

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING

6:30 p.m., Tuesday, July 14, 2015

Rockport City Hall, 622 East Market Street

On the 14th day of July 2015, the City Council of the City of Rockport, Aransas County, Texas, convened in Regular Session at 6:30 p.m., at the regular meeting place in City Hall, and notice of meeting giving time, place, date and subject was posted as described in V.T.C.A., Government Code § 551.041.

CITY COUNCIL MEMBERS PRESENT

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

CITY COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT

City Manager Kevin Carruth
City Attorney Terry Baiamonte
City Secretary Teresa Valdez
Police Chief Tim Jayroe
Public Works Director Mike Donoho
Finance Director Patty Howard
Information Technology Director Brian Jacobs
Parks & Leisure Services Director Tom Staley

ELECTED OFFICIALS

Aransas County Sheriff Bill Mills
Aransas County Navigation District Precinct 3
Commissioner Malcolm Dieckow
Aransas County Navigation District Precinct 1
Commissioner Judith Vlasek

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, July 14, 2015, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

2. Pledge of Allegiance.

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

3. 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.

Allen Smith addressed the Council. Mr. Smith stated he had a question: "How many licensed vehicles does the City put on the streets".

Mayor Wax asked Mr. Smith to provide his contact information to the City Secretary.

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 3rd quarter report from Rockport Center for the Arts for Fiscal Year 2014-2015 marketing expenditures.**
- 6. Deliberate and act on 3rd quarter report from Rockport-Fulton Area Chamber of Commerce for Fiscal Year 2014-2015 marketing expenditures.**
- 7. Deliberate and act on 3rd quarter report from Friends of the Fulton Mansion State Historical Site for Fiscal Year 2014-2015 marketing expenditures.**
- 8. Deliberate and act on 3rd 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.**

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

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

Regular Agenda

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

Rockport-Fulton Area Chamber of Commerce President Tiffanie Hoover addressed the Council. Ms. Hoover presented the Rockport-Fulton Area Chamber of Commerce Compass Report: Guidance, Promotion and Support.

Discussion was held among Council and Chamber President Ms. Hoover in regard to the quarterly report.

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.

Mayor Wax stated this agenda item had been withdrawn by the requestor.

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

YMCA Project Committee Chair Jordan Fisher addressed the Council. Ms. Fisher stated the Committee had presented their report at the June 23, 2015, City Council Workshop and she was available to answer any questions. Ms. Fisher informed the Council that the next step would be appointment of an Advisory Board to finalize agreement with the YMCA of the Coastal Bend and to begin the fundraising efforts.

Brief discussion was held among Council and Ms. Fisher.

Mayor Pro-Tem Rios stated that the process would be: 1) Advisory Board established; 2) City to except draft plan; 3) Once plan is finalized, engage an architect; and 4) Look at what funds are needed.

Mayor Wax said the next Council actions would be formal approval of an Interlocal Agreement with the YMCA of the Coastal Bend and public notification of selection of an Advisory Board.

Vicki Pitluk addressed the Council. Ms. Pitluk informed the Council that the YMCA Project Committee will hold their last meeting on Monday, July 27, 2015 and will be compiling a list of possible donors to provide to the Advisory Board.

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 (1st Single-Family Dwelling

District) to R-6 (Hotel/Motel District); repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

MOTION: Mayor Wax moved to remove the agenda item from the table. Mayor Pro-Tem Rios seconded the motion. Motion carried unanimously.

Mr. Brad Coleman addressed the Council. Mr. Coleman stated he was present to answer any questions the Council may have.

Council Member Day asked how many units are going to be built, 2, 4 or 6 units. Council Member Day asked if the infrastructure is going to be built piecemeal.

Mr. Coleman answered that they are planning to start with a couple of cottages and then see what the market is. Mr. Coleman stated there is room for seven (7) units of the duplex type, including a couple of units with kitchenettes.

Mayor Wax asked where the first cottages will be built, on the water side or the highway side.

Mr. Coleman answered that the cottages will be built on the west side of the property along the highway because the property is wetlands and they have to deal with the Corps of Engineers.

Mayor Wax reminded Council that the Planning & Zoning Commission met and recommended approval of the rezoning.

MOTION: Mayor Pro-Tem Rios moved to approve 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 (1st 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.

