomez)
- open submittal (Glenn Gomez) (Gregg Harlan)
- (Glenn Gomez; Friends of C.H.)
- July 1 service day at the Sanctuary

**\*\*EVENTS** where the project may be promoted

- June 18 - Th. Pathways, Henderson Opening, Sandy Jumper, contact
- June 30 - Tu. Audubon Texas Youth camp program on C. Hagar - G. Gomez
- July 1 - Wed. Audubon Texas Youth camp service day, Glenn Gomez, contact
- August 1 - Sat. AquaFest, non-profit display, Ed Hegen contact
- August 22 - Sat. exhibit opening- Connie Hagar at History Center, Vickie Merchant, contact
- September 17-20 - HummerBird Celebration - at school (Steve Reisinger) & History Cntr.
- October 15 - April 16 monthly - Bird Nerd series, Glenn Gomez, contact
- Suggested Presentations to: Ar. Co. Bird and Nature Club; South Rockport Neighbors; Rotary, Lions; Aransas First; Aquarium; Rockport Yacht Club; other civic groups

Appendices: A-Map of Sanctuary; B-Map of Southern Trail; C-Letter of Support, Friends of C.Hagar

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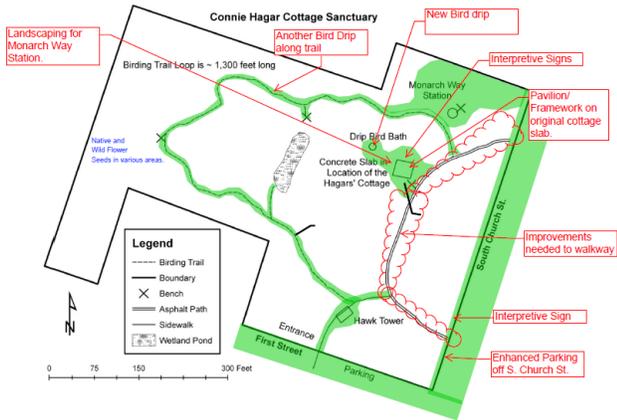


Friends of Connie Hagar, Inc.  
 PO Box 2465  
 Rockport, TX 78381

**To Whom it May Concern:**

The "Friends of Connie Hagar" board supports the plan for the Hagar Cottage Sanctuary Restoration Project indicated on attached site map.  
 We are pleased to partner with Aransas Pathways in bringing the Sanctuary to a new level of enjoyment for residents and visitors to Rockport and Aransas County. We plan to initiate a membership drive, seek funding, and donate in kind hours to help with restoration of the site. The restoration to the cottage site will celebrate the history and unique birding opportunities its founder Connie Hagar intended.

Sincerely,  
 Rachael Diaz- President / Treasurer  
 Mary Lessor - Secretary  
 Rose Tijerina - Board Member



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Ms. Strahanan informed the Council that on Saturday, June 27<sup>th</sup>, 15 students with Audubon Texas will be cleaning up the property as a service project.

Discussion was held among Council and Ms. Strahanan in regard to the Connie Hagar Cottage Sanctuary restoration plan.

3. Hear and deliberate on YMCA Project Committee report.

YMCA Project Committee Chair Jordan Fisher presented the Project Committee report (below).



**PRESENTATION TO  
ROCKPORT CITY COUNCIL**

by the YMCA Ad Hoc Project Committee

June 23, 2015

**History**

In the Spring of 2014, interested citizens and the YMCA of the Coastal Bend met with representatives from the City of Rockport, other government entities and the Chamber of Commerce to discuss the opening of a Rockport branch.

Having declined in interest, the City designed and distributed a questionnaire, which was sent to its utility customers. (See Attachment 1). More than 300 completed surveys, representing 231 individuals, were returned. The response was overwhelmingly positive. In fact, 89 individuals provided contact information stating that they were interested in joining with the project.

A YMCA Steering Committee was formed to review the results, meet with representatives of the YMCA of the Coastal Bend, tour facilities and identify a potential site for a local branch. It was the Committee's recommendation to utilize the site previously identified for the City's "Cooling Place" community center.

In February 2015 Mayor Wain appointed a YMCA Project Committee to research and present a plan addressing a set of charges by a sunset date of July 31, 2015.

**Charges to YMCA Project Committee**

- Scope of services
- Facility design
- Construction estimates
- Estimates of operating & maintenance costs
- Management agreement with YMCA of the Coastal Bend
- Project funding plan

**Scope of Services**

Based upon the results of the survey and committee input, the Top 10 Requested Services & Programs were established as:

- 1) Indoor activities/programs (e.g. basketball, aerobics, Tai-Chi, self-defense classes, walking/running); 2) Health club facilities for all age groups; 3) Senior wellness programs; 4) Multi-use rooms for meetings, instructional classes, training; 5) Youth sports programs for basketball, soccer, baseball, volleyball, others; 6) Before and/or after school programs; 7) Computer classes; 8) Game room; 9) Adult sports programs for basketball, soccer, baseball, volleyball, others; and 10) Child day care.

The Committee further fine-tuned the results and worked with the YMCA of the Coastal Bend to develop a list of prospective programs and ongoing activities. While including the Community Aquatic Center and Skate Park in the scope of services was considered, the Committee felt that further discussion and/or action should remain with the government entities.

It was determined that a local branch would serve the community 9.5 hours a week, seven days a week. The operating days would be Monday – Friday 5:30 am – 9 pm, Saturday 8 am – 3 pm and Sunday Noon – 5 pm. In addition to regular activities outlined on the next two pages, the programs would also include:

- Summer Day Camps for children 4 – 12 years old
- Holiday Camps: School's Out Camps
- Teen Camps 13-15 years old
- Sports Camps for 8 – 11 years old
- Youth Basketball Leagues
- Youth Soccer Leagues
- Youth Volleyball Leagues
- Youth Flag Football Leagues
- Youth Soccer Leagues
- Afterschool program for K-5<sup>th</sup>
- Afterschool Drop in Middle School Program
- Motor Management Training Classes
- Cheer & Dance Classes
- Adult Boot Camps
- Personal Training
- Sports Specific Training
- Adult Volleyball Leagues
- Adult Basketball Leagues
- Health and Wellness Classes
- Fitness Classes
- Youth Climbing Wall(s)
- Equipped Fitness Center

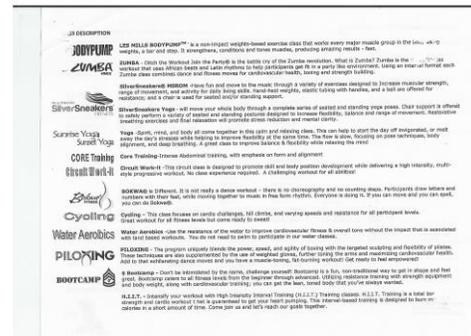


**WELLNESS SCHEDULE  
YMCA OF THE COASTAL BEND • 2015**

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
<b>WATER WORKOUTS</b>	Adult Aquatics 8:00 AM - 10:00 AM Senior Aquatics 8:00 AM - 10:00 AM	Adult Aquatics 8:00 AM - 10:00 AM Senior Aquatics 8:00 AM - 10:00 AM	Adult Aquatics 8:00 AM - 10:00 AM Senior Aquatics 8:00 AM - 10:00 AM	Adult Aquatics 8:00 AM - 10:00 AM Senior Aquatics 8:00 AM - 10:00 AM	Adult Aquatics 8:00 AM - 10:00 AM Senior Aquatics 8:00 AM - 10:00 AM	Adult Aquatics 8:00 AM - 10:00 AM Senior Aquatics 8:00 AM - 10:00 AM	Adult Aquatics 8:00 AM - 10:00 AM Senior Aquatics 8:00 AM - 10:00 AM	Adult Aquatics 8:00 AM - 10:00 AM Senior Aquatics 8:00 AM - 10:00 AM
<b>CARDIO / CORE CLASSES</b>	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM
<b>STRENGTH TRAINING</b>	Senior Strength 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Strength 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Strength 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Strength 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Strength 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Strength 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Strength 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Strength 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM
<b>CYCLING CLASSES</b>	Senior Cycling 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Cycling 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Cycling 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Cycling 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Cycling 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Cycling 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Cycling 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Cycling 8:00 AM - 10:00 AM Senior Pilates 10:30 AM - 12:00 PM Senior Tai Chi 10:30 AM - 12:00 PM Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM
<b>YOGA</b>	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM	Senior Yoga 8:00 AM - 10:00 AM Senior Tai Chi 10:30 AM - 12:00 PM Senior Pilates 10:30 AM - 12:00 PM Senior Strength 10:30 AM - 12:00 PM

\*Schedule is subject to change, last update 08/15/15

NY = Paid class, Not included with membership



**ZUMBA** is a non-impact, weight-bearing exercise class that works every major muscle group in the body, all 10 weights, in fun and easy-to-remember, low-impact, and fun routines. It's a total-body workout that's fun, easy to learn, and easy to remember. It's a total-body workout that's fun, easy to learn, and easy to remember. It's a total-body workout that's fun, easy to learn, and easy to remember.

City of Rockport, Texas June 23, 2015 City Council Workshop Minutes Page 4 of 11 Pages

Facility Design

Utilizing the architectural rendering of The Gathering Place as a template, the Committee designed a facility that incorporated many of its elements, but also addressed special needs and requests. Among them were:

- Indoor walking area
- Rock Climbing Wall
- Concessions/Vending
- Childrens Area
- An enclosed, windowed game room area at the front of the facility that could be easily converted by staff.

The design accompanying this presentation (see next page) was to be provided by an architectural firm affiliated the national YMCA organization. A backlog of work made it impossible for the firm to provide the renderings before the July 31st deadline.

Fulton resident Margo Nielson, owner of Nielson Hest Design, an architectural design service, provided the rendering at no charge.

Construction Estimates

It is not possible to provide an exact cost at this time. There are many options, e.g. size, exterior, special materials that need to be finalized.

Based on current construction costs and the YMCA's previous experience, the Committee is using an estimate of \$200 per square foot. While it's obvious that some areas would come in much less, the cost would be approximately \$4.4 million based on a 22,000-square-foot facility.

Estimates of Operating and Maintenance Costs

The YMCA of the Coastal Bend has developed a budget summary. (See next page) The figures are based on the organization's experience in Corpus Christi and a proposed \$80 membership. The estimated monthly fees are:

Adult	\$30
Family	\$50 (two adults and children)
Senior	\$15
Senior Family	\$45
Young Adult	\$15 (ages 18 - 26)
Youth	\$15

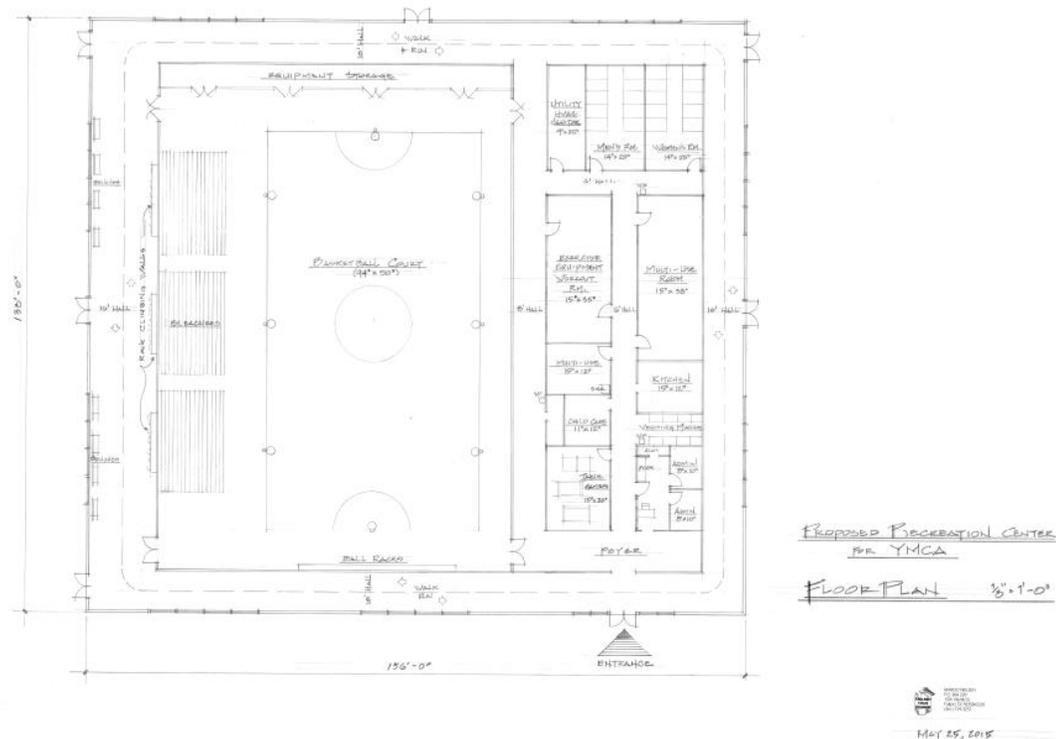
Included in this budget is \$50,000 a year in membership financial assistance.

Programming, special events and room rentals will also produce additional income.

2015 Aransas County YMCA Proposed Budget Summary

2015 Budget Aransas County YMCA	Budget 2015	Actual/Proposed 2014	Variance	Percentage Change
BUDGET	287,000	2	287,000	100.00%
ADULTS	2,000	2	1,998	99.90%
ADULTS - FEMALE	1,000	2	998	99.80%
ADULTS - MALE	1,000	2	998	99.80%
ADULTS - YOUTH	1,000	2	998	99.80%
ADULTS - SENIOR	1,000	2	998	99.80%
ADULTS - YOUNG ADULT	1,000	2	998	99.80%
ADULTS - FAMILIES	1,000	2	998	99.80%
ADULTS - SENIORS	1,000	2	998	99.80%
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YMCA Project Committee Member Vicki Pitluk presented a proposed facility design. Ms. Pitluk stated this design is not finalized because the property topography, boundaries and ingress and egress will have to be taken into consideration.



Ms. Fisher stated the next step will be Council consideration of the proposed YMCA at their July 14, 2015 Council Meeting. Ms. Fisher informed the Council that if the proposed YMCA is approved, the YMCA Project Committee will dissolve and a YMCA Advisory Board will be formed of which two (2) members will serve on the Board of Directors of the Coastal Bend YMCA.

Discussion was held among Council, Ms. Fisher and Ms. Pitluk in regard to the YMCA Project Committee's report.

Council Members thanked Ms. Fisher and the YMCA Project Committee for their work.

#### **4. Hear and deliberate on Bayshore Drive bridge evaluation and scope of work for replacement of the walkway bridges on both sides of Bayshore Drive.**

Public Works Director Mike Donoho addressed the Council. Mr. Donoho informed the Council that in January 2015, the City of Rockport began discussion with the Key Allegro Homeowners Association about repairs to the Bayshore Drive Bridge. Mr. Donoho said that on March 11, 2015, the City requested RVE Engineering to provide a report evaluating the Key Allegro (Bayshore Drive) Bridge. Mr. Donoho stated this report identifies any regulatory or structural deficiencies and limitations.

RVE, Inc. Civil Engineer Carlos Martinez addressed the Council. Mr. Martinez presented the

Bayshore Drive bridge evaluation and scope of work for replacement of the walkway bridges on both sides of Bayshore Drive (below).



May 22, 2015  
325-15807

City of Rockport  
Rockport Services Center  
2751 Hill 35 Highway  
Rockport, TX 78381

Attn: Michael S. Daniels, Public Works Director

Re: Bayshore Drive Bridge Evaluation

Dear Mr. Director:

On March 11, 2015 the City of Rockport requested RVE, Inc. to provide a report evaluating the Bayshore Drive Bridge located in Rockport, Texas. This report identifies any apparent regulatory or structural deficiencies and limitations. This is a visual assessment only and does not include in-depth investigations or structural analysis. Additional investigative work or engineering analysis recommendations will be included in the report if the need is indicated by the field assessment.

The Carl C. Eversmeyer, Jr. Memorial Bridge in Bayshore Drive in Rockport, Texas was designed in 1962 to connect Key Allgeier Isle in the main land. This two-lane bridge originally featured a substantial superstructure of timber piling used for footing and also horizontally as bulkhead, along with precast prestressed concrete columns. The bridge's superstructure consisted of precast prestressed double tee slab spans and girders, a poured in place concrete overcast slab, a J each slab deck at a 7% grade, as well as timber piles along the top of the bridge. It was improved in 1971 by adding approximately 15 linear feet of each end of the approach including the bulkheads, bridge decking, girders, and overcast slab in addition to partially removing the original timber piles. These 15 linear feet were replaced with tapered and grooved concrete piling, pile caps, and crossmembers beams. These were anchored in place with a concrete diaphragm beam, steel tie back anchors, and a timber walkway along the abutment at both ends of the bridge. The sidewalk along each side of the bridge roadway currently consists of a concrete sidewalk along the approach, and a cantilevered wooden walkway and rail at the crest of the bridge spanning approximately 43 feet.

The bridge is in satisfactory condition overall with some isolated spalling and cracking on the underside of the bridge. Some areas of the concrete double tee beams have exposed reinforcement in the spalled areas. There are isolated large areas of shallow spalling along the abutment with an 8 foot surface of exposed reinforcement on the east cap. The topsoil and groove connections on the concrete piers have significant gaps between 1/2 to 1 1/2 inches wide along the abutment. The concrete columns have minor vertical hairline cracks and pitting. The timber walkway along the abutment wall is rotting significantly. The steel tie back plates, rods, and nuts have considerable corrosion. There is separation of the bulkhead at one of the corners of the wingwalls. The wooden walkway has a loose vertical member on its bulkhead.

T&E, Firm Reg. No. F-6227 / T&E/S Firm Reg. No. 1051168-00  
870 Bellville St., Corpus Christi, Texas 78414-2290 P.O. Box 2027, Corpus Christi, Texas 78403-2027  
phone: 361-837-8852 fax: 361-837-8855 e-mail: rve@rve-inc.com website: www.rve-inc.com

Michael S. Daniels Bayshore Drive Bridge Evaluation May 22, 2015  
City of Rockport Page 2 of 8

The timber along the bridge approach is weathered with rotting and missing pieces. The asphalt roadway on the bridge deck has isolated cracks and pavement markings are covered with asphalt.

The current water depth was measured at 5.5 feet directly under the bridge and the channel under the bridge is approximately 11 feet. There are obstructions within facing both sides of the bridge roadway approach. RVE's topographic survey found the average approach grade on each side of the bridge to be 8.5 %.

The following is a summary of existing deficiencies discovered in field compared to code requirements:

Deficiency	Comment/Requirement
20 mph speed limit posted each direction	Signs K, yellow for crest length
12 ft. lanes	11 - 12 ft. wide
4 ft. shoulder at bridge approach	2 ft. minimum shoulder for urban roadways
No shoulder at top of bridge	No shoulder required
No guardrail for vehicles	Guardrail must meet TL-2 criteria or greater
Pavement Widthway - 4 ft wide	5.5 minimum vehicle width
Protective Rail 31 ft. high	Minimum 42 in. height
Vertical curve length 349 ft.	Minimum crest length based on existing grade change and K value = 391 ft.

Notes: \*RVE 2015 Roadway Safety Manual \*AASHTO 1994 Guide for Designing Roadway \*T&E 2009 Highway Safety Manual

None of the deficiencies of this structure are considered critical, as no immediate corrective actions are required. The following structural repairs, safety improvements, and maintenance procedures are recommended over the next six months.

**Structural Repairs**

- Sealing joints and cracks in the asphalt pavement and concrete structure of the bridge.
- Cleaning and patching all exposed steel reinforcement.
- Repeating timber walkway and stabilizing steel anchor rods, plates, and nuts.

**Safety Improvements**

- Extending the walkway on each side of the bridge to 4.5 foot width.
- Installing a TL-2 rated or greater guardrail for vehicular traffic and a 42 inch or taller handrail for pedestrian traffic.

**Maintenance Recommendations**

- Implementing a routine inspection and maintenance program for this bridge not to exceed 48 months.

Michael S. Daniels Bayshore Drive Bridge Evaluation May 22, 2015  
City of Rockport Page 3 of 8

RVE, Inc. appreciates the opportunity to provide this service to you and looks forward to making you again. If you have any questions, or would like to discuss these findings, please call me.

Sincerely,

RVE, Inc.

Carl A. Marston, P.E.

CAM:mc  
Attachments

Michael S. Daniels Bayshore Drive Bridge Evaluation May 22, 2015  
City of Rockport Page 4 of 8

**APPENDIX**



Photo 1  
Approach looking east, 20 mph posted speed limit



Photo 2  
Approach looking east, 20 mph posted speed limit



Photo 3  
Water approach looking north



Photo 4  
Water approach looking north



Photo 5  
Looking west from bridge



Photo 6  
Looking east from bridge

Michael S. Dando  
City of Rockport  
Rayburn Drive Bridge Evaluation  
May 22, 2015  
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Photo 7  
4' wide T-inter section, no guardrail



Photo 8  
Lower vertical member on 12' wide by 40.5' high abutment



Photo 9  
Typical observation on concrete abutment



Photo 10  
Underside of girder



Photo 11  
Spalling with exposed reinforcement on double tee beams



Photo 12  
Pier abutment repair on double tee beams that are deck-mounted

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City of Rockport  
Rayburn Drive Bridge Evaluation  
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Photo 13  
3' section of spalling on cast cap with exposed reinforcement



Photo 14  
Water retained with plastic, it not needed



Photo 15  
Spalling on cast cap on cast cap



Photo 16  
Spalling concrete on cast abutment



Photo 17  
Typical piling and rebar ends on concrete pier



Photo 18  
Typical hollow crack in concrete panel

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City of Rockport  
Rayburn Drive Bridge Evaluation  
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Photo 19  
Separation at wall joint of concrete piling. Gaps between 1/2" to 1 1/2" wide



Photo 20  
Spalling at top of abutment



Photo 21  
Separation on concrete full-height pier



Photo 22  
Typical concrete sheet piling full-height



Photo 23  
Water approach loading creek



Photo 24  
Typical reflective crack in asphalt

Michael S. Dando  
City of Rockport  
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Photo 25  
Typical cracking asphalt roadway



Photo 26  
Weakened joints along bridge approach

**Mike Donoho**

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**From:** Carlos Martinez <cmartinez@jengraining.com>  
**Sent:** Monday, June 05, 2015 05:46 AM  
**To:** Mike Donoho  
**Cc:** Jenea Clayton  
**Subject:** RE: Bayshore Bridge Evaluation

Mike,

You need know you were looking for a Scope of Work for the repair of the walkway. I have drafted the following language for your comment.

This project consists of denotizing 88 linear feet (84 LF each side of bridge) of existing 4' wide elevated walkway and 180 total linear feet of concrete sidewalk, and installing a new 5' wide elevated walkway and 5' wide sidewalk. Denotization includes removal of existing timber guardrail, timber deck boards, timber posts, and steel frames attached to existing concrete beams. Six existing light posts are required to be relocated to new walkway guardrail. New 5' wide elevated walkway includes steel framing attached to existing concrete bridge structure, timber joists, timber deck boards, and timber guardrail. Existing steel pipe utility crossing adjacent to bridge will require relocation for new width of elevated walkway. New 5' wide sidewalk includes a soil retention system with slope protection.

After your review, please call me to discuss.

Carlos A. Martinez, P.E.  
 RVE, Inc.  
 TSPC Firm Registration # F-2037  
 820 Bayshore Street  
 Corpus Christi, Texas 78401  
 PH:361-887-8831 ext. 128  
 FAX:361-887-8855

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**From:** Carlos Martinez  
**Sent:** Friday, May 22, 2015 12:11 PM  
**To:** 'jsheltonworkdirector@cityofrockport.com'  
**Cc:** Jenea Clayton <jclayton@jengraining.com>  
**Subject:** Bayshore Bridge Evaluation

Mr. Donoho,

I have attached the Bayshore Drive bridge evaluation letter for your use. Please call me if you have any questions.

Thank you,

Carlos A. Martinez, P.E.  
 RVE, Inc.  
 TSPC Firm Registration # F-2037

Discussion was held among Council and Mr. Martinez regarding the Bayshore Drive bridge evaluation and scope of work for replacement of the walkway bridges on both sides of Bayshore Drive.

Tom Callan addressed the Council. Mr. Callan stated there is not a place for a bicyclist to cross the bridge except to ride on the bridge and that is very dangerous. Mr. Callan added that Harbor Oaks bridge is also dangerous for bicyclists.

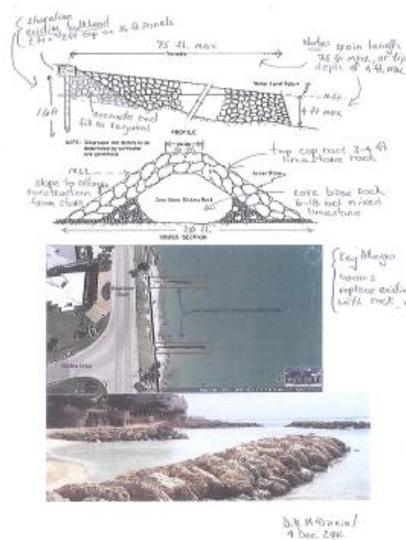
Key Allegro Homeowners Association representative Dudley McDaniel addressed the Council. Mr. McDaniel stated the report says essentially the bridge is safe at the moment, but bicyclists cannot ride on the walkway because it is not wide enough and they have to ride on the bridge which is very dangerous. Mr. McDaniel added that the load limit on the bridge is 21,000 pounds but there are vehicles that cross the bridge eight to ten times a day that weigh more and there is not a long-term future for that bridge. Mr. McDaniel suggested further engineering work be done for structural stability to increase the load limit. Mr. McDaniel added that he would not want to be in the situation where there is an emergency and there is a broken bridge.

## 5. Hear and deliberate on Bayshore Drive shoreline stabilization project.

Public Works Director Mike Donoho addressed the Council. Mr. Donoho informed the Council that in January 2015 the City of Rockport began discussion with the Key Allegro Homeowners Association (HOA) about shoreline stabilization along Bayshore Drive. Mr. Donoho said the HOA submitted a request to the US Army Corps of Engineers for a permit to replace two failed groins along the public portion of Bayshore Drive. Mr. Donoho stated that several years ago, the City of Rockport installed a rock revetment along the southern portion of Bayshore Drive (Blue Heron to Finisterre) to protect the public road and utilities, and a portion of this revetment has undersized top cap rock that has failed and exposed the geo-textile fabric along the shoreline to weathering

deterioration. Mr. Donoho added that the soil in this area is beginning to erode through the fabric and into the bay during significant rain and wave events and if it collapses in a storm event, Bayshore Drive and parallel utilities will be at risk. Mr. Donoho told the Council that the Key Allegro HOA hired Coast & Harbor Engineering to conduct shoreline erosion and stabilization engineering study of Bayshore Drive and the study recommends reconstruction of the two failed groins at the intersection of Bayshore and Curlew. Mr. Donoho added that the study specifically recommended repairing the filed rock revetment on the south end of Bayshore. Mr. Donoho advised the Council that Coast & Harbor Engineering is assisting in submission of a grant request on behalf of the City of Rockport for Texas General Land Office Coastal Erosion Planning and Response Act (CEPRA) funding to be used for this project.

Key Allegro Homeowners Association representative Dudley McDaniel presented the report on the Bayshore Drive shoreline stabilization project (below).



**Key Allegro Groins - Environmental Impact**

The Coast & Harbor Engineering study dated 10 September 2014 indicates that groins along the Key Allegro Bayshore drive are effective at trapping sediment if they are oriented in an easterly direction. And only where there is existing shoreline hardening (bulkhead, rock revetment, etc.)

Littoral transport of sand sediment is essentially non-existent along this coast due to the 2 bounding, dredged channels, Blevins channel to the north and Leggett Channel to the south. Historical oyster oaks and lines of land has resulted by the strong NE and SE wind events pulling the sediment offshore. Strong NE winds in the winter and SE winds in the summer dominate the erosion along this coast. Where numerical modeling indicates "wave shadowing" can occur due to both of the these events with an East orientation groin.

Even though there is very limited littoral sand drift, the existing groin field where oriented East-West, do exhibit oyster shell accretion. See the pictures attached.



The creation of this "public beach" both protects the shore line structure (and public utility easement) from failure and creates a public recreational opportunity. The existing groin system indicates that proper groin orientation and shoreline hardening creates a stable and growing oyster shell beach.

The project proposes to replace 2 failed groins, constructed out of vertical sheet piling and timber with 100% rock groins. The 2 failed groins are an expense and provide minimal benefit. The referenced engineering study, indicates that vertical rock groins actually reflect wave energy onto the shoreline and contribute to erosion of the accreted shell offshore. Rock groins will absorb wave energy and so reflect it. In addition to wave energy mitigation, the rock groin field will create a fish habitat, where there is only sand shell bottom now.

Photos of the 2 existing failed groins are below:



These failed groins were approximately 75 ft in length. Study of the existing groin field and wave modeling suggests this is the optimum length. These failed structures will be removed and replaced with a lined rock groin designed to withstand the NE and SE strong wind-waves. They will be constructed from the shore side, progressing out. The end result will be about a 20 ft by 75 ft footprint. It is anticipated that shell accretion around these new structures will develop rapidly, creating a public and marine environmental benefit.

Additionally it is important to note that the Key Allegro groin field consisted of 53 groin structures of different lengths, orientation, material all in various stages of failure. Building these 2 rock groins in the optimal East orientation will provide valuable input to future decisions on the remaining groin field.

Key Allegro Canal and Property Owner's Association, Inc.  
c/o Key Allegro Coastal Law Practitioner  
1809 Bay Shore Drive  
Rockport, Texas 78142

US Army Corps of Engineers  
Galveston District, Corpus Christi Regulatory Office  
5153 Poyne Parkway, Suite 306  
Corpus Christi, Texas 78411-4310

Attention: Matthew L. Kimmel - Project Manager

Subject: Request for permit to replace and construct 2 failed groins

Dear Sir:  
Pursuant the conversation we have had with yourself and the CDE concerning the failed groins on Key Allegro, we submit the following request. Specifically we request a "standard permit" to remove 2 failed sheet pile groins and replace them with rock groins. This memo clarifies some design modifications to our existing CDE permit application # SWG201300779.

To arrive at this recommendation The RACFOA commissioned an engineering study of the full Aransas Bay shoreline of Key Allegro. This study by Coast and Harbor Engineering has been provided to you and forms the basis for this request. Key Allegro's Aransas Bay front shoreline has experienced considerable erosion over time, and is comprised of both public and private lands. The CDE study indicated that groins oriented East-West and constructed to dissipate wave energy are effective at both protecting shoreline structures and growing shell beaches.

2 failed groins, in front of public land, and help protect public utility easements, are failed systems and are essential to the east for riparian benefits. These are located on the southern end of Bayshore Drive at the intersection of Darlow drive on Key Allegro. The RACFOA seeks to replace these with more efficient rock groin structures. This request replaces the existing permit request through Flood Control Construction (CDE permit # SWG201300779) for repair of failed groins on Key Allegro.

- Attached are 2 supporting documents:  
1. Key Allegro Groins - Environmental Impact  
2. Key Allegro Groins Design

Michael Mulheeny  
Key Allegro Permit Manager  
621 S. Fulton Beach Rd., #200  
Fulton Point Office Bldg.  
milmulhe@texas.com, 361-463-1160.

Discussion was held among Council and Mr. McDaniel in regard to the proposed Bayshore Drive shoreline stabilization project.

Coast & Harbor Engineering Coastal Engineer (EIT) Luis Maristany addressed the Council. Mr. Maristany stated the total project cost is \$440,000 and the CEPRA funds requested are \$264,000 with the required matching City funds in the amount of \$176,000.

Brief discussion was held among Council and Mr. Maristany in regard to the grant application and the required matching funds.

Mayor Wax stated the Council does not take action in workshop sessions so a special meeting would have to be held in order for Council to authorize submission of the grant.

It was the consensus of the Council to schedule a special meeting for Friday, June 26, 2015, at 6:30 p.m.

## **6. Adjournment.**

At 2:50 p.m., Council Member Villa moved to adjourn. Motion was seconded by Mayor Pro-Tem Rios and carried unanimously.

**CITY OF ROCKPORT, TEXAS**

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Charles J. Wax, Mayor

ATTEST:

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Teresa Valdez, City Secretary

# CITY OF ROCKPORT

## MINUTES

### CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, June 23, 2015 Rockport City Hall, 622 East Market Street

On the 23<sup>rd</sup> day of June 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 Attorney Terry Baiamonte  
City Secretary Teresa Valdez  
Police Chief Tim Jayroe  
Public Works Director Mike Donoho  
Finance Director Patty Howard  
Information Technology Director Brian Jacobs  
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, June 23, 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. Presentation: Federal Bureau of Investigation National Academy graduate - Nathan Garcia.**

Mayor Wax stated the Federal Bureau of Investigation (FBI) National Academy is an intensive 11 week training program for professional police officers. Mayor Wax congratulated City of Rockport Police Lieutenant Nathan Garcia on his graduation from the FBI National Academy. Mayor Wax commended Lieutenant Garcia for his accomplishment and recognized his family for their support and dedication to law enforcement, the City's Police Department and the City of Rockport. Mayor Wax added that Lieutenant Garcia is the third City of Rockport FBI National Academy graduate; Police Chief Tim Jayroe graduated in 1979 and former Patrol Commander Mark Cory graduated in 1999.

#### **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 any action on any item that has not been posted on the agenda.

Connie Garcia addressed the Council. Ms. Garcia stated she owns the business Hidden Treasures in downtown Rockport and there is a huge problem that needs to be corrected; the block that her business is located on seems to be the only block that gets flooded. Ms. Garcia said the drainage is not large enough and the biggest problem is people driving by and taking pictures when there is flooding; this causes a wake and makes more water come into the store. Ms. Garcia stated she had four inches of water in her store during the last large rain event.

Diana Smith Pardue addressed the Council. Ms. Pardue stated she is the co-owner of the business Attitudes & Latitudes. Ms. Pardue said the store has been flooded two times in the last two months. Ms. Pardue expressed that she would like to meet with the City Manager and the Public Works Director and find a solution to the problem. Ms. Pardue requested the street be closed during a flood event.

#### **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 City Council Regular Meeting Minutes of June 9, 2015.**
- 6. Deliberate and act on approval of Interlocal Agreement with Aransas County regarding a proposed 2015-2016 Texas Community Development Block Grant Colonia Construction Fund project to benefit the Smith and Wood colonia and approval of a Resolution in support of Aransas County's application for project funding.**

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 Gurtner seconded the motion. Motion carried unanimously.

## Regular Agenda

- 7. Deliberate and act on first reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land located at 3404 Highway 35 South; also known as Lot 1, 18.733 acres, Bays of Rockport, Rockport, Aransas County, Texas, from R-1 (1<sup>st</sup> Single-Family Dwelling District) to R-6 (Hotel/Motel District); repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

Mayor Wax informed the Council that the Planning & Zoning Commission met last Monday, June 15, 2015, and voted to recommend approval of the rezoning request.

Council Member Day asked if the developer has stated how many units he is planning to build.

Public Works Director Mike Donoho stated the developer representative Brad Coleman has said that he is planning to build a couple of 500 square foot cottages. Mr. Donoho said that there are City codes involving drainage, streets and building requirements that the developer will have to submit with the development plans.

Discussion was held among Council and Mr. Donoho.

**MOTION:** Council Member Villa moved to table the first reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land located at 3404 Highway 35 South; also known as Lot 1, 18.733 acres, Bays of Rockport, Rockport, Aransas County, Texas, from R-1 (1<sup>st</sup> Single-Family Dwelling District) to R-6 (Hotel/ Motel District); repealing all ordinances in conflict therewith; providing for severability; and providing an effective date, until the developer submits additional information on the development plans. Council Member Gurtner seconded the motion. Motion carried unanimously.

- 8. Deliberate and act on second 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.**

Dr. Bill Strong addressed the Council. Dr. Strong stated he has had a home in Rockport for 40 years and plastic bags are not a problem. Dr. Strong said he does not like the idea of someone telling him not to use plastic bags. Dr. Strong added that if you want to dispose of your plastic bags, you can take them to HEB and Walmart.

Lynn Blumenfeld addressed the Council. Ms. Blumenfeld said she lives in Fulton and she is opposed to this ordinance. Ms. Blumenfeld stated the proposed Ordinance would affect all the residents of Aransas County and not just the residents of the City of Rockport, because everyone has to shop at

HEB and Walmart in Rockport. Ms. Blumenfeld added that reusable bags are too heavy for many senior citizens to lift and a plastic bag is just enough for her to pick up and carry into her home.

Bob Austin addressed the Council. Mr. Austin asked: "Why did this even come up"? Mr. Austin said this proposed Ordinance is completely unnecessary. Mr. Austin stated he drove 6.5 miles downtown and found only two (2) plastic bags. Mr. Austin expressed that he felt the citizens and stores would be burdened by this new regulation. Mr. Austin added that he had served 10 years on the Aransas County Clean Team and very seldom were there plastic bags to be picked up.

Phil Salemi addressed the Council. Mr. Salemi stated he is the owner of Ace Hardware and he is opposed to the proposed Ordinance. Mr. Salemi said banning plastic bags is a knee-jerk reaction that has little foundation in a real problem-solving approach. Mr. Salemi added that this knee-jerk reaction will be a knock against the community trying to attract new businesses. Mr. Salemi expressed that passing this Ordinance will make businesses leary to locate in Rockport and that is bad business.

