
CITY COUNCIL AGENDA

Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, October 27, 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. Proclamation: Arbor Day – Friday, November 6, 2015.

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 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.

5. Deliberate and act on approval of City Council Regular Meeting Minutes of October 13, 2015.
6. Deliberate and act to appoint members to the Park and Leisure Services Advisory Board, Rockport Zoning Board of Adjustment, and YMCA Development Committee.
7. Deliberate and act on rescheduling both the Council Regular Meeting of November 10, 2015, and Council Workshop Meeting of November 24, 2015, to November 17, 2015.

Regular Agenda

8. Hear, deliberate and act to accept the Utility Bill Surcharge Fund Disbursement Report, Annual Reports from Fulton, Lamar and Rockport Volunteer Fire Departments, and authorize disbursement of funds.
9. Deliberate and act on approval of a change order to the construction contract for the South Rockport Drainage Improvements Phase 2.
10. Deliberate and act on a resolution expressing official intent to reimburse costs incurred for acquisition of land primarily for municipal park purposes.
11. 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;

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:

12. Section 551.071(1)(A) Consultation with Attorney on pending or contemplated litigation: a) Aumada, and b) Bay Education Center.
13. Section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
14. Section 551.072 Deliberation about Real Property - Acquisition of property for public purpose: a) 412 N Live Oak St., and b) 1501 and 1505 Broadway.
15. Section 551.074 Personnel Matters – City Secretary.
16. Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.

Open Session

17. 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.
18. 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 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, October 23, 2015, by 5:00 p.m. and on the City's website at 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*.


Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, October 27, 2015

AGENDA ITEM: 3

Proclamation: Arbor Day – Friday, November 6, 2015.

SUBMITTED BY: Parks & Leisure Services Director Tom Staley

APPROVED FOR AGENDA: PKC

BACKGROUND: This year in recognition of Texas Arbor Day, during the week of November 2-6, 2015, the City Parks & Leisure Services Department staff will be planting Crape Myrtle Trees along the bank of Tule Creek adjoining the Tule Hike & Bike Trail. See the accompanying proclamation and history of Arbor Day for more information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Not an action item.

PROCLAMATION

WHEREAS, Arbor Day origins have been traced back to the fifth century when Swiss villagers gathered to plant groves of oak trees and adults turned the event into a festival and children were given treats as a reward for their help planting trees; and

WHEREAS, Arbor Day first appeared in the United States in 1872 when this Country's first Arbor Day Resolution was guided through the Nebraska state legislature; and

WHEREAS, President Theodore Roosevelt was a strong supporter of Arbor Day and early in the 20th century he sent a letter to the children of the United States in which he wrote, a people without children would face a helpless future; a country without trees is almost as hopeless; and

WHEREAS, Arbor Day first appeared in Texas on February 22, 1889, in Temple and the first statewide observance of Arbor Day was held in Austin one year later; and

WHEREAS, Texas' 126th State Arbor Day is Friday, November 6, 2015, and during the week of November 2-6, 2015, the City Parks & Leisure Services Department will be planting Crape Myrtle Trees along the bank of Tule Creek adjoining the Tule Hike & Bike Trail; and

WHEREAS, Arbor Day strengthens the bonds between children, parents, grandparents and the community by planting trees together; and

WHEREAS, Arbor Day, above all, presents a tremendous opportunity to teach fundamental lessons about stewardship of our natural resources and caring for our environment.

NOW, THEREFORE, I Charles J. Wax, Mayor of the City of Rockport, do hereby proclaim November 6, 2015, as

Arbor Day

in the City of Rockport, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands and recognize their important role in the environment.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Rockport, Texas, to be affixed this 27th day of October 2015.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary



The History of Arbor Day

Among the pioneers moving into the Nebraska Territory in 1854 was J. Sterling Morton from Detroit. He and his wife were lovers of nature, and the home they established in Nebraska was quickly planted with trees, shrubs and flowers.





Morton was a journalist and soon became editor of Nebraska's finest newspaper. Given that forum, he spread agricultural information and his enthusiasm for trees to an equally enthusiastic audience.

His fellow pioneers missed their trees. But, more importantly, trees were needed as windbreaks to keep soil in place, for fuel and building materials, and for shade from the hot sun.





Morton not only advocated tree planting by individuals in his articles and editorials, but he also encouraged civic organizations and groups to join in. His prominence in the area increased, and he became secretary of the Nebraska Territory, which provided another opportunity to stress the value of trees.

On January 4, 1872, Morton first proposed a tree-planting holiday to be called "Arbor Day" at a meeting of the State Board of Agriculture. The date was set for April 10, 1872. Prizes were offered to counties and individuals for planting properly the largest number of trees on that day. It was estimated that more than one million trees were planted in Nebraska on the first Arbor Day.



Arbor Day was officially proclaimed by the young state's Governor Robert W. Furnas on March 12, 1874, and the day itself was observed April 10, 1874. In 1885, Arbor Day was named a legal holiday in Nebraska and April 22, Morton's birthday, was selected as the date for its permanent observance.

According to accounts from the *Nebraska City News*, April 1885, the city celebrated Arbor Day with a grand