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 an effective date, reading, publication and severance.*

MOTION: Council Member Villa moved to remove this Agenda item from the table. Council Member Gurtner seconded the motion. Motion carried unanimously.

Mayor Wax informed the audience that he had 37 people signed up to speak on this agenda item tonight which demonstrates the amount of interest in this subject. Mayor Wax asked for a show of hands of all those who had previously addressed the Council on this item. Mayor Wax stated that those persons who have already addressed the Council will not be allowed to speak again tonight,

saying their comments are already part of the record. Mayor Wax asked for a show of hands of persons supporting the Ordinance; the count was 33 persons in the room. Mayor Wax asked for a show of hand of those opposing the Ordinance; the count was 53 persons in the room. Mayor Wax reminded everyone that it is alright to disagree, but it is not alright to interrupt. Mayor Wax stated the City of Rockport does not have a history of being rude and we would not start tonight. Mayor Wax said that if anyone had written input; give it to the City Secretary to be entered into the minutes.

Scott Hime addressed the Council. Mr. Hime stated he was opposed to the Ordinance, giving examples of cities such as Huntington Beach and San Jose, California, and Dallas, Texas, that had adopted bans and then repealed them. Mr. Hime added that if the Council votes to adopt this Ordinance, the City will surely face lawsuits.

Dave Smith addressed the Council. Mr. Smith stated he lives in Fulton and he is a no boat fisherman and he spends a lot of time on shorelines, and there is litter, especially one-use bags. Mr. Smith added that the senior citizens has voiced concern that the recyclable bags are too heavy for them to carry, so he suggested they bring two bags and fill them halfway or ask for paper bags. Mr. Smith said he supports the ban and recognizes the privilege the Council has to keep the community clean for people to visit and vacation. Mr. Smith submitted his written comments (attached) to the City Secretary.

Mr. Mayor and Council Members -
It is ~~my~~ ^{my} pleasure to address you
and so many interested citizens
of Rockport on this vital issue.
I am Big Dave Smith, 1301 Lone
Star, Fulton.
You are a privileged group
with an important question
to answer - should we
ban ^(POS) print-of-side single
use plastic bags in Rockport?
It took me 65 years to get to
Rockport - I've lived here for
three beautiful years and I plan
to stay.

I am a no boat fisher which
means I spend a good deal of
time on the shores and in
the shallow waters of our
magnificent bays. I enjoy the
fishing and communing with
fellow citizens and guest from
naches far and near as we seek
the great joy of landing the
multitude of game fish
available to us. A big concern
I have, one I share with many
of you, is the overabundance
of litter, especially these
plastic bags; that I see everywhere

I have discussed with many people over the last few weeks where they stand on this issue and I have learned several things:

1. Many, many of us use these bags of line our trash-cans at home and feel they do not contribute to pollution/litter because they go directly into our dumps from our homes. We need to understand there are other viable alternatives - we just need to adjust our habits.
2. Because I do have a large % of senior citizens many of whom feel that reusable bags are too large - they hold too much for us to carry out of the store and into our homes. A tip from me: bring spare tote and only fill them half-up.
3. Most surprising to me is that almost no one knows that our HEB, even though most of us shop

There from time to time, provides the option of paper sacks vs plastic just say - "Paper Please"

I support the proposed ban and recognize the privilege and responsibility that you have to lead our community as we flourish and grow on the green to come. ^{We want to} ~~and~~ continue to be regarded as the quite, inviting and clean place for families to vacation and grow.

PLEASE VOTE NO to plastic bags in Rockport
Thank you

Big Dave Smith
804.744.8264

Jim Mixon addressed the Council. Mr. Mixon said he remembers a time when plastic bags were brought out in an effort to save trees. Mr. Mixon stated he is a fisherman and he does not see a lot of plastic bags, he sees more styrofoam cups. Mr. Mixon expressed: "There's going to be hell to pay if this ban passes next time you run for office." Mr. Mixon added: "Let the voters vote on it."

Jim Bagley addressed the Council. Mr. Bagley stated he was against the ban on the single-use plastic bags. Mr. Bagley added that if necessary, this should be put before the residents of the City to vote on.