Ruth Davis addressed the Council. Ms. Davis said she is a resident and business owner in Rockport and is a frequent visitor to Hawaii, which has banned plastic bags in 2013. Ms. Davis stated this ban has had no effect on Hawaii's businesses. Ms. Davis urged the Council to make the hard choice and adopt the Ordinance.

Savanna Smith addressed the Council. Ms. Smith stated that passage of this Ordinance would indicate great things about our community. Ms. Smith stated plastic impacts our lives and is not only visual, it affects the environment.

Ginger Easton Smith addressed the Council. Ms. Easton Smith stated this Ordinance is not a ban on all plastic bags, and it is for the common good of our community. Ms. Easton Smith said HEB and Walmart have dealt with bans in other cities and they know how to deal with it here. Ms. Easton Smith added that there is a litter problem in Rockport and some improvement is better than no improvement.

Kam Wagert addressed the Council. Ms. Wagert said the major retailers in Rockport did not know that this Ordinance was being voted upon tonight by the City Council. Ms. Wagert expressed that there should have been some town hall meetings. Ms. Wagert asked if any thought had been given to the impact of this plastic bag ban on the local businesses. Ms. Wagert stated that that a study conducted after a similar ban went into effect in Austin showed the increased cost for businesses and loss of business. Ms. Wagert asked the Council to remember that there is an HEB and Walmart in Aransas Pass where Rockport citizens can go to shop.

Tammy Finstad addressed the Council. Ms. Finstad stated she was the manager of Walmart and she just recently found out about the proposed Ordinance. Ms. Finstad informed the Council that a lot of upset customers have approached her in regard to the proposed plastic bag ban. Ms. Finstad asked whether the Ordinance would ban all forms of plastic bags, because banning single-use plastic bags would affect only a few businesses, or would other businesses such as cleaners be affected as well. Ms. Finstad expressed that she was very disappointed to find out about the proposed Ordinance from Walmart customers and not the City.

Regina Garcia addressed the Council. Ms. Garcia stated she is HEB's Public Affairs Manager for the Coastal Bend area. Ms. Garcia said HEB is involved in programs encouraging the use of reusable bags. Ms. Garcia declared that HEB does not support a single-use bag ban and HEB wants customers to have a choice.

Debra Corpora addressed the Council. Ms. Corpora stated she is the President of the Aransas Bird and Nature Club and said they are supportive of the proposed Ordinance. Ms. Corpora added that she has not received any negative responses from travelling birders to the proposed bag ban.

Carrie Meyer addressed the Council. Ms. Meyer stated she lives on North Beach in Corpus Christi and is President of the North Beach Community Association. Ms. Meyer said the North Beach Community Association is looking for ways to make their neighborhood cleaner and safer. Ms. Meyer added that Rockport has done what makes sense and makes Rockport very inviting, and is moving in the right direction to keep Rockport beautiful.

Ellen Stacy addressed the Council. Ms. Stacy stated she is a bagger at a local store and she knows how many plastic bags are used daily, and all these bags are not being returned to the store so they are in the environment. Ms. Stacy said the long-term benefits of a plastic-bag ban will outweigh the inconvenience.

Mayor Wax stated Barbara Dorf had asked that she not speak before Council, but she wanted the Council to know that she supported the proposed Ordinance.

Shawn Johnston addressed the Council. Ms. Johnston said she spent the weekend in Austin where there is a ban on plastic bags and she chose to shop in areas where such bans were not in effect. Ms. Johnston stated the Council had waited on considering this proposed Ordinance until after the Texas Legislature had completed session. Ms. Johnston added that the Council had previously discussed several proposed Legislative Bills that they considered overreach; this Ordinance would be the same, an overreach of control. Ms. Johnston asked that Council not adopt the proposed Ordinance.

Jacob Johnston addressed the Council. Mr. Johnston stated he opposed the proposed Ordinance.

Gail Johnston addressed the Council. Ms. Johnston stated she has a concern with limiting freedom of choice. Ms. Johnston said at a previous meeting, the City had said they could not afford paying police, so how was the City going to afford enforcing a ban.

Henry Harris addressed the Council. Mr. Harris displayed to the Council various types of plastic bags and stated he uses these bags all over his house and then puts them in a trash bag. Mr. Harris said if this ban is adopted he will not have the trash bag anymore. Mr. Harris informed the Council that he lives on 22 acres in the Spanish Wood Subdivision and he picks up a lot of trash along Spanish Wood Drive. Mr. Harris expressed that the City's problems is not plastic bags, but all the other trash.

Neil McQueen addressed the Council. Mr. McQueen stated he is a resident of Corpus Christi associated with Skip the Plastic. Mr. McQueen said Aransas County Navigation District and Aransas County are supporters of Skip the Plastic. Mr. McQueen expressed that plastic bag bans have been proven to be successful in communities. Mr. McQueen informed the Council that Skip the Plastic is not advocating switching from plastic bags to paper bags, but wants reusable bags that can be used 100 times. Mr. McQueen added that the City of Port Aransas has set a great example by adopting a plastic bag ban ordinance and Rockport can set an example by following their lead.

J.C. Slaton addressed the Council. Mr. Slaton stated that talking about banning plastic bags is a waste of time and if this is such a big issue, then it should be put to a city-wide vote.

Karen Mella, Rockport-Fulton Chamber of Commerce Chair addressed the Council. Ms. Mella presented information from a survey (below) put together by the Chamber.

**Constant Contact Survey Results**

Survey Name: Plastic Bag Survey  
 Response Status: Partial & Completed  
 Filter: None  
 Jun 23, 2015 4:08:30 PM

4. As a business owner/manager, please give us your feedback of how banning plastic bags would affect or not affect your business.

	Number of Response(s)	Response Ratio
It affects my business	27	18.8%
Has affect on my business	88	68.5%
Other	16	11.3%
No Responses	2	1.3%
Total	143	100%

5. What is your age?

	Number of Response(s)	Response Ratio
12-18 years old	0	0.0%
19-24 years old	1	0.5%
25-40 years old	17	11.8%
41-50 years old	28	19.5%
51-60 years old	71	49.6%
71-80 years old	15	10.4%
81 and above	0	0.0%
No Responses	1	0.5%
Total	143	100%

6. Are you a City of Rockport resident?

	Number of Response(s)	Response Ratio
Yes	104	72.7%
No	29	20.3%
Other	9	6.2%
No Responses	1	0.7%
Total	143	100%

4. When at a retail store and presented with a choice, how often do you choose "Plastic" bags?

	Never	Infrequently	Sometimes	Most of the time	Always
Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	22 15%	26 18%	34 24%	35 25%	26 18%

5. When at a retail store and presented with a choice, how often do you choose "Paper" bags?

	Never	Infrequently	Sometimes	Most of the time	Always
Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	42 30%	37 26%	27 19%	11 8%	20 14%

6. When at a retail store and presented with a choice, how often do you choose "Reusable" bags?

	Never	Infrequently	Sometimes	Most of the time	Always
Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	29 20%	26 18%	33 23%	32 23%	19 13%

7. When at a retail store and presented with a choice, how often do you choose "No" bags?

	Never	Infrequently	Sometimes	Most of the time	Always
Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	48 34%	22 16%	50 35%	12 9%	4 3%

8. Please tell us why you use bags (paper or plastic) even if you use them only occasionally.

	To Reuse Plastic Bags	I Forget Reusable Bags	Reusable Bags Are Inconvenient	Reusable Bags Are Hard to Clean	Reusable Bags Are Not Right Size	Reusable Bags Available	Cost of Reusable Bags	Other
Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	45	53	13	7	5	2	2	16

9. How do you most often dispose of plastic retail bags?

	Recycle	Recycle	Don't Use Them
Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	26 18%	43 30%	74 52%

10. Please tell us what concerns you have about plastic bags.

	Create Litter Problem	Use Space in Landfills	Use of Petroleum	Not A Environmentally Problem	Other
Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	40 28%	8 6%	1 1%	48 34%	11 8%

11. Which of these options would be preferable to you?

	a. Ban the Bags	b. Charge a Minimal Fee	c. Other
Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	42 30%	10 7%	91 63%

**Constant Contact Survey Results**

Survey Name: Plastic Bag Survey  
 Response Status: Partial & Completed  
 Filter: None  
 Jun 23, 2015 4:08:30 PM

1. As a business owner/manager, please give us your feedback of how banning plastic bags would affect or not affect your business. - Other responses

Answer

See comment below for answers to Other in questions

No

NA

increased city fees

not a business owner

Personal survey

See comment

no

no business

Not retail

I do not own a business

Long term effect on all businesses

President of Non-Profit

not a business owner

I reuse the bags

See below comment

1. As a business owner/manager, please give us your feedback of how banning plastic bags would affect or not affect your business. - Comments

Answer

We are not in the city limits and don't have retail products.

A ban is the right thing to do for the city and hopefully next, this town.

My business is a services-oriented business without point of sale retail sales.

Plastic bags are not the problem. People that litter are the problem. It is an injustice and a cop out when lawmakers use ordinances or bans to address a problem created by irresponsible people. Hold those people accountable and enforce litter laws rather than punish responsible users.

NA

It would be really important not to have to worry about the harmful effects plastic bags have on Aransas Bay and marine life.

I do not use bags in my business.

Will help reduce the visible trash approaching my business.

We don't offer products that require bags. I think of all the retail businesses in Rockport that have spent money to have their name on their plastic bags - great advertising for them. I'm a real estate agent. We don't use bags.

We are not a retail establishment, but we do believe a plastic bag ban will result in lower sales tax revenue to the city that will cause either reduced services to our business property or increased service fees and taxes. We need to go back to paper.

We are in the county outside city limits. Paper and reusable bags are more expensive. And, I am a firm believer in customer choice. We sell lots of small items and need them for customer convenience. I use paper bags, we use plastic for our trash.

As you know the ACND deals with a lot of trash related issues, collection/disposal. Anything that can be done is helpful. But we have some businesses that need the plastic bags. Ball stands need the bags for point of sale for ball string and seatpost. A product that is well needed too.

We think that it's a great idea...BRAYTON We currently don't provide plastic bags. Costs more for alternatives. Not as a point of sale but as a consumer who's crews daily buy merchant's products...what will the alternatives be??

We rarely use bags for purchases, but when we do plastic works as it is typically chemical. While the use of bags of any kind do not affect my business they do affect where I live. The growing economy of Rockport due to tourism needs to be maintained & nurtured. Banning these bags is not the whole answer. Controlling litter is the answer. Windproof trash receptacles are a better answer than making another LHM follow.

It is nonsense since we are not on the Gulf. Most of the trash I pick up daily is cups, food boxes, poop bags and beer & drink cans. Why penalize the few retail businesses we have to have someone another feather in their cap.

The government needs to back off and the population needs to take more responsibility for personal actions. I CHOOSE not to use plastic bags, but do not believe anyone should dictate to me, as a business owner what I can do in my business.

I still contend that we need to make people responsible for their actions. It is too easy to enact another ordinance to make it even easier for people to not be responsible for their actions. It is always easier to blame others or other things - then we don't have to look at ourselves.

It is more than a question of profit or loss...it is a question of business ethics. Reusable bags help reduce the plastic waste stream, help lower landfill usage, reduce the amount of wind-blown trash and reduce water pollution caused by plastics. Reusable bags are an easy step in the right direction, and even if a business sees a cost increase it is the right thing to do.

It's the cost. Reusable bags or not the answer. They become unclean. Clean half of my customers already bring their own bags and I encourage them to do so by offering incentives sometimes.

Grocery I use recycled bags exclusively. Will have to buy bags. I wish they would leave the plastic bags alone. I am careful with mine, reuse them around the house and then put them in my trash bag which is also plastic.)

I use the bags in trash & kitty litter collections & recycle what I don't use. Our business is protecting the health of the Mission-Aransas Estuary. Banning plastic bags is likely to have a positive effect on the health of the estuary.

I am not a business owner, but a citizen of Aransas County. I think in the long run, it would be a mistake to ban them. Tourists would be the main group it would affect. Since that's our local industry, I can't support this ban.

2. What is your age? - Comments

Answer

Age really doesn't have anything to do with this issue, does it? does this really matter?

We came to Rockport to live an easy, peaceful life. It was heavily Recycled/lean so we never expected a problem like these controls and loss of liberties which make life harder. We are not the litterers, why should we suffer.

own vacation place in Rockport. I live full time in Dallas. Dallas just recinded its plastic bag 5 cent fee on plastic bags as a way to ban their use.

There must be something else we can do to encourage people not to litter with bags. I reuse both paper and plastic bags.

Lived there for over 10 years and still have many customers there. We use business owners in Rockport, live outside of city limits currently do most shopping in town. Resident, homeowner, voter.

Live & work in the community for 23 years, but address is Rockport but not in the City. Futon, but property and business is in Rockport.

I live on Terry St, just outside the City of Rockport.

You haven't asked but I use bags from a store (paper or plastic, whatever they offer) when I don't have a reusable bag with me and my hands are not able to carry all the same, are to "fussy" why you use bags? If I went shopping in downtown Rockport at several stores I use their bags. I don't remotely know ahead of time what I am going to buy and how many bags I need.

But, I do shop in Rockport all the time. I like the convenience of plastic bags. I recycle or reuse them.

11. Which of these options would be preferable to you? - Comments Answer [No Responses] Answer [No Responses]

Here at Key Allegis Marina we have some customers who arrive by boat. If they buy items that they will be transporting by boat they will want to protect them from the salt water. Plastic bags enable them to do that. We also have customers who buy a number of small items. Not having a bag to help you carry these items down the docks will cause an inconvenience to my customers. Most people who come in on boat are not going to think to bring reusable bags.

This kind of unnecessary control of retail business has a negative effect in all Consumers already have the choice of what kind of bags they feel are helpful to them and the environment. Littering of any kind has been illegal for as long as I can remember, and plastic bags take up little space in the landfills. This is a real good non-issue that helps no one except maybe reusable bag manufacturers. Bottom line, it is not the city's business.

I put many of our items in heavy duty plastic bags with my store information on the bag as part of the sale.

We reuse plastic grocery bags that are in good condition. About 30-50 per week. Effect would be minimal for us but would have to source suitable substitute which would be out of pocket expense.

If plastic bags are banned in retail stores, I will still have to use the plastic bags that I buy. Not effect it.

I think banning plastic bags will benefit the community as a whole and therefore will have a positive effect on my business. Already use paper bags.

The majority of our business is from out of town or out of state.

How would they know about our bar? Do you take bags with you when you travel? The problem is what is in those bags not the bags themselves. In today's world everything is wrapped in plastic, shrink wrapped, blister packed or comes in plastic. A better idea is to provide an outlet like trash bins for our visitors to dispose of their trash. We have lots of people utilizing our trash receptacles including our dumpster.

Love the idea! We deal in the medical industry and do not use plastic bags for our patients.

I remember the push to go to plastic bags. This is the same type of issue. If the trash is looked at styrofoam cups and plastic bottles are a bigger problem.

We are not a retail business. However, this does affect our business indirectly. In the event of a rain storm and plastic bags get caught in storm drains or culverts and they CAN cause flooding issues. Now you have residence and businesses that call the local town or county works to have the blockages cleared instead of trying to help themselves. The longer that goes on the more dangerous it becomes for someone to clear those blockages. Now you have insurance claims and premiums go up.

Instead of exercising more "let go" control over retailers and citizens, why not address real problems. No adding hydrocarbons and carbon forcing to the city water. This is an issue with all of the cities doesn't show you the damage control by this link, make instead of the alternative, water, and fuel or industry. It's a look they can't dispose of it cheap so they sell to our municipalities to put it in the water.

This is a meaningful issue! Age has nothing to do with it.

Maybe - it's my age - that I feel people should be responsible for their actions.

As there is not an option for comment to #11 - I think people would be more likely to reuse plastic bags if paid for them i.e. if there is a minimal fee, then they would get that minimal fee back if they recycled the bag.

3. Are you a City of Rockport resident? - Other responses I haven't always been this old. I used to be younger.

Answer Just educated.

Owner but not yet official resident. Aransas County. live in Aransas county. Fulton County. Fulton County. Lamar County.

3. Are you a City of Rockport resident? - Comments Answer

I think the City should not ban the bags. We as a community should instead create an awareness campaign to reduce and hopefully eliminate the trash problems in our community. I use more plastic and Styrofoam and bottle trash than bags. I agree with councilman Villa and support his HD vote.

Recently recinded and sometimes shop in Austin TX. Austin has banned plastic bags, just by shopping at an ACE hardware with a basket full of small hardware items...no plastic bags at register, under to carry items to car without bag so I refused purchase. Banning bags goes beyond just grocery stores.

In question 8 below, I used "fussy" because I don't use plastic or paper bags.

#10 below should have an option to pick several, and not just one concern. I am concerned that they create a tier problem AND they use scarce to landfill AND they are pushing our trash bags and oceans with plastic that is dumping to species that live in the water.

to #11 I would offer to ban, but charging a fee is not a bad option, if the fee proceeds from the fees we devoted toward cleanup.

Have a small shop here in Rockport. I do some shops in Austin. I'd never thought to put in an HD after they passed the no plastic bags. The owner asked the customer did she bring something to put her groceries in. She gave them other items to put them in. When I saw my turn the cashier said my job would be better some of the things people bring in to put their groceries in. I don't want Rockport to be like Austin. I live in the county.

Before we all will benefit from no plastic bags, especially our water and other marine animals. Also our beaches and the waterways themselves.

But the whole county will be affected by this ordinance.

This survey assumes we are given a choice. Answer [No Responses]

4. When at a retail store and presented with a choice, how often do you choose "Plastic" bags? - Comments Answer [No Responses]

5. When at a retail store and presented with a choice, how often do you choose "Paper" bags? - Comments Answer [No Responses]

6. When at a retail store and presented with a choice, how often do you choose "Reusable" bags? - Comments Answer [No Responses]

7. When at a retail store and presented with a choice, how often do you choose "No" bags? - Comments Answer [No Responses]

8. Please tell us why you use bags (paper or plastic) even if you use them only occasionally. - Comments Answer [No Responses]

9. How do you most often dispose of plastic retail bags? - Comments Answer [No Responses]

10. Please tell us what concerns you have about plastic bags. - Comments

Ms. Mella stated the survey contains comments both in support of the proposed Ordinance and also opposed to it.

Phil Wildfang addressed the Council. Mr. Wildfang stated over three million plastic bags are handed out in Rockport each year. Mr. Wildfang informed the Council that today there have been hundreds of plastic bag ban ordinances enacted and this has largely been accomplished by grass-roots organizations that have been become concerned about the plastic bag litter. Mr. Wildfang said that Rockport depends heavily on the marine environment and now is the time for the Council to ask citizens to inconvenience themselves just a little bit by adopting the proposed Ordinance.

Richard Rock addressed the Council. Mr. Rock thanked the Council for the dialogue held two weeks ago at a Council Meeting regarding the proposal for banning plastic bags in Rockport. Mr. Rock stated that the people who were looking for trash certainly did not go down Water Street because the amount of plastic bags washed ashore, after Tropical Storm Bill, was unbelievable. Mr. Rock stated we live in a very pristine area and we want to keep it that way. Mr. Rock expressed that because of greed we do not want to do away with plastic bags. Mr. Rock said we have to start somewhere and he supports this Ordinance.

Warren Hassinger addressed the Council. Mr. Hassinger informed the Council that he retired from Austin 14 months ago and he had lived with the bag ban in Austin and it has worked. Mr. Hassinger told the Council they were on the right track and he supported the proposed Ordinance.

Steven Reisinger addressed the Council. Mr. Reisinger said the first time he heard about reduce, reuse and recycle was when he was in college in the 1960s and this is nothing new. Mr. Reisinger stated we have turned into a throw-away society and our landfills are filling up. Mr. Reisinger expressed that this is not about what it costs today, but rather what it costs the future generations. Mr. Reisinger added that he really appreciates HEB's efforts, but voluntary compliance is minimal. Mr. Reisinger urged the Council to adopt the proposed Ordinance.

Ellen Reisinger addressed the Council. Ms. Reisinger stated she is a gardener and she wished there were biodegradable plastic bags, which could be used as compost, but we do not have that so we need to ban the plastics.

Gayly Opem addressed the Council. Ms. Opem stated that information provided to the Council from previous speakers about the Austin ordinance was incorrect. Ms. Opem said that the gentleman displaying the different types of plastic bags to Council was misinformed as to what types of plastic bags would be banned. Ms. Opem added that other speakers made mention of "driving around" and looking for plastic bags and finding few. Ms. Opem expressed that the operative word is "drive"; when you walk on the beach side or walk instead of drive, you will find plastic bags.

Melanie Clarke addressed the Council. Ms. Clarke stated she had driven from Fulton to Rockport and had seen only three plastic bags and 18 plastic cups. Ms. Clarke said plastic bags make up only a small percentage of the litter. Ms. Clarke expressed that she is opposed to the plastic bag ban because of freedom of choice. Ms. Clarke asked if an economic study had been done on how this ban

affects businesses. Ms. Clarke added that the recyclable bags are too heavy for senior citizens. Ms. Clarke asked that the Council please consider everyone's vote.

Ray Mooney addressed the Council. Mr. Mooney said he is a resident of Port Aransas and he is a member of Skip the Plastic that has been working closely with Skip the Plastic here in Rockport. Mr. Mooney stated banning the plastic bags is very important because of the City's close proximity to the ocean. Mr. Mooney said that plastic bags that are collected are not being recycled because there is not a market to purchase them. Mr. Mooney added that the city of Port Aransas has been in a voluntary ban period of six months and he has not heard any complaints. Mr. Mooney presented each Council Member with a recyclable bag provided by Skip the Plastic.

Karen Mella addressed the Council. Ms. Mella stated she is Co-Chair of the Rockport-Fulton Shopping Tournament and there are 26 stores that participate in the tournament. Ms. Mella stated she provided the Chamber survey to the 26 stores not to advocate for or against the proposed Ordinance, but to gather feedback. Ms. Mella stated the store owners who responded to the survey represented 50% of the stores that participated in the shopping tournament last year and all are located in Rockport.

Eleanor Simmons addressed the Council. Ms. Simmons expressed that the Council should put this to a vote of the citizens. Ms. Simmons stated it was not fair for five Council Members to vote for 8,000 residents.

Ron Edmundson addressed the Council. Mr. Edmundson stated he had called the Police Department and there has not been one littering ticket issued. Mr. Edmundson asked why convenience would be taken away from people by banning plastic bags and why not ban diapers, cigarettes, etc.

Patricia Arnold addressed the Council. Ms. Arnold informed the Council that she uses both plastic and recyclable bags. Ms. Arnold stated it is people who are doing the littering, not the bags that are the problem. Ms. Arnold said she works in the health field and reusable bags harbor harmful bacteria and can also cause cross-contamination with other foods when not used correctly.

Troy Cady addressed the Council. Mr. Cady stated that the City had already told citizens that they cannot cut down trees and cannot go to the beach or parks after a certain hour, and this is just another taking control placed on residents. Mr. Cady said that Port Aransas does not have a large HEB or other big businesses like Rockport, so what someone from Port Aransas says has no bearing here. Mr. Cady expressed that the poor community needs to be considered because they cannot pay \$.50 for a recyclable bag. Mr. Cady said plastic bags are not going to stop being a problem, because tourists bring them here.

Mayor Wax stated Heidi Long had completed a speaker's card but had left the meeting. Mayor Wax said Ms. Long's speaker's card stated she did not support the ban on plastic bags because plastic carryout bags are only a fraction of the litter and this would only be a bandage for a bigger problem.

Mayor Wax stated Leah Dodd had completed a speaker's card but had left the meeting. Mayor Wax said Ms. Dodd's speaker's card stated she did not support the ban on plastic bags because it does not help those who barely have enough money to pay rent, let alone a bag for her groceries.

Tiffany Hoover addressed the Council. Ms. Hoover said the Council should think about the educators in the community and the added cost to them. Ms. Hoover stated teachers use plastic bags to send children's clothes home, and many other types of uses. Ms. Hoover expressed that she does not support putting more regulations on businesses and she does not feel the City needs to add more.

Mayor Wax thanked everyone for their comments. Mayor Wax said the topic of banning plastic bags has been being discussed for 2.5 years now. Mayor Wax stated there have been a number of presentations to various organizations, it has been in the newspapers, and it has been on the City's website. Mayor Wax added that the Council has received a lot of input that this is a step to combat litter issues in the City of Rockport.

Council Member Day stated he wondered how often people count the bags they take home opposed to the number they actually reuse. Council Member Day stated the proposed Ordinance may be a small step that will be a small inconvenience, but it will help improve the litter problem. Council Member Day added that he has a problem with telling people what they cannot do, but he still believes this is a smart thing to do for our environment.

Council Member Villa stated he is not a fan of the proposed Ordinance because it tells people what they should or should not do. Council Member Villa said 70% of the children in Aransas County live in poverty and some of those families cannot afford to buy recyclable bags. Council Member Villa expressed that Ms. Hoover brought up how a ban would affect educators and Rockport Pilot Managing Editor Norma Martinez had questioned the effect on organizations such as Castaways. Council Member Villa said that before the Council enacts a knee-jerk response, they should answer the "Who, What, When, Why and How," and then make a decision.

Mayor Pro-Tem Rios thanked everyone who commented tonight on the proposed Ordinance and everyone who called him to express their views either way. Mayor Pro-Tem Rios stated he heard a lot of things tonight that he had not heard before that need to be considered.

Council Member Gurtner stated she was delighted in the amount of people who attended the meeting tonight to voice comments in regard to the proposed Ordinance. Council Member Gurtner said no one is saying we love everything about this; the fact is we have a plastic problem. Council Member Gurtner expressed that she would like to see the Ordinance be even more exclusive, but was told everything could not be put in one ordinance because it would not get passed. Council Member Gurtner added that the proposed Ordinance is not a ban on plastic, but only a ban on eliminating some of the plastic in the environment. Council Member Gurtner commented that the opinions given tonight had given her a lot more to consider.

Janice Watkins addressed the Council. Ms. Watkins stated that one thing she did not hear a lot about tonight was the number of senior citizens who live here and how that would affect them. Ms. Watkins said many senior citizens live on a limited income and she asked that the Council keep the senior citizens in mind when they make a decision.

**MOTION:** Mayor Wax moved to table the second 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 from July 1, 2015, through December 31, 2015, and setting date of January 1, 2015 for mandatory compliance; providing for an effective date, reading, publication and severance. Council Member Villa seconded the motion. Motion carried unanimously.

**9. *Tabled May 26, 2015 - Deliberate and act on interlocal agreement with Aransas County for subdivision regulation within the extraterritorial jurisdiction of the City of Rockport.***

Mayor Wax stated the City has not received input from the City's engineer regarding the proposed interlocal agreement for subdivision regulation within the extraterritorial jurisdiction, so this item will remain on the table.

**10. 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 informed the Council that Fulton Mayor Kendrick has told him that the Town of Fulton is interested in expanding the trolley route into Rockport. Mayor Wax said his response had been that he thought the Council would look at that favorably, but he thinks an additional trolley should be added. Mayor Wax expressed that with the Council's permission, he and Mayor Kendrick would research the possibility of obtaining another trolley.

Mayor Wax thanked Vicki Pitluk for writing the article on the City of Rockport Compressed Natural Gas fueling station that will be published in the Texas Municipal League Texas Town & City magazine.

Council Member Villa thanked Public Works Director Mike Donoho and the Public Works staff for their outstanding work during the recent flooding.

**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:**

**11. Section 551.071(1)(A) and Section 551.071(2) Consultation with Attorney: Pending or contemplated litigation: 1) Templeton, 2) Petty, 3) Aumada, and 4) Bay Education Center.**

**12. Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.**

**Open Session**

**13. 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.**

City Attorney Terry Baiamonte informed the Council an Executive Session was not necessary.

**14. Adjournment**

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

**CITY OF ROCKPORT, TEXAS**

\_\_\_\_\_  
Charles J. Wax, Mayor

ATTEST:

\_\_\_\_\_  
Teresa Valdez, City Secretary

# CITY OF ROCKPORT

## MINUTES

### CITY COUNCIL SPECIAL MEETING 6:30 p.m., Tuesday, June 2, 2015 Rockport City Hall, 622 East Market Street

On the 26<sup>th</sup> day of June 2015, the City Council of the City of Rockport, Aransas County, Texas, convened in Special 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 Attorney Terry Baiamonte  
City Secretary Teresa Valdez  
Finance Director Patty Howard  
Public Works Director Mike Donoho  
Parks & Leisure Services Director Tom Staley

#### ELECTED OFFICIALS

Aransas County Navigation District Commissioner  
Precinct 3 Malcolm Dieckow

#### **1. Call to Order.**

With a quorum of the Council Members present, the Special Session of the Rockport City Council was called to order by Mayor Wax at 6:30 p.m. on Friday, June 26, 2015, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

Council Member Villa led the Pledge of Allegiance.

#### **2. Hear and deliberate on submission of a grant application to the Texas General Land Office Coastal Erosion Planning and Response Act (CEPRA) for Bayshore Drive shoreline revetment.**

Public Works Director Mike Donoho addressed the Council. Mr. Donoho stated the City had partnered with Coast & Harbor Engineering to apply for a grant to be used for shoreline stabilization along Bayshore Drive. Mr. Donoho said that the Key Allegro Canal and Property Owners' Association (HOA) hired Coast & Harbor Engineering to conduct a shoreline erosion and stabilization engineering study of Bayshore Drive and the study recommends reconstruction of the two failed groins at the intersection of Bayshore and Curlew. Mr. Donoho added that the study specifically recommended repairing the failed rock revetment on the south end of Bayshore Drive. Mr. Donoho informed the Council that the Key Allegro HOA will be

paying for reconstruction of the two failed groins. Mr. Donoho stated the Council received information on the Bayshore Drive shoreline revetment project at the Council Workshop on June 23, 2015.

Mayor Wax informed the Council that the City has received letters of support from Aransas County, Representative Todd Hunter, and the Town of Fulton. Mayor Wax stated he has co-signed a letter with Finance Director Patty Howard stating the City has \$176,000,000 funding available from the Hotel Occupancy Tax Fund for this project.

Discussion was held among Council and Mr. Donoho.

Mayor Pro-Tem Rios informed the Council that he had received an inquiry from Aransas County Navigation District Commission Precinct 3 Malcolm Dieckow asking if the City would be attempting to recover any land.

Mr. Donoho stated the City will not be attempting to recover any land, and this is only a stabilization of shoreline project.

**MOTION:** Mayor Wax moved to approve submission of a grant application to the Texas General Land Office Coastal Erosion Planning and Response ACT (CEPRA) for Bayshore Drive shoreline revetment. Council Member Villa seconded the motion. Motion carried unanimously.

### **3. Adjournment**

At 6:40 p.m., Council Member Villa moved to adjourn. Motion was seconded by Mayor Pro-Tem Rios and carried unanimously.

**CITY OF ROCKPORT, TEXAS**

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Charles J. Wax, Mayor

ATTEST:

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Teresa Valdez, City Secretary

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2015**

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**AGENDA ITEM: 5**

Deliberate and act on 3<sup>rd</sup> quarter report from Rockport Center for the Arts for Fiscal Year 2014-2015 marketing expenditures.

**SUBMITTED BY:** City Secretary Teresa Valdez

**APPROVED FOR AGENDA:** PKC

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**BACKGROUND:** The Rockport Center for the Arts has been allocated \$84,000.00 in Fiscal Year 2014-2015 Hotel Occupancy Tax (HOT) funds. According to our agreement with Rockport Center for the Arts, HOT funds are paid in advance and a report of the previous quarter's expenditures is required. See the accompanying 3<sup>rd</sup> Quarter HOT Expenditure Report for additional information.

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**FISCAL ANALYSIS:** Charged to account 6602040. YTD expenses are \$42,386.67 out of \$84,000.00 budgeted.

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**RECOMMENDATION:** Staff recommends approval of Rockport Center for the Arts Fiscal Year 2014-2015 Hotel Occupancy Tax funds 3<sup>rd</sup> Quarter expenditures and authorization to disburse 4<sup>th</sup> Quarter funds in the amount of \$21,000.00.



**Rockport Center for the Arts**  
***Hotel Occupancy Tax***  
***3<sup>rd</sup> Quarter 2015 Report of Activities***

**OUR MISSION**

*Since 1969, the goal of the Rockport Center for the Arts has been to be the focal point for art related activities in the community. This commitment is accomplished through art exhibits, educational activities, theater and musical performances, literary endeavors and lectures. The purpose is to promote cultural enrichment and art education in the community as a whole and especially cultural tourism, by establishing the City of Rockport and Rockport Center for the Arts as a major destination for visitors.*

**OUR PROMISES**

*To provide a facility that is free and open to the public six days a week year-round  
To provide summer art education programming to Aransas County students free of charge  
To provide a space where cultural enrichment is available to visitors and the community alike*

# Rockport Center for the Arts

## Report for City of Rockport

### Highlights of Activities, April – June 2015

- Total **Art Center Visitors** for the April - June period was **5,601**, equal to the same period in 2014.
- The % of the Visitors that came from **outside of 70 miles** of Rockport as follows, **over the 3 month period:**  
**April 65.40%      May 46.00%      June 73.00%**
- In April **25.1% of visitors** came from outside of Texas
- In May **9.9% of visitors** came from outside of Texas
- In June **23% of visitors** came from outside of Texas
- In April **26.4%** and in May **19.7% of visitors** came from Major Texas metropolitan areas- **Austin, Dallas / Fort Worth, Houston & San Antonio.**
- In June it spiked to **31.5%**, in part due to Chance Yarbrough's exhibition which opened June 20.

# Rockport Center for the Arts

## Report for City of Rockport

### Highlights of Activities, Raw Data

#### April – June 2015

Visitor Data	Apr-15	May-15	Jun-15	
<b>Total Attendance (n)</b>	2,106	1,390	2,105	<b>5,601</b>
Visitor Data	Apr-15	May-15	Jun-15	
<b>Outside of 70 Miles</b>	65.40%	46.00%	73.00%	
<b>Local</b>	34.60%	54.00%	27.00%	
<b>Total</b>	100.00%	100.00%	100.00%	
<b>Highlights of tourism outside of 70 miles, major metropolitan areas</b>				
<b>Houston</b>	10.30%	3.60%	11.50%	
<b>San Antonio</b>	10.10%	10.40%	11.50%	
<b>Austin</b>	6.00%	5.70%	6.50%	
<b>Dallas / Ft. Worth</b>	0.00%	0.00%	2.00%	
<b>Total major metro areas</b>	26.40%	19.70%	31.50%	
<b>Tourism from outside of Texas</b>	25.10%	9.90%	23.00%	

**Rockport Center for the Arts**  
**Report for City of Rockport**  
**Highlights of Activities, April – June 2015**

Due to the exceptional nature of the art, the person- Chance Yarbrough, and his mentor, Herb Booth, this report is starting with the month of June 2015, and reporting back on both May, and April.

On Saturday, June 20<sup>th</sup>, Rockport Center for the Arts opened the Chance Yarbrough 2015 Poster Artist Exhibit. Several hundred people were in attendance at this free public event. A Gallery Talk, moderated by award-winning artist and local businessman, John Martell led off the evening.

**YouTube video shot by Haley, Yarbrough's wife of his gallery talk:**

<https://youtu.be/LxLLoR8kouw>

- **Published Jun 22, 2015**
- Photographer John Martell interviews sporting artist Chance Yarbrough about his exhibit, success as a sporting artist, opaque watercolor technique, and relationship with famed mentor Herb Booth.



Fence Lake Frenzy

Chance Yarbrough

## ROCKPORT ART FESTIVAL

Rockport, Texas 2015

### *About Chance Yarbrough:*

Chance Yarbrough was born in Waco, Texas. He has always been an avid hunter and fisherman. Chance and his wife Haley moved to the coast after college where Chance began pursuing his career as an artist. Living, hunting, and fishing in south Texas has given him a valuable perspective and contributed to the quality of his art.

While in Rockport, Chance studied and became good friends with Herb Booth. Herb greatly influenced Chance and helped develop his skills in opaque watercolor techniques. It is clear to see -- through his choice of subject matter and outdoor scenes -- that Chance's inspiration as an artist comes from his passion for the outdoors and experiences in the field.

### Chance Yarbrough 2015 Rockport Art Festival Poster Artist

**Exhibition free and open to the public from June 20<sup>th</sup> - August 1<sup>st</sup>.**

Earlier this year, Rockport Center for the Arts announced the 2015 Rockport Art Festival Poster Artist: **Chance Yarbrough**, an emerging artist in the Texas sporting genre. Chance's work is sought after for the authenticity of his underwater and countryside sporting scenes, reflecting the true experience of a South Texas outdoorsman. His work has caught the eye of many collectors including legendary country singer George Strait. Yarbrough carries on the traditions evident in the work of the late John P. Cowan and Herb Booth. This is the first major solo exhibition of Yarbrough's career.

Yarbrough's solo exhibition opened Saturday, June 20th and continues through August 1st, 2015. A signature "Fence Lake Frenzy" painting was chosen as the image of the 2015 Rockport Art Festival poster, which debuted at the opening reception. Yarbrough signed copies of the poster at the reception and the Art Festival, July 4<sup>th</sup> weekend.

The original framed work of art was auctioned at the 2015 Art Auction Party on July 2 and it fetched the top prize \$12,000.

■ **The Nationals' Max Scherzer** pitches a no-hitter, coming agonizingly close to a perfect game against the Pirates. **7C**



## Mier rounding into form

■ **Shortstop learning to play consistently**

By **George Vondracek**  
george.vondracek@caller.com  
361-886-3731

With frankness belying his 24 years, Jio Mier admits his first six seasons as a professional baseball player haven't been as productive as most would expect from a first-round draft selection.