Kay Wilson addressed the Council. Ms. Wilson stated she has lived in Harbor Oaks Subdivision for the past 25 years and she had decided on her own to not use plastic bags. Ms. Wilson displayed numerous recyclable bags that she uses. Ms. Wilson said she did not know if she supported or opposed the proposed Ordinance.

Bill Strong had previously addressed the Council.

Melanie Clarke had previously addressed the Council.

Adelaide Marlatt addressed the Council. Ms. Marlatt stated she wanted to add her voice to the concerns of the merchants. Ms. Marlatt said she worked with upper management at HEB for several years and reusable bags can cause problems with security and shoplifting, as well as the sanitation problem with reusable bags. Ms. Marlatt added that excessive shoplifting can close a store and reusable bags are a shoplifter's dream. Ms. Marlatt expressed that the Council needs to listen to the merchants and vote "no" on the proposed Ordinance. Ms. Marlatt submitted her written comments (attached) to the City Secretary.

MY NAME IS ADELAIDE MARLATT & I WOULD LIKE TO ADD MY VOICE TO THE VOICE OF OUR LEADING MERCHANTS AND SPOKESPERSONS. YOU HAVE HEARD THEM ASKING YOU TO SET ASIDE THIS POTENTIAL LAW SO THEY CAN FOCUS ON PROVIDING FOOD AND MERCHANDISE TO CUSTOMER WHO SHOPS WITHIN THE CITY LIMITS OF ROCKPORT.

I WORKED IN AND WITH THE UPPER MANAGEMENT OF THE HEB STORES FOR 8 YEARS. THROUGH THIS EXPERIENCE I KNOW THE REUSEABLE SHOPPING BAG REPRESENTS A PROBLEM FOR OUR LARGER MERCHANTS IN TWO AREAS. ONE IS SHOP-LIFTING. THE BAGS SOUND LIKE A GOOD IDEA BUT THEY ARE SOLID, YOU CAN'T SEE INTO THEM, YOU CANNOT SEE WHAT PEOPLE ARE BRINGING IN OR TAKING OUT, THOSE OF YOU WHO KNOW ABOUT SECURITY, KNOW THIS CAN BE A BIG PROBLEM FOR OUR MERCHANTS. EXCESSIVE SHOPLIFTING CAN CLOSED A STORE AS IT DID THE WALMART STORE IN ONE SOUTH TEXAS COMMUNITY ...THE BROAD USE OF THESE REUSABLE BAGS IS A SHOP-LIFTERS DREAM TOOL. IS THAT WHAT YOU WANT TO LEGISLATE ON OUR LARGER MERCHANTS.

Second is SANITATION, WHEN I WAS THERE, I OBSERVED STORES LIKE HEB AND I AM SURE, WALMART MAINTAIN TIGHT STANDARDS TO ASSURE YOUR FOOD CHAIN IS AS SAFE AS THEY CAN POSSIBLE MAKE IT, TO ASSURE PROTECTION FOR THE CONSUMER AGAINST THE DEADLY, STEALTH VIRUSES OF SALMONELLA, ECOLI, LISTERIA AND OTHERS UNNAMES. THESE CHAINS HAVE STAFFS THAT WORK NIGHT AND DAY TO PROTECT US FROM CONSUMING SOMETHING THAT MAY BE TAINTED BY THESE DEADLY GERMS, BECAUSE AS WE READ IN THE PAPER THIS MORNING, THE BIGGEST CULPRIT IS DIRT, FILTH AND OLD FOOD. NOW YOU ARE TELLING THEM THEY SHOULD DROP - IN THIS ONE STORE, A PROCESS THAT HAS HELPED THEM MAINTAIN THIS TIGHT CIRCLE OF SANITATION PROTECTION.. AND OPEN THEIR CUSTOMERS UP FOR SICKNESS AND POSSIBLE DEATH.

THE USE OF THESE BAGS ALSO OPENS THEM TO THE COST OF DEFENDING THEMSELVES AGAINST LAWSUITS BOTH REAL WHERE PEOPLE REALLY BELIEVE THE ILLNESS CAME FROM FOOD PURCHASED AT THE STORE AND NUISANCE LAWSUITS. THE USE OF THE REUSEABLE GROCERY BAG IS LIKE A LANDMINE WAITING TO BE STEPPED ON, IN THE MIDDLE. I KNOW BECAUSE I KNOW HOW DIRTY MINE ARE GETTING, I USE THEM, BECAUSE THEY MAKE A STATEMENT ABOUT WHAT COLLEGE OR CAUSE FEELS STRONGEST ABOUT THIS WEEK AND THEN CYCLE THEM AND BUY MORE. THEY ARE LIKE A FAD - NOT DESIGNED FOR

*As a
IP?? +
Business
owner
I practice*

LONG TERM USE. IN SUMMARY, I'M ASKING THAT YOU PLEASE THINK ABOUT THE EFFECT OF THE BAN ORDINANCE YOU ARE LOOKING TO PUT IN PLACE.

LETS SUPPORT OUR BUSINESSESTHEY ARE IMPORTANT, THEY ARE OUR TAX BASE, OUR SUPPLIER OF MANY GOOD THINGS. IF THEY SAY, ~~PLEASE~~ NO, LET'S HONOR THAT AND BE THEIR PARTNERS. NOT THEIR DESTROYERS.

WE ARE HERE TO ASK YOU TO PUT THIS ASIDE AND FOCUS ON THE REAL ISSUES, LIKE RELIEVING FLOODING IN THE DOWNTOWN BUSINESSES, AND IN THE BUSINESSES & AREAS AROUND 35 & OMOHONDRO, AND WITH THE 70 OR SO THEFTS AND ROBBERIES THE SUBDIVISIONS OF ROCKPORT HAVE EXPERIENCED SINCE JANUARY 1, 2015 OR THE POTHOLES IN THE STREETS THAT ARE DEVELOPING SINCE THE RECENT RAINS. WE DO NOT WANT TO END UP LIKE CORPUS CHRISTI WITH A PROBLEM SO INSURMONTABLE THAT IT IS REALLY DIFFICULT TO ADDRESS.

WE SAW A PRESENTATION TONIGHT FROM A GROUP OF PEOPLE WHO WANT TO DEVELOP A WELCOMED RECREATION/COMMUNITY CENTER FOR THE PEOPLE OF ARANSAS COUNTYCAN WE AFFORD IT, IS THIS THE BEST WAY TO ADDRESS THE MATTER, HOW DO WE ASSURE WE GET OUR MONEY'S WORTH FOR THE \$2,000,000 PLUS TAX DOLLARS THEY WANT TO USE AS SEED MONEY.

YOU ARE FIVE INTELLIGENT, INTERESTED ELECTED REPRESENTATIVES. WE ASK THAT YOU USE YOUR TIME, ENERGY AND CREATIVE IDEAS TO ADDRESS IMPORTANT ISSUES THAT IMPROVE THE LIVES OF PEOPLE WHO LIVE AND DO BUSINESS IN ROCKPORT. STAFF AND PUBLIC SAFETY (POLICE) TIME IS LIMITED. USE IT TO HELP US FACE THE REAL PROBLEMS OF OUR COMMUNITY AND DO YOUR BEST TO MAKE US PROUD WITH THE SOLUTIONS YOU CREATE AND THE REPUTATION YOU BUILD FOR THIS WONDERFUL COMMUNITY. THANK YOU FOR YOUR TIME AND THE SERVICE YOU GIVE. IT IS TRULY A WORTHWHILE CALLING.

Margaret Hord submitted written opposition (below) to the proposed Ordinance.

Margaret Hord
2210 Cape McCan

I am opposed to the ordinance.

It is my understanding that the City has received a legal opinion relating to this proposed law.

This legal opinion states that this proposed law violates the Texas Constitution and it is illegal for the City to implement.

If this is the case, how can the City implement this action and if they do, how will the City pay for the cost of legal expenses to defend both you personally as a Councilman and the City.

Do we really need another lawsuit against our local government?

Sherry Myers addressed the Council. Ms. Myers stated she was opposed to the proposed Ordinance. Ms. Meyers said she works with the schools and she takes the majority of her plastic bags to Little

Bay Primary where they can be used to send home a child's soiled clothing. Ms. Myers added that she also uses the plastic bags for disposing of diapers. Ms. Myers expressed that she did not feel like the City should legislate what she should do, it should be a choice.

Anna Herring stated she had written letter opposing the proposed Ordinance.