There have been flashes, to be

sure, and those flashes have justified the Houston Astros' brass at the time to snatch the then-18-year-old California high school player with the 21st overall pick in the 2009 draft and give him a \$1.358 million signing bonus. He rolled through rookie-league ball in Greenville, hitting .276 with an Appalachian League-best six triples fresh out of Pomona's Bonita High School. Three years later, he was taming the California League at Lancaster, hitting .292 in 46 games before a hamstring injury cut short his season.

Yet the flashes Mier has exhibited throughout his six-plus years have been intermittent. Even the newly-brewed Hooks' shortstop isn't sure where he stands in his career at this point in the final season of a contract with the parent club.

He is certain of one thing: At 24, he is far from finished disproving the naysayers who already have tagged him as a bust. The process of learning to be as proficient at the plate as he is in the field is beginning to take

See **MIER, 7C**



Jio Mier was hitting .271 with four home runs entering Saturday's game against Frisco. Mier was a first-round draft pick by the Astros in 2009.



Artist Chance Yarbrough was in Rockport this past week helping to arrange his solo exhibit at the Rockport Center for the Arts, which runs through Aug. 1.

## SERENDIPITOUS

■ **Chance meeting leads to Yarbrough's career as sporting artist**

**ROCKPORT**— One fateful evening five years ago, fly-fier Chance Yarbrough was demonstrating how to create a charrreuse streamer fly at a Rockport fly shop when a tall gray-bearded stranger pulled up a chair to admire his work.

The pair spoke about flies and fly fishing, perhaps a little about bird hunting, all popular topics typically discussed by Friday night crowds at the Orvis Swan Point Fly Shop, where Yarbrough worked



DAVID SIKES

OUTDOORS

at the time.

This was not a chance meeting, though. The tall gray-bearded man was more than an impromptu fan of Yarbrough's, colorful fishing lures. Unknown

### 2015 ROCKPORT ART FESTIVAL

Chance Yarbrough solo exhibit: Through Aug. 1 at Rockport Center for the Arts, 902 Navigation Circle.

Cost: Free

Gallery Hours: 10 a.m. to 4 p.m., Tuesday through Saturday; 1-4 p.m., Sunday; closed Monday.

46th Annual Art Fest: July 4-5 near Rockport Harbor

Cost: Two-day ticket, \$10; Saturday admission, \$7 adults; Sunday admission, \$6 adults; Children 12 and younger, \$1.

Call: 729-5519

On line: [www.rockportartcenter.com](http://www.rockportartcenter.com)

### U.S. OPEN

## Day fights through vertigo

■ **2-under 68 lifts Australian into 4-way tie**

By **Doug Ferguson**

Associated Press

in the U.S. Open. When the medication began to wear off and the vertigo returned, Day fought his way to the finish with a 31 on the back nine for a 2-under 68. He wound up in a four-way tie for the lead with Masters

steady himself to stick a tee in the ground and pluck a ball out of the cup. And he considered quitting three times. Good thing he didn't. The 27-year-old Australian is playing in the final group of a major for the

rick gosselin  
THE DALLAS MORNING NEWS

## Cowboys not feeling Bryant's pressure

The Cowboys aren't taking the noise from the Dez Bryant camp seriously.

Bryant wants a contract that pays him among the best wide receivers in the game, which is what he is, and is frustrated that those negotiations are at a stalemate. The Cowboys protected themselves in the talks by slapping a franchise tag on Bryant, which guarantees him \$12.8 million for the 2015 season.

Dez says he wants to be a Cowboy for life. He must have skipped his history classes at Oklahoma State because if anyone deserved to be a Cowboy for life it was Emmitt Smith, the NFL's all-time leading rusher. But Smith played his final two seasons in Arizona pushing that rushing record out of reach.

Jerry Rice is all that Bryant aspires to be as the NFL's all-time leading receiver. He didn't make 49er for life, either. The nature of today's game in the salary-cap era no longer allows those one-team careers for the great ones that the Walter Paytons, Roger Staubachs and Joe Greene employed. The Brett Favres, DeMarcus Ware and Ezequiel Livers are forced to move on.

Nonetheless, Bryant has been prattling on about the lack of security that \$12.8 million would afford him. He skipped the team's mascot game minicamp last week and has threatened to sit out the season

See **GOSSSELIN, 5C**

## Chance Yarbrough's 2015 Poster Artist Exhibit Makes the Sunday, June 21<sup>st</sup> Sports section of the Corpus Christi Caller Times

David Sikes wrote a compelling story about Chance, his art techniques, his mentor and friend- Herb Booth, and his love for the community of Rockport.

### 2015 ROCKPORT ART FESTIVAL

Chance Yarbrough solo exhibit: Through Aug. 1 at Rockport Center for the Arts, 902 Navigation Circle.

Cost: Free

Gallery Hours: 10 a.m. to 4 p.m., Tuesday through Saturday;

1-4 p.m., Sunday; closed Monday.

46th Annual Art Fest: July 4-5 near Rockport Harbor

Cost: Two-day ticket, \$10; Saturday admission, \$7 adults; Sunday admission, \$6 adults; Children 12 and younger, \$1.

## June 2015 Exhibits at the Art Center- Garden Gallery



### Past Poster Artist Exhibit

The Garden Gallery is alive with original artwork from former Rockport Art Festival Poster Artists. Since 1993, *one* artist has been chosen annually to generate an image that captures the essence of the Rockport Center for the Arts creative spirit. Every year, these "chosen ones" have submitted work for display (and sale) in the Garden Gallery. Many of these artists also donate work to our Live Auction, which precedes the Art Festival. Proceeds from these events sustain quality programming and continued free admission to the Art Center.

### Poster Artists by Year: A 23 Year Tradition

- 1993 Harold Phenix (1928-2009)
- 1994 Steve Russell
- 1995 Al Barnes
- 1996 **Herb Booth (1942-2014)**
- 1997 **Jesús Moroles (1950-2015)**
- 1998 Evelyn Atkinson
- 1999 Ricardo Rivera (1934-2003)
- 2000 **Kay Barnebey**
- 2001 **Jim Offeman**
- 2002 **Flint Reed**
- 2003 **Anita Diebel**
- 2004 Thom Evans
- 2005 **Carol D. Koutnik**
- 2006 **Hal McCaskill**
- 2007 Nanci Barnes
- 2008 Teresa Justice
- 2009 **Lisa Baer**
- 2010 Shirley Hughes Blackman
- 2011 **Betty Shamel**
- 2012 Bruce Bitter
- 2013 **Bonnie Prouty**
- 2014 **Pamela Fulcher**
- 2015 Chance Yarbrough (*In the Main Gallery*)

*\*Artists denoted in red have works on display in the Garden Gallery.*

## June 2015 Education Programs at the Art Center

ArtLink for Kids and Teens



Exploring Masters & Masterworks

Rockport Center for the Arts presented the 18th annual free summer program for kids and teens- ArtLink.

This camp is free for students who attend school in Aransas County, and is \$75 per week per child for those who attend school outside Aransas County.

All camp sessions last ONE WEEK and are open to children who will enter grades 1-8 in the Fall 2015 school year.

Each session lasts one week, the following sessions were held June 2015 and impacted a total of 190 students.

Session 1: June 15-19, Mornings, 9:30 am - Noon

Session 2: June 15-19, Afternoons, 1:30 - 4:00 pm

Session 3: June 22-26, Mornings, 9:30 am - Noon

Session 4: June 22-26, Afternoons, 1:30 - 4:00 pm

The following sessions are scheduled for July 2015:

Session 5: July 20-24, Mornings, 9:30 am - Noon

Session 6: July 20-24, Afternoons, 1:30 - 4:00 pm

Session 7: July 27-31, Mornings, 9:30 am - Noon

Session 8: July 27-31, Afternoons, 1:30 - 4:00 pm

**ArtLink's projected impact is 380 students with a total of 4,800 contact hours (12.5 hours per student, per week).**

**To support the program the Art Center employs 13 paid professional educators.**

## May 2015 Exhibits at the Art Center



### Rita Kirkman: Beauty of the Beast

Rita Kirkman, after spending years as a portrait artist, has become known for her award winning pastels spanning portraiture, figurative and landscape scenes. Kirkman has appeared in publications such as *Southwest Art*, *The Pastel Journal*, and *American Artist* magazine, and has received countless awards from juried exhibitions, major publications, and outdoor festivals, including Best of Media at the 2012 Rockport Art Festival.

Kirkman's latest work explores her love of ranch animal portraiture, capturing the majesty and character of animals that have and continue to inhabit the Texas landscape. Kirkman was present for a Gallery Talk & Reception on Saturday, May 16. The show continued through June 13, 2015.



### Billy Keen: Sacred Voices

Billy Keen's work spans painting, sculpture and assemblage, often encapsulating plein air landscapes, carved figures and abstract color fields. *Sacred Voices* is Keen's latest series of works exploring these elements which encourage introspection, create layered meanings and celebrate the aesthetics of nature and wildlife.

## April 2016 Special Events

The **Matthews' home in South Rockport** at 615 E. James Street introduced Tour attendees to a new neighborhood that is a great mix of vintage and new homes.



The **James' home on Key Allegro** offered Tour Attendees an extensive collection of art by Rockport artists, and added great color to their day.



## 2015 Rockport Tour of Homes<sup>40</sup>



The **McDaniels' trawler docked at Rockport Yacht Club** for the Tour of Homes, engaged over 578 people to step aboard and see how Rockport also embraces floating homes. This is the highest attendance ever at the Yacht Club for the Tour of Homes.

**The Art Center and the Yacht Club have a great partnership which benefits both organizations.**

Rockport Center for the Arts  
 Report for City of Rockport  
 HOT Request 2014-2015

	Approved Budget	1 <sup>st</sup> Qtr Oct-Dec 2014	2 <sup>nd</sup> Qtr Jan-Mar 2015	3 <sup>rd</sup> Qtr Apr-Jun 2015	4 <sup>th</sup> Qtr
Advertising	\$21,000	\$1,145.00	\$3,562.50	\$2,590.75	
2015 Tour of Homes	\$ 7,000	0	\$2,450.00	\$3,727.55	
2015 Art Festival	\$22,000	0	\$400.00	\$839.74	
Exhibitions	\$20,000	\$6,402.56	\$3,910.80	\$1,928.88	
Workshops & Classes	\$8,000	\$8,992.97	0	0	
Maintenance	\$6,000	\$3,261.50	\$2,701.13	\$473.29	-
Total Approved	\$84,000	\$19,802.03	\$13,024.43	\$9,560.21	

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2015**

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**AGENDA ITEM: 6**

Deliberate and act on 3<sup>rd</sup> quarter report from the Rockport-Fulton Chamber of Commerce Fiscal Year 2014-2015 marketing expenditures.

**SUBMITTED BY:** City Secretary Teresa Valdez

**APPROVED FOR AGENDA:** PKC

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**BACKGROUND:** The Rockport-Fulton Chamber of Commerce has been allocated \$310,000.00 in FY 2014-15 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 3<sup>rd</sup> quarter HOT expenditure report for additional information.

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**FISCAL ANALYSIS:** Charged to account 6602001. YTD expenses are \$232,109.46 out of \$310,000.00 budgeted.

---

**STAFF RECOMMENDATION:** Staff recommends approval of the Rockport-Fulton Chamber of Commerce FY 2014-2015 Hotel Occupancy Tax funds 3<sup>rd</sup> quarter expenditures and authorization to disburse 4<sup>th</sup> Quarter funds in the amount of \$77,500.00.

Rockport-Fulton Area Chamber of Commerce, Inc.  
Hotel Tax Account  
October 1, 2014 through  
September 30, 2015

Expenses	Rockport Budget	October- December 14	January- March 15	April-June 15	July- September 15	Total	% of Total Budget
Accounting Fees	1,050.00	-	1,400.00	-	-	1,400.00	133.33%
Administrative services reimbursement	54,600.00	13,500.00	13,500.00	13,800.00	-	40,800.00	74.73%
Advertising and promotion	232,450.00	60,600.69	51,246.52	56,242.78	-	168,089.99	72.31%
Bank & Card Fees	250.00	75.49	123.98	67.55	-	267.02	106.81%
Conference Fees	1,910.00	-	1,053.20	840.00	-	1,893.20	99.12%
Contract Services	-	-	-	-	-	-	0.00%
Dues and Subscriptions	450.00	1,025.00	-	800.00	-	1,825.00	405.56%
Event funding assistance	1,100.00	-	-	689.26	-	689.26	62.66%
Food, beverages and meals	1,830.00	423.60	157.62	494.46	-	1,075.68	58.78%
Maintenance and repairs	1,410.00	-	-	572.30	-	572.30	40.59%
Mileage and travel	675.00	151.50	432.08	1,989.46	-	2,573.04	381.19%
Postage and freight	1,880.00	360.45	291.22	1,673.42	-	2,325.09	123.68%
Printing and publication	8,335.00	910.00	1,337.00	4,232.43	-	6,479.43	77.74%
Prizes, gifts and awards	325.00	-	-	-	-	-	0.00%
Rentals and fees	75.00	-	780.00	395.00	-	1,175.00	1566.67%
Supplies	700.00	71.57	393.30	1,614.14	-	2,079.01	297.00%
Telephone	1,650.00	283.15	-	565.29	-	848.44	51.42%
Telephone Internet Service	110.00	-	-	-	-	-	0.00%
Web site maintenance	1,200.00	-	-	17.00	-	17.00	1.42%
<b>Total Expenses</b>	<b>310,000.00</b>	<b>77,401.45</b>	<b>70,714.92</b>	<b>83,993.09</b>	<b>-</b>	<b>232,109.46</b>	<b>74.87%</b>

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2015**

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**AGENDA ITEM: 7**

Deliberate and act on 3<sup>rd</sup> quarter report from the Friends of the Fulton Mansion State Historical Site for Fiscal Year 2014-2015 marketing expenditures.

**SUBMITTED BY:** City Secretary Teresa Valdez

**APPROVED FOR AGENDA:** PKC

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**BACKGROUND:** The Friends of the Fulton Mansion State Historical Site has been allocated \$85,000.00 in FY 2014-15 Hotel Occupancy Tax (HOT) funds. According to our agreement with the Friends of the Fulton Mansion State Historical Site, HOT funds are paid in advance and a report of the previous quarter's expenditures is required. See the accompanying 3<sup>rd</sup> quarter HOT expenditure report for additional information.

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**FISCAL ANALYSIS:** Charged to account 6602009. YTD expenses are \$16,000.00 out of \$85,000.00 budgeted.

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**STAFF RECOMMENDATION:** Staff recommends approval of the Friends of the Fulton Mansion State Historical Site FY 2014-2015 Hotel Occupancy Tax funds 3<sup>rd</sup> quarter expenditures and authorization to disburse 4<sup>th</sup> Quarter funds in the amount of \$21,250.00.

<b>CATEGORY</b>	<b>Grant Amount</b>	<b>1st Qtr</b>	<b>2nd Qtr</b>	<b>3rd Qtr</b>	<b>4th Qtr</b>	<b>Total</b>
Fulton Mansion Restoration	\$75,000.00			8,500.00		\$8,500.00
Education & History Center	\$10,000.00	\$2,500.00	\$2,500.00	2,500.00		\$7,500.00
<b><i>TOTAL</i></b>	<b>\$85,000.00</b>	<b>\$2,500.00</b>	<b>\$2,500.00</b>	<b>11,000.00</b>		<b>\$16,000.00</b>
<b>HOT Funds Deposited</b>		\$21,250.00	\$21,250.00	\$21,250.00		\$63,750.00

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2015**

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**AGENDA ITEM: 8**

Deliberate and act on 3<sup>rd</sup> quarter report from Texas Maritime Museum for Fiscal Year 2014-2015 marketing expenditures.

**SUBMITTED BY:** City Secretary Teresa Valdez

**APPROVED FOR AGENDA:** PKC

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**BACKGROUND:** The Texas Maritime Museum has been allocated \$77,000.00 in Fiscal Year 2014-2015 Hotel Occupancy Tax (HOT) funds. According to our agreement with Texas Maritime Museum, HOT funds are paid in advance and a report of the previous quarter's expenditures is required. See the accompanying 3<sup>rd</sup> Quarter HOT Expenditure Report for additional information.

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**FISCAL ANALYSIS:** Charged to account 6602002. YTD expenses are \$52,348.00 out of \$77,000.00 budgeted.

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**RECOMMENDATION:** Staff recommends approval of Texas Maritime Museum 2014-2015 Hotel Occupancy Tax funds 3<sup>rd</sup> Quarter expenditures and authorization to disburse 4<sup>th</sup> Quarter funds in the amount of \$19,250.00.

**TEXAS MARITIME MUSEUM ASSOCIATION, INC.**  
**Hotel Occupancy Fund Budget Report**  
**2014 - 2015 Fiscal Year**

<b>CATEGORY</b>	<b>1st Qtr</b>	<b>2nd Qtr</b>	<b>3rd Qtr</b>	<b>4th Qtr</b>	<b>Total</b>
Advertising	\$2,684	\$1,442	\$10,972		\$15,098
Curatorial	1,335	2,164	501		\$4,000
Salaries	6,500	6,500	6,500		\$19,500
Education	1,535	3,355	110		\$5,000
Office Supplies	2,672	2,328	-		\$5,000
Website Maintenance	1,250	1,250	1,250		\$3,750
	\$15,976	\$17,039	\$19,333	\$0	\$52,348

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2015**

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**AGENDA ITEM: 9**

Deliberate and act on a Resolution supporting Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality for a Bed and Banks Authorization.

**SUBMITTED BY:** Mayor C.J. Wax

**APPROVED FOR AGENDA:** PKC

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**BACKGROUND:** The San Antonio Water Authority (SAWS) is dumping 50,000 acre feet of water into the San Antonio river system that would end up in Aransas County bays if it is not claimed by the State or a downstream water right. All of the water is effluent and SAWS gets a credit for the discharge but loses it if the water is claimed. By applying for a bed and banks permit, the water flowing down the river gets all the way to the bay because the river is used as a transmission medium instead of having to build a pipeline to do the same thing. A “bed and banks” permit is required to be obtained from the TCEQ for the conveyance of water in a watercourse for subsequent diversion and use (less carriage losses such as evaporation, transpiration, seepage, etc.). Without a TCEQ permit, the water could be “claimed” by another user and used for something else unless the permit is approved. The actual entry point is the San Antonio Bay which has some effect on bays around Aransas County. The same issue is on the County Agenda for Monday, July 13.

See the accompanying resolution, presentation from SAWS, and editorial from the *San Antonio Express News* for additional information.

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**FISCAL ANALYSIS:** There is no cost to the City.

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

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the economy of the City of Rockport and the livelihood of many of its residents are dependent upon tourism, recreation, navigation, fisheries, parks, aesthetics, and aquatic and riparian wildlife habitat that are in turn dependent upon the health of our bays; and

**WHEREAS**, the Texas Instream Flow Program and the Environmental Flows Program were established by the Texas Legislature to determine flows necessary for a sound environment in the state's major rivers, bays and estuaries; and

**WHEREAS**, studies conducted pursuant to these programs recommended flow regimes necessary to maintain the health of the San Antonio/Guadalupe River System and the San Antonio Bay that directly impact the health of our surrounding bays; and

**WHEREAS**, the Texas Legislature and the committee created to study environmental flow needs of the San Antonio/Guadalupe River System have encouraged voluntary efforts to provide fresh water to meet these flow standards; and

**WHEREAS**, instream water use is a beneficial utilization of water and includes navigation, recreation, hydropower, fisheries, game preserves, stock raising, park purposes, aesthetics, water quality protection, aquatic and riparian wildlife habitat, freshwater inflows for bays and estuaries, and any other instream use recognized by law, all of which contribute directly or indirectly to success of the economy and ecology of the City of Rockport; and

**WHEREAS**, the City of Rockport believes that the San Antonio Water System has taken a positive step to guarantee the vitally needed freshwater inflows to our bays and estuaries for the mutual benefit of all downstream interests, the citizens of Rockport and the entire Coastal Bend; and

**WHEREAS**, the City of Rockport desires to express its support for the actions of the San Antonio Water System and its application to use the bed and banks of the San Antonio River and Guadalupe River to transport, divert and reuse 50,000 acre-feet of groundwater based reclaimed water solely for instream use as defined by relevant statutes:

**NOW, THEREFORE BE IT RESOLVED**, that I, Charles J. Wax, Mayor of the City of Rockport, with the support of the entire City Council, hereby proclaim support for Application No. 13098 of the San Antonio Water System to the Texas Commission on Environmental Quality;

**AND** that the City of Rockport enthusiastically endorses this action because of its direct positive impact on our community, our economy and our future. We applaud the San Antonio Water System's effort to ensure the continued flow of freshwater into the Coastal Bend to support the future health of our Bays and Estuaries.

**PASSED** and **ADOPTED** at a regular meeting of the Rockport City Council on this the 14<sup>th</sup> day of July 2015.

ATTEST:

---

Charles J. Wax, Mayor

---

Teresa Valdez, City Secretary

# SAWS Bed and Banks Application

**Gregg Eckhardt**

Senior Analyst, Production and Treatment Operations

July 25, 2014

AWWA/WEAT Summer Seminar



# Opinion

Editorial: "Dark money" from anonymous donors is undermining Texas democracy. » F2

ExpressNews.com mySA.com

Sunday, February 23, 2014 | SECTION F | SAN ANTONIO EXPRESS-NEWS

## WASTEWATER RECLAMATION

# A midstream change of rules?

**PRO**

Ratepayers, reclaimed water is yours — let's keep it

By Robert R. Puente  
FOR THE EXPRESS-NEWS

At a time when Texas faces dwindling rivers, streams and lakes, as well as regulatory and legal pressures on all water supplies, San Antonio Water System is taking its next bold step as an industry leader in sustainable environmental utility practices.



SAWS points out that reclaimed water meets many needs, including recreation on the San Antonio River. The Guadalupe-Blanco River Authority protests SAWS' lack of new water sources.

**CON**

Hey, SAWS, there you go again sucking the region dry

By W.E. "Bill" West, Jr.  
FOR THE EXPRESS-NEWS

Will the San Antonio Water System ever develop major new alternative water supplies before it severely depletes the Edwards Aquifer during a major drought? Through its treatment centers, SAWS discharges about 132,000 acre-feet of treated effluent annual-

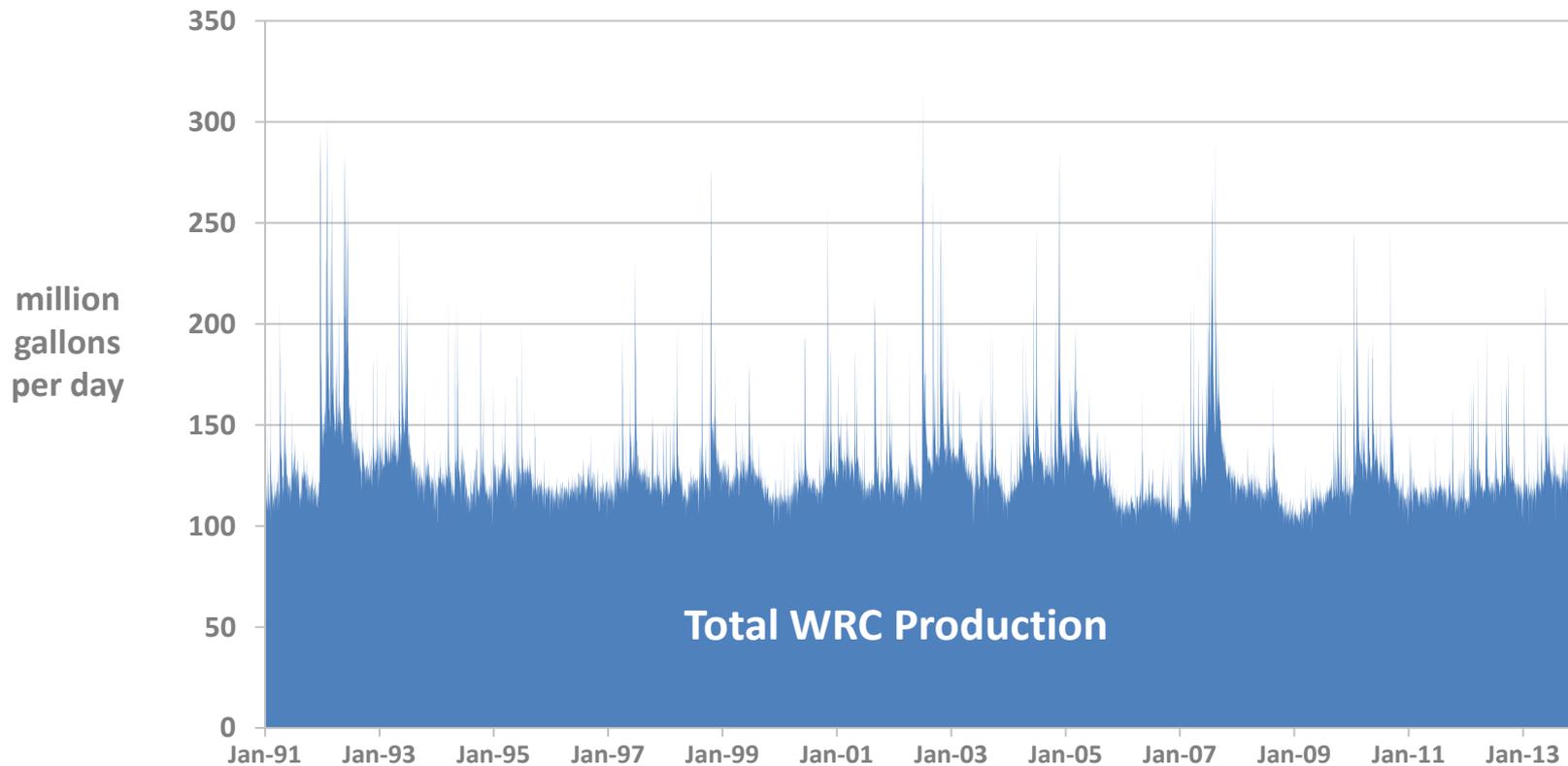


# Resource Management For:

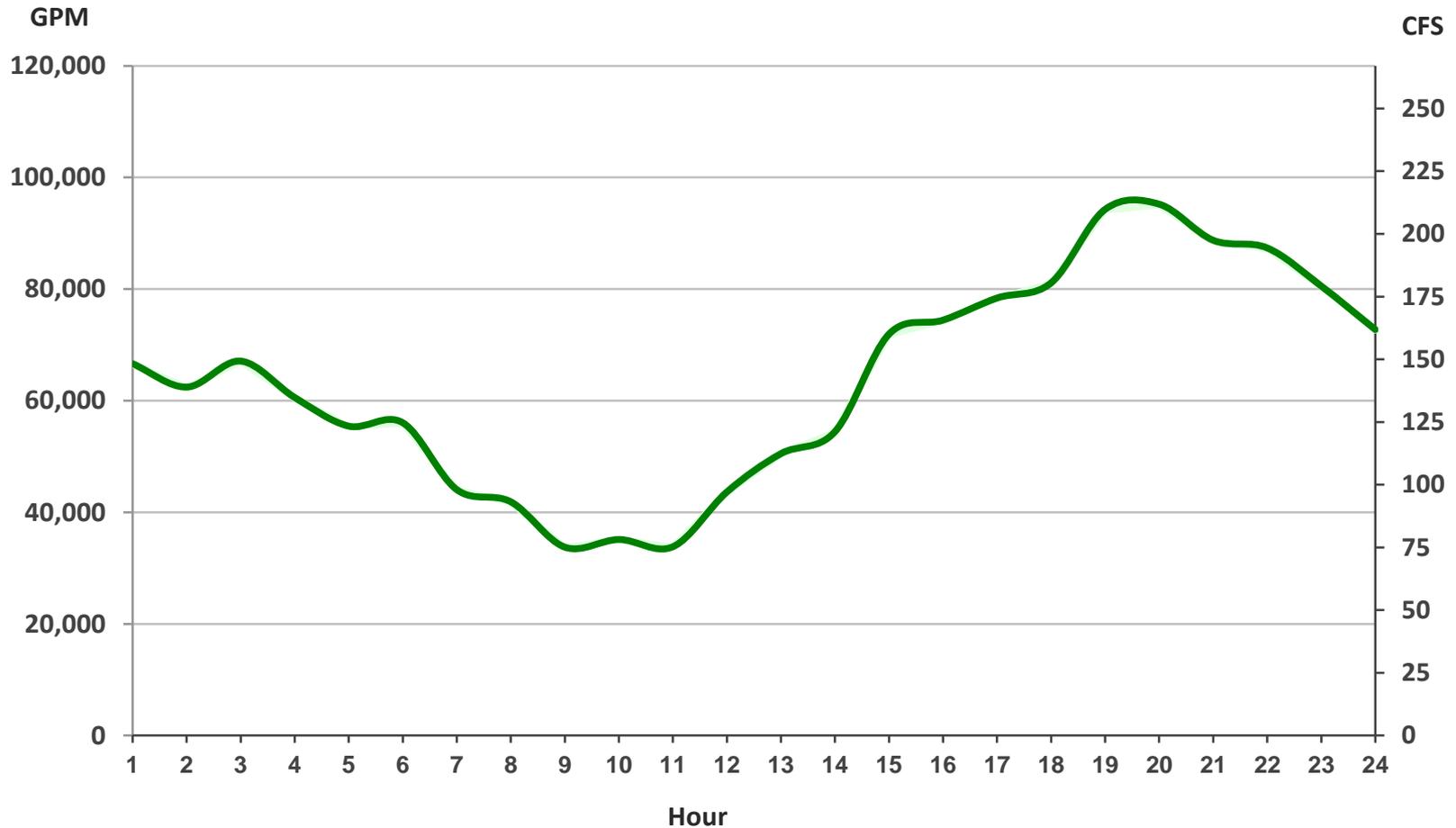
- SAWS recycled water system
- Provision of water to CPS Energy
- Downstream flows

# WRC Daily Production

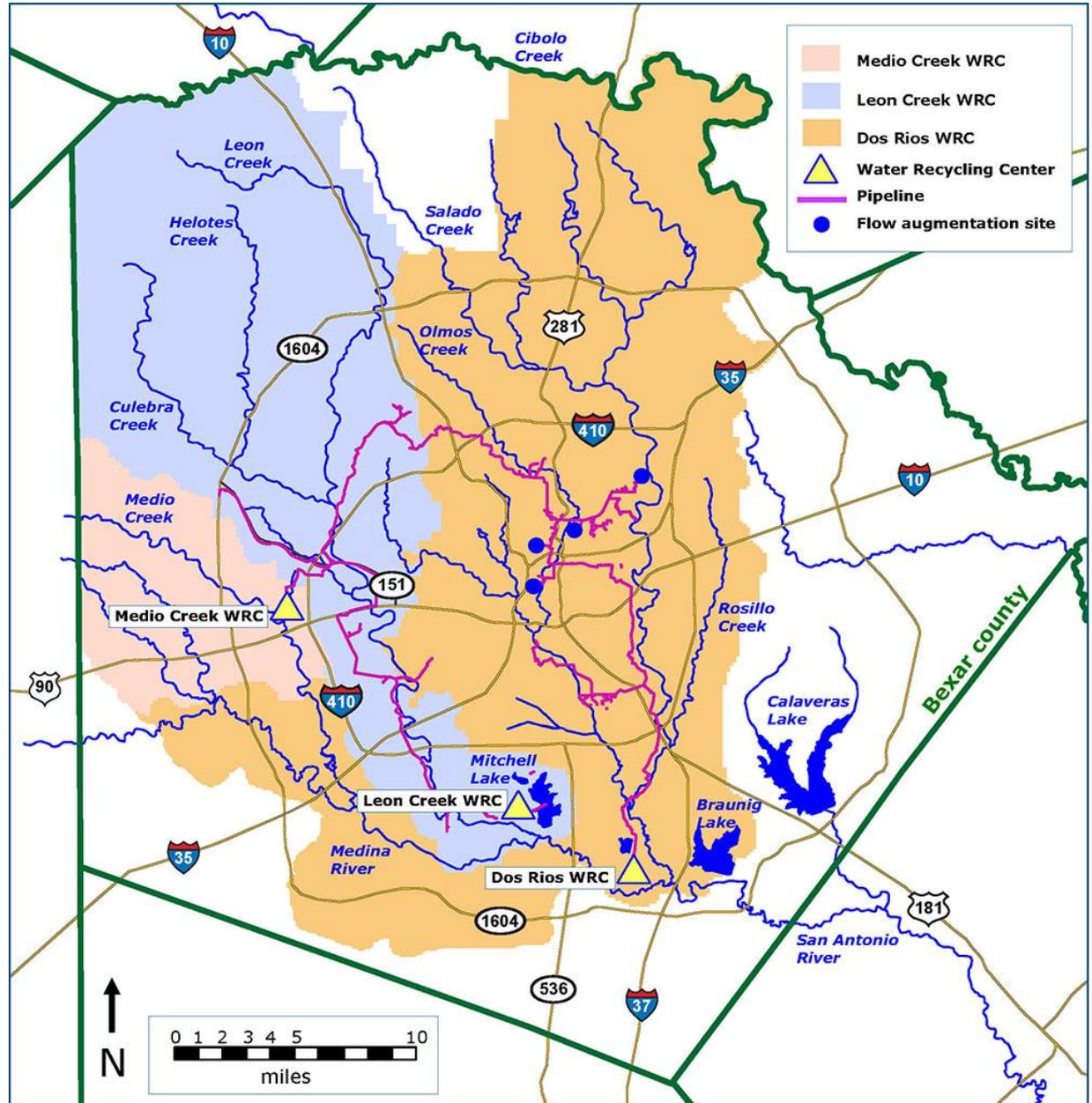
## 1991 to 2013



# Typical WRC Diurnal Discharge Curve



# SAWS Recycled Water System



# Uses of Recycled Water



landscaping



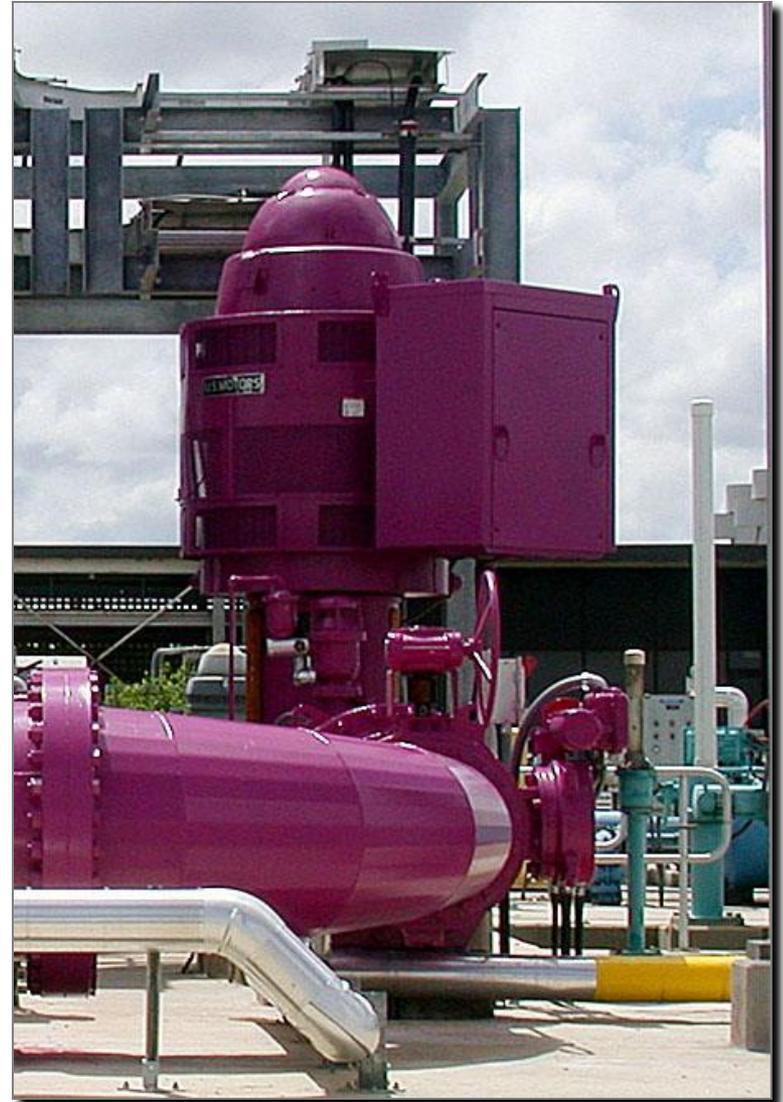
golf courses



cooling towers



industrial processes



# CPS Energy



# Downstream Flows

- SAWS recycled water effluents are a critical contribution to the San Antonio River during drought periods
- October 1: Board of Trustees provided direction on SAWS position toward uses of current and future discharged effluent