Rockport-Fulton Area Chamber of Commerce President Tiffanie Hoover and Past President Karen Mella addressed the Council. Ms. Hoover and Ms. Mella presented the results from the second survey that had been sent to the Chamber's 714 members. Ms. Hoover stated 133 members had responded, of whom 70 were against the ban and 54 were for the ban. Ms. Mella added that there were 129 written responses in regard to what to do about the litter problem and 126 were advocates of recycling. Ms. Mella noted that 49 respondents said they would serve on a task force to address the litter problem.

Regina Garcia had previously addressed the Council.

Ginger Easton Smith had previously addressed the Council.

Neil McQueen had previously addressed the Council.

Shawn Johnston had previously addressed the Council.

Gail Johnston had previously addressed the Council.

Savanna Smith had previously addressed the Council.

Jacob Johnston had previously addressed the Council.

Bud Kittle addressed the Council. Mr. Kittle stated he did not like other cities dictating to Rockport, and they should stay out of Rockport's business. Mr. Kittle said irresponsible people are the problem. Mr. Kittle added that most people use bags responsibly, so why does the majority have to abide with the desires of a few. Mr. Kittle asked the Council how many people in attendance at the meeting tonight actually live in Rockport and pay taxes here. Mr. Kittle submitted his written comments (below) to the City Secretary.

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I AM HERE TONIGHT TO ADDRESS THE PLASTIC BAG DILEMMA. I DO NOT TAKE TO "ZEALOTS" FROM OTHER CITIES TRYING TO DICTATE THEIR AGENDAS ON THE CITIZENS OF MY CITY, ROCKPORT, TEXAS. THEY DO NOT RESIDE HERE, VOTE HERE, OR PAY TAXES IN THIS CITY. STAY THE HECK OUT OF OUR BUSINESS.

THE PLASTIC BAG ISSUE IS NOT ABOUT THE BAGS. IT'S ABOUT A MINORITY DICTATING THEIR OFTEN FLAWED IDEAS ON EVERYONE ELSE. IS IT ONLY ABOUT "SINGLE USE PLASTIC BAGS"? WHAT ABOUT ALL THE WATER BOTTLES, STYROFOAM FAST FOOD CONTAINERS, FOOD WRAPPERS, PAPER BOXES, ETC. THESE ARE ALL "SINGLE USE CONTAINERS." WHY NOT JUST COVER THE BOARD AND BAN ALL CARRY OUT CONTAINERS. WHAT'S NEXT?

REUSABLE BAGS ARE A SERIOUS BACTERIA BREEDING GROUND FOR MEAT, POULTRY, AND PRODUCE PRODUCTS. WHAT OTHER APPROACH TO COMMON SENSE? THESE PRODUCTS ARE NOT THE PROBLEM. IRRESPONSIBLE PEOPLE ARE THE PROBLEM. ITS LIKE PEOPLE WANT TO BAN GUNS. GUNS ARE NOT THE PROBLEM. IRRESPONSIBLE PEOPLE ARE THE PROBLEM. NO ONE TAKES RESPONSIBILITY FOR THEIR ACTIONS ANY MORE. IT'S ALWAYS SOMEONE ELSE'S PROBLEM OR FAULT.

ALL THE TRASH AROUND CEDAR BAYOU WAS RECENTLY MENTIONED. IF THE PERSON MAKES ALL THE PLASTIC BAG COMPLAINTS WOULD

OPEN HER EYES A LITTLE WIDER, AND NOT USE "TUNNEL VISION" SHE WOULD HAVE NOTICED THAT OVER 90% OF THE LITTER COMES FROM OIL RIGS, SHIPS, AND GULF COAST STATES. THE PREVALENT WINDS AND CURRENTS DEPOSIT EVERYTHING ON OUR BEACHES. PLASTIC BAGS ARE MIA IN ALL THE TRASH. PLASTIC GULLETS, HARD HATS, BLEACH BOTTLES, WATER BOTTLES, ETC., ARE THE NORM. THE LIST OF OTHER "SINGLE USE" ITEMS GOES ON AND ON.

OUR TRASH BAGS ARE ALSO SINGLE USE BAGS. THEY SHOULD ALSO BE INCLUDED IN THE BAN. THEN WHAT BECOMES OF ~~THE~~ DISPOSING OF ALL THE TRASH GENERATED.

THE BOTTOM LINE HERE IS, AS MENTIONED BEFORE, IS COMMON SENSE AND INDIVIDUAL RESPONSIBILITY FOR ONE'S ACTIONS, IS LITTERING. DO WE NEED TO ESTABLISH ANOTHER GOVERNMENT, DEPT OF LITTER CONTROL TO ENFORCE THIS BAN, SET UP CHECK POINTS AT ALL CITY LIMIT ENTRANCES TO ~~CONFISCATE~~ CONFISCATE ALL INCOMING PLASTIC BAGS FROM TOURISTS & VISITORS TO THE CITY. IM SURE THE CHAMBER AND BUSINESSES WOULD GO ALONG WITH THAT. IF IT'S GOOD ENOUGH FOR US THEN IT SHOULD BE ENFORCED AND FINES ISSUED TO ANYONE IN POSSESSION OF A "SINGLE USE PLASTIC BAG" IN THE CITY LIMITS.

MANY OF THE CONVENTIONAL CITIZENS, INCLUDING MYSELF, OF THIS CITY AND COUNTY, USE PLASTIC BAGS

RESPONSIBLY AND RECYCLE THEM. WHY DOES THE MAJORITY ALWAYS HAVE TO ABIDE BY WHAT A FEW "ZEALOT" DECIDE TO DICTATE. I ~~WISH~~ ^{SURELY} HOPE THE CEDAR BAYOU USE COMMON SENSE AND NOT COME TO A GROUP OF "ZEALOTS" AND THEIR FLAWED AGENDAS.

BUJ KITTLE
115 ST. ANDREWS ST.
ROCKPORT, TX 78382
707-1881

Bill Schmidt addressed the Council. Mr. Schmidt stated he lives in Aransas County and the proposed Ordinance would affect the 15,000 to 20,000 people who reside in the County and shop in Rockport. Mr. Schmidt said he appreciated the opportunity to speak and stated he was opposed to the Ordinance.

J.C. Slaton had previously addressed the Council.

Phil Wildfang had previously addressed the Council.

Ellen Stacy had previously addressed the Council.

An anonymous woman submitted written opposition (below) to the proposed ban.

Rev.

IN SUMMARY, I WOULD TELL YOU, I'M A PRETTY INDEPENDENT GUY . I'M ALSO AMERICAN ENOUGH TO NOT WANT TO HAVE ALL DIFFERENT KINDS OF LAWS LIKE THIS ON THE BOOKS . JUST BECAUSE ONE OR TWO OF YOU WANT TO USE REUSEABLE BAGS TO CARRY OUT GROCERIES BECAUSE IT KEEPS SOME PLASTIC BAGS OUT OF CIRCULATION, DO IT. YOU DON'T HAVE TO MAKE A LOCAL LAW TO MAKE EVERYONE DO IT JUST BECAUSE YOU DO.

LOCAL LAWS ARE ENACTED TO PROTECT PEOPLE. TO RAISE THE QUALITY OF LIFE ON A LOCAL LEVEL FOR YOUR PEOPLE. IT IS NOT NOT RESPONSIBILITY TO GOVERN WHETHER THE MERCHANT I SHOP AT CAN GIVE ME THE TYPE OF BAG THEY CURRENTLY DO THAT SERVES AND DOESN'T MAKE SHOPPING THEIR STORE A BIG...HEADACHE.

THIS ACTION IS INSANE AND WHEN YOU LOOK AT IT, WILL END UP HURTING OUR MERCHANTS AND HURTING OUR LOCAL RESIDENTS , AND OUR VISITING CONSULTANTS AND ADVISORS WILL GO ON TO SHOP AT STORES AND IN COMMUNITIES WHERE THIS BAN DOES NOT EXIST. THINK ABOUT IT, DO YOU GET ELECTED BY THESE OUTSIDERSOR BY THE PEOPLE WHO ARE HERE TONIGHT TO OPPOSE THIS ACTION. YOU AND I BOTH KNOW THE ANSWER TO THAT.....I URGE YOU TO TABLE THIS BAN ORDINANCE AND LET IT STAY THERE FOR TWO OR THREE WEEKS AT WHICH TIME IT CAN DIE OF ITS OWN ACCORD..... UNTIL THE TIME COMES WHEN ARANSAS PASS, INGLESIDE, PORTLAND, SINTON, AND CORPUS CHRISTI JOIN IN THIS ACTION, LET US (WHO CALL ROCKPORT OUR HOME), LIVE IN PEACE AND ENJOY THE WONDERFUL QUALITIES OF ROCKPORT THAT PULLED US HERE IN THE FIRST PLACE, CONTINUE AS THEY ARE .