Conquista Crossing on the San Antonio River near Falls City

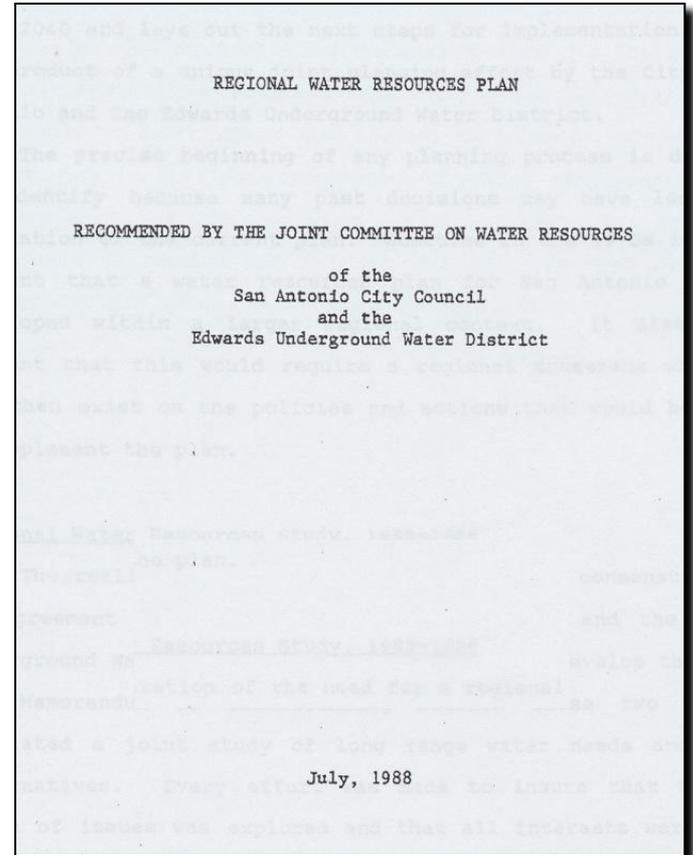
# Bed and Banks Basics

- “Bed and Banks” authorization is permission to use State’s watercourses to transport privately owned groundwater so that it may be reused downstream
- Without an authorization, discharges become the property of the State



# 1980s Council Direction on Discharges

- 1988 Regional Water Resources Plan recommended a reuse program:
  - “must be managed to maintain a minimum flow in the San Antonio River of 55,000 acre-feet per year as measured at the Falls City gauge.”
- Plan was adopted by City Council ordinance 67605



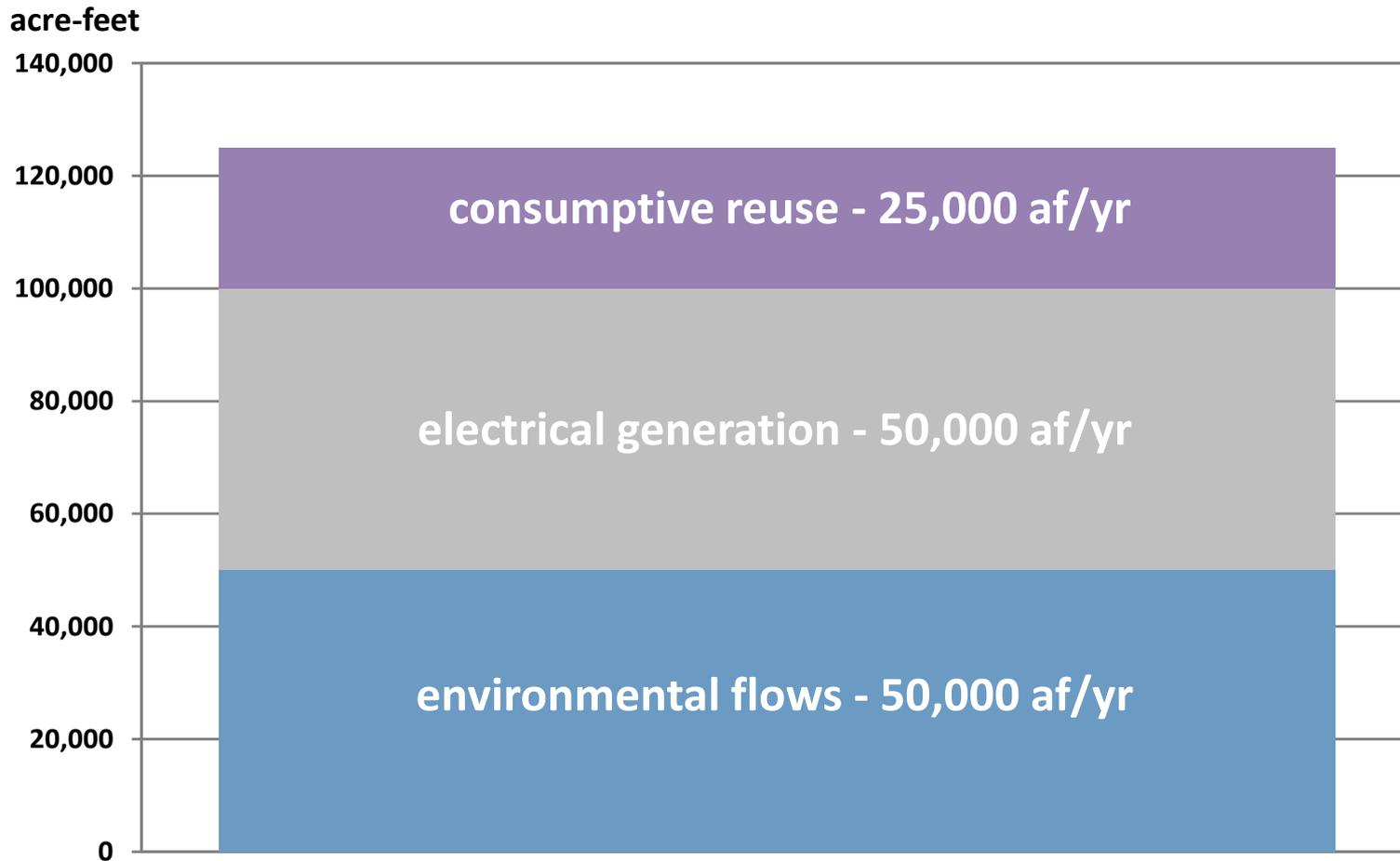
# 1980s Council Direction on Discharges

- City Council ordinance 67605 was the basis for recycled water system design capacity:

Original Recycled Water Program Balance	
<b>CPS Energy</b>	<b>40,000 af/yr</b>
<b>Downstream estimated needs</b>	<b>55,000 af/yr</b>
<b>Recycled water system</b>	<b>35,000 af/yr</b>
	<b>130,000 af/yr</b>

- However there are currently no legal protections to ensure water remains instream

# Firm Yield Effluent Allocation



# Effluent Discharge Routes

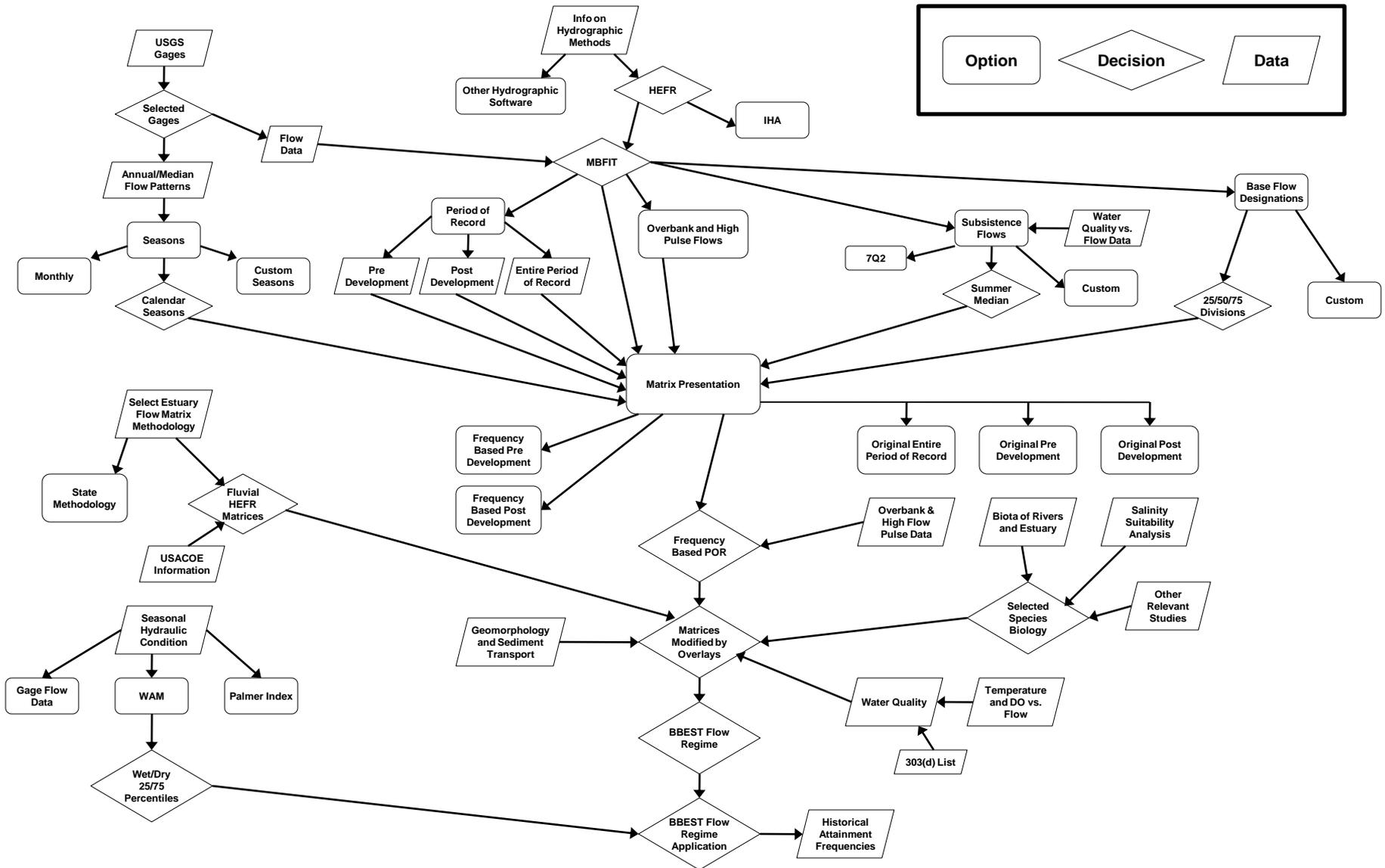


# E-Flows Overview

- SAWS has actively participated in two legislatively mandated programs to address flows in San Antonio and Guadalupe River basins:

Program	Legislation	Key Features
<b>Texas Instream Flow Program (TIFP)</b>	<b>Senate Bill 2 (2001)</b>	<ul style="list-style-type: none"> <li>Agencies determine flows necessary for a riverine "sound ecological environment"</li> <li>Recommendations based on field analysis</li> <li>Stakeholder input is considered</li> </ul>
<b>Environmental Flows Program (E-Flows)</b>	<b>Senate Bill 3 (2007)</b>	<ul style="list-style-type: none"> <li>All watersheds to determine E-Flow needs for each major basin and bay system</li> <li>Science-based flow recommendations</li> <li>SB 2 flow science to be incorporated into SB 3 process</li> <li>Stakeholders balance environmental and human needs</li> </ul>

# E-Flows Science Team Decision Diagram

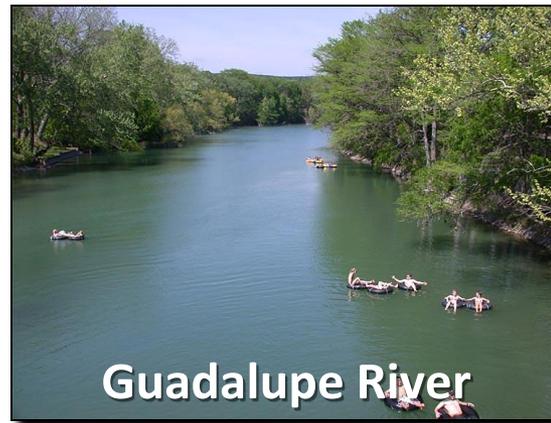


# Components of a Flow Regime

- Subsistence Flows
- Base Flows
- Pulse Flows
- Overbank Flows



San Antonio River

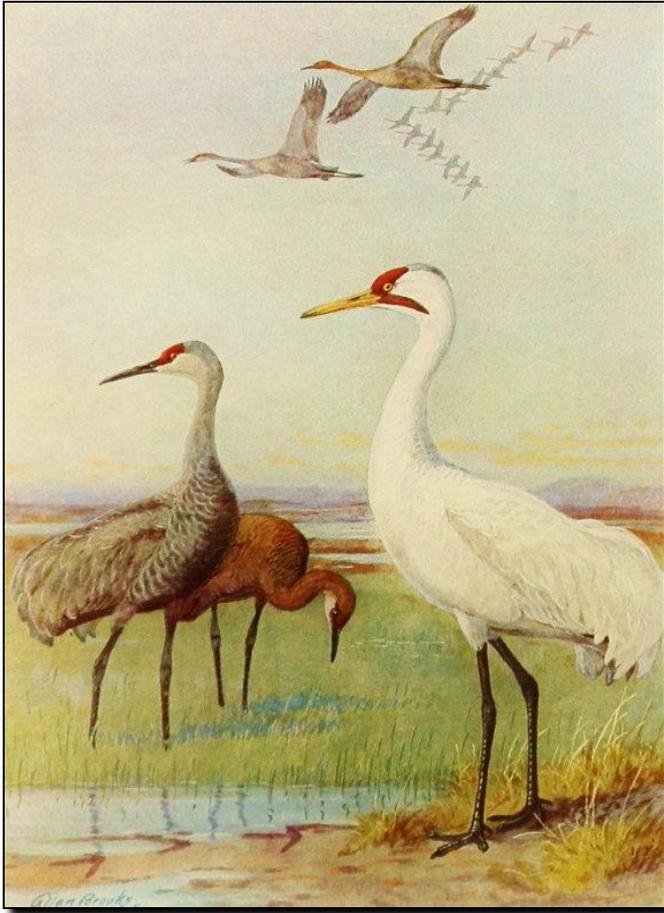


Guadalupe River



San Antonio Bay

# The Aransas Project v. Shaw, et al



National Geographic Magazine, 1937

“Although SB 3 does establish a comprehensive framework for the State of Texas to *determine* the amount of freshwater inflows that need to remain instream...it makes no attempt to *ensure* that such recommended amounts remain.”

- *Honorable Judge Janis Jack, United States District Court for the Southern District of Texas, Corpus Christi Division*

# SB 3 Stakeholder Work Plan

- Outlines *voluntary* strategies to meet instream flow standards

Guadalupe, San Antonio, Mission,  
and Aransas Rivers and Mission,  
Copano, Aransas, and  
San Antonio Bays Basin and Bay Area  
Stakeholders Committee

## ***Work Plan for Adaptive Management***



# Objectives

- Support SB 3 stakeholder strategies to ensure healthy rivers, bays, and estuaries
- Add legal certainty to policy guidance
- Ensure San Antonio retains ownership and control of all current and future groundwater based discharges

# Summary and Other Considerations

- 50,000 af/yr used solely for instream flow purposes
- Remainder for any legal purpose (in the future)
- Carriage losses
- Protection of water rights issued based on use or availability of effluent
- Development of "Accounting Plan"

# Latest Developments

- In *Ex Parte* lawsuit, GBRA asserts
  - EAA Act prohibits indirect reuse of Edwards water
  - EAA Act prohibits reuse outside of EAA boundaries
  - GBRA “*must have the right* to divert discharges of Edwards-derived wastewater effluent as part of the state-owned run-of-river flow of the Guadalupe river...”
- TAP ruling

# TCEQ Request for Information

"Staff believes that TCEQ does not have authority under statute to issue a permit based on this application."

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 8, 2014

**CERTIFIED MAIL**

Mr. Jim Mathews  
Mathews & Freeland, LLP  
8140 N. Mopac, Bldg. 2 Suite 260  
Austin, TX 78759-8942

RE: San Antonio Water System  
WRPERM 13098  
CN600529069, RN107107526  
Application No. 13098 for a Water Use Permit  
Texas Water Code §11.042, Requiring Limited Mailed Notice  
Multiple Watercourses, San Antonio River and Guadalupe River Basins  
Multiple Counties

Dear Mr. Mathews:

This acknowledges receipt, on December 30, 2013, of the above referenced application and fees in the amount of \$125.00 (Receipt No. R413173 enclosed).

Staff believes that TCEQ does not have authority under statute to issue a permit based on this application. Under TWC, §11.0235(a) the legislature has recognized that it has not authorized granting water rights exclusively for instream flows dedicated to environmental needs or inflows to the state's bay and estuary systems. Moreover, TWC, §11.0237 expressly states that the commission may not issue a new permit for instream needs or freshwater inflows.

Although SAWS has requested this authorization under TWC, §11.042(b), the application does not fall under this statute because the statute requires that a permittee divert and reuse any groundwater based return flows discharged into the stream. SAWS requests a diversion point from which no water will be diverted. The application specifically states that water at the diversion point will be used solely for instream uses; therefore, no water will be diverted under any permit that could be granted.

In order to recommend that the application be granted, SAWS must amend the application to comply with TWC, §11.042(b). Although staff does not believe it can recommend that the application be granted, the following additional information would be required before the application can be declared administratively complete:

1. Indicate the specific points in Bexar, Wilson, Karnes, Goliad, Victoria, Refugio, and Calhoun Counties where groundwater based return flows will be diverted for municipal, agricultural, industrial and mining use.
2. Review and revise the location information for the discharge points requested in the application and for the diversion point at the mouth of the Guadalupe River. Many of these locations do not plot at the location where the outfall enters the stream, are not located on

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# TCEQ Request for Information

"...the application does not fall under [the reuse] statute because this statute requires that a permittee divert and reuse groundwater based return flows..."

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
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# SAWS Bed and Banks Application

**Gregg Eckhardt**

Senior Analyst, Production and Treatment Operations

July 25, 2014

AWWA/WEAT Summer Seminar



# SARA supports SAWS bed and banks application

BY SUZANNE SCOTT, FOR THE EXPRESS-NEWS : MARCH 7, 2014 : Updated: March 7, 2014 11:59am

SAN ANTONIO — As the region's population and economy continue to diversify and grow, competing uses for limited water resources are

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Photo By Express-News file photo

1 of 2

The San Antonio River Authority encourages equitable use of surface water resources to meet all the needs put upon them.



## Recent Headlines

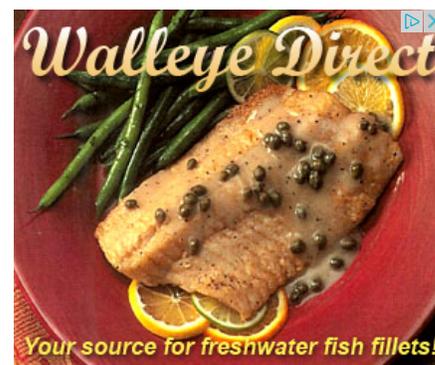
Helicopter parenting often has poor results

Survive the apocalypse at a theater near you

S.A. must preserve 'Military City, USA'

Your Turn: July 10

Do Uber and Lyft merit more council consideration?



inevitable. To sustain and enrich life — human, plant and animal — within the San Antonio River Watershed, the San Antonio River Authority (SARA) promotes equitable uses of surface water resources

to meet all the varying needs placed on this limited resource.

The **San Antonio Water System (SAWS)** recently filed a bed and banks application with the **Texas Commission on Environmental Quality (TCEQ)** for authorization to retain ownership of 50,000 acre-feet annually of its wastewater effluent for maintenance of instream flows in the San Antonio River and freshwater inflows into San Antonio Bay.

This permit application has been three decades in the making and can finally bring more certainty for downstream flows. Plus, the state application process will ensure that other water-rights permits that were issued in reliance on SAWS effluent discharges will be protected.

The amount requested by SAWS is not arbitrary and is based on decades of data gathering and site-specific science. SARA was instrumental in getting recognition that a volume in this range was needed to meet downstream flow needs included in the 1988 City of San Antonio Regional Water Resources Plan.

SARA invests significant resources in scientific study of flows and ecosystem habitat. SARA conducted instream flow studies with the **Texas Parks and Wildlife Department**, **Texas Water Development Board** and TCEQ that provided the fundamental science to advance collective knowledge and understanding of the functions, seasonality and flow variability of the interconnected ecosystems within the San Antonio River Watershed.

The recommendations from these studies were the basis for the environmental flow standards for the San Antonio River adopted in 2012 by the TCEQ. The 50,000 acre-feet is an amount needed to sustain the health of the river in low-flow conditions.

Additionally, the flow standards adopted by the state recognize that our river also feeds an important bay and estuary system. SARA, as a regional entity, is entrusted with the responsibility to see that flow from the San Antonio River continues to support that ecosystem as well.

The same state process that set a desired flow regime for the river also set seasonal targets for freshwater inflow amounts for the bays and estuary. Through a regional, stakeholder-driven, scientific-based process, a majority of stakeholders supported and submitted to the state several voluntary strategies to help meet those targets.

One recommended strategy was the use of wastewater effluent discharges to meet the recommended river and bay flow needs. With the bed and banks application, SAWS has stepped up in the region with a voluntary commitment of effluent directly supporting this regional recommendation.

SARA supports the application that SAWS has filed for many reasons.

It is a science-based and stakeholder-supported initiative. And, it is more evidence that by working together we can address our competing needs for water.

SARA intervened in the lawsuit brought against the TCEQ to protect the whooping crane. Our involvement in the lawsuit is to maintain local and state control over San Antonio Bay rather than having the federal government make decisions for us.

The science clearly indicates that the whooping crane habitat is influenced by several highly complex, interrelated factors involving more than just freshwater inflows. SAWS' dedication of wastewater effluent is a demonstrated action to recognize the regional responsibility to contribute freshwater inflow to the bay and coastal estuaries to protect Texas wildlife resources, coastal fisheries and coastal economies.

We applaud SAWS for filing the bed and banks application. It is an initial action that supports the environmental flow standards set through the state mandated process and endorsed by a broad spectrum of stakeholders from this region.

Details on the permit remain to be worked through. SARA will remain actively engaged throughout the review process and will continue to advocate for the long-term sustainability of the San Antonio River Watershed from its headwaters to the bay — all of which are critical to ecological integrity, economic vitality and quality of life within the basin and state.

*Suzanne Scott is general manager of the San Antonio River Authority.*

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2015**

---

**AGENDA ITEM: 10**

Deliberate and act on the awarding of a construction contract for the Spanish Woods area drainage improvement project to ADK Environmental Inc.

**SUBMITTED BY:** Public Works Director Mike Donoho

**APPROVED FOR AGENDA:** PKC

---

**BACKGROUND:** This project has been designed to comply with the City of Rockport Master Drainage Plan and consists of removing existing culvert structures and installing precast concrete box culverts, headwalls with wing walls, pavement repair, utility adjustments, concrete curb gutters, and various other items required to complete the project. The box culverts will be installed on Spanish Woods Drive, Sanctuary Drive, and FM 1781 at Spanish Woods Drive.

Bids were received from ADK Environmental for \$342,462.00 and Austin Engineering for \$841,090.00. See the accompanying bid tabulation, location maps, interlocal agreement, and letter from David Reid for additional information.

---

**FISCAL ANALYSIS:** The cost of design and construction of this project will be shared on a 50/50 basis with Aransas County as per an Intergovernmental Cooperation Agreement. The City of Rockport's share will be \$171,231.00 and charged to account 92-6318015 in the 2007 Bond issue. A small piece of right-of-way

---

**STAFF RECOMMENDATION:** Staff Recommends awarding the construction contract to ADK Environmental Inc. for the base bid amount of from \$342,462.00.

## INVITATION TO BID

Sealed Proposals addressed to the CITY OF ROCKPORT will be received at the office of the City Secretary, City Hall, City of Rockport, 622 E. Market Street, Rockport, TX 78382, until Wednesday, July 1, 2015 @ 3:00 PM, at which time they will be publicly opened and read.

Proposals will be for constructing the Spanish Woods Area Drainage Improvements, Rockport, Texas

The project consists of removing existing culvert structures and installing precast concrete box culverts, headwalls with wingwalls, pavement repair, utility adjustments, concrete curb gutter, and various other items required to complete the project.

Bidders must submit a Cashier's or Certified Check issued by a bank satisfactory to City of Rockport, or a Proposal Bond from a reliable surety company, payable to the City of Rockport in an amount not less than five percent (5%) of the bid submitted as a guaranty that the Bidder will enter into a contract using the forms provided within ten (10) days after notice of award of contract to him. Bids without the required check or proposal bond will not be considered. The City of Rockport will notify the successful Bidder, in writing, within thirty (30) days after the date of opening bids, of its acceptance of his proposal.

The successful Bidder will be required to furnish a Performance Bond and a Payment Bond each in the amount of contract, written by a responsible surety company authorized to do business in the State of Texas, listed in the latest issue of U. S. Treasury Circular 570 and satisfactory to the Owner, as required by Article 5160, V.A.T.C.S., as amended by H.B. 344, passed by the 56th Legislature, Regular Session, 1959.

The Owner reserves the right to reject any or all bids and to waive formalities. In case of ambiguity or lack of clearness in stating the prices in the bids, the Owner reserves the right to consider the most advantageous construction thereof, or to reject the bid. Unreasonable (or "unbalanced") unit prices will authorize the Owner to reject the bid.

Bidders are expected to inspect the site of the work and to inform themselves regarding all local conditions.

Copies of the Contract Documents, which include drawings, general requirements, and technical specifications, may be obtained by a non-refundable fee of \$25.00 with Urban Engineering, 2725 Swantner, Corpus Christi, Texas 78404. Copies of Contract Documents will be on file for inspection at the office of the Engineer, 2725 Swantner, Corpus Christi, Texas 78404, the City of Rockport, 622 E. Market Street, Rockport, Texas 78382, the A.G.C. office in Corpus Christi, and at Builder's Exchange in San Antonio, Texas.



Job No. 1560.B4.04

July 2, 2015

Mr. Mike Donoho  
City of Rockport  
2751 SH 35 Bypass  
Rockport, Texas 78382

Subject: Spanish Woods Area Drainage Improvements

Dear Mike:

Transmitted herewith is a bid tabulation of bids received for the subject project. We have reviewed these bids and recommend award of project to ADK Environmental, Inc. for a base bid of \$342,462.00. If you have any questions, please call.

Sincerely,

URBAN ENGINEERING

*Brandi Karl / ph*

Brandi B. Karl, P.E.

BBK/ph  
Enclosure

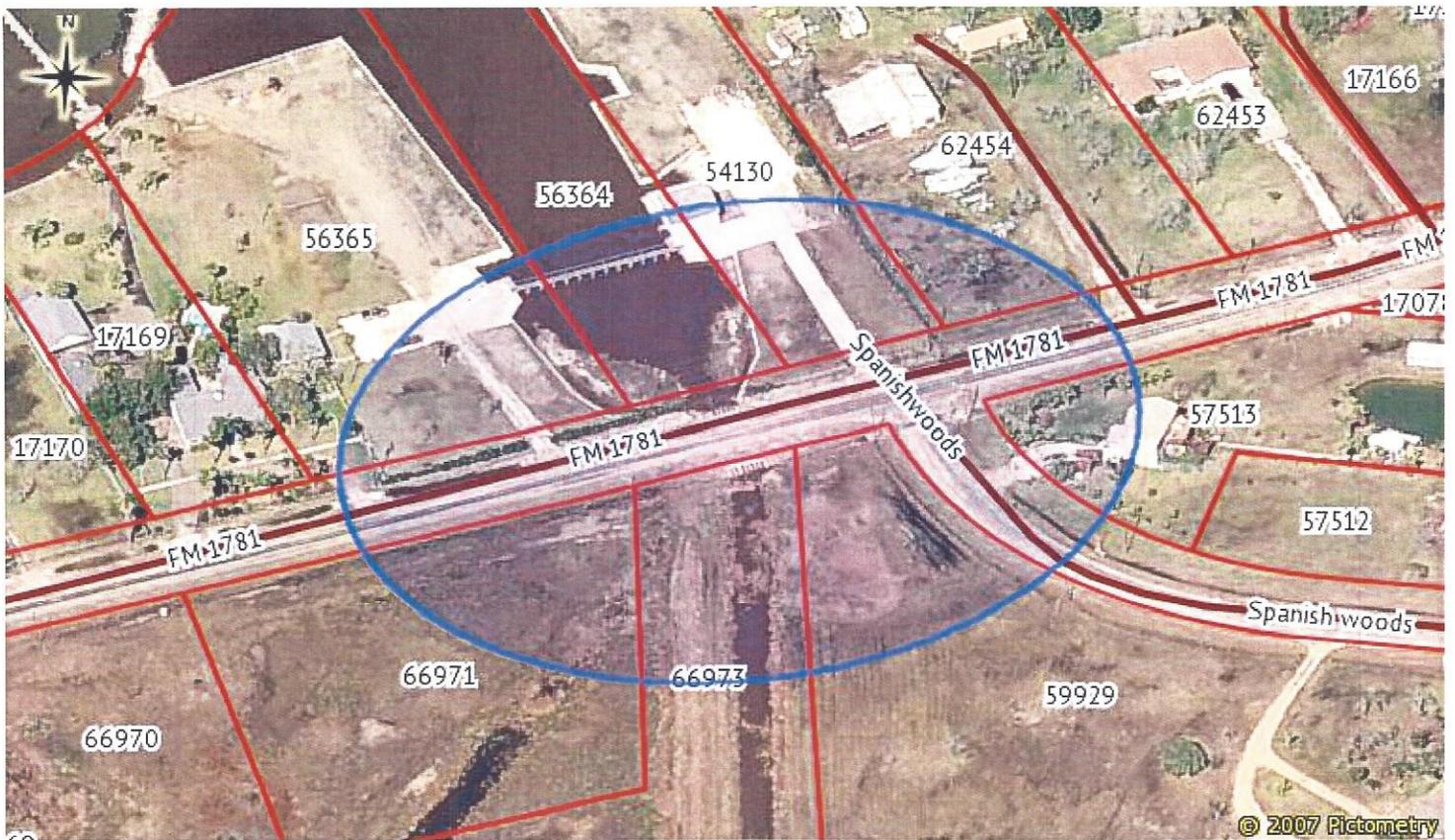
## BID TABULATION

PROJECT: SPANISH WOODS AREA DRAINAGE IMPROVEMENTS, ROCKPORT, TEXAS									
JOB NO. 1560.B4.04									
BID DATE: 7/01/15									
					Engineer's Estimate		ADK ENVIRONMENTAL, INC		AUSTIN ENGINEERING
Description		Quantity + 5%	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
<b>A. SPANISH WOODS DRIVE CROSSING</b>									
1	(2) 6'X4' Precast Conc. Box Culverts	55	LF	\$750.00	\$ 41,250.00	\$ 900.00	\$ 49,500.00	\$ 1,300.00	\$ 71,500.00
2	Concrete Headwall/Wingwalls	2	EA	\$9,000.00	\$ 18,000.00	\$ 6,500.00	\$ 13,000.00	\$ 17,000.00	\$ 34,000.00
3	Adjust 8" Steel Waterline	1	EA	\$6,500.00	\$ 6,500.00	\$ 5,000.00	\$ 5,000.00	\$ 16,000.00	\$ 16,000.00
4	4" Roll Curb and Gutter	95	LF	\$25.00	\$ 2,375.00	\$ 35.00	\$ 3,325.00	\$ 87.00	\$ 8,265.00
5	5' Slot Inlet	2	EA	\$2,200.00	\$ 4,400.00	\$ 3,000.00	\$ 6,000.00	\$ 4,000.00	\$ 8,000.00
6	18" RCP	13	LF	\$55.00	\$ 715.00	\$ 75.00	\$ 975.00	\$ 100.00	\$ 1,300.00
7	OSHA Trench Protection	55	LF	\$10.00	\$ 550.00	\$ 20.00	\$ 1,100.00	\$ 5.00	\$ 275.00
8	Well-Pointing	109	LF	\$20.00	\$ 2,180.00	\$ 48.00	\$ 5,232.00	\$ 300.00	\$ 32,700.00
9	3"-5" Bull Rock with Mortar Slurry	95	SY	\$80.00	\$ 7,600.00	\$ 60.00	\$ 5,700.00	\$ 105.00	\$ 9,975.00
10	Asphalt Pavement Repair	95	SY	\$65.00	\$ 6,175.00	\$ 100.00	\$ 9,500.00	\$ 250.00	\$ 23,750.00
11	Traffic Control	1	LS	\$4,000.00	\$ 4,000.00	\$ 1,000.00	\$ 1,000.00	\$ 10,000.00	\$ 10,000.00
12	Pollution Prevention Measures	1	LS	\$5,000.00	\$ 5,000.00	\$ 500.00	\$ 500.00	\$ 7,500.00	\$ 7,500.00
				Subtotal	\$ 98,745.00		\$ 100,832.00		\$ 223,265.00
<b>B. SANCTUARY DRIVE CROSSING</b>									
1	(2) 7'X4' Precast Conc. Box Culverts	61	LF	\$1,000.00	\$ 61,000.00	\$ 1,000.00	\$ 61,000.00	\$ 1,500.00	\$ 91,500.00
2	Concrete Headwall/ Wingwalls	2	EA	\$9,000.00	\$ 18,000.00	\$ 7,500.00	\$ 15,000.00	\$ 18,000.00	\$ 36,000.00
3	Adjust 8" Steel Waterline	1	EA	\$4,500.00	\$ 4,500.00	\$ 2,500.00	\$ 2,500.00	\$ 16,000.00	\$ 16,000.00
4	OSHA Trench Protection	61	LF	\$10.00	\$ 610.00	\$ 20.00	\$ 1,220.00	\$ 5.00	\$ 305.00
5	Well-Pointing	122	LF	\$20.00	\$ 2,440.00	\$ 40.00	\$ 4,880.00	\$ 300.00	\$ 36,600.00
6	3"-5" Bull Rock with Mortar Slurry	74	SY	\$80.00	\$ 5,920.00	\$ 60.00	\$ 4,440.00	\$ 105.00	\$ 7,770.00
7	Asphalt Pavement Repair	95	SY	\$65.00	\$ 6,175.00	\$ 60.00	\$ 5,700.00	\$ 250.00	\$ 23,750.00
8	Remove 2 – 30" RCP Downstream and Connect Ditches	1	LS	\$4,500.00	\$ 4,500.00	\$ 1,500.00	\$ 1,500.00	\$ 23,000.00	\$ 23,000.00
9	Pollution Prevention Measures	1	LS	\$5,000.00	\$ 5,000.00	\$ 500.00	\$ 500.00	\$ 7,500.00	\$ 7,500.00
				Subtotal	\$ 108,145.00		\$ 96,740.00		\$ 242,425.00

## BID TABULATION

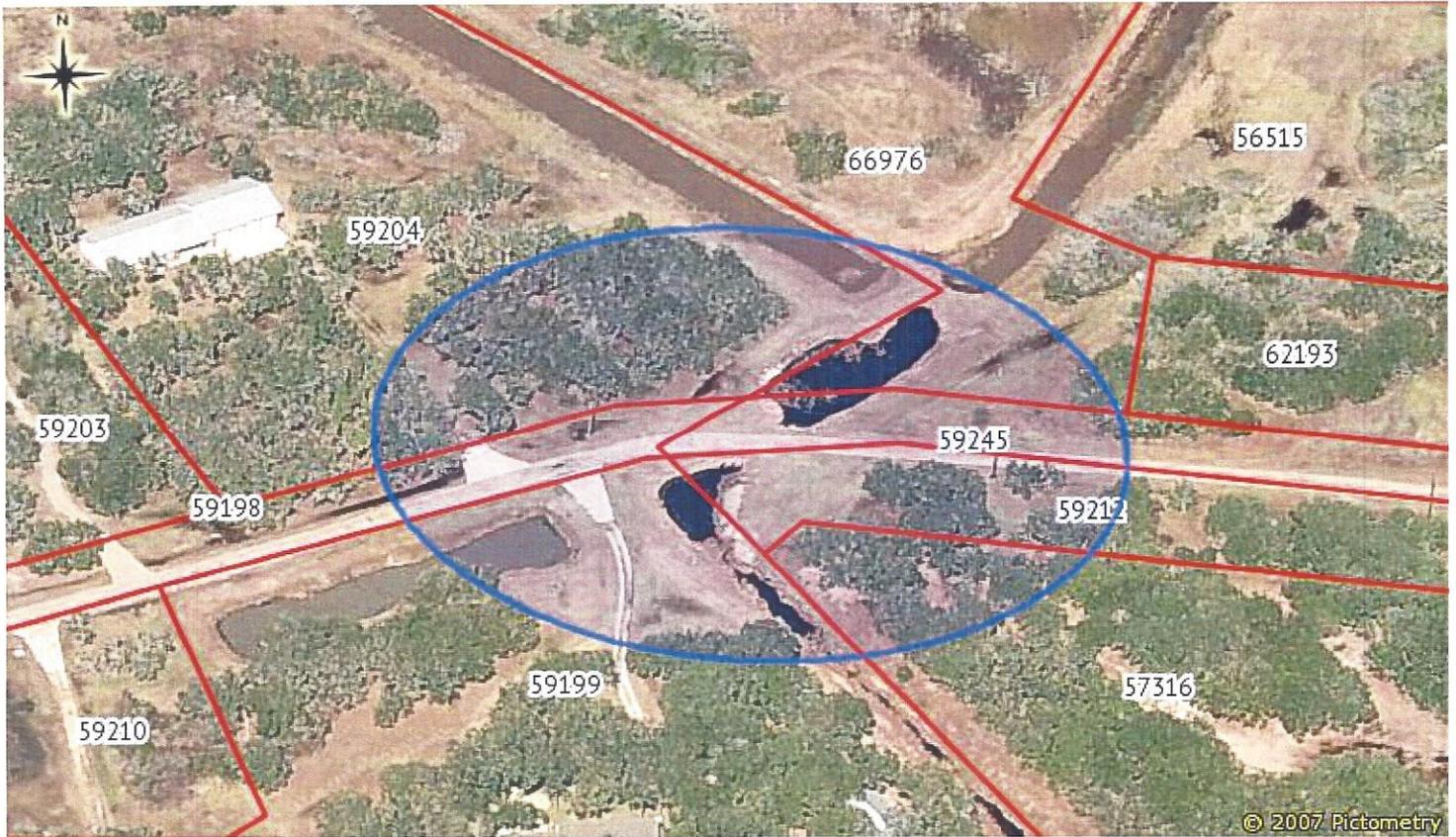
PROJECT: SPANISH WOODS AREA DRAINAGE IMPROVEMENTS, ROCKPORT, TEXAS										
JOB NO. 1560.B4.04										
BID DATE: 7/01/15										
					Engineer's Estimate		ADK ENVIRONMENTAL, INC		AUSTIN ENGINEERING	
Description			Quantity + 5%	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
<b>C. FM 1781 CROSSING AT SPANISH WOODS DRIVE</b>										
1	(3) 7'X4' Precast Conc. Box Culverts			40	LF	\$1,500.00	\$ 60,000.00	\$ 2,100.00	\$ 84,000.00	\$ 2,800.00 * \$ 112,000.00
2	3:1 S.E.T. With Concrete Footing And Pipe Runners			2	EA	\$20,000.00	\$ 40,000.00	\$ 12,500.00	\$ 25,000.00	\$ 45,000.00 \$ 90,000.00
3	Adjust 8" Waterline			1	EA	\$4,500.00	\$ 4,500.00	\$ 3,000.00	\$ 3,000.00	\$ 23,000.00 \$ 23,000.00
4	Adjust Existing Gas Line			1	EA	\$3,000.00	\$ 3,000.00	\$ 5,000.00	\$ 5,000.00	\$ 6,500.00 \$ 6,500.00
5	OSHA Trench Protection			40	LF	\$10.00	\$ 400.00	\$ 50.00	\$ 2,000.00	\$ 5.00 \$ 200.00
6	Well-Pointing			80	LF	\$20.00	\$ 1,600.00	\$ 70.00	\$ 5,600.00	\$ 300.00 \$ 24,000.00
7	TXDot Pavement Repair			137	SY	\$80.00	\$ 10,960.00	\$ 100.00	\$ 13,700.00	\$ 250.00 \$ 34,250.00
8	Regrade Ditch			53	LF	\$60.00	\$ 3,180.00	\$ 30.00	\$ 1,590.00	\$ 150.00 \$ 7,950.00
9	Traffic Control			1	LS	\$6,000.00	\$ 6,000.00	\$ 4,500.00	\$ 4,500.00	\$ 70,000.00 \$ 70,000.00
10	Pollution Prevention Measures			1	LS	\$5,000.00	\$ 5,000.00	\$ 500.00	\$ 500.00	\$ 7,500.00 \$ 7,500.00
					Subtotal		\$ 134,640.00		\$ 144,890.00	* \$ 375,400.00
					Base Bid		\$ 341,530.00		\$ 342,462.00	** \$ 841,090.00
NOTE * discrepancy between unit extension and total bid. Value shown is correct										
NOTE ** Indicates does not equal total of unit price extension.										





# FM 1781 & SPANISH WOODS DR

Print Date: 07/10/2015  
Image Date:01/25/2007  
Level:Community



# SANCTUARY DR

**Print Date:** 07/10/2015  
**Image Date:** 01/25/2007  
**Level:** Community



# SPANISH WOODS DR

Print Date: 07/10/2015  
Image Date: 01/25/2007  
Level: Community

**ARANSAS COUNTY ROAD & BRIDGE**  
 County Service Center  
 1931 FM 2165  
 Rockport, Texas 78382  
 Tel (361) 790-0152 Fax (361) 790-0189  
 dreid@aransascounty.org



**RECEIVED**  
 JUL 01 2015  
 CITY MANAGER

JUNE 22, 2015

Kevin Carruth  
 City of Rockport  
 622 E. Market Street  
 Rockport, Texas 78382

**Re: Spanish Woods Area Drainage Improvements**

Dear Kevin,

As per the Intergovernmental Cooperation Agreement dated July 8, 2013 that establishes a cost sharing agreement between Aransas County and the City of Rockport for the referenced project, I have reviewed the construction plans and hydraulic calculations prepared by Urban Engineering and have two concerns:

1. The three drainage structures were analyzed for the design flow using HY-8, a computer program distributed by the Federal Highway Administration, as a check of the Urban Engineering (UE) hydraulic calculations. A comparison to the headwater elevations (HW EL) calculated by UE and the County are as follows:

<u>LOCATION</u>	<u>Design Flow</u>	<u>HW EL (UE)</u>	<u>HW EL (HY 8)</u>	<u>RDWY EL</u>
FM 1781	669.7 cfs	3.68	4.46	5.52
Sanctuary	361.9 cfs	7.31	8.26	8.20
Spanish Woods	234.2 cfs	10.03	11.10	11.70

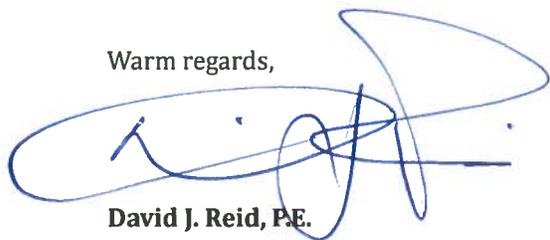
Hydraulic calculations using HY 8 software indicates headwater elevations at all three structures are higher than the elevations calculated by UE. While the increase in headwater elevations at FM 1781 and Spanish Woods do not have a negative impact, stormwater appears to overtop Sanctuary Road during the design event.

2. Hydraulic calculations for these structures assumes improvements to the drainage channel between the three structures. Channel improvements are not included as part of the construction documents. Also, it is unclear whether the City has the required easement width necessary for the proposed channel improvements.

Since Sanctuary Road is a private road located within the City Limits of Rockport, City criteria should dictate whether stormwater overtopping the road during the design frequency is allowable. The County assumes no liability for any

damages that may result from Sanctuary Road being overtopped. The County encourages City staff to ascertain if the existing drainage easement is sufficient for the proposed channel improvements and acquire the necessary easements, if needed, at your earliest opportunity. The County does not object to the City seeking bids for construction.

Warm regards,

A handwritten signature in blue ink, appearing to read "David J. Reid", with a large, stylized flourish above the name.

**David J. Reid, P.E.**

ASSISTANT COUNTY ENGINEER

Cc: **Mike Donoho, Judge Mills**

ORIGINAL

THE STATE OF TEXAS    §  
   §  
 COUNTY OF ARANSAS    §

KNOW ALL BY THESE PRESENTS:

**INTERGOVERNMENTAL COOPERATION AGREEMENT  
 COUNTY OF ARANSAS – CITY OF ROCKPORT  
 SPANISH WOODS WATERSHED PROJECT**

THIS AGREEMENT, made by and between **ARANSAS COUNTY, TEXAS** (“County”) and the **CITY OF ROCKPORT** (“City”), each acting by and through its duly elected officials.

**BACKGROUND**

1. On the 8<sup>th</sup> day of July 2013, the Aransas County Commissioners Court authorized the County’s participation in this Agreement; and

2. On the 11<sup>th</sup> day of June 2013, the Rockport City Counsel authorized the City’s participation in this Agreement; and

3. County and City agreed that increasing the capacity of drainage structures at Spanish Woods Drive, Sanctuary Drive and FM 1781 would be beneficial to County, City and their citizens. The subject location is shown by the conceptual site plan in Exhibit “A” which is attached and made a part hereof; and

4. County and City propose to share the cost of design and construction of this project on a 50/50 basis in accordance with this Agreement. Neither party shall recover for overhead expenditures such as administration costs, benefits, staff costs, etc.

5. In consideration of the above and of the mutual covenants and agreements of the parties hereto, it is agreed as follows:

**A. DESIGN AND CONSTRUCTION**

The City will prepare or provide for the plans for the facility and will provide for the construction work as required by said plans. Said plans shall include the design of the access control, necessary horizontal and vertical clearances for roadway structures, adequate landscape treatment, adequate detail to ensure compliance with applicable structural design standards, sufficient traffic control provisions, and general layout.

- The structure shall be designed to convey flows as calculated in the Aransas County Regional Stormwater Management Plan (“ACRSMP”) as outlined below:
  - i. Spanish Woods Drive – 234.2 CFS
  - ii. Sanctuary Drive – 361.9 CFS
  - iii. FM 1781 – 669.7 CFS
- Structures shall be hydraulically designed per the TX DOT drainage design manual.
- All plans and calculations shall be reviewed and approved by the County.
- Bidding and construction shall not commence until plans and calculations have been approved by the County.
- Any future revisions or additions to the plans, calculations or this agreement shall be made after prior written approval of both parties.

**B. INSPECTION**

Ingress and egress shall be allowed at all times to such facility for County and City personnel for inspection purposes.

**C. SIGNS**

All signs to be erected in connection with this project shall be approved by both County and City prior to actual posting.

**D. RESPONSIBILITIES**

Maintenance and operation of the facility shall be entirely the responsibility of the City.

**E. PREVIOUS AGREEMENTS**

The terms of the Intergovernmental Cooperation Agreement, City of Rockport – Roads, dated August 8, 2011, effective January 1, 2012, attached hereto as Exhibit “B”, is incorporated herein and shall be an integral part of this Agreement. Should there be conflict between any terms of this Agreement and Exhibit “B”, this Agreement shall control.

**F. INDEMNIFICATION**

Each party acknowledges that it is not an agent, servant, or employee of the other party. As between these parties, each party is responsible for its acts and deeds and for those of its agents, servants, or employees.

**G. LEGAL CONSTRUCTION**

If any provision of this Agreement shall be held invalid, illegal or unenforceable in any respect, such determination shall not affect any other provision of this Agreement and shall be construed as if such clause had never been contained in this agreement.

**H. AUDIT**

The County may conduct an audit of any aspect of this Agreement after fifteen (15) days written notice to City. The City shall provide the County with access to any information the County considers relevant to the audit.

**I. NOTICES**

All notices required under this agreement shall be mailed or hand delivered to the following respective addresses:

**ARANSAS COUNTY**  
(Mailing Address)  
ATTN: County Judge  
301 North Live Oak  
Rockport, Texas 78382

**CITY OF ROCKPORT**  
(Mailing Address)  
ATTN: Mayor  
622 E. Market St  
Rockport, Texas 78382

6. This Agreement shall expire two (2) years after the date the parties have signed below.

IN WITNESS WHEREOF, the parties have hereunto affixed their signature, the COUNTY on the 8<sup>th</sup> day of July 2013, and the CITY on the 11<sup>th</sup> day of June 2013.

**ARANSAS COUNTY**

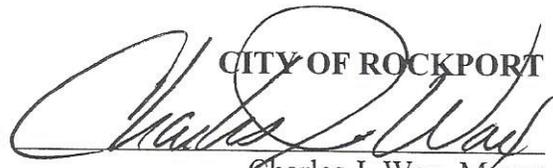
By: [Signature]  
Title County Judge

C. H. "Burt" Mills, Jr  
Printed Name

7-8-2013  
Date

CITY OF ROCKPORT

By:

A handwritten signature in black ink, appearing to read "Charles J. Wax", written over a horizontal line.

Charles J. Wax, Mayor

June 12, 2013 Date

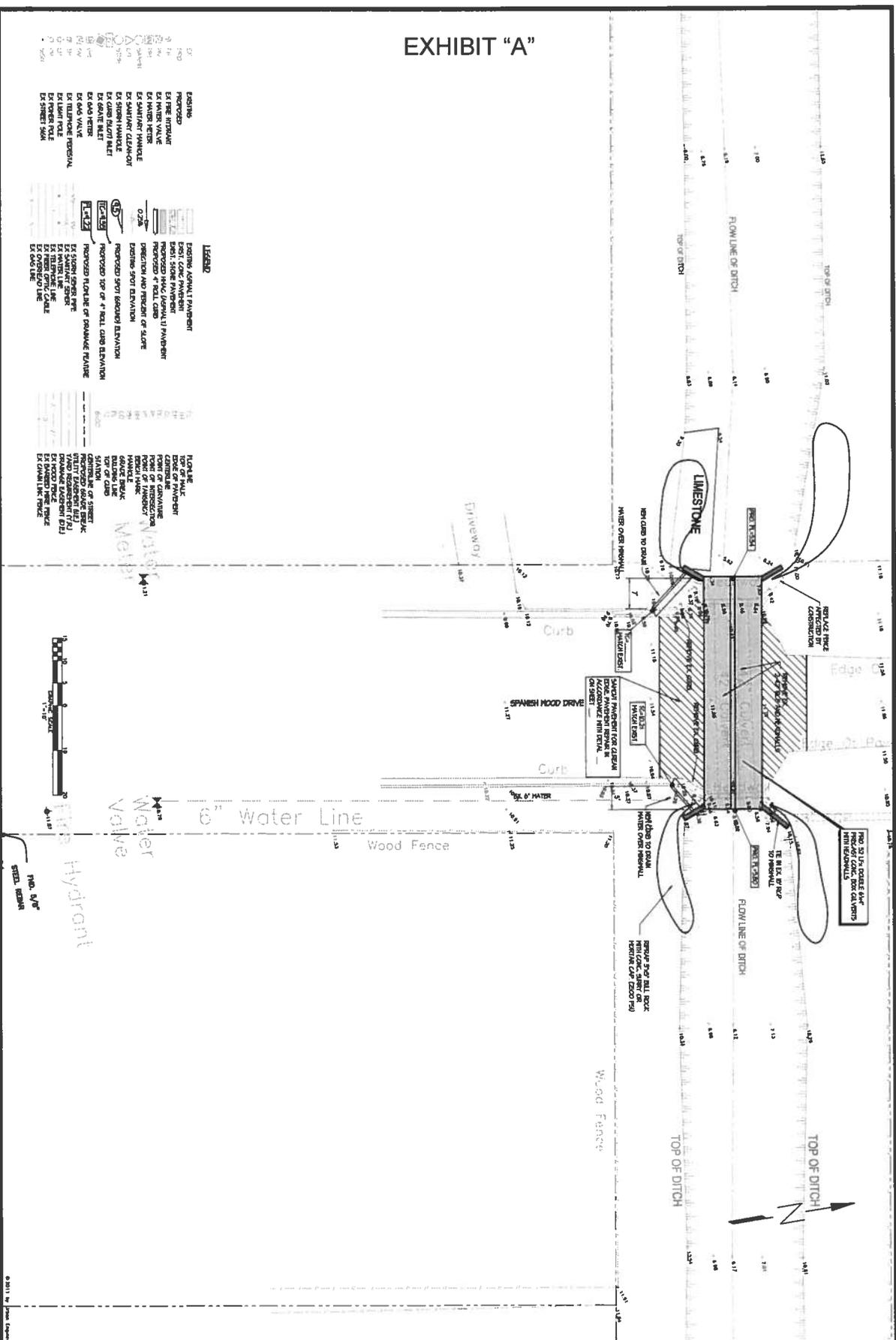


# EXHIBIT "A"

- EX 100
- EX 101
- EX 102
- EX 103
- EX 104
- EX 105
- EX 106
- EX 107
- EX 108
- EX 109
- EX 110
- EX 111
- EX 112
- EX 113
- EX 114
- EX 115
- EX 116
- EX 117
- EX 118
- EX 119
- EX 120

- LEGEND**
- EXISTING ASPHALT PAVEMENT
  - PROPOSED ASPHALT PAVEMENT
  - EXISTING CONCRETE PAVEMENT
  - PROPOSED CONCRETE PAVEMENT
  - EXISTING DRIVEWAY
  - PROPOSED DRIVEWAY
  - EXISTING SIDEWALK
  - PROPOSED SIDEWALK
  - EXISTING CURB
  - PROPOSED CURB
  - EXISTING DITCH
  - PROPOSED DITCH
  - EXISTING UTILITY
  - PROPOSED UTILITY
  - EXISTING TREE
  - PROPOSED TREE
  - EXISTING FENCE
  - PROPOSED FENCE
  - EXISTING SIGN
  - PROPOSED SIGN
  - EXISTING LIGHT POLE
  - PROPOSED LIGHT POLE
  - EXISTING STREET SIGN
  - PROPOSED STREET SIGN

- TOP LINE**
- PROPOSED 6" WATER LINE
  - PROPOSED 12" WATER LINE
  - PROPOSED 18" WATER LINE
  - PROPOSED 24" WATER LINE
  - PROPOSED 30" WATER LINE
  - PROPOSED 36" WATER LINE
  - PROPOSED 42" WATER LINE
  - PROPOSED 48" WATER LINE
  - PROPOSED 54" WATER LINE
  - PROPOSED 60" WATER LINE
  - PROPOSED 66" WATER LINE
  - PROPOSED 72" WATER LINE
  - PROPOSED 78" WATER LINE
  - PROPOSED 84" WATER LINE
  - PROPOSED 90" WATER LINE
  - PROPOSED 96" WATER LINE
  - PROPOSED 102" WATER LINE
  - PROPOSED 108" WATER LINE
  - PROPOSED 114" WATER LINE
  - PROPOSED 120" WATER LINE



**URBAN ENGINEERING**  
CORPUS CHRISTI, TEXAS

2725 BRANSON DRIVE, CORPUS CHRISTI, TX 78405-2812  
737-534-1101 • 2101-434-7822 • Fax 737-534-1102

**FM 1781 CROSSING NEAR SPANISH WOODS DRIVE**

**MASTER PLAN DRAINAGE CROSSINGS**  
CITY OF ROCKPORT, TEXAS  
ROCKPORT, TEXAS

SCALE:	REV.	BY	DATE	DESCRIPTION
1" = 10'				
	097			
	098			
	099			
	100			
	101			
	102			
	103			
	104			
	105			
	106			
	107			
	108			
	109			
	110			

DATE: AUG 2009

SHEET 5 OF 8  
JOB NO. 0158048202





**EXHIBIT "B"**

THE STATE OF TEXAS           §  
   §       KNOW ALL BY THESE PRESENTS:  
 COUNTY OF ARANSAS         §

**INTERGOVERNMENTAL COOPERATION AGREEMENT  
 CITY OF ROCKPORT - ROADS**

THIS AGREEMENT, made and entered into by and between ARANSAS COUNTY, TEXAS ("County") and the CITY OF ROCKPORT, ("City"), each acting by and through its duly elected officials.

WITNESSETH:

WHEREAS, said County and City have determined that it would be to the best interest of such County and City that the following provisions be made to-wit:

NOW, THEREFORE: said County and the City agree as follows:

1. Pursuant to the Interlocal Cooperation Act, *Texas Government Code, Chapter 791* and the *Texas Transportation Code, Section 251.012* the County agrees to provide personnel, equipment and materials for the purposes of construction, improvement, maintenance, and/or repair of any street, alley, parking or drainage within the corporate city limits of the City of Rockport, subject to the approval of the County Engineer and provisions set forth in the following sections of this Agreement.
2. All charges for work approved and performed for the City will be based on materials, fuel and labor only. However, equipment and overhead will also be charged for on any job where the City is reimbursed from Governmental funds for such equipment and/or labor costs such as disaster relief or grants. Rates for the work done in these instances will be based on the reimbursable rates as designated by the controlling governmental entity. All other labor charged will be determined by personnel working on the job site documented by daily worksheets. The labor rate will be based on personnel salary at the time of work performed. Personnel overhead allowances will be absorbed by the County. All charges for material will be based on summaries documented by the daily worksheets. Loose material quantities will be based on estimated capacities of vehicles and number of loads hauled. Charges for material will be based on actual cost to the County whether delivered to the County Service Center at 1931 F. M. 2165 or directly to job site. Material charges will include any and all expenses associated with delivery to the designated site. Fuel charges will be calculated by filling equipment prior to moving it to the designated job then refilling the equipment after it has left the job and computing the difference. The per-gallon price of the fuel will be based on the last delivered price to the Aransas County Service Center.
3. The City agrees to provide construction water at a convenient location at no charge to the County or will make arrangements with the local utility for the water if it is deemed necessary to provide the service requested by the City.
4. The City will have the right to supplement labor, equipment or materials to offset project costs with the approval of the County Engineer.
5. The parties intend that the County in performing such services, shall act as an independent contractor and shall have control of the work and the manner in which it is performed. During the performance of requested services the City will be required to provide a responsible employee to verify performance, clarify ambiguities and act as intermediary to the public. The County shall not be considered an agent, employee, or borrowed servant of the City.
6. The parties further agree that such work will be performed in a workmanlike manner, but County grants no warranties of any kind to the City or any third party.
7. During the term of this Agreement, work requests will only be received from an agent of the City authorized by the Mayor. The request for work will be submitted to the County Engineer. The work request will be submitted in writing which will include the type, location, and time frame of the assistance requested pursuant to the conditions of this Agreement. It is expressly understood between the parties that the County shall have

no authority or obligation to provide any service or work on any City street, alley or property not so agreed to in writing. The County Engineer is authorized to sign an acceptance statement for each project at the appropriate time and authorize the work be completed subject to the work schedule of the County Road and Bridge Department. Any work requests that are supplemental to the original request will be accompanied by written follow-up documentation. Failure to furnish the required follow-up documentation will not eliminate the City's obligation to provide payment for said supplemental services. The seal coat program will be completed by October 1 of each year.

- 8. To the extent authorized by law, the City of Rockport hereby agrees to assume the risk of, defend, hold harmless, and fully indemnify the County, its officers, agents and employees from any and all loss damage, cost demands or causes of action of any nature or kind for loss or damage to property, or for injury or death to person, arising in any manner from the performance of the above referenced work.
- 9. All materials, services, and charges therefore shall be paid for from current resources available to the paying parties. County shall provide to the City a monthly detailed report showing the work provided under this Agreement and the charges allocated for said work. Payment schedules for such work will be determined prior to start. The payments will be monthly or by project as agreed by County Engineer and the representative of the City. Bills for completed work will be paid for by the City within thirty (30) days of the date of billing.
- 10. Purchase of materials (excluding fuel) not associated with contract work done by the County will be charged at cost plus 10% to offset handling, preparation, and administrative costs. Fuel purchases will be reimbursed for the actual number of gallons used. The price per gallon will be equal to the costs paid by Aransas County for the fuel plus Scents/gallon facility charge.
- 11. The County and City may further agree to work in a cooperative effort whereby from time to time labor, materials and maintenance equipment may be exchanged when mutually convenient for the County and the City on an emergency basis. The charges assessed to the County for said service will be reimbursed as outlined in the above Sections 1 through 9.

This AGREEMENT shall be effective for a period of one (1) year or part thereof, effective from January 1, 2012, to December 31, 2012.

This AGREEMENT constitutes the entire agreement between Aransas County, Texas, and the City of Rockport, Texas. Neither party hereto is bound by an agreement, condition, stipulation, understanding or representation made by any agent or members not herein contained. This Agreement supercedes all prior agreements to exchange labor and maintenance equipment executed by the parties to the agreement.

SIGNED this the 8<sup>th</sup> day of August, 2011.

ATTEST:

Peggy L. Friebele  
PEGGY L. FRIEBELE, COUNTY CLERK

ARANSAS COUNTY

C.H. BURT MILLS  
C.H. BURT MILLS, COUNTY JUDGE

SIGNED this the 16<sup>th</sup> day of August, 2011.

ATTEST:

Irma G. Parker  
IRMA G. PARKER, CITY SECRETARY

CITY OF ROCKPORT:

Charles J. Wax  
CHARLES J. WAX, MAYOR

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2015**

---

**AGENDA ITEM: 11**

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

---

**FISCAL ANALYSIS:** N/A

---

**RECOMMENDATION:** Not an action item.

---



Second Quarter Report April – June 2015

# Visitor Center Snapshot (April - June)

- 3,475 walk-in visitors during January through March.
- 4,084 visitor email inquiries
- Mailed 50 relocation packets
- Distributed 287 goodie bags, 142 phone-in inquiries, 3,633 bulk mail pieces
- 55,442 users engaged on the website for the quarter with 74% percent of those being new visitors

# Facebook Insights: current activity

## **Visit Rockport-Fulton Page**

- 45,603 reached with 3,414 people engaged and 33,652 likes to date.

## **Rockport-Fulton Chamber Page**

- 2,332 reached with 247 people engaged and 1,727 likes to date.

## **Rockport-Fulton HummerBird Celebration Page**

- 294 reached with 49 people engaged and 1,621 likes to date.

## **Rockport-Fulton Seafair**

- 2,253 reached with 99 people engaged and 1,476 likes to date.

# Chamber Academy

Helping small businesses one step at a time

- Hurricane Breakfast at the Public Works
- Social Media
- Lunch & Learns
- Self-development

... 923 seats taken in courses and workshops since October 1, 2015.





# Guidance □ Promotion □ Support

...Getting from Point A to Point B  
Always your PLAN B...

**Promotion**  
**Leadership**  
**Advocacy**  
**Networking**  
**Building the Economy**

- Changing of the Gavel Banquet had almost 300 people in attendance.
- Excited about the year
- Board Retreat Aug. 31<sup>st</sup>

# Questions

- Thank you for your support!



**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2014**

---

**AGENDA ITEM: 12**

Deliberate and act on request from Rockport-Fulton Chamber of Commerce for street closures for annual Sea Fair Parade and event, and permission to hang street banners and directional signs for Seafair, and HummerBird Celebration.

Seafair Parade - Parade route from 622 E. Market Street (City Hall) east to Austin Street, Austin Street north to Concho Street

- a. Closure of Market Street at intersections of Ann Street, Pearl, Church, Live Oak, Magnolia (N & S) east to Austin Street;
- b. Closure of Austin Street to Concho Street at intersections of St. Mary's, Wharf, North, Peter, Cornwall and Concho Streets; and
- c. Closure of Laurel Street from Business 35 to Seabreeze on October 8-11, 2015.

Banner & Sign request:

- a. Seafair - Banner signs at: 1) FM 3036 and Broadway and 2) Highway 35 North in front of Walmart from September 21-October 16, 2015.
- b. HummerBird Celebration - Banner signs at: 1) FM 3036 and Broadway; 2) Highway 35 North in front of Walmart from August 1-September 21, 2015; and 3) directional signs as requested - placed on September 16-21, 2015.

**SUBMITTED BY:** City Secretary Teresa Valdez

**APPROVED FOR AGENDA:** PKC

---

**BACKGROUND:** The annual Sea Fair Parade is scheduled for Saturday, October 10. The Chamber is requesting a route change from previous years' parades, specifically changing from Magnolia Street to Austin Street. See the accompanying request for additional details.

---

**FISCAL ANALYSIS:** No direct cash expense anticipated; however, staff will track in-kind labor, materials, and equipment used in support of the event.

---

**RECOMMENDATION:** Staff recommends

July 1, 2015

Teresa Valdez  
 City of Rockport  
 622 E. Market Street  
 Rockport, TX 78382

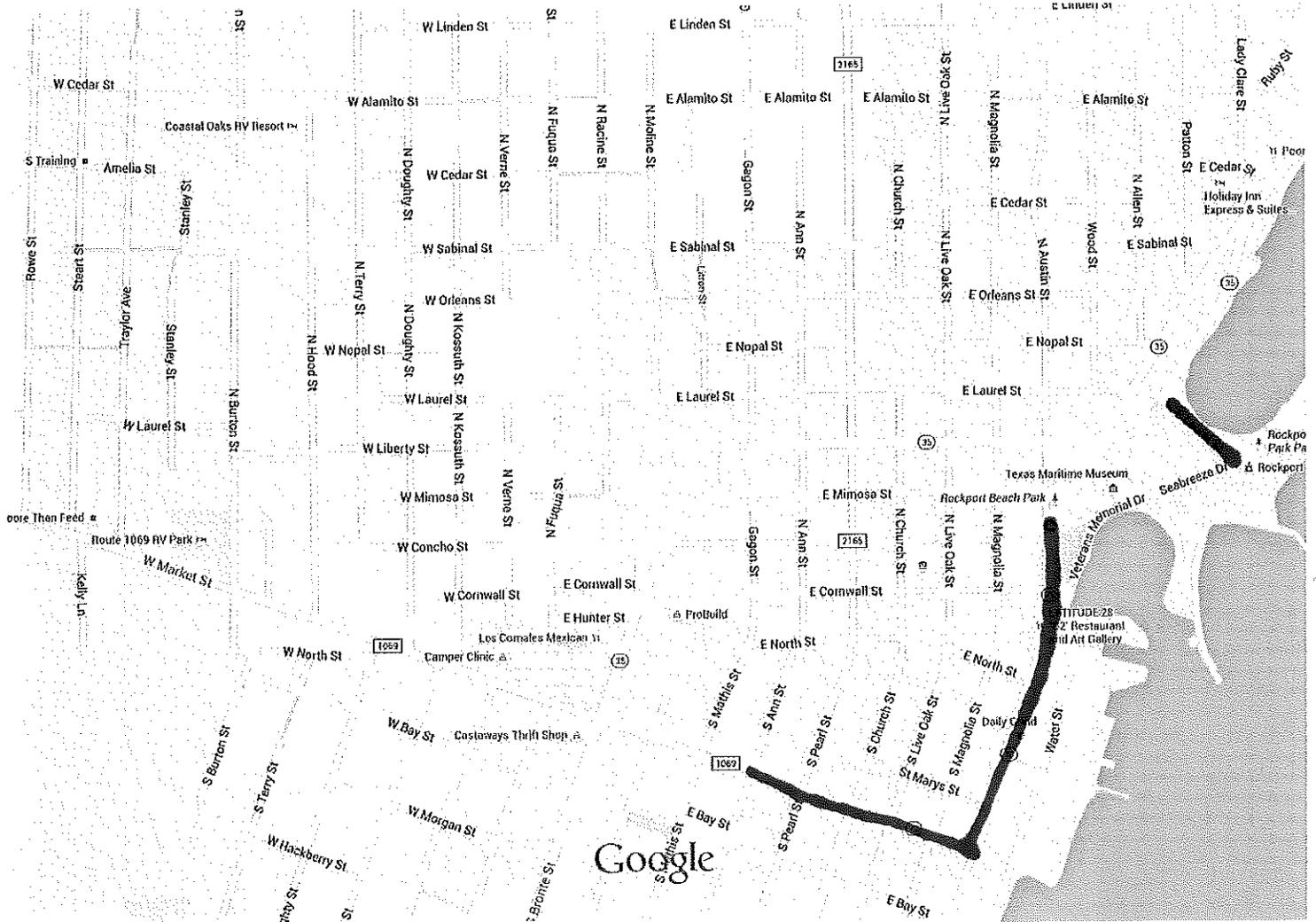
Re: Rockport Seafair Parade Request for Road Closures and Permission to hang street banners for HummerBird Celebration and Rockport Seafair.

Dear Teresa,  
 We would like to ask the following:

- A. Deliberate and take action on request from Rockport-Fulton Chamber of Commerce for the following items in conjunction with the Rockport's Seafair Parade: Oct 10, 2015
1. "Seafair" Parade – parade route from 622 E. Market Street (City Hall) east to Austin Street, Austin Street north to Concho Street;
  2. Street closure for parade line-up: Ann Street, between Market & North Streets, beginning at 9:00 a.m. until start of parade;
  3. Street closures for parade route –
    - a. Market Street at intersections of Ann Street, Pearl, Church, Live Oak, Magnolia (N & S) east to Austin Street;
    - b. Austin Street north to Concho intersections of St. Mary's, Wharf, North, Peter, Cornwall and Concho
  4. Street Closures for Rockport Seafair Festival Grounds-
    - a. Laurel Street from Business 35 to Seabreeze on October 8, 2014 through October 11, 2015.
- B. Deliberate and take action on request from Rockport-Fulton Chamber of Commerce of the following event signage requests:
1. Seafair, October 8-11, 2015 - Banner signs (1) at FM 3036/Broadway and (2) Hwy 35 N in front of Wal-Mart from September 21-October 16, 2015; and
  2. Hummer Bird Celebration, September 17-20, 2015 - Banner Signs – (1) at FM 3036/Broadway and (2) Hwy 35 N in front of Wal-Mart from August 1-September 21, 2015 and various Off-street directional Signs as requested – placed on Wednesday, September 16th and removed on Monday, September 21<sup>st</sup>, 2015.

This is a huge task and major undertaking of the Rockport-Fulton Chamber of Commerce. We have a group of volunteers who are committed to making this event happen. The focus is to bring about a quality event saluting our sea, and what it brings for us.

Thank you for understanding assistance and support.  
 Sincerely,  
 Sandy Jumper  
 Director of Tourism and Events



Rockport, TX

Photos · Search nearby

 Retire in Texas · [www.bringyourchallenges.com/](http://www.bringyourchallenges.com/)

Map data ©2015 Google 500 ft 

**CITY COUNCIL AGENDA**  
**Workshop Meeting: Tuesday, July 14, 2015**

---

**AGENDA ITEM: 13**

Hear, deliberate, and act on acceptance of YMCA Project Committee final plan.

**SUBMITTED BY:** Council Member Pat Rios and Committee Chairperson Jordan Fisher

**APPROVED FOR AGENDA:** PKC

---

**BACKGROUND:** In February, an ad hoc YMCA Committee was appointed to develop a comprehensive plan that included a) Scope of services b) Facility design c) Construction estimates d) Estimates of operating & maintenance costs e) Management agreement with YMCA of the Coastal Bend and f) Project funding plan for a local YMCA. The committee has a sunset date of July 31, 2015.

The Committee presented their report at the June 23, 2015 City Council Workshop. The Committee will present the accompanying final plan for discussion with a request that the plan be approved.

---

**FISCAL ANALYSIS:** N/A

---

**RECOMMENDATION:** Staff recommends Council accept the YMCA Project Committee's report and schedule a discussion on next steps for a future workshop session.



# **PRESENTATION TO ROCKPORT CITY COUNCIL**

by the YMCA Ad Hoc Project Committee

June 23, 2015

## History

In the Spring of 2014, interested citizens and the YMCA of the Coastal Bend met with representatives from the City of Rockport, other government entities and the Chamber of Commerce to gauge interest in the opening of a Rockport branch.

Having declared its interest, the City designed and distributed a questionnaire, which was sent to its utility customers. (See Attachment 1). More than 200 completed surveys, representing 521 individuals, were returned. The responses were overwhelmingly positive. In fact, 69 individuals provided contact information stating that they were interested in assisting with the project.

A YMCA Steering Committee was formed to review the results, meet with representatives of the YMCA of the Coastal Bend, tour facilities and identify a potential site for a local branch. It was the Committee's recommendation to utilize the site previously identified for the City's "Gathering Place" community center.

In February 2015, Mayor Wax appointed a YMCA Project Committee to research and present a plan addressing a set of charges by a sunset date of July 31, 2015.

## Charges to YMCA Project Committee

- Scope of services
- Facility design
- Construction estimates
- Estimates of operating & maintenance costs
- Management agreement with YMCA of the Coastal Bend
- Project funding plan

## Scope of Services

Based upon the results of the survey and committee input, the Top 10 Requested Services & Programs were established as:

1) Indoor activities/programs (e.g. basketball, aerobics, Tai-Chi, self-defense classes, walking/running); 2) Health club facilities for all age groups; 3) Senior wellness programs; 4) Multiuse rooms for meetings, instructional classes, training; 5) Youth sports programs for basketball, soccer, baseball, volleyball, others; 6) Before and/or after school programs; 7) Computer classes; 8) Game room; 9) Adult sports programs for basketball, soccer, baseball, volleyball, others; and 10) Child day care.

The Committee further fine-tuned the results and worked with the YMCA of the Coastal bend to develop a list of prospective programs and ongoing activities. While including the Community Aquatic Center and Skate Park in the scope of services was considered, the Committee felt that further discussion and/or action should remain with the government entities.

It was determined that a local branch would serve the community 91.5 hours a week, seven days a week. The operating days would be Monday – Friday 5:30 am – 9 pm, Saturday 8 am – 5 pm and Sunday Noon – 5 pm. In addition to regular activities outlined on the next two pages, the programs would also include:

- Summer Day Camps for children 4 – 12 years old
- Holiday Camps/ School's Out Camps
- Teen Camps 13-15 years old
- Sports Camps for 8 – 11 years old
- Youth Basketball Leagues
- Youth Volleyball Leagues
- Youth Flag Football Leagues
- Youth Soccer Leagues
- Afterschool program for K-6<sup>th</sup>
- Afterschool Drop in Middle School Program
- Motor Movement/Tumbling Classes
- Cheer/Dance Classes
- Adult Boot Camps
- Personal Training
- Sports Specific Training
- Adult Volleyball Leagues
- Adult Basketball Leagues
- Health and Wellness Classes
- Fitness Classes
- Youth Climbing Wall(s)
- Equipped Fitness Center



FOR YOUTH DEVELOPMENT®  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

**WELLNESS SCHEDULE**  
YMCA OF THE COASTAL BEND \* 2015

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
<b>WATER WORKOUTS</b>	Aqua ZUMBA® 9:00 AM - 10:00 AM  Water Aerobics 5:30 PM - 6:30 PM	Aqua ZUMBA® 9:00 AM - 10:00 AM	Aqua ZUMBA® 9:00 AM - 10:00 AM  Water Aerobics 5:30 PM - 6:30 PM	Aqua ZUMBA® 9:00 AM - 10:00 AM	Aqua ZUMBA® 9:00 AM - 10:00 AM  Aqua ZUMBA® 5:30 PM - 6:30 PM			
<b>CARDIO/ CORE CLASSES</b>	Silver Sneakers® (Comm RM) 9:00 AM - 10:00 AM  Core/Circuit Class (Aerobics RM) 12:00 PM - 1:00 PM  ZUMBA® (Aerobics RM) 5:30 PM - 6:30 PM	Turbo Kick (Aerobics RM) 5:45 AM - 6:45 AM  \$ BOOTCAMP (Comm RM) 6:00 AM - 6:55 AM  H.I.I.T. (Comm RM) 11:30 AM - 12:00 PM  BOKWA® (Aerobics RM) 5:00 PM - 5:50 PM  PILOXING® (Comm RM) 5:30 PM - 6:30 PM  ZUMBA® (Aerobics RM) 5:55 PM - 6:55 PM	Silver Sneakers® (Comm RM) 9:00 AM - 10:00 AM  Core/Circuit Class (Aerobics RM) 12:00 PM - 1:00 PM  H.I.I.T. (Gym) 5:00 PM - 5:30 PM  ZUMBA® (Aerobics RM) 5:30 PM - 6:30 PM	Turbo Kick (Aerobics RM) 5:45 AM - 6:45 AM  \$ BOOTCAMP (Comm RM) 6:00 AM - 6:55 AM  H.I.I.T. (Comm RM) 11:30 AM - 12:00 PM  BOKWA® (Aerobics RM) 5:00 PM - 5:50 PM  ZUMBA® (Aerobics RM) 5:55 PM - 6:55 PM		Silver Sneakers® (Comm RM) 9:00 AM - 10:00 AM  Core/Circuit Class (Aerobics RM) 12:00 PM - 1:00 PM  ZUMBA® (Aerobics RM) 5:30 PM - 6:30 PM	ZUMBA® (Aerobics RM) 8:45 AM - 9:45 AM  H.I.I.T. (Comm RM) 11:00 AM - 11:30 AM	ZUMBA® (Aerobics RM) 3:00 PM - 4:00 PM
<b>STRENGTH TRAINING</b>	BODYPUMP™ (Comm RM) 5:30 PM - 6:30 PM	BODYPUMP™ (Aerobics RM) 12:00 PM - 1:00 PM	BODYPUMP™ (Comm RM) 5:30 PM - 6:30 PM	BODYPUMP™ (Aerobics RM) 12:00 PM - 1:00 PM		BODYPUMP™ (Comm RM) 10:00 AM - 11:00 AM		
<b>CYCLING CLASSES</b>	Cycling (Cycle RM) 5:45 AM - 6:45 AM  Cycling (Cycle RM) 12:00 PM - 1:00 PM	Cycling (Cycle RM) 5:30 PM - 6:30 PM	Cycling (Cycle RM) 5:45 AM - 6:45 AM  Cycling (Cycle RM) 12:00 PM - 1:00 PM	Cycling (Cycle RM) 5:30 PM - 6:30 PM		Cycling (Cycle RM) 11:00 AM - 12:00 AM		
<b>YOGA</b>	Sunset Yoga (Aerobics RM) 6:45 PM - 7:45PM	SILVERSNEAKERS YOGA® (Comm RM) 8:00 AM - 9:00AM	Sunrise Yoga (Aerobics RM) 6:00 AM - 7:00 AM  Sunset Yoga (Aerobics RM) 6:45 PM - 7:45PM	SILVERSNEAKERS YOGA® (Comm RM) 8:00 AM - 9:00AM				

\*Schedule is subject to change, last updated 03APRIL15

KEY  
\$ - Paid class, Not included with membership

## CLASS DESCRIPTION



**LES MILLS BODYPUMP™** is a non-impact weights-based exercise class that works every major muscle group in the body using weights, a bar and step. It strengthens, conditions and tones muscles, producing amazing results - fast.



**ZUMBA** - Ditch the Workout Join the Party® is the battle cry of the Zumba revolution. What is Zumba? Zumba is the #1 fitness workout that uses African beats and Latin rhythms to help participants get fit in a party like environment. Using an interval format each Zumba class combines dance and fitness moves for cardiovascular health, toning and strength building.



**SilverSneakers® MSROM** -Have fun and move to the music through a variety of exercises designed to Increase muscular strength, range of movement, and activity for daily living skills. Hand-held weights, elastic tubing with handles, and a ball are offered for resistance; and a chair is used for seated and/or standing support.

**SilverSneakers Yoga** - will move your whole body through a complete series of seated and standing yoga poses. Chair support is offered to safely perform a variety of seated and standing postures designed to increase flexibility, balance and range of movement. Restorative breathing exercises and final relaxation will promote stress reduction and mental clarity.

Sunrise Yoga  
Sunset Yoga

**Yoga** -Spirit, mind, and body all come together in this calm and relaxing class. This can help to start the day off invigorated, or melt away the day's stresses while helping to improve flexibility at the same time. The flow is slow, focusing on pose techniques, body alignment, and deep breathing. A great class to improve balance & flexibility while relaxing the mind

CORE Training

**Core Training**-Intense Abdominal training, with emphasis on form and alignment

Circuit Work-It

**Circuit Work-it** -This circuit class is designed to promote skill and body position development while delivering a high intensity, multi-style progressive workout. No class experience required. A challenging workout for all abilities!



**BOKWA®** is Different. It is not really a dance workout - there is no choreography and no counting steps. Participants draw letters and numbers with their feet, while moving together to music in free form rhythm. Everyone is doing it. If you can move and you can spell, you can do Bokwa®.

Cycling

**Cycling** - This class focuses on cardio challenges, hill climbs, and varying speeds and resistance for all participant levels. Great workout for all fitness levels but come ready to sweat!

Water Aerobics

**Water Aerobics** -Use the resistance of the water to improve cardiovascular fitness & overall tone without the impact that is associated with land based workouts. You do not need to swim to participate in our water classes.

PILOXING

**PILOXING** - The program uniquely blends the power, speed, and agility of boxing with the targeted sculpting and flexibility of pilates. These techniques are also supplemented by the use of weighted gloves, further toning the arms and maximizing cardiovascular health. Add to that exhilarating dance moves and you have a muscle-toning, fat-burning workout! Get ready to feel empowered!

BOOTCAMP 

**\$ Bootcamp** - Don't be intimidated by the name, challenge yourself! Bootcamp is a fun, non-traditional way to get in shape and feel great. Bootcamp caters to all fitness levels from the beginner through advanced. Utilizing resistance training with strength equipment and body weight, along with cardiovascular training; you can get the lean, toned body that you've always wanted.

**H.I.I.T.** - Intensify your workout with High Intensity Interval Training (H.I.I.T.) Training classes. H.I.I.T. Training is a total body strength and cardio workout that is guaranteed to get your heart pumping. This interval-based training is designed to burn more calories in a short amount of time. Come join us and let's reach our goals together.

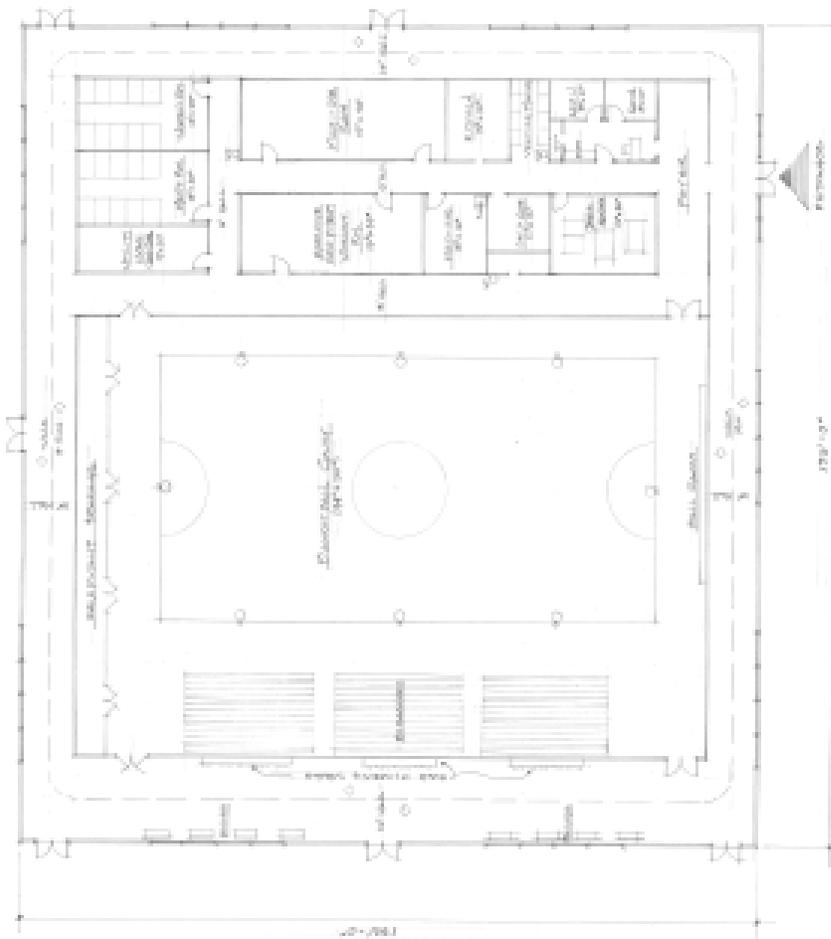
## Facility Design

Utilizing the architectural rendering of The Gathering Place as a template, the Committee designed a facility that incorporated many of its elements, but also addressed special needs and requests. Among them were:

- Indoor walking area
- Rock Climbing Wall
- Concessions/Vending
- Childcare Area
- An enclosed, windowed game room area at the front of the facility that could be easily monitored by staff.

The design accompanying this presentation (see next page) was to be provided by an architectural firm affiliated the national YMCA organization. A backlog of work made it impossible for the firm to provide the renderings before the July 31<sup>st</sup> deadline.

Fulton resident Margo Nielsen, owner of Nielsen Haus Designs, an architectural design service, provided the rendering at no charge.



YMCA Basketball Center  
Pr. YMCA

Floor Plan 8.1.10



1412 101, 101E

## **Construction Estimates**

It is not possible to provide an exact cost at this time. There are many options, e.g. size, exterior, special materials that need to be finalized.

Based on current construction costs and the YMCA's previous experience, the Committee is using an estimate of \$200 per square foot. While it's obvious that some areas would come in much less, the cost would be approximately \$4.4 million based on a 22,000-square-foot facility.

## Estimates of Operating and Maintenance Costs

The YMCA of the Coastal Bend has developed a budget summary. (See next page) The figures are based on the organization's experience in Corpus Christi and a proposed 800 memberships. The estimated monthly fees are:

Adults	\$30
Family	\$50 (two adults and children)
Senior	\$25
Senior Family	\$45
Young Adult	\$25 (ages 18 – 26)
Youth	\$15

Included in this budget is \$50,000 a year in membership financial assistance.

Programming, special events and room rentals will also produce additional income.

### 2015 Aransas County YMCA Proposed Budget Summary

2015 Budget -Aransas County YMCA	Budget 2015	Actual/Projected 2014	Variance	Percentage Change
GRANTS	23,175	0	23,175	#DIV/0!
GOV'T GRANTS	2,372	0	2,372	#DIV/0!
SPECIAL EVENTS	1,300	0	1,300	#DIV/0!
ML REIMBURSEMENT	0	0	0	#DIV/0!
MEMBERSHIP	279,600	0	279,600	#DIV/0!
MEMBERSHIP Misc.	4,300	0	4,300	#DIV/0!
PROGRAM	220,450	0	220,450	#DIV/0!
SALES	328	0	328	#DIV/0!
RENTAL	1,875	0	1,875	#DIV/0!
INTEREST	84	0	84	#DIV/0!
NSF	(300)	0	(300)	#DIV/0!
MISC	1,040	0	1,040	#DIV/0!
FINANCIAL ASSISTANCE	(50,000)	0	(50,000)	#DIV/0!
<b>Total Income</b>	<b>484,223</b>	<b>0</b>	<b>484,223</b>	<b>#DIV/0!</b>
SALARIES AND WAGES	204,000	0	204,000	#DIV/0!
PERSONNEL COSTS	50,658	0	50,658	#DIV/0!
PROFESSIONAL FEES	14,484	0	14,484	#DIV/0!
MEDIA SERVICE	2,323	0	2,323	#DIV/0!
SUPPLIES	43,156	0	43,156	#DIV/0!
EQUIPMENT	32,044	0	32,044	#DIV/0!
EQUIPMENT EXPENSE-Vehicle Leasing	1,289	0	1,289	#DIV/0!
INSURANCE	21,864	0	21,864	#DIV/0!
OCCUPANCY	84,004	0	84,004	#DIV/0!
FINANCING COSTS	7,500	0	7,500	#DIV/0!
YMCA DUES	9,600	0	9,600	#DIV/0!
OTHER EXPENSES*	10,529	0	10,529	#DIV/0!
CAMPAIGN EXPENSES	625	0	625	100.00%
<b>Total Expenses</b>	<b>482,075</b>	<b>0</b>	<b>482,075</b>	<b>#DIV/0!</b>
<b>NET INCOME (LOSS)</b>	<b>2,148</b>	<b>0</b>	<b>2,148</b>	<b>#DIV/0!</b>
Intra-association transfers:				
Sustaining Memb- PWY	40,000	0	40,000	#DIV/0!
Administrative Fee	0	0	0	#DIV/0!
United Way	0	0	0	#DIV/0!
Gifts and Bequest	0	0	0	#DIV/0!
Corporate				
Building				
<b>Total INCOME(LOSS)</b>	<b>42,148</b>	<b>0</b>	<b>42,148</b>	<b>#DIV/0!</b>
* Postage, food, lodging, transport fares vehicle expense, mileage, recreation outing, conference, dues, late fees, miscellaneous expense, recruitment, relocation				

## **Management Agreement with YMCA**

With the assistance of YMCA of the Coastal Bend Executive Director Rob Wiggins, the Committee has completed almost all of the requirements outlined by the national organization. These include:

- Letters of Local Support
- Establishment of a Bank Account that includes a \$2500 donation
- Approval of the YMCA of the Coastal Bend to become a branch

Upon approval by Council, the following will need to be undertaken:

- Establishment of a local Advisory Board
- Lease agreement between City and YMCA
- Letter to Y USA

## Project Funding Plan

Members of the Committee have been talking to several individuals and organizations about possible funding. One such opportunity is through Castaways, which has raised more money than it had budgeted for donations.

Until there is a commitment to opening a YMCA in Rockport and establishing an Advisory Board, no further steps can be taken.

Individuals responding to the questionnaire with offers of assistance are currently being contacted. These individuals, working with the Advisory Board can begin the first steps of a grass root fundraising campaign. According to Mr. Wiggins, most new branches are able to meet construction needs through community campaigns.

Corporate sponsors and foundations will be contacted for naming opportunities, furnishings and other donations.

While the Advisory Board sets up its operation and funding, the YMCA of the Coastal Bend can begin advertising for a local executive director. Initially, the notice will be placed on an internal, nation-wide job posting site. Proposed compensation is between \$40,000 - \$55,000 with an additional \$8,000 in benefits. Insurance and benefits would be through the YMCA of the Coastal Bend.

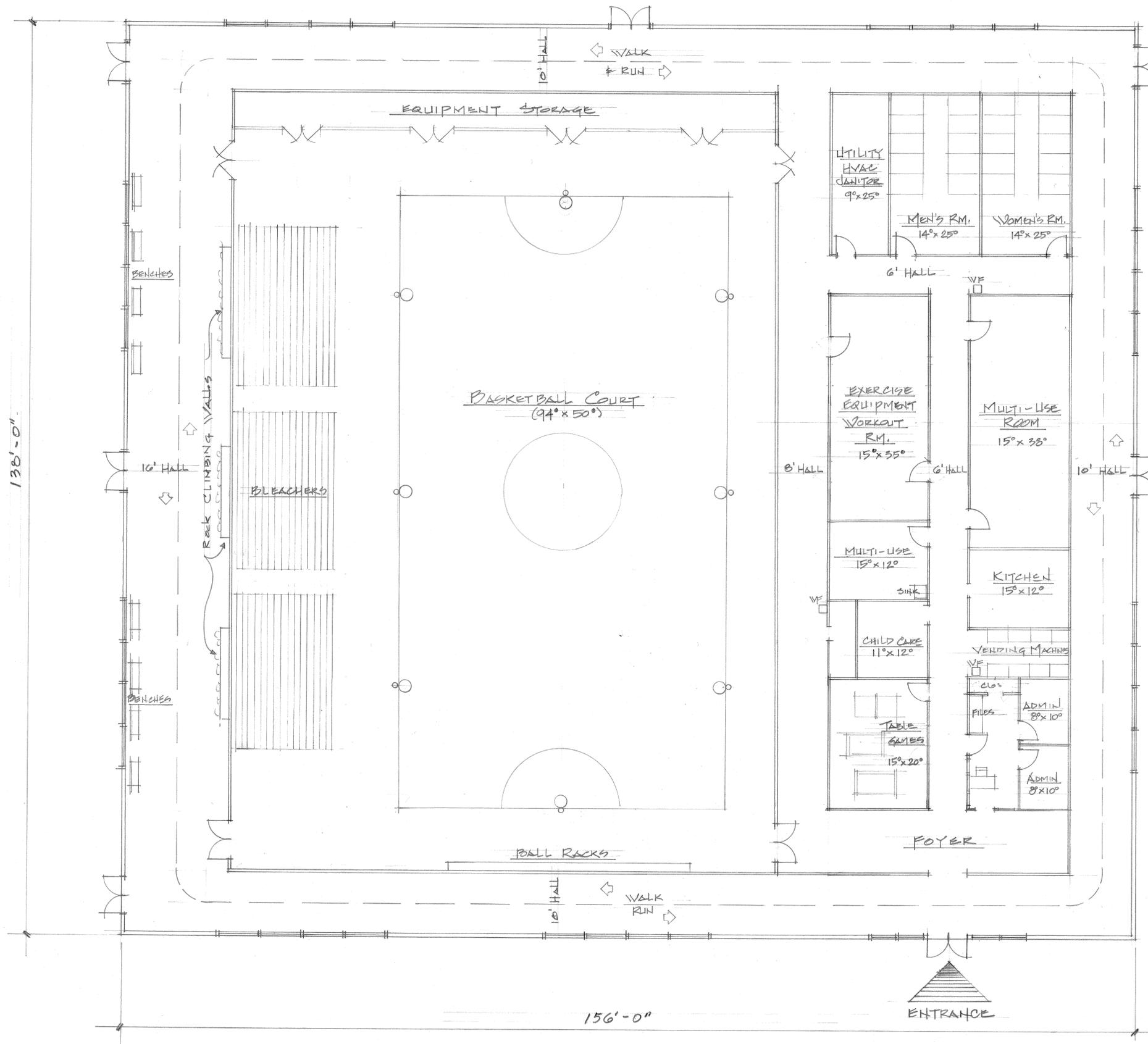
Once a director is hired, the individual will be able to work on fundraising and start developing programs for the area, well before the facility is completed. The City has offered to donate the use of an office and phone line in the old Service Center for this use.

A \$2 million commitment from the City for construction will be a tremendous asset to the fundraising effort.

## Next Steps

- Approval by City Council to apply the funds from the 2007 Bond towards the construction of a local YMCA
- Appointment of Advisory Board to finalize agreement with the YMCA of the Coastal Bend and to begin the fundraising efforts. We would like to have a representative from the City of Rockport sit on the Advisory Board until the facility opens.

**Attachment 1**  
**YMCA SURVEY**



PROPOSED RECREATION CENTER  
FOR YMCA

FLOOR PLAN 1/8" = 1'-0"



MARGO NIELSEN  
P.O. Box 220  
1501 Myrtle St.  
Fulton, TX 78358-0220  
(361) 729-3257

MAY 25, 2015

# YMCA INTEREST SURVEY



Elected and appointed officials from Aransas County, City of Rockport, and Town of Fulton have been in discussion with the leadership of the Corpus Christi YMCA regarding building a new YMCA facility in the city of Rockport. YMCA has also committed to bringing new programs and services prior to construction or leasing of any building. **Please note that no tax increase will be imposed on citizens for this facility.**

Before planning can begin in earnest, local officials want to know what services the community wants. The information you provide in this brief survey will guide what services the YMCA can provide that will best serve you, your family, and the community. Please take a moment to answer the following questions and return the survey to YMCA Survey, 622 E. Market Street, Rockport, TX, 78382. Thank you for your time and assistance.

**1. On a scale of 1-10, with 1 the most desirable and 10 the least desirable, please rank the following services you would like the YMCA to provide to you and your family members. Check the appropriate box for each service.**

Most Desirable ←—————→ Least Desirable

	1	2	3	4	5	6	7	8	9	10
Adult sports programs for basketball, soccer, baseball, volleyball, others	1	2	3	4	5	6	7	8	9	10
Youth sports programs for basketball, soccer, baseball, volleyball, other	1	2	3	4	5	6	7	8	9	10
Before and/or after school programs	1	2	3	4	5	6	7	8	9	10
Computer classes	1	2	3	4	5	6	7	8	9	10
Child day care	1	2	3	4	5	6	7	8	9	10
Game room	1	2	3	4	5	6	7	8	9	10
Health club facilities for all age groups	1	2	3	4	5	6	7	8	9	10
Indoor activities/programs including basketball, aerobics, Tai-Chi, self-defense classes, walking/running	1	2	3	4	5	6	7	8	9	10
Multise rooms for meetings, instructional classes, training	1	2	3	4	5	6	7	8	9	10
Senior wellness programs	1	2	3	4	5	6	7	8	9	10
Other desired services: _____	1	2	3	4	5	6	7	8	9	10

**2. Please check the days and times you would most likely be using services. Mark all that apply.**

Mornings	<input type="checkbox"/>	
Afternoons	<input type="checkbox"/>	
Evenings	<input type="checkbox"/>	
Daily	<input type="checkbox"/>	
Weekends	<input type="checkbox"/>	
Specific weekdays (Monday through Friday)	<input type="checkbox"/>	

**3. Please circle the total number of persons residing in your household by age group.**

	1	2	3	4	5	6	7	8	9	10
Adults										
Children 13 - 21										
Children 12 and under										

**4. If you are interested in getting involved with this project as a donor, policy volunteer, capital campaign volunteer, or local program volunteer, please provide the contact information request below.**

**Name:** \_\_\_\_\_ **Address:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2015**

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**AGENDA ITEM: 14**

*Tabled June 23, 2015* - Deliberate and act on first reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land located at 3404 Highway 35 South; also known as Lot 1, 18.733 acres, Bays of Rockport, Rockport, Aransas County, Texas, from R-1 (1<sup>st</sup> Single-Family Dwelling District) to R-6 (Hotel/Motel District); repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

**SUBMITTED BY:** Public Works Director Michael S. Donoho, Jr.

**APPROVED FOR AGENDA:** PKC

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**BACKGROUND:** Standard Trust, Brad Coleman, Trustee is seeking approval to rezone property located at 3404 Highway 35 South. Mr. Coleman's intent is to construct cottages for rental by kayakers and fishermen.

The Planning and Zoning Commission deliberated on the rezoning request at its June 15, 2015, meeting and recommends approval.

Council tabled the first reading of the Ordinance at the June 23, 2015, Council Meeting.

Please see the accompanying zoning and land development application for detail information.

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**FISCAL ANALYSIS:** N/A

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**STAFF RECOMMENDATION:** Staff recommends approval of the proposed Ordinance for rezone from R-1 (1<sup>st</sup> Single Family Dwelling District) to R-6 (Hotel/Motel District), as presented.

## Memo

**To:** Mayor C.J. Wax and City Council  
**From:** Planning & Zoning Commission  
**CC:** City Manager Kevin Carruth  
**Date:** 06/16/2015  
**Re:** Rezone request for property located at; 3404 Highway 35 South

---

At our meeting held June 15, 2015, the Planning & Zoning Commission discussed the request for a rezone of property located at; 3404 Highway 35 South, from R-1 (Single Family Dwelling District) to R-6 (Hotel/Motel District), to be accepted and allowed.

Respectfully submitted,

Frank Lynch, Chairman

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE AMENDING ARTICLE 4 OF THE CITY OF ROCKPORT ZONING ORDINANCE NUMBER 1027 BY CHANGING THE ZONING OF LAND LOCATED AT 3404 HIGHWAY 35 SOUTH; 18.733 ACRES; ALSO KNOWN AS BAYS OF ROCKPORT, LOT 1, ROCKPORT ARANSAS COUNTY, TEXAS, FROM R-1 (SINGLE FAMILY DWELLING DISTRICT) TO R-6 (HOTEL/MOTEL DISTRICT); REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, an application for a zoning change to property located at 3404 Highway 35 South, 18.733 Acres; also known as Bays of Rockport, Lot 1, Rockport, Aransas County, Texas, was received in the office of Building & Development Services Department, City of Rockport, Texas; and

**WHEREAS**, on May 19, 2015, notice was posted on the bulletin board at Rockport City Hall, 622 E. Market Street and on the City's webpage [www.cityofrockport.com](http://www.cityofrockport.com); and

**WHEREAS**, on May 21, 2015, notice was mailed to affected property owners within 200' of subject property; and

**WHEREAS**, on May 23, 2015, the City caused to be published "Notice of Joint Public Hearing" in the official newspaper of the City notifying area residents and the public in general to participate and make their views known regarding this request; and

**WHEREAS**, on June 9, 2015, at 6:30 p.m., the Rockport City Council and the Planning & Zoning Commission did hold a Joint Public Hearing; and

**WHEREAS**, on June 15, 2015, the Planning & Zoning Commission did meet and said Commission did vote by majority to recommend to the City Council approval of this request for a rezone.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS:**

**SECTION 1 - AMENDMENT**

That, pursuant to Article 4 of the City of Rockport Zoning Ordinance Number 1027, the current zoning of land located at 3404 Highway 35 South, 18.733 Acres; also known as Bays of Rockport, Lot 1, Rockport, Aransas County, Texas, plat records of Aransas County Texas be changed from R-1 (Single Family Dwelling District) to R-6 (Hotel/Motel District).

**SECTION 2 - REPEALER**

Any previously adopted ordinances, and any subsequent amendments to them, which are in conflict with this Ordinance, are all hereby repealed.

**SECTION 3 - SEVERABILITY**

It is the intention of the City Council of the City of Rockport that if any phrase, sentence, section or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this Ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

**SECTION 4 - EFFECTIVE DATE**

This Ordinance shall become effective immediately upon adoption by second and final reading.

**APPROVED** and **PASSED** on first reading this \_\_\_\_ day of \_\_\_\_\_ 2015.

**CITY OF ROCKPORT:**

\_\_\_\_\_  
Charles J. Wax, Mayor

**ATTEST:**

\_\_\_\_\_  
Teresa Valdez, City Secretary

**APPROVED, PASSED** and **ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_ 2015.

**CITY OF ROCKPORT:**

\_\_\_\_\_  
Charles J. Wax, Mayor

**ATTEST:**

\_\_\_\_\_  
Teresa Valdez, City Secretary



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## JOINT PUBLIC HEARING

### Rockport City Council and Planning & Zoning Commission

**NOTICE** is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, June 9, 2015 at 6:30 p.m., at Rockport City Hall, 622 E. Market Street, Rockport, Texas, to consider a request for rezoning from R-1 (1<sup>st</sup> Single-Family Dwelling District) to R-6 (Hotel/Motel District) on property located at 3404 Highway 35 South; also known as Lot 1 (18.733 acres), Bays of Rockport, Rockport, Aransas County, Texas. Purpose of the request is to build cottages for rental.

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125. 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 e-mail [citysec@cityofrockport.com](mailto:citysec@cityofrockport.com) for further information. Braille is not available.

**POSTED:** the 19th day of May, 2015, at 5:00 p.m., on the bulletin board at Rockport City Hall, 622 E. Market Street, and on the website [www.cityofrockport.com](http://www.cityofrockport.com). **PUBLISHED** in *The Rockport Pilot* in the Saturday, May 23, 2015, Edition, in accordance with the City of Rockport Code of Ordinances.

**CITY OF ROCKPORT, TEXAS**

  
Teresa Valdez, City Secretary



**CITY OF ROCKPORT  
ZONING AND LAND DEVELOPMENT APPLICATION**

INSTRUCTION: Please fill out completely. If more space is needed, attach additional pages. Please print or use typewriter.

A. REQUESTING: Rezoning [  ] Conditional Permit [  ]  
Planned Unit Development (P.U.D.) by Conditional Permit [  ]

B. ADDRESS AND LOCATION OF PROPERTY 3404 Hwy  
35 south Rockport, TEXAS 78382

C. CURRENT ZONING OF PROPERTY: R-2

D. PRESENT USE OF PROPERTY: R-2

E. ZONING DISTRICT REQUESTED: R-6

F. CONDITIONAL USE REQUESTED: \_\_\_\_\_

G. LEGAL DESCRIPTION: (Fill in the one that applies)

• Lot or Tract 1 Block \_\_\_\_\_

• Tract Bays of Rockport of the C. ZAVVA-226  
Survey as per metes and bounds (field notes attached)

• If other, attach copy of survey or legal description from the Records of Aransas County or Appraisal District.

H. NAME OF PROPOSED DEVELOPMENT (if applicable) \_\_\_\_\_

I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): 18.733 Acres

J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT:  
(Please be specific)

to have cottages for rental  
for kayakers + wade fishermen

K. OWNER'S NAME: (Please print) Standard Trust  
 ADDRESS: P.O. Box 1149 Rockport, TX 78381  
 CITY, STATE, ZIP CODE: Rockport, TEXAS 78381  
 PHONE NO 830 556-7330

L. REPRESENTATIVE: (If Other Than Owner) Brad Coleman, Trustee  
 ADDRESS: 3404 Hwy 35 So.  
 CITY, STATE, ZIP CODE: Rockport, TX 78382  
 PHONE NO 830 556-7330

**NOTE:** Do you have property owner's permission for this request?  
 YES  NO

M. FILING FEE:

REZONING	\$150.00 + \$10.00 PER ACRE
PLANNED UNIT DEVELOPMENT	\$200.00 + \$10.00 PER ACRE
P.U.D. REVISION	\$200.00 + \$10.00 PER ACRE
CONDITIONAL PERMIT	\$150.00 + \$10.00 PER ACRE

**(Make check payable to the City of Rockport)**

- Submit application and filing fee to the Department of Building & Development, City of Rockport; 2751 S.H. 35 Bypass, Rockport, Texas 78382.

Signed: *Brad Coleman*  
 (Owner or Representative)

**(FOR CITY USE)**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Fees Paid: \$ \_\_\_\_\_

Submitted Information ( \_\_\_\_\_ accepted) ( \_\_\_\_\_ rejected) by: \_\_\_\_\_

If rejected, reasons why: \_\_\_\_\_

Receipt No. \_\_\_\_\_

VOL: 6 Pg 92

**OWNER CERTIFICATION**

State of Texas  
County of Aransas

**GULFSIDE CORPORATION**

**STANDARD TRUST**

does hereby certify that (we) are the owner(s) of the lands embraced within the boundaries of the foregoing plat and that (we) have had said land surveyed and platted as shown hereon and that (we) do accept and approve said plat for all purposes and considerations.

This the 10 day of MAY, A.D., 2012.

*Brad Coleman*

**BRAD COLEMAN**  
General Manager, Gulfside Corporation

*Brad Coleman*

**BRAD COLEMAN**  
Trustee, Standard Trust

State of Texas  
County of Aransas

Before me, the undersigned authority, personally appeared **BRAD COLEMAN**  
General Manager of Gulfside Corporation and Trustee of Standard Trust

known to me to be the person(s) whose name(s) is subscribed to the foregoing instrument of writing and acknowledged to me that he (she/they) executed the same for the purposes and considerations therein expressed, and in the capacity therein stated.

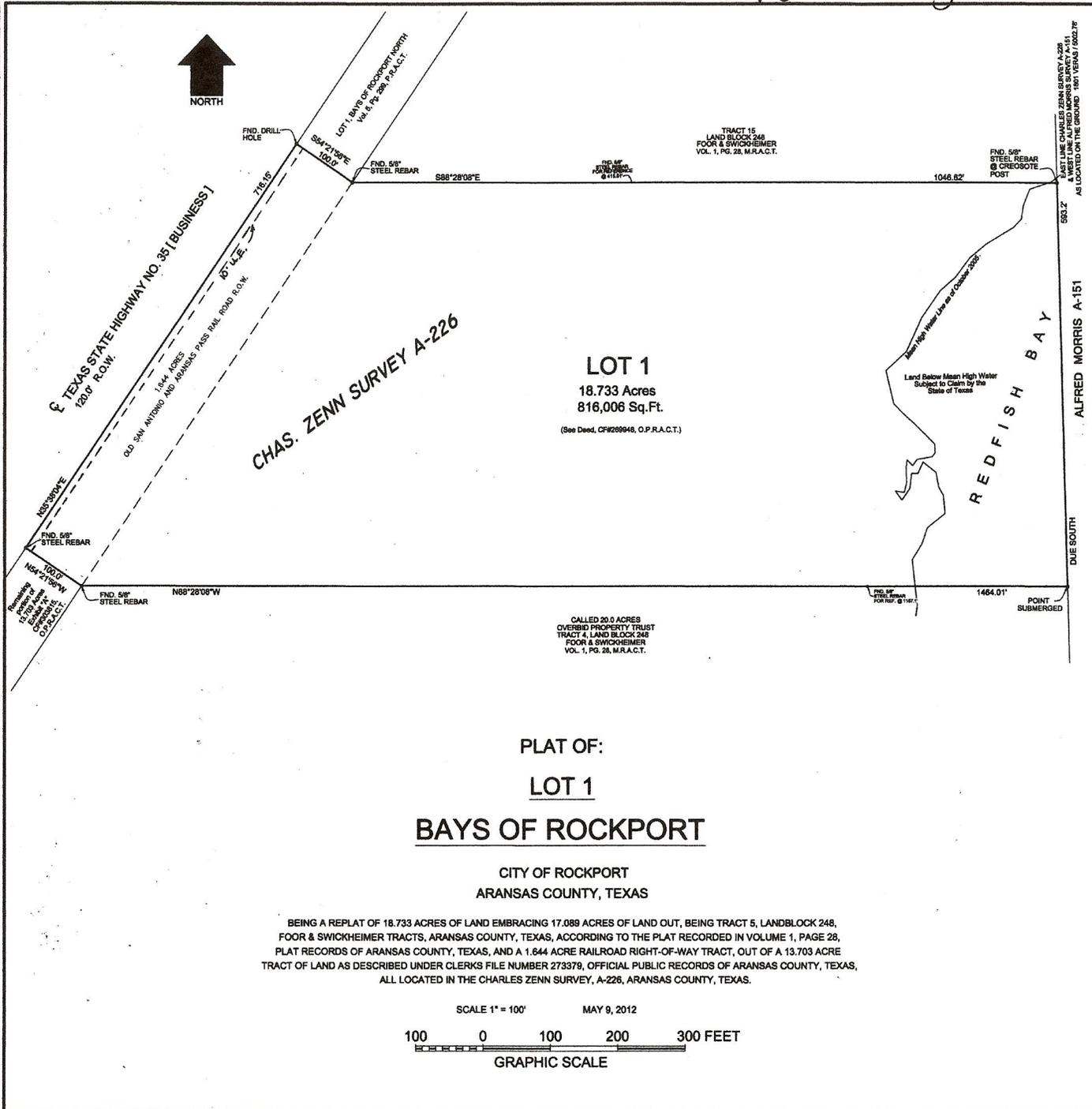
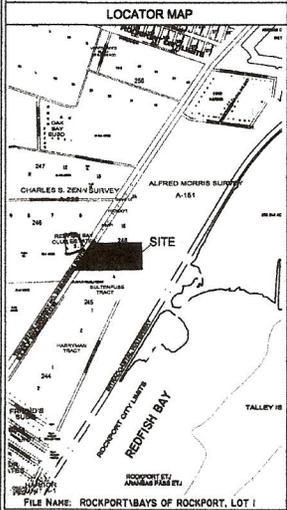
Given under my hand and seal of office, this the 10 day of MAY, A.D., 2012.

*Debra Mullan*

**DEBRA MULLAN**  
Notary Public, State of Texas

**NOTES:**

- 5/8" Steel Rebars at all property corners unless otherwise shown.
- Plat Bearing used for Directional Control unless otherwise shown.
- Total area equals 18.733 acres or 816,006 square feet of land.
- Property falls within City Limits and must comply with all city codes, regulations and set backs.



State of Texas  
County of Aransas

I, J. L. Brundrett, Jr., Registered Professional Land Surveyor in the State of Texas, do hereby certify that the foregoing plat was prepared from surveys made on the ground under my direction and supervision and is true and correct, and that I have been engaged to set all lot and block corner and reference points and complete such operations without delay.

This the 9 day of May, A.D., 2012.

*J. L. Brundrett, Jr.*

**J. L. BRUNDRETT, JR.**  
R.P.L.S.  
Reg. No. 2133

State of Texas  
County of Aransas

This plat of the herein described property is approved for filing of record in Aransas County, Texas, by the Planning and Zoning Commission of Rockport, Texas, in accordance with the Land Subdivision Ordinance of Rockport, Texas, and Vernon's Ann. Civ. Statute, Article 574A.

This the 1 day of April, A.D., 2012.

*James P. Reynolds*

*David Dalton*

This is to certify that I have consulted the Federal Flood Hazard Map dated 3-4-1985, and found that the property described herein is X (or) is not located in a "Special Flood Hazard Area."

Flood Zone A1B, Base Elevation 10'

Panel No. 0182C, Community No. 48545Z

This information is based on scaling the location of this survey on the above referenced map and is intended to be used to determine insurance rates only and not to identify specific flooding conditions.

**G Briffith & Brundrett**  
Surveying Engineering

411 S. Pearl St., P.O. Box 2322  
Rockport, Texas 78381

☎ 361-729-6479  
☎ 361-729-7933  
✉ jbriffith@surveyor.com  
www.gbsurveyor.com

State of Texas  
County of Aransas

I, Peggy L. Friebele, Clerk of the County Court in and for Aransas County, Texas, do hereby certify that the foregoing instrument of writing dated the 9 day of May, A.D., 2012, with its certificate of authentication was filed for record in my office the 15 day of April, A.D., 2012 at 8:40 o'clock A.m. and duly recorded the 15 day of April, A.D., 2012, at 8:40 o'clock A.m. in the Plat Records of Aransas County, Texas, in Volume 6, Page 92.

Witness my hand and seal of the County Court, in and for Aransas County, Texas, at office in Rockport, Texas, the day and year last written above.

By: *Peggy L. Friebele*

**Peggy L. Friebele**  
Peggy L. Friebele

*J. Juarez*

**J. Juarez**  
Deputy

**328728**

Clerk's File No. \_\_\_\_\_

VOL: 6 Pg: 92

VOL: 6 Pg: 92

# Aransas CAD

## Property

### Account

Property ID: 64416      Legal Description: BAYS OF ROCKPORT LOT 1 ACRES 18.733  
 Geographic ID: 0344-000-001-000      Agent Code:  
 Type: Real  
 Property Use Code: R 1  
 Property Use Description: 1ST SINGLE FAMILY DWELLING DISTRICT

### Location

Address: 3404 HWY 35 S      Mapsco:  
 ROCKPORT, TX 78382  
 Neighborhood:      Map ID: A-2  
 Neighborhood CD:

### Owner

Name: STANDARD TRUST      Owner ID: 74954  
 Mailing Address: P O BOX 1149      % Ownership: 100.0000000000%  
 ROCKPORT, TX 78381-1149  
 Exemptions: HS, OV65

## Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A
-----			
(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	
-----			
(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	
-----			
(=) Assessed Value:	=	N/A	

## Taxing Jurisdiction

Owner: STANDARD TRUST  
 % Ownership: 100.0000000000%  
 Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	ARANSAS COUNTY APPRAISAL DISTRICT	N/A	N/A	N/A	N/A
CRO	CITY OF ROCKPORT	N/A	N/A	N/A	N/A
GAR	ARANSAS COUNTY	N/A	N/A	N/A	N/A
NVD	NAVIGATION DIST	N/A	N/A	N/A	N/A
SAR	ARANSAS CO ISD	N/A	N/A	N/A	N/A



# 3404 HWY 35

Print Date: 04/30/2015  
Image Date: 01/16/2014  
Level: Community



© 2014 Pictometr

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ROCKPORT CORAL REEF LLC  
755 E MULBERRY AVE #600  
SAN ANTONIO TX 78212-6013

GULFSIDE CORPORATION  
PO BOX 1149  
ROCKPORT TX 78381-1149

STANDARD TRUST  
DBA BAYS OF ROCKPORT  
NORTH  
3404 HWY 35 S  
ROCKPORT TX 78382-7392

JOHN & JENNIFER JENKINS  
110 WINDING WAY  
ROCKPORT TX 78382-7040

WILLIAM W & BARBARA A  
NOWOTNY  
PO BOX 393  
ROCKPORT TX 78381-0393

SUSIE & STEVE ROBERTS TRUST  
C/O S DOUGLASS & STEPHEN C  
ROBERTS, TRUSTEES  
4247 SANTA FE #A  
CORPUS CHRISTI TX 78411-1244

TEXAS DEPT OF TRANSPORTATION  
WILLIAM H REITMANN, PE  
PO BOX 1367  
SINTON TX 78387

OVERBID PROPERTY TRUST  
ED & HAZEL RICHMOND PUBLIC  
LIBR  
110 N LAMONTE ST  
ARANSAS PASS TX 78336-3640

JOEY D WRIGHT  
PO BOX 608  
ROCKPORT TX 78381-0608

628 INVESTMENTS LLC  
PO BOX 2590  
ROCKPORT TX 78381-2590

STANDARD TRUST  
C/O BRAD COLEMAN  
PO BOX 1149  
ROCKPORT TX 78381-1149

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2015**

---

**AGENDA ITEM: 15**

**Tabled June 23, 2015** - Deliberate and act on second 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 effective date, reading, publication and severance.

**SUBMITTED BY:** Council Member Barbara Gurtner

**APPROVED FOR AGENDA:** PKC

---

**BACKGROUND:** Following deliberation on single use plastic bags at the December 9 City Council workshop, staff was directed to bring a draft ordinance to City Council for review and consideration. The proposed ordinance was drafted with the assistance of Skip the Plastic and is modeled on the ordinance adopted by the City of Port Aransas in November 2014.

City Council discussed regulations concerning single use plastic bags at its March 24, 2015, workshop. Given that the Texas Legislature was considering bills (specifically the accompanying HB 1939 and its companion bill SB 1550) that would prevent the City's ability adopt such regulations, it was the consensus of City Council to wait until April to evaluate the status of the bills. Council tabled this item again at the May 12, 2015, City Council Meeting, since there was still legislation pending. The 84<sup>th</sup> Legislature adjourned June 1 without passing any bills restricting the City's ability to regulate plastic bags.

Texas cities that have implemented plastic bag regulations include Austin, Brownsville, Dallas, Fort Stockton, Freer, Kermit, Laguna Vista, Laredo, Port Aransas, South Padre Island, and Sunset Valley. Copies of some of their respective ordinances as well as an opinion from the Attorney General's office concerning the legality of plastic bag bans accompany this briefing sheet.

Websites with additional information can also be found at:

1. <http://www.texastribune.org/2014/08/29/abbott-opinion-murky-plastic-bag-bans/>
2. <http://plasticbaglaws.org/legislation/state-laws/texas/>
3. [http://www.dep.state.fl.us/waste/retailbags/pages/map\\_USA.htm](http://www.dep.state.fl.us/waste/retailbags/pages/map_USA.htm)
4. <http://www.bagtheban.com/in-your-state/>.
5. <http://www.baglaws.com/legislation.php?state=Texas>
6. <http://www.austinbagban.com/>
7. <http://www.surfrider.org/pages/plastic-bag-bans-fees>
8. [http://www.cawrecycles.org/issues/plastic\\_campaign/plastic\\_bags/national](http://www.cawrecycles.org/issues/plastic_campaign/plastic_bags/national)

9. <http://www.texasmonthly.com/daily-post/dallass-plastic-bag-ban-went-effect-january-1st-and-nobody-seems-happy-about-it>

On May 20, Council Member Gurtner submitted the following email:

**From:** Barbara Gurtner [<mailto:gurtnerbarbara@gmail.com>]  
**Sent:** Wednesday, May 20, 2015 9:37 AM  
**To:** CJ Wax; Kevin Carruth; Terry Baiamonte  
**Subject:** Plastic Bag Ordinance

Having been contacted by a store owner who, after reading the proposed ordinance limiting the use of plastic bags, brought to my attention that she has been using recyclable paper bags for years, but they do not fall within the definition of Recyclable Paper Bags, which includes RECYCLABLE printed on the bag and restrictions of composition.

In our discussions formulation this ordinance, the Council agreed with the Mayor's requirement that the ordinance would not state what could be used, only what could not, which would allow for new technologies to replace petroleum based film plastic bags without having to re-write the ordinance.

Therefore, I would like to suggest these changes in the current proposed Ordinance 'Regulation of Single-Use Plastic Bags':

Sec.54-1. Definitions

*Plastic Checkout Bag*

In this instance "Checkout" is used to describe the bag. In the next definition the term "Carryout" is used to define Recyclable Bags. I propose using one term or the other throughout.

*Recyclable Paper Bag* means a paper carryout bag provided by a retail establishment to a customer at the point of sale for purposes of transporting groceries or other goods and meets all the following requirements contains no old growth fiber; is 100% recyclable; contains a minimum of 40% post-consumer recycled content; and displays the words "Reusable" and "Recyclable" in a highly visible manner on the outside of the bag.

Change to read:

*Recyclable ~~Paper~~ Bag* means a ~~carryout (or checkout)~~ bag ~~made of paper or other recyclable materials~~ provided by a retail establishment to a customer at the point of sale for purposes of transporting groceries or other goods and ~~meets all of the following requirements contains no old growth fiber;~~ is 100% recyclable; ~~contains~~

~~a minimum of 40% post-consumer recycled content; and displays the words “Reusable” and “Recyclable” in a highly visible manner on the outside of the bag.~~

I considered the addition of "biodegradable bags" for a definition of 'approved bags', but biodegradable is not used anywhere else in the ordinance.

Any comments or suggestions of how to make the ordinance more inclusive of acceptable replacements for single-use plastic bags is welcome, as are other comments about my changes.

Mayor Wax suggested adding clarification to Sec. 54.5 by specifying that “Bags used by businesses who provide prepared food for consumption off premises to ensure safety and sanitary carriage of those items”.

At the June 9, 2015, City Council Meeting Council Gurtner asked that the definition of *Recyclable Bag* be changed to the following: *Recyclable Bag means a carry or checkout bag made of paper or other non-plastic material that is provided by a retail establishment to a customer at the point of sale for purposes of transporting groceries or other goods and is 100% recyclable.*

Council Member Gurtner's and Mayor Wax's suggested changes were approved in the first reading of the Ordinance at the June 9, 2015, City Council meeting.

The terms "Checkout" and "Carryout" were both included in the approved Ordinance so there would be no confusion as to what was actually meant.

A Public Affairs representative from HEB states that her company does not support the ordinance.

There have been no changes in form or content since first reading other than the definition of recyclable, incorporating “checkout and carryout”, and the insertion of dates in Sec. 54.3 and Sec. 54.4, as directed.

Council tabled the second reading of the Ordinance at the June 23, 2015 Council Meeting.

See the accompanying history of the issue and a list of those organizations who have taken action to support a plastic bag ban.

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**FISCAL ANALYSIS:** Unable to determine at this time; however, any measure that reduces litter that employees pick up also should reduce the amount of labor required to clean a given area. Additionally, anything that improves aesthetics and the local environment has a positive impact on the tourism sector of our local economy.

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**RECOMMENDATION:** Staff recommends approval of the ordinance on second reading, as presented.

## Plastic Bag Ordinance History

05/24/2011	Council instructed staff to research other cities that have banned plastic bags.
11/08/2011	Council updated discussion of bag ban.
11/--/2011	Survey sent out with utility bills.
01/03/2012	At its meeting, Keep Rockport Beautiful (KRB) Committee asked about survey results; not yet available.
02/01/2012	Survey compiled.
02/07/2012	KRB discussed negative responses to proposed bag ban.
02/28/2012	Council deliberated on survey results. Citizen presented petition objecting to ban.
04/03/2012	KRB discussed putting photos of wildlife tangled in plastic bags on their website.
05/01/2012	Littering again discussed vis-à-vis KRB website.
09/25/2012	KRB presented to Council update on website postings regarding recycling.
06/04/2013	Guest speaker from Skip the Plastic made presentation to KRB Committee.
01/16/2014	Environmental Committee for Water Issues (ECWI) encouraged ban and offered Mayor assistance.
10/23/2014	Guest speaker from Skip the Plastic made presentation to ECWI.
12/09/2014	Council deliberated on regulation of single use bags.
02/10/2015	Council will wait to see whether state legislature disallows municipal action on ban.
03/24/2015	Council workshop Ordinance proposed by Council Member Gurtner
05/12/2015	1 <sup>st</sup> reading of Ordinance tabled
05/26/2015	1 <sup>st</sup> reading of Ordinance left tabled until Legislative Session is completed.
06/09/2015	Council approve 1 <sup>st</sup> reading of Ordinance.
06/23/2015	2 <sup>nd</sup> reading of Ordinance tabled.

## Local Organizations Supporting A Plastic Bag Ban

1. The Aquarium at Rockport Harbor
2. Aransas Bird and Nature Club
3. Aransas County
4. Aransas County Navigation District
5. Aransas First
6. Coastal Bend Council of Governments
7. Rockport Center for the Arts
8. Wonderful Women's Network

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CITY OF ROCKPORT, TEXAS CODE OF ORDINANCES CHAPTER 54 "HEALTH AND SANITATION," BY RENAMING ARTICLE I "IN GENERAL" TO ARTICLE 1 "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.**

**WHEREAS**, the City of Rockport, Texas has a duty to protect the natural environment, the economy and the health of its citizens; and

**WHEREAS**, our local economy is based upon the tourism industry, fishing, birdwatching, abundant pollution free waterways, marine life diversity, agriculture and ranching, all of which are impacted negatively by discarded single-use plastic checkout bags; and

**WHEREAS**, the City of Rockport is facing financial, environmental, and aesthetic problems caused by the use and discarding of single-use plastic checkout bags and plastic bags are consistently listed among the top items found in Texas Adopt-A-Beach and highway cleanups; and

**WHEREAS**, single-use plastic checkout bags are eaten by farm animals blocking their digestive systems and are blown into cotton fields, negatively affecting the agricultural economy; and

**WHEREAS**, plastics do not biodegrade but break down into smaller and smaller pieces that harm over 260 different species of marine life, including whales, dolphins, fish, seals, sea turtles, and shorebirds, who suffer and die after ingesting or becoming entangled in plastic bags and other plastic debris; and,

**WHEREAS**, curbside recycling for plastic shopping bags is not available in Rockport or many other Texas municipalities and statewide statistics indicate that less than 10% of single-use plastic checkout bags are recycled; and,

**WHEREAS**, ordinances restricting single-use plastic checkout bags serve to heighten public awareness among residents and visitors regarding the importance of recycling and proper disposal of all plastics items; and

**WHEREAS**, discarded plastic bags last indefinitely and create such an aesthetic blight and hazard to wildlife and the environment that it is in the best interest of the public health, safety, and welfare to adopt the proposed ordinance on the distribution of plastic bags at point of sale within the boundaries of the City of Rockport, Texas.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS:**

**SECTION 1.**

That Chapter (54) "Health and Sanitation," Article I "In General" is hereby renamed Article I "Regulation of Single-Use Plastic Bags" and is hereby added to wit:

**Sec. 54-1. Definitions.**

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this chapter/article/division, except where the context clearly indicates a different meaning:

*Affected retail establishment* means any retail establishment or temporary vendor that sells perishable or nonperishable goods, including, but not limited to, clothing, food, and personal items directly to the customer; and is located within the geographical limits of the City of Rockport.

*Business establishment* means a commercial enterprise or establishment, including sole proprietorships, joint ventures, partnerships, corporations, or any other legal entity including contractors associated with the business.

*Plastic Checkout or Carryout Bag* means a plastic bag that is provided by a business establishment to a customer, typically at the point of sale, for the purpose of transporting goods after sale, and is intended and constructed for single use.

In this instance "Checkout" is used to describe the bag. In the next definition the term "Carryout" is used. I propose using one term or the other throughout.

*Recyclable Paper Bag* means a carryout (or checkout) bag made of paper or other recyclable materials provided by a retail establishment to a customer at the point of sale for purposes of transporting groceries or other goods and ~~meets all of the following requirements contains no old growth fiber;~~ is 100% recyclable; ~~contains a minimum of 40% post-consumer recycled content;~~ and ~~displays the words "Reusable" and "Recyclable" in a highly visible manner on the outside of the bag.~~

*Reusable Bag* means a bag that is specifically designed and manufactured for multiple reuse and is made of cloth or other fabric, or other durable material suitable for reuse, and has durable built-in handles or draw-strings.

**Sec. 54.2. Prohibitions and Requirements.**

Affected retail establishments are prohibited from providing plastic checkout bags to their customers at the point of sale. Reusable bags and recyclable paper bags are allowed alternatives. Affected retail establishments are strongly encouraged to provide incentives for the use of

reusable bags through education, credits, rebates, or tokens for individuals who bring reusable bags.

Nothing in this section shall be read to preclude affected retail establishments from making reusable or recyclable paper bags available for sale or free to customers. No person shall distribute plastic checkout bags at any City sponsored event, City Facility, or any event held on City property.

**Sec. 54.3. Implementation of Voluntary Ban on Plastic Checkout (or Carryout) Bags.**

The City will promote a Voluntary Ban of plastic checkout (or carryout) bags throughout the City beginning on June 1, 2015 through December 31, 2015 in preparation for the Mandatory Ban of plastic checkout bags to begin on January 1, 2016.

**Sec. 54.4. Scope and Applicability.**

Business establishments participating in the Voluntary Ban may begin to provide recyclable ~~paper-checkout~~ bags or reusable bags with or without charge, as of     (date)     and be in full compliance with this Ordinance by     (date)    .

**Sec. 54.5. Exemptions.**

This Division does not apply to:

- (a) Bags used for the purpose of containing bait or seafood sales; or
- (b) Bags used by businesses that provide prepared food for consumption off premises to ensure safety and sanitary carriage of those items; or
- (c) Bags without handles, provided to effect food safety for a purchaser of food by preventing contamination from any raw food; i.e. fruits, vegetables, raw meat, raw seafood, raw poultry.

**Sec. 54.6. Penalty Clause.**

Any violation of this Ordinance may be punished by a fine not to exceed five hundred dollars (\$500.00) for each offense or for each day such offense shall continue.

**Sec. 54.7. Effective Date.**

As provided by Article III, Section 3.11 of the Charter of the City of Rockport, this ordinance shall be effective upon adoption and, in addition, if any penalty, fine or forfeiture is imposed by this ordinance, then this ordinance shall be effective only after having been published once in its entirety or summary form in the official newspaper of the City of Rockport.

**Sec. 54.8. Reading.**

As provided by Article III, Section 3.11 of the Charter of the City of Rockport, this ordinance or the caption of it shall be read at two (2) city council meetings with at least one (1) week between readings.

**Sec. 54.9 Severance.**

If any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

**APPROVED** on the first reading this 12<sup>th</sup> day of May 2015.

**CITY OF ROCKPORT, TEXAS**

\_\_\_\_\_  
Charles J. Wax, Mayor

**ATTEST:**

\_\_\_\_\_  
Teresa Valdez, City Secretary

**APPROVED, PASSED and ADOPTED** on second and final reading this \_\_\_\_ day of May 2015.

**CITY OF ROCKPORT, TEXAS**

\_\_\_\_\_  
Charles J. Wax, Mayor

**ATTEST:**

\_\_\_\_\_  
Teresa Valdez, City Secretary

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CITY OF ROCKPORT, TEXAS CODE OF ORDINANCES CHAPTER 54 "HEALTH AND SANITATION," BY RENAMING ARTICLE I "IN GENERAL" TO ARTICLE 1 "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.**

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**WHEREAS**, the City of Rockport, Texas has a duty to protect the natural environment, the economy and the health of its citizens; and

**WHEREAS**, our local economy is based upon the tourism industry, fishing, birdwatching, abundant pollution free waterways, marine life diversity, agriculture and ranching, all of which are impacted negatively by discarded single-use plastic checkout bags; and

**WHEREAS**, the City of Rockport is facing financial, environmental, and aesthetic problems caused by the use and discarding of single-use plastic checkout bags and plastic bags are consistently listed among the top items found in Texas Adopt-A-Beach and highway cleanups; and

**WHEREAS**, single-use plastic checkout bags are eaten by farm animals blocking their digestive systems and are blown into cotton fields, negatively affecting the agricultural economy; and

**WHEREAS**, plastics do not biodegrade but break down into smaller and smaller pieces that harm over 260 different species of marine life, including whales, dolphins, fish, seals, sea turtles, and shorebirds, who suffer and die after ingesting or becoming entangled in plastic bags and other plastic debris; and,

**WHEREAS**, curbside recycling for plastic shopping bags is not available in Rockport or many other Texas municipalities and statewide statistics indicate that less than 10% of single-use plastic checkout bags are recycled; and,

**WHEREAS**, ordinances restricting single-use plastic checkout bags serve to heighten public awareness among residents and visitors regarding the importance of recycling and proper disposal of all plastics items; and

**WHEREAS**, discarded plastic bags last indefinitely and create such an aesthetic blight and hazard to wildlife and the environment that it is in the best interest of the public health, safety, and welfare to adopt the proposed ordinance on the distribution of plastic bags at point of sale within the boundaries of the City of Rockport, Texas.

44  
 45 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**  
 46 **ROCKPORT, TEXAS:**

47  
 48 **SECTION 1.**

49  
 50 That Chapter (54) "Health and Sanitation," Article I "In General" is hereby renamed Article I  
 51 "Regulation of Single-Use Plastic Bags" and is hereby added to wit:

52  
 53 **Sec. 54-1. Definitions.**

54  
 55 The following words, terms, and phrases, when used in this chapter, shall have the meanings  
 56 ascribed to them in this chapter/article/division, except where the context clearly indicates a  
 57 different meaning:

58  
 59 *Affected retail establishment* means any retail establishment or temporary vendor that sells  
 60 perishable or nonperishable goods, including, but not limited to, clothing, food, and personal  
 61 items directly to the customer; and is located within the geographical limits of the City of  
 62 Rockport.

63  
 64 *Business establishment* means a commercial enterprise or establishment, including sole  
 65 proprietorships, joint ventures, partnerships, corporations, or any other legal entity including  
 66 contractors associated with the business.

67  
 68 *Plastic Checkout or Carryout Bag* means a plastic bag that is provided by a business  
 69 establishment to a customer, typically at the point of sale, for the purpose of transporting goods  
 70 after sale, and is intended and constructed for single use.

71  
 72 *Recyclable Bag* means a carryout or checkout bag made of paper or other non-plastic material  
 73 that is provided by a retail establishment to a customer at the point of sale for purposes of  
 74 transporting groceries or other goods and is 100% recyclable.

75  
 76 *Reusable Bag* means a bag that is specifically designed and manufactured for multiple reuse and  
 77 is made of cloth or other fabric, or other durable material suitable for reuse, and has durable  
 78 built-in handles or draw-strings.

79  
 80 **Sec. 54.2. Prohibitions and Requirements.**

81  
 82 Affected retail establishments are prohibited from providing plastic checkout or carryout bags to  
 83 their customers at the point of sale. Reusable bags and recyclable paper bags are allowed  
 84 alternatives.

85  
 86 Affected retail establishments are strongly encouraged to provide incentives for the use of  
 87 reusable bags through education, credits, rebates, or tokens for individuals who bring reusable  
 88 bags.

89

90 Nothing in this section shall be read to preclude affected retail establishments from making  
91 reusable or recyclable paper bags available for sale or free to customers. No person shall  
92 distribute plastic checkout bags at any City sponsored event, City Facility, or any event held on  
93 City property.

94

95 **Sec. 54.3. Implementation of Voluntary Ban on Plastic Checkout or Carryout Bags.**

96

97 The City will promote a Voluntary Ban of plastic checkout or carryout bags throughout the City  
98 beginning on June 1, 2015 through December 31, 2015 in preparation for the Mandatory Ban of  
99 plastic checkout or carryout bags to begin on January 1, 2016.

100

101 **Sec. 54.4. Scope and Applicability.**

102

103 Business establishments participating in the Voluntary Ban may begin to provide recyclable  
104 checkout or carryout bags or reusable bags with or without charge, as of July 1, 2015, and be in  
105 full compliance with this Ordinance by January 1, 2016.

106

107 **Sec. 54.5. Exemptions.**

108

109 This Division does not apply to:

110

111 (a) Bags used for the purpose of containing bait or seafood sales; or

112

113 (b) Bags used by businesses that provide prepared food for consumption off premises to  
114 ensure safety and sanitary carriage of those items; or

115

116 (c) Bags without handles, provided to effect food safety for a purchaser of food  
117 by preventing contamination from any raw food; i.e. fruits, vegetables, raw  
118 meat, raw seafood, raw poultry.

119

120 **Sec. 54.6. Penalty Clause.**

121

122 Any violation of this Ordinance may be punished by a fine not to exceed five hundred dollars  
123 (\$500.00) for each offense or for each day such offense shall continue.

124

125 **Sec. 54.7. Effective Date.**

126

127 As provided by Article III, Section 3.11 of the Charter of the City of Rockport, this ordinance  
128 shall be effective upon adoption and, in addition, if any penalty, fine or forfeiture is imposed by  
129 this ordinance, then this ordinance shall be effective only after having been published once in its  
130 entirety or summary form in the official newspaper of the City of Rockport.

131

132 **Sec. 54.8. Reading.**

133

134 As provided by Article III, Section 3.11 of the Charter of the City of Rockport, this ordinance or

135 the caption of it shall be read at two (2) city council meetings with at least one (1) week between  
136 readings.

137  
138

139 **Sec. 54.9 Severance.**

140  
141 If any provision, section, sentence, clause or phrase of this Ordinance, or the application of same  
142 to any person or set of circumstances, is for any reason held to be unconstitutional, void, or  
143 invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it  
144 being the intent of the City Council in adopting this Ordinance that no portion hereof, or  
145 provisions or regulations contained herein, shall become inoperative or fail by reason of any  
146 unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared  
147 severable for that purpose.

148  
149 **APPROVED** on the first reading this 9<sup>th</sup> day of June 2015.

150  
151  
152 **CITY OF ROCKPORT, TEXAS**

153  
154  
155  
156 \_\_\_\_\_  
Patrick (Pat) Rios, Mayor Pro-Tem

157 **ATTEST:**  
158  
159  
160 \_\_\_\_\_  
161 Teresa Valdez, City Secretary

162  
163  
164 **APPROVED, PASSED and ADOPTED** on second and final reading this \_\_\_\_\_ day of July  
165 2015.

166  
167  
168 **CITY OF ROCKPORT, TEXAS**

169  
170  
171  
172 \_\_\_\_\_  
Charles J. Wax, Mayor

173 **ATTEST:**  
174  
175  
176 \_\_\_\_\_  
177 Teresa Valdez, City Secretary

178

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2015**

---

**AGENDA ITEM: 16**

*Tabled May 26, 2015* - Deliberate and act on interlocal agreement with Aransas County for subdivision regulation within the extraterritorial jurisdiction of the City of Rockport.

**SUBMITTED BY:** City Manager Kevin Carruth

**APPROVED FOR AGENDA:** PKC

---

**BACKGROUND:** In September 2003, the City and Aransas County executed an interlocal providing for subdivision regulation within the City's extraterritorial jurisdiction (ETJ). The initial term of the 2003 agreement was for one year and provided for it to "automatically renew for another year unless terminated." It is likely that the intent of both parties was for automatic renewals every year rather than just for year two and no more but the language of the agreement does not allow for that and we have had no agreement since September 2005. Aransas County has submitted a new agreement for consideration. An initial comparison between the old agreement and the proposed one (no redlined version is available) shows the following differences:

1. The City's authority to regulate subdivision plats and related building code permits moves from ½ mile to the full mile of the ETJ.
2. The County is given exclusive authority to regulate all other development permits, including stormwater management, floodplain management, tree removal permits, and on-site sewer facilities within the full ETJ.
3. The term renews annually.

The City Engineer has expressed concerns about the proposed agreement but staff has not met with him ore received his full comments yet. Additionally, Commissioners Court has the item on their May 26, 2015, agenda to "discuss, approve, disapprove guidance" for the agreement.

Please see the accompanying interlocal agreements for additional information.

City Council tabled this item at the June 9, 2015, City Council Meeting and left it tabled at the June 23, 2015, City Council Meeting.

A revised version of the agreement was developed following a July 1 meeting with Urban Engineering, Mayor, Mayor Pro-Tem, and city staff. Please see the accompanying redlined version for the proposed changes.

---

**FISCAL ANALYSIS:** Unknown.

---

**RECOMMENDATION:** Staff recommends Council approve the revised version of the proposed agreement, as presented.

---

**AGREEMENT PROVIDING FOR SUBDIVISION REGULATION BY THE CITY OF  
ROCKPORT AND THE COUNTY OF ARANSAS WITHIN THE  
EXTRATERRITORIAL JURISDICTION OF THE CITY OF ROCKPORT**

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This Agreement is made by and between the City of Rockport, a municipality located within Aransas County, Texas (hereinafter called “the City”), and the County of Aransas, a political subdivision of the State of Texas (hereinafter called “the County”), as required by Section 242.001 of the Texas Local Government Code.

**WHEREAS**, the regulation of subdivisions of property is a governmental function as set forth in Chapters 212 and 232 of the Texas Local Government Code; and

**WHEREAS**, pursuant to Chapter 212 of the Texas Local Government Code, the City has statutory authority to adopt rules governing plats and subdivisions of land both within the City limits and in the extraterritorial jurisdiction of the municipality; and

**WHEREAS**, pursuant to Chapter 232 of the Texas Local Government Code, the County has statutory authority to adopt rules governing plats and subdivisions of land in the areas of the County lying outside the limits of a municipality, including the area within the extraterritorial jurisdiction of a municipality; and

**WHEREAS**, Chapter 242 of the Texas Local Government Code prohibits requiring a person who intends to subdivide land within the extraterritorial jurisdiction of a municipality to submit plats to and obtain related permits from both the City and the County; and

**WHEREAS**, Chapter 242 of the Texas Local Government Code further requires certain counties and municipalities to execute a written agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction;

The parties to this Agreement hereby agree as follows:

The City and the County agree that the City is hereby authorized to exercise exclusive jurisdiction to regulate subdivision plats and approve related building code permits in all areas within its entire extraterritorial jurisdiction.

The City and the County agree that the County is hereby authorized to exercise exclusive jurisdiction to regulate all other development permits, including, but not limited to, **stormwater management, floodplain management, tree removal permits and on-site facilities**, in the entire extraterritorial jurisdiction of the City.

The City and the County agree that if a proposed subdivision originates within the City limits or in the City’s extraterritorial jurisdiction and less than fifty percent (50%) of the subdivision area extends past the extraterritorial jurisdiction line, the City shall have exclusive right to exercise its jurisdictional authority, as defined above, within the limits of the entire proposed subdivision.

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.

Subdivision plats that are approved by the City but extend partially or entirely into an unincorporated area of the County shall provide a signature block for the County Judge on the final plat. The County Clerk shall not record a plat that extends into an unincorporated area of the County without the County Judge's signature.

As required by Section 242.001(c) of the Local Government Code, the City agrees to notify the County of any expansion or reduction in the City's extraterritorial jurisdiction.

This Agreement does not extend the liability of the parties. Neither the City nor the County waives any immunity or defenses available to it against claims made by third parties.

The term of this Agreement is from the date of execution of this Agreement as provided below to one year from the date of execution. This Agreement will automatically renew for another year and continue to renew automatically for each subsequent year unless terminated. Either party to this Agreement may terminate the Agreement without cause at the end of any term by notifying the other party no fewer than 45 days prior to the end of the term. However, both parties understand and agree that the right to terminate this Agreement does not void the statutory duty of the County and the City to have a written agreement providing for subdivision regulation within the City's extraterritorial jurisdiction.

In witness whereof, the governing bodies of both the County and the City have proposed and adopted this Agreement and have caused this Agreement to be executed. It shall become effective upon the date that both parties have signed this Agreement.

Agreed to and adopted by the Commissioners' Court of the County of Aransas Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
C. H. "Burt" Mills, Jr., Aransas County Judge

Agreed to and adopted by the City Council of the City of Rockport, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Charles J. Wax, Mayor of the City of Rockport

---

**INTERLOCAL AGREEMENT PROVIDING FOR SUBDIVISION REGULATION BY  
THE CITY OF ROCKPORT AND THE COUNTY OF ARANSAS WITHIN THE  
EXTRATERRITORIAL JURISDICTION OF THE CITY OF ROCKPORT**

---

This Agreement is made by and between the City of Rockport, a municipality located within Aransas County, Texas (hereinafter called “the City”), and the County of Aransas, a political subdivision of the State of Texas (hereinafter called “the County”), as required by Section 242.001 of the Texas Local Government Code.

**WHEREAS**, the regulation of subdivisions of property is a governmental function as set forth in Chapters 212 and 232 of the Texas Local Government Code; and

**WHEREAS**, pursuant to Chapter 212 of the Texas Local Government Code, the City has statutory authority to adopt rules governing plats and subdivisions of land both within the City limits and in the extraterritorial jurisdiction of the municipality; and

**WHEREAS**, pursuant to Chapter 232 of the Texas Local Government Code, the County has statutory authority to adopt rules governing plats and subdivisions of land in the areas of the County lying outside the limits of a municipality, including the area within the extraterritorial jurisdiction of a municipality; and

**WHEREAS**, Chapter 242 of the Texas Local Government Code prohibits requiring a person who intends to subdivide land within the extraterritorial jurisdiction of a municipality to submit plats to and obtain related permits from both the City and the County; and

**WHEREAS**, Chapter 242 of the Texas Local Government Code further requires certain counties and municipalities to execute a written agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction;

The parties to this Agreement hereby agree as follows:

The City and the County agree that the City is hereby authorized to exercise exclusive jurisdiction to regulate subdivision plats and approve related building code permits in all areas within its entire extraterritorial jurisdiction.

**The City and the County agree that the County is hereby authorized to exercise exclusive jurisdiction to regulate all other development permits, including, but not limited to, stormwater management, floodplain management, tree removal permits and on-site facilities, in the entire extraterritorial jurisdiction of the City.**

The City and the County agree that if a proposed subdivision originates within the City limits or in the City’s extraterritorial jurisdiction and less than fifty percent (50%) of the subdivision area extends past the extraterritorial jurisdiction line, the City shall have exclusive right to exercise its jurisdictional authority, **as defined above**, within the limits of the entire proposed subdivision.

47 The City and the county agree that if a proposed subdivision originates within the City’s  
48 extraterritorial jurisdiction and fifty percent (50%) or more of the subdivision area extends past  
49 the extraterritorial jurisdiction line, the County shall have exclusive right to exercise its  
50 jurisdictional authority within the limits of the entire subdivision.

51  
52 Subdivision plats that are approved by the City but extend partially or entirely into an  
53 unincorporated area of the County shall provide a signature block for the County Judge on the  
54 final plat. The County Clerk shall not record a plat that extends into an unincorporated area of  
55 the County without the County Judge’s signature.

56  
57 As required by Section 242.001(c) of the Local Government Code, the City agrees to notify the  
58 County of any expansion **of or** reduction in the City’s extraterritorial jurisdiction.

59  
60 This Agreement does not extend the liability of the parties. Neither the City nor the County  
61 waives any immunity or defenses available to it against claims made by third parties.

62  
63 The term of this Agreement is from the date of execution of this Agreement as provided below to  
64 one year from the date of execution. This Agreement will automatically renew for another year  
65 and continue to renew automatically for each subsequent year unless terminated. Either party to  
66 this Agreement may terminate the Agreement **without cause** at the end of any term **without cause**  
67 by notifying the other party **not less fewer** than 45 days prior to the end of the term. However,  
68 both parties understand and agree that the right to terminate this Agreement does not **avoid** the  
69 statutory duty of the County and the City to have a written agreement providing for subdivision  
70 regulation within the City’s extraterritorial jurisdiction.

71  
72 In witness whereof, the governing bodies of both the County and the City have proposed and  
73 adopted this Agreement and have caused this Agreement to be executed. It shall become  
74 effective upon the date that both parties have signed this Agreement.

75  
76 Agreed to and adopted by the Commissioners’ Court of the County of Aransas Texas, on the  
77 \_\_\_\_\_ day of \_\_\_\_\_, 2015.

78  
79  
80  
81  
82 \_\_\_\_\_  
83 C. H. “Burt” Mills, Jr., Aransas County Judge

84 Agreed to and adopted by the City Council of **the City of** Rockport, Texas, on the \_\_\_\_\_ day  
85 of \_\_\_\_\_, 2015.

86  
87  
88  
89 \_\_\_\_\_  
90 **Charles. J. Wax**, Mayor of the City of Rockport  
91

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, July 14, 2015**

---

**AGENDA ITEM: 17**

Deliberate and act on an agreement with Coastal Paradise RV Resort for construction of a water main at State Highway 188 and Highway 35 Bypass, providing for a pro rata reimbursement fee, and authorizing the Mayor to negotiate and execute all necessary documents.

**SUBMITTED BY:** Public Works Director Mike Donoho, City Manager Kevin Carruth

**APPROVED FOR AGENDA:** PKC

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**BACKGROUND:** At the March 24, 2015, workshop, Council heard a presentation by RTM Construction, regarding extending water service to Coastal Paradise RV Resort at 1331 State Highway 188 (the southwest corner of Hwy 35 Bypass and State Hwy 188).

The proposed multiphase development would have approximately 155 RV units at build out and requires a six-inch water main. The water main would come from the City's ground storage at the northeast corner of the intersection and would have to bore under Highway 35 Bypass.

The proposed project needs a 2-inch main to service its water needs; however, the City's development policy requires a minimum 6-inch main in this situation. To allow for service to future development on the west side of Highway 35 Bypass, At the April 14 Council meeting staff proposed to increase the size of the main under the highway from 6-inches to 12-inches, with the City paying the difference in cost for the size increase. (Under the former Stillman Ranch proposal, the 12-inch will eventually loop into the 18-inch coming from Pen Oaks). Except for the very northeast corner, all of the property is outside of the City's extraterritorial jurisdiction (ETJ) and none of the property is in a certificated area for water. The remainder of the property is also outside of the Aransas Pass ETJ.

Council decided at the April 14 meeting to pay the difference between the required 6-inch main and 12-inch main as well as allow a pro rat agreement for the remaining capacity of the main. Please see the accompanying draft agreement for details.

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**FISCAL ANALYSIS:** Total project cost is \$143,550 plus the cost of an onsite inspector. The City will pay for 17 percent of the cost (\$24,550 plus 17 percent of the inspector's cost) and Coastal Paradise RV Park would be responsible for the balance of 83 percent.

This is an unbudgeted expense. Funding for participation in this project would come from the Enterprise Fund Capital Outlay Main Line Extensions and Taps account (no. 02-6418015). Currently the available balance in that expense line is \$20,677. The balance of the project will come from Enterprise fund balance.

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**RECOMMENDATION:** Staff recommends Council approval of the agreement, as presented.

**City/Developer Water Construction AGREEMENT**

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This Water Construction Agreement (hereinafter referred to as "Agreement") is made by and between TOM SMITH, BARBARA SMITH AND JEFF SMITH DBA COASTAL PARADISE RV RESORT their successors and assigns (hereinafter referred to as "DEVELOPER") and the CITY OF ROCKPORT, Texas, a municipal corporation organized and existing under the State of Texas (hereinafter referred to as "CITY").

WITNESSETH

WHEREAS, the DEVELOPER has purchased approximately \_\_\_\_\_ acres of land (hereinafter referred to as "Lands") located at 1331 State Highway 188 (the southwest corner of Hwy 35 Bypass and State Hwy 188) and more particularly described in Exhibit "A" attached hereto and made a part hereof for any and all purposes;

WHEREAS, the DEVELOPER intends to develop the Coastal Paradise RV Resort as a multiphase approximately 155 RV slips recreational vehicle [RV] development with associated amenities (hereinafter referred to as the "Development") and will be a positive economic development project for the benefit of the citizens of the CITY; and

WHEREAS, the proposed project alone would require a 2-inch main to service its water needs;

WHEREAS, to allow for service to future development on the west side of Highway 35 Bypass, staff proposes to increase the size of the main under the highway from to 12-inches, with the City paying the difference in cost for the size increase. The water main would come from the City's ground storage at the northeast corner of the intersection and would have to bore under Highway 35Bypass; and

WHEREAS, the cost to construct the 2" water line would be \$46,000, and the cost to construct a 12" water main would be \$143, 550;

WHEREAS, the City has agreed to contribute \$24,550 to the \$143,550 cost to construct the 12" water main which constitutes 17% City contribution to the construction project;

WHEREAS, both parties are entitled to recover a portion of their contribution from future developers, for a period of seven years from the date of this Agreement, based on the ratio of contribution, to wit: 17% to the City and 83% to the Developer

WHEREAS, the DEVELOPER, as additional consideration, proposes to dedicate utility easements and rights-of-way as may be required and to construct the 12" water main necessary for water services for the Development, and future developments, and to connect same to the existing facilities of the CITY as identified in Exhibit "B"; and

WHEREAS, the necessity exist for an onsite inspector, the cost for which will be shared by the developer and the City, in the same proportion as their contribution to the

50 project;

51

52 WHEREAS, the CITY has adopted a Post-Construction Pro Rata Reimbursement Fee  
53 in an amount equal to \_\_\_\_\_per living unit equivalent (“LUE”) to be assessed against any  
54 developer connecting to the CITY’s water main identified in Exhibit “B” attached hereto; and

55

56 WHEREAS, the CITY has determined that this Agreement with the DEVELOPER will  
57 encourage a strong commitment to comprehensive capital facilities planning, will ensure the  
58 provisions of adequate public facilities for the Development and future development, will  
59 encourage efficient use of resources, and reduce the economic costs of the Development that  
60 will be beneficial to the CITY; and

61

62 WHEREAS, this Agreement strengthens the public planning process, encourages  
63 sound capital improvement planning and financing, assists in assuring there are adequate  
64 capital facilities for the Development and future development, encourages private  
65 participation in comprehensive planning, and reduces the costs to DEVELOPER; and

66

67 WHEREAS, the DEVELOPER and the Development will comply with all applicable  
68 Federal, State, and CITY regulations related to water utilities in effect as of the Effective Date  
69 (as defined in Section 10.0 below); and

70

71 WHEREAS, the CITY may operate a utility system inside and outside its boundaries  
72 and may regulate the system in a manner that protects the interests of the CITY; and

73

74 WHEREAS, it is therefore deemed to be in the best interest of the public health, safety  
75 and welfare for the CITY to enter into this Agreement; and

76

77 WHEREAS, the Lands are located outside the boundaries and the extraterritorial  
78 jurisdiction (“ETJ”) of the CITY; and

79

80 WHEREAS, the CITY may extend its utility service area to lands that are located  
81 outside the ETJ of the CITY and allow persons to connect with the CITY’s utility system on  
82 terms the CITY considers to be in its best interest.

83

84 NOW, THEREFORE, in consideration of the mutual terms, covenants and conditions  
85 contained herein, and other good and valuable consideration, the receipt and sufficiency of  
86 which are hereby acknowledged, it is mutually agreed as follows:

87

88 1.0 Recitals. The foregoing recitals are incorporated herein by reference as if  
89 stated in full and serve as a factual stipulation upon which the parties agree are  
90 the basis of the Agreement.

91

92 2.0 Purpose. The purpose of this Agreement is to establish and define the  
93 respective rights and obligations of the DEVELOPER and the CITY concerning  
94 the Development during the term of this Agreement.

95

96 3.0 Development Overview and Request for Service. The total LUE’s available for  
97 this 12” water main is \_\_\_\_\_.The Development shall consist of \_\_\_\_\_ LUEs

98 and the DEVELOPER hereby requests water service from the CITY for \_\_\_\_\_  
 99 LUEs for the Development.

100  
 101 4.0 Pro Rata Fee and Facility Design and Construction.

102  
 103 4.1 DEVELOPER shall pay for the construction and installation of the 12" water  
 104 main as identified in "Exhibit B".

105 4.2 DEVELOPER shall construct the on-site water facilities necessary to connect  
 106 the Development to the 12" water main, and all of the water infrastructure and  
 107 facilities required within the Development to provide water service to the  
 108 Development (hereinafter referred to collectively as the "Water System"). The  
 109 DEVELOPER shall bear all costs and expenses for design and construction of  
 110 the Water System, including but not limited to the engineering fees, permitting  
 111 fees, and construction costs.

112  
 113 4.3 The DEVELOPER'S engineer shall prepare the design and construction plans  
 114 and specifications and supporting documents for the 12" Water Main  
 115 installation and construction. The DEVELOPER shall provide the CITY five  
 116 sets of the preliminary design plans.

117  
 118 4.4 The CITY shall review and comment on the Water System and the  
 119 DEVELOPER shall amend the plans to the reasonable satisfaction of the  
 120 CITY. The Water System shall be designed and constructed in accordance  
 121 with the CITY'S design standards, comply with all CITY ordinances, including  
 122 but not limited to Chapter 102 "Utilities" of the CITY's Code of Ordinances,  
 123 and comply with the TCEQ rules and regulations. The location of the Water  
 124 System shall be reasonably acceptable and approved by the CITY. No  
 125 construction of the Water System shall commence until the CITY has  
 126 reviewed and approved the plans. DEVELOPER shall use the plans  
 127 approved by the CITY to develop construction ready plans, which will be  
 128 submitted to the CITY for final review, revision, and approval. Once reviewed  
 129 and approved, the DEVELOPER will provide five sets of construction ready  
 130 plans to the CITY.

131  
 132 4.5 For the Water System, the DEVELOPER shall obtain the required permits  
 133 (hereinafter referred to as "Permits"), which may include, but are not limited to  
 134 the following:

135  
 136 4.5.1 United States Army Corps of Engineers' permits for work within  
 137 jurisdictional wetlands and wetlands buffer;

138  
 139 4.5.2 Texas Department of Transportation entrance road access  
 140 permits; and

141  
 142 4.5.3 Texas Department of Transportation and/or CITY, as applicable,  
 143 dedicated utility easements for underground Utilities.  
 144

- 145 4.6 The DEVELOPER shall provide to the CITY dedicated, exclusive utility  
146 easements that have a minimum width of 10 feet and that are in  
147 locations reasonably acceptable to and approved by the CITY.  
148
- 149 4.7 The DEVELOPER shall provide the CITY with sufficient notice to allow  
150 the CITY to observe critical elements of construction of the Water  
151 System.  
152
- 153 4.8 Upon completion of the Water System constructed for the provision of  
154 water service to the Development, the CITY shall inspect the Water  
155 System. The CITY'S inspection shall ensure the infrastructure is built in  
156 accordance to the design plans and specifications.  
157
- 158 4.9 The DEVELOPER shall provide the CITY with five sets of as-built plans  
159 of the Water System. The DEVELOPER will secure a warranty from the  
160 construction contractor for one year guarantee of workmanship and  
161 serviceability.  
162
- 163 4.10 Upon completion of the Water System and approval and acceptance by  
164 the CITY, all infrastructure, facilities, permits, as-built drawings,  
165 easements, real property, and other property required in the design and  
166 construction of the Water System shall be dedicated to and deemed to  
167 be owned by the CITY, and title and ownership shall automatically vest  
168 in the CITY. The DEVELOPER shall confirm or verify such ownership,  
169 conveyance, or title by execution and delivery of appropriate bills of sale,  
170 transfer, assignment, or other instruments of conveyance in form  
171 acceptable to the CITY, free and clear of all liens and encumbrances.  
172
- 173 4.11 The CITY must be presented with the approved plat or a certificate as  
174 described by Texas Local Government Code §§ 212.115 before the  
175 CITY will provide service to or connect the Water System and the  
176 Development to the CITY'S water system.  
177
- 178 4.12 DEVELOPER and CITY have agreed to a reimbursement plan as  
179 authorized at the April 14, 2015 City Council meeting. For a seven year  
180 period following the date of this Agreement, DEVELOPER and CITY  
181 shall be entitled to reimbursement of their contributions, from future  
182 development utilizing this 12" water main, as follows: The maximum  
183 amount of reimbursement available to both parties for construction cost  
184 is \$97,550 [ie, total cost for 12" main, \$143,550, minus cost for 2" main,  
185 \$46,000]. All reimbursements will be allocated between DEVELOPER at  
186 83% and CITY at 17%.  
187
- 188 4.13 DEVELOPER shall provide to the City all documentation reflecting  
189 Developer's cost of construction to substantiate the construction cost  
190 incurred. Failure to provide documentation satisfactory to the CITY will  
191 constitute a WAIVER by Developer of it's rights to reimbursement as  
192 outlined in 4.12 above.  
193

- 194 4.14 DEVELOPER and CITY agree to pay the cost of an on-sight inspector, to  
 195 be chosen by the CITY, in accordance with the same 83%-17% ratio.  
 196
- 197 4.15 DEVELOPER will provide all funding necessary for the Water System  
 198 construction. Upon completion of the Water System and acceptance of  
 199 the system by the CITY, the CITY will pay the DEVELOPER the City's  
 200 \$24,550 portion of the construction together with the CITY's 17% portion  
 201 of the on-site inspector.  
 202
- 203 4.16 The CITY agrees that for the seven year period following the date of this  
 204 Agreement, the CITY will notify the DEVELOPER of any future  
 205 development that utilizes the 12" main and Water System described  
 206 herein and will facilitate the reimbursement process described in 4.12.  
 207
- 208 5.0 Binding Effect. The burdens of this Agreement shall be binding upon, and the  
 209 benefits of this Agreement shall inure to all successors in interest to the parties  
 210 to this Agreement. DEVELOPER may assign its rights and obligations under  
 211 this Agreement, subject however to CITY approval, which approval shall not  
 212 unreasonably be withheld. Notwithstanding the foregoing, the rights and  
 213 obligations of DEVELOPER under this Agreement will automatically pass to  
 214 DEVELOPER's successors and any assigns of the entire Development or the  
 215 land. This Agreement, however, may not be assigned to a third party for the  
 216 benefit of land not identified by this Agreement. DEVELOPER shall give written  
 217 notice to the CITY at least 30 days before the date of such assignment.  
 218
- 219 6.0 Applicable Law, Enforcement, Jurisdiction and Venue. This Agreement shall be  
 220 subject to the following provisions:  
 221
- 222 6.1 This Agreement, and the rights and obligations of the CITY and the  
 223 DEVELOPER hereunder, shall be governed by, construed under, and  
 224 enforced in accordance with the laws of the State of Texas and the Code  
 225 of Ordinances of the CITY.  
 226
- 227 6.2 During the term of this Agreement, the laws and policies of CITY that are  
 228 in effect on the date of this Agreement shall govern the Development.  
 229 Specifically, and without limitation, any actions taken by the CITY to  
 230 prohibit development or delay, limit or deny permits or approvals shall  
 231 not apply to the Development during the term of this Agreement. Both  
 232 parties stipulate that unless both of them agree, neither will pursue  
 233 passage of any legislation, rules, regulations, ordinances or other actions  
 234 that will affect this Agreement during the term of same.  
 235
- 236 6.3 Venue for any litigation pertaining to the subject matter hereof shall be  
 237 exclusively in the state courts in and for Aransas County, Texas.  
 238
- 239 6.4 If any provision of this Agreement, or the application thereof to any  
 240 person or circumstance, shall to any extent be held invalid or  
 241 unenforceable by a court of competent jurisdiction, then the remainder of

242 this Agreement shall be valid and enforceable to the fullest extent  
 243 permitted by law.

244  
 245 6.5 The fact that this Agreement does not detail all laws, rules, regulations,  
 246 permits, conditions, terms, and restrictions that must be satisfied to  
 247 complete the Development shall not relieve the DEVELOPER, the CITY,  
 248 or their respective successors in interest, of the obligation to comply with  
 249 the law governing such permit requirements, conditions, terms and  
 250 regulations, as they exist on the date of this Agreement, except as  
 251 otherwise provided herein.

252  
 253  
 254 7.0 Captions and Paragraph Headings: Captions and paragraph headings  
 255 contained in this Agreement are for convenience and reference only, and in no  
 256 way define, describe, extend or limit the scope of intent of this Agreement, nor  
 257 the intent of any provision hereof.

258  
 259 8.0 Counterparts: This Agreement may be executed in several counterparts, each  
 260 constituting of a duplicate original, but all such counterparts constituting one and  
 261 the same Agreement.

262  
 263 9.0 Merger: This Agreement constitutes the entire understanding of the parties. It  
 264 supersedes any prior understandings, agreements or obligations between them  
 265 upon the subjects covered in this Agreement. There are no representations,  
 266 promises, guarantees or warranties other than those set forth herein.

267  
 268 10.0 Effective Date: This Agreement shall become effective (the "Effective Date") as  
 269 of the date of execution by all parties.

270  
 271 11.0 Amendment: This Agreement may be amended by mutual consent of the  
 272 parties so long as the amendment meets the requirements of law and is in  
 273 writing.

274  
 275 12.0 Further Assurances: Each of the parties hereto agrees to execute,  
 276 acknowledge and deliver, or cause to be done, executed, acknowledged and  
 277 delivered, all such further acts and assurances as shall be reasonably  
 278 requested by the other party in order to carry out the intent of this Agreement  
 279 and give effect thereto. Without limiting the specific rights and obligations set  
 280 forth in this Agreement, the parties hereby declare their intention to cooperate  
 281 with each other in effecting the terms of this Agreement, and to coordinate the  
 282 performance of their respective obligations under the terms of this Agreement.  
 283 To the extent any terms or provisions of this Agreement conflict with the  
 284 Development conditions or other rules and regulations that may otherwise  
 285 govern the Development, the terms and conditions of this Agreement shall  
 286 prevail.

287  
 288 13.0 Force Majeure: Neither the CITY nor the DEVELOPER shall be held  
 289 responsible if the fulfillment of any terms or provisions of this Agreement are  
 290 delayed or prevented by revolutions or other disorders, wars, acts of enemies,

291 strikes, fires, floods, acts of God, or without limiting the foregoing, by any other  
292 cause not within the control of the CITY or the DEVELOPER, and which by the  
293 exercise of due diligence, the CITY or the DEVELOPER is unable to prevent.  
294

- 295 14.0 Mediation; Recovery of Costs and Fees: In the event of any dispute concerning  
296 this Agreement, which cannot be resolved by the DEVELOPER and CITY, the  
297 DEVELOPER and CITY agree to submit such disagreement to mediation before  
298 initiating any litigation or legal proceeding regarding the dispute concerning this  
299 Agreement. If the CITY and DEVELOPER are unable to resolve the dispute by  
300 mediation, the CITY and DEVELOPER may seek to resolve the dispute by any  
301 and all means permitted by law. The prevailing party in any legal action or  
302 proceeding regarding this Agreement may recover its reasonable costs and  
303 attorney's fees. Neither the CITY nor DEVELOPER may recover any costs or  
304 attorney's fees incurred before and during any mediation regarding this  
305 Agreement.  
306  
307

DRAFT

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15.0 Notices: Any notices or reports required by this Agreement shall be sent by certified mail, return receipt requested, or facsimile to the following unless notified of a different address or facsimile number in writing to all of the undersigned:

For the CITY: City Manager  
City of Rockport, Texas  
622 E. Market Street  
Rockport, Texas 78382-2530  
Fax: (361) 790-5966  
Email: citymgr@cityofrockport.com

For the DEVELOPER: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DRAFT

329 IN WITNESS WHEREOF, the parties hereto, through their duly authorized representatives,  
330 have executed this Agreement on the day(s) and year set forth below.

331  
332 CITY OF ROCKPORT

333  
334  
335 \_\_\_\_\_  
336 Kevin Carruth, City Manager  
337 Date: July \_\_\_\_\_, 2015  
338

339  
340 STATE OF TEXAS  
341 COUNTY OF ARANSAS  
342

343 This CITY/DEVELOPER WATER CONSTRUCTION AGREEMENT was acknowledged  
344 before me by Kevin Carruth, City Manager and the authorized representative for the City of  
345 Rockport, on the \_\_\_\_ day of JULY, 2015.  
346  
347

348  
349 (Affix Notary Seal Above) \_\_\_\_\_  
350 NOTARY PUBLIC, STATE OF TEXAS  
351  
352  
353  
354  
355 COASTAL PARADISE RV RESORT  
356  
357

358 By: \_\_\_\_\_  
359

360 \_\_\_\_\_  
361 Printed name and Position  
362 Date: March \_\_\_\_\_, 2015  
363

364 STATE OF TEXAS  
365 COUNTY OF ARANSAS  
366

367 This CITY/DEVELOPER WATER CONSTRUCTION AGREEMENT was acknowledged  
368 before me by \_\_\_\_\_ the \_\_\_\_\_ for COASTAL  
369 PARADISE RV PARK on this the \_\_\_\_\_ day of July, 2015.  
370

371  
372 \_\_\_\_\_  
373 (Affix Notary Seal Above) NOTARY PUBLIC, STATE OF TEXAS  
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TOM SMITH

\_\_\_\_\_

BARBARA SMITH

\_\_\_\_\_

JEFF SMITH

\_\_\_\_\_

DRAFT

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

This CITY/DEVELOPER WATER CONSTRUCTION AGREEMENT was acknowledged before me by Tom Smith, Barbara Smith and Jeff Smith, individually, on this \_\_\_\_\_ day of July, 2015.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS

(Affix Notary Seal Above)

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**EXHIBIT "A"**  
DESCRIPTION OF LAND  
Pg 68 of agenda packet

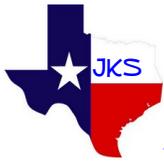
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**EXHIBIT "B"**

12" WATER SYSTEM  
PAGE 67 OF AGENDA PACKET

DRAFT



**Engineering Co., P.L.L.C.**  
CIVIL CONSULTANTS – LAND PLANNERS

TBPE FIRM NO. 13260

March 25, 2015

## WATER SERVICE LETTER

City of Rockport  
622 E. Market St  
Rockport, TX. 78382

Attn: Mayor & City Council

Re: Coastal Paradise RV Resort Water Service Participation

Mayor & City Council,

This letter has been generated at the request of the council, during the City Council Workshop held on March 24, 2015, to help clarify some points of confusion with respect to the discussion of this development's potable water needs and possible city/developer participation agreement for the installation of offsite potable water services or water main extension for this proposed development. A major source of the confusion during the workshop meeting centered around the size of water service needed for this development. Please be advised that JKS Engineering Co., P.L.L.C. would like to respectfully correct the developer and the City of Rockport Water Department's comments with the following information:

**Development's Required Water Service** – 2" service line with a 2" meter. JKS Engineering Co., P.L.L.C. has obtained approximate existing water main pressure at the point of 2" service tap onto the existing water main of approx. 55 to 57 PSI. A simple 2" water service exhibit has been prepared and submitted to the City of Rockport Water Department showing an approximate 1,160LF of 2" water service route to the proposed development. Typical static and dynamic calculations provide a pressure loss of 15 PSI with a GPM velocity of 50 GPM. Therefore, the end pressure at the development's property will have an approximate water pressure of 40 to 42 PSI. The minimum PSI regulated by TCEQ is 35 PSI for single family residential applications. With this discussion, JKS Engineering Co., P.L.L.C. requests a 2" water service for this development at which there would be no city participation in the cost of the 2" water service installation.

**Developer's Cost: \$46,000**

**City's Cost: \$0**

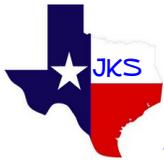
**6" Water Main Extension** – If a development needs more water volume than what a 2" service can provide, a 6" water main extension is required as the minimum water main extension size per the City of Rockport to meet fire codes, state regulations, etc. If the City of Rockport decides to require a 6" water main extension across the Bypass 35 corridor for possible service to future developments, then a 12" Diameter Bore Casing must be installed with the associated 6" water main. In this case, the Developer would respectfully ask for a 50/50 participation with the City of Rockport for the upsize from a 2" water service to a 6" water main extension.

**Developer's Cost: \$59,500**

**City's Cost: \$59,500**

P.O. BOX 1161 ∞ LA VERNIA TX. 78121 ∞ [jeff@jks-engineering.com](mailto:jeff@jks-engineering.com) ∞ (210) 422-8529

Engineering The Future Of Texas - One Project At A Time



Engineering Co., P.L.L.C.  
CIVIL CONSULTANTS – LAND PLANNERS

TBPE FIRM NO. 13260

**12" Water Main Extension** – If the City of Rockport decides to require a 12" water main extension for the future needs of the theoretical water master plan and possible connection to FM 1069, then an 18" diameter bore casing will be required for a 12" water main. In this event, the developer would request a 50/50 participation split of the cost of construction with the City of Rockport for the upsize from a 2" water service to a 12" water main extension.

**Developer's Cost: \$71,775**

**City's Cost: \$71,775**

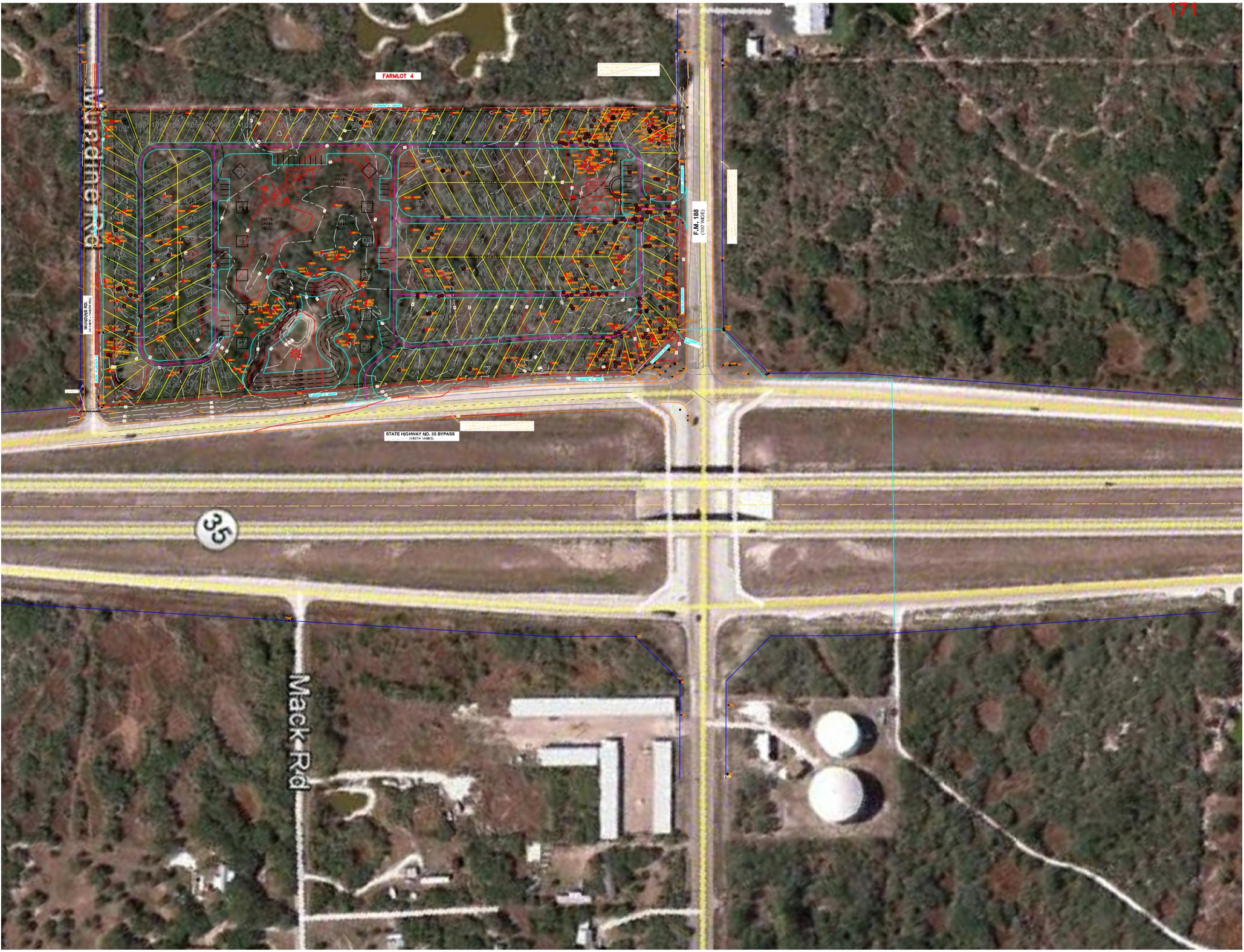
Please note that the developer will still need to pay for the potable water impact fees required by City Ordinance. Also note, a pro-rata reimbursement paid to the developer will be required for any development that connects to the aforementioned water main extension during the first 7 yr period after completion of the water main extension construction and acceptance by the City of Rockport as a potable water main. With respect to both the City of Rockport and the Developers, it is in the best interest of the City of Rockport to participate with the developers in a water main extension for future development along State Hwy 188 and portions of Bypass 35.

Please let me know if you have any further questions.

Respectfully Submitted,

Jeffrey S. Smith, P.E.  
Manager





FARMLOT 4

Mack Rd

F.M. 188  
(100' WIDE)

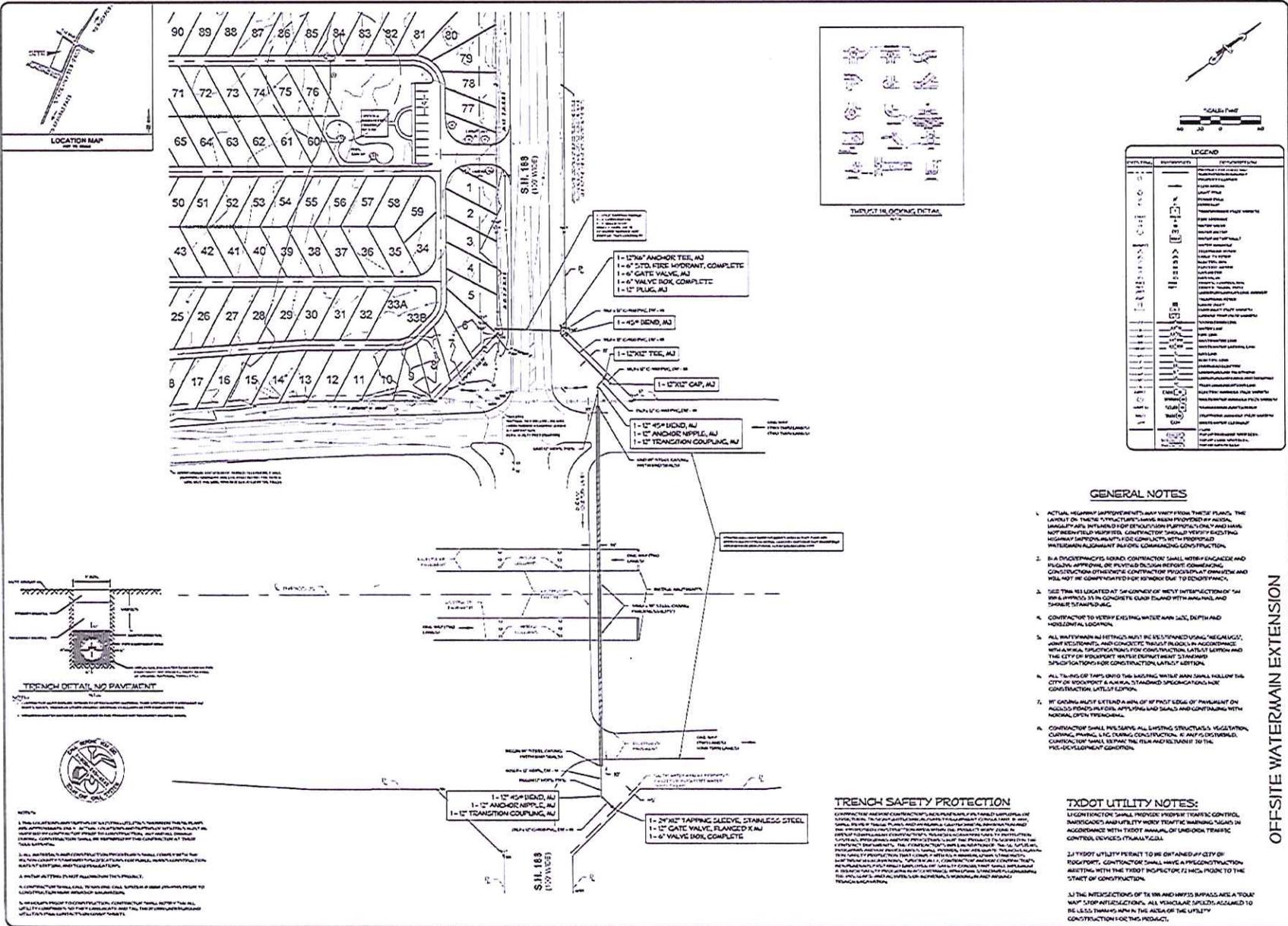
STATE HIGHWAY NO. 35 BYPASS  
(100' WIDE)

35

Mack Rd







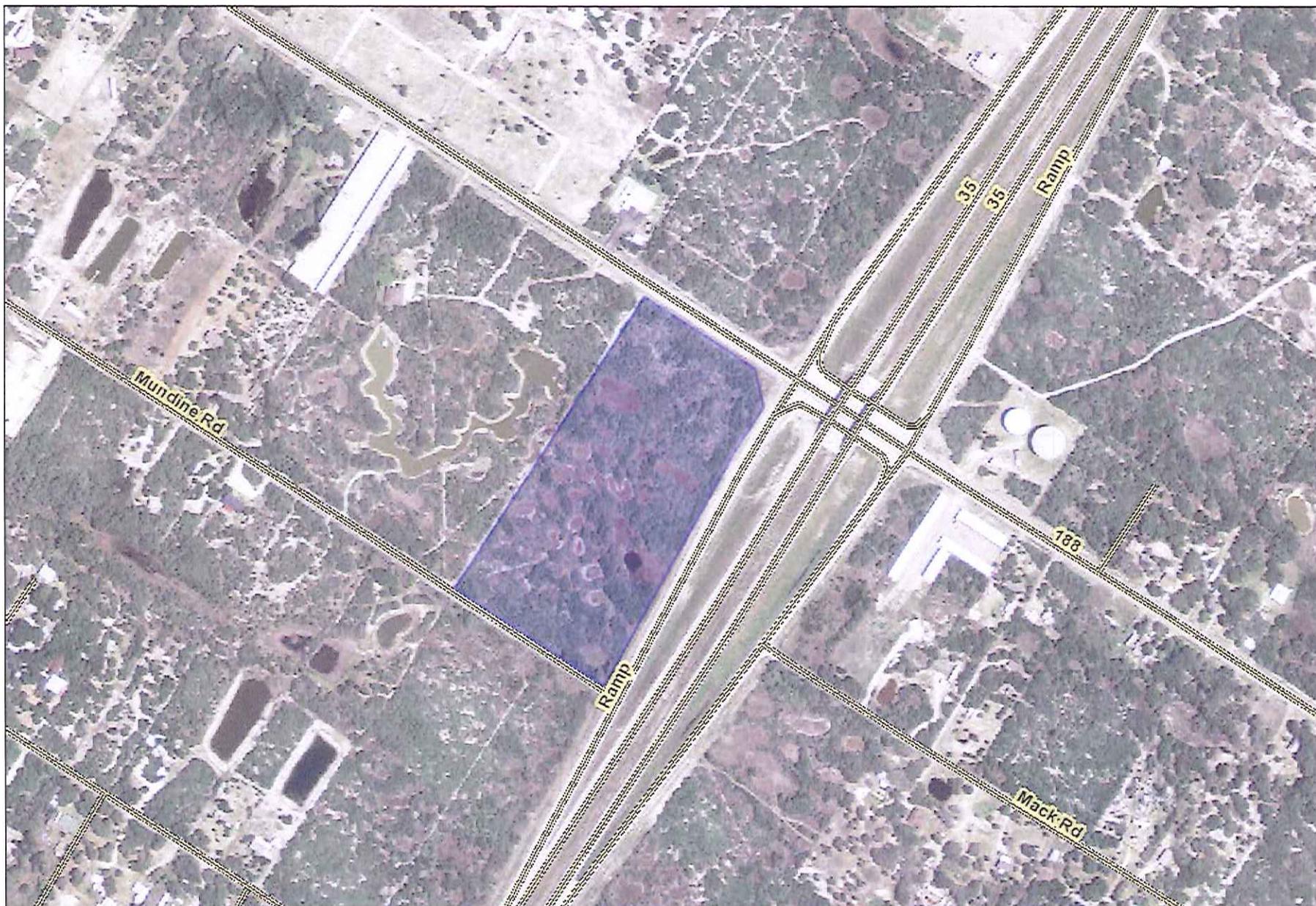
**OFFSITE WATERMAIN EXTENSION**

**COASTAL PARADISE RV RESORT**  
STATE HIGHWAY 6713  
HOUSTON, TEXAS

DATE: 11/11/2011  
SCALE: 1" = 10'

1 OF 1

# Coastal Paradise RV Resort





# FM 188 & HWY 35 BYPASS-SOUTH

Print Date: 03/19/2015  
Image Date: 11/07/2014  
Level: Community

100



03/19/2015

ENGINEER: Brandi B. Karl, P.E.

## ENGINEER'S ESTIMATE

Job No. 1560.00.00

DATE: 4/7/2015

<b>COASTAL PARADISE RV RESORT</b>						
<b>Estimate for 12" Waterline Crossing SH 35 Bypass</b>						
<b>ITEM</b>	<b>DESCRIPTION</b>	<b>UNIT</b>	<b>QUAN</b>	<b>QUAN (+5%)</b>	<b>UNIT PRICE</b>	<b>TOTAL COST</b>
1	24"X12" Tapping Saddle with 12" Gate Valve	LS	1	1	\$5,500.00	\$5,500.00
2	12" PVC C900	LF	154	162	\$55.00	\$8,910.00
3	12" x 45° Bend	EA	3	3	\$1,200.00	\$3,600.00
4	12" HDPE	LF	605	635	\$42.00	\$26,670.00
5	18" W.S. Casing (Installed by Boring)	LF	540	567	\$160.00	\$90,720.00
6	12" Cap	EA	2	2	\$900.00	\$1,800.00
7	12" D.I. Tee	EA	1	1	\$1,300.00	\$1,300.00
8	12"x6" D.I. Tee	EA	1	1	\$1,100.00	\$1,100.00
9	6" Gate Valve	EA	1	1	\$1,100.00	\$1,100.00
10	Fire Hydrant Assembly	EA	1	1	\$3,500.00	\$3,500.00
<b>12" Waterline Project Total</b>						<b>\$144,200.00</b>
<b>Estimate for 6" Waterline Crossing SH 35 Bypass</b>						
1	24"X6" Tapping Saddle with 6" Gate Valve	LS	1	1	\$4,500.00	\$4,500.00
2	6" PVC C900	LF	154	162	\$37.00	\$5,994.00
3	6" x 45° Bend	EA	3	3	\$950.00	\$2,850.00
4	6" HDPE	LF	605	635	\$39.00	\$24,765.00
5	12" W.S. Casing (Installed by Boring)	LF	540	567	\$140.00	\$79,380.00
6	6" Cap	EA	2	2	\$650.00	\$1,300.00
7	6" D.I. Tee	EA	2	2	\$850.00	\$1,700.00
8	6" Gate Valve	EA	1	1	\$1,100.00	\$1,100.00
9	Fire Hydrant Assembly	EA	1	1	\$3,200.00	\$3,200.00
<b>6" Waterline Project Total</b>						<b>\$124,789.00</b>

Urban Engineering  
2725 Swantner  
Corpus Christi, TX 78404  
361-854-3101