**Submitted by a woman - said this expressed her view.*

Richard Rock had previously addressed the Council.

Vance Vorndam stated he was in favor of the Ordinance.

Alton Crusius stated he was opposed to the proposed Ordinance.

Kathy Crusius states she was opposed to the proposed Ordinance.

Eleanor Simmons stated she was opposed to the proposed Ordinance.

David Hatman addressed the Council. Mr. Hatman stated he is opposed to the proposed Ordinance. Mr. Hatman said he lives in the County and walks Loop 1781, and he sees cups, beer cans and What-a-Burger bags but not plastic bags. Mr. Hatman added that sales tax revenues will go down and taxes will have to be raised because people will shop elsewhere if they cannot use plastic bags. Mr. Hatman informed the Council that he came to Texas by way of Houston from Rockport, Massachusetts, and in Rockport, Massachusetts the people are against everything. Mr. Hatman said this followed him to Rockport, Texas, and the Council should put this to a vote of the residents.

Jeannie Coe addressed the Council. Ms. Coe stated she was opposed to the proposed Ordinance that cites health and sanitation as reasons for the ban, when only 3% of reusable bags are washed. Ms. Coe said Rockport it a tourist town and when she vacations, she does not think about taking a reusable bag, so this ban would cause tourists to be unhappy. Ms. Coe added that she lives in the county and drives Sixteenth Street, and the litter she sees is ice bags, plastic bottles and styrofoam. Ms. Coe stated she has three dogs and she never throws away plastic bags.

Carrie Meyer had previously addressed the Council.

Benjamin Falk addressed the Council. Mr. Falk cited a recent report in Chicago that indicated its ban had done more harm than good. Mr. Falk stated it is not a bag problem, it is a people problem. Mr. Falk urged the Council to vote against the ban or put it on a ballot and let the people vote.

Gayly Opem had previously addressed the Council.

Mayor Wax stated that the proposed Ordinance is an important issue based on the number of citizens present and the comments received. Mayor Wax informed every one of the ability to ask to be notified of Council meetings by going to the City's website and checking the "Receive Notifications" button. Mayor Wax said that in the Agenda packet for this meeting, there was an error in the presentation; on the page where it stated "Local Organizations Supporting a Plastic Bag Ban" and listed eight organizations, that title was incorrect because it should have read "Local Organizations that support the mission of the Skip the Plastic - Rockport/Fulton."

Council Member Day stated he truly believed plastic constitutes as a major contaminant in our environment. Council Member Day said it may not be time for this Ordinance but humans have a litter issue and he thinks this is an effort to try to reduce litter.

Council Member Villa said that everyone knew he does not support the ban. Council Member Villa challenged everyone to come together as a community and go outside and pick-up trash when you see it. Council Member Villa stated that if everyone did that, we would not be here now discussing this. Council Member Villa added that it upsets him that there are so many people at the Council meeting for this matter, but there are other important things such as budget hearings that impact Rockport residents.

Mayor Pro-Tem Pat Rios stated this is not a new issue; this discussion began in 2011 with local residents trying to control litter. Mayor Pro-Tem Rios said he had 182 contacts since the Council began discussion of the ban; 112 were against it and 60 were for the ban. Mayor Pro-Tem Rios added that he has always looked at this as a litter issue and when citizens approach Council in regard to their concerns, if the concern has merit, the Council is obligated to address it.

Council Member Gurtner stated that all the comments received have been the most delightful thing she has seen in a long time. Council Member Gurtner said that everyone agrees there is a plastic problem; now let's do something about it.

Mayor Wax stated said a lot of research had been done in the last couple of weeks, but this effort began four years ago when a local organization offered information and support. Mayor Wax voiced his concern that discussion on plastic bags could fill a Council Chamber but when Council discusses property tax, grants, etc., the Council is lucky to have two or three people attend the meeting. Mayor Wax added that he is not happy with the division this proposed Ordinance has caused in the community; that troubles him. Mayor Wax stated he was going to move to postpone consideration of this Ordinance indefinitely in hopes that this division will not grow; the City does not need that.

MOTION: Mayor Wax moved to postpone indefinitely 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.

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.

MOTION: Mayor Wax moved to remove this agenda item from the table. Council Member Villa seconded the motion. Motion carried unanimously.

Mayor Wax stated the Council had received a revised and redlined version of the agreement that was developed following a July 1, 2015, meeting with Urban Engineering. Mayor Wax said a paragraph had been removed from the agreement and a few minor typographical errors were corrected.

Brief discussion was held among Council and City Manager.

MOTION: Mayor Pro-Tem Rios moved to approve the City's revised version of the interlocal agreement with Aransas County for subdivision regulation within the extraterritorial jurisdiction for the City of Rockport. Council Member Villa seconded the motion. Motion carried unanimously.

17. Deliberate and act on 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.

Public Works Director Mike Donoho addressed the Council. Mr. Donoho stated Council heard a presentation by RTM Construction regarding extending water service to Coastal Paradise RV Resort at the March 24, 2015 Council Workshop. Mr. Donoho said on April 14, 2015, Council decided to pay the difference between the required 6-inch main and 12-inch main, as well as allow a *pro-rata* agreement for the remaining capacity of the main. Mr. Donoho called the Council's attention to the proposed City/Developer Water Construction Agreement, and he recommended approval of the agreement.

City Manager Kevin Carruth stated that the Agreement included in the agenda packet is a rough draft and there are clerical errors that need to be corrected and exhibits that need to be acquired and attached to the Agreement.

Brief discussion was held among Council, Mr. Donoho and Mr. Carruth.

MOTION: Council Member Villa moved to approve the 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. Council Member Day seconded the motion. Motion carried unanimously.

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 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 read a letter (below) received from the Circle Ten Council Boy Scout of America commending City Manager Kevin Carruth for spending a week of his vacation time attending Boy Scout Camp with the local troop.



June 30, 2015

City of Rockport
C.J. Wax
622 E Market Street
Rockport, TX 78382

RECEIVED
JUL 01 2015
ASST CITY SECRETARY

Dear C.J.,

Scouting has a strong tradition of providing young people with a life changing experience. The founder of Scouting, Lord Baden-Powell said "A week of camp life is worth six months of theoretical teaching in the meeting room." Summer camp provides the opportunity for Scouts to build confidence and character while spending a week away from all of the distractions of modern life. For over 48 years Trevor Rees-Jones Scout Camp at Clements Scout Ranch has given thousands of youth the opportunity to experience everything Scouting has to offer like fellowship, skills and the outdoors.

One of your employees, Kevin Carruth, recently attended camp as a volunteer leader with their local troop. Kevin chose to spend his vacation impacting boy's lives at Scout camp. Without leaders like Kevin who volunteer their time and energy to make Scouting fun, we could not help shape the character of young people as we do.

Thank you for sharing Kevin with the future leaders of our community.

Sincerely,

Pat Currie
Scout Executive, CEO

John D. Marchman Scouting Center
6625 Harry Hines Blvd.
Dallas, TX 75235
214-962-6700
www.circleten.org

Prepared. For Life.™

Bobby Lyle • Billy Casble Scouting Center
5600 US HWY 75 South
Fairview, TX 75069
214-509-2100
www.circleten.org



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.

At 7:51 p.m., Mayor Wax convened the Rockport City Council into an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal and Section 551.074 Personnel Matters - Finance Director.

Open Session

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.

At 8:30 p.m., Mayor Wax reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

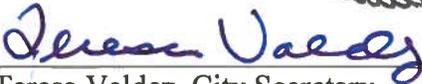
No action was taken.

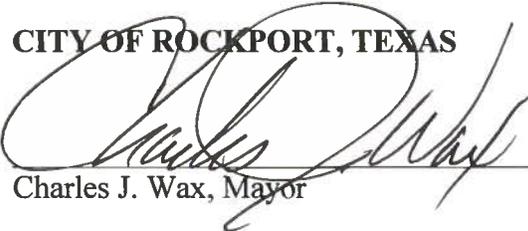
22. Adjournment

At 8:31 p.m., Council Member Villa moved to adjourn. Motion was seconded by Mayor Pro-Tem Rios and carried unanimously.



ATTEST:


Teresa Valdez, City Secretary

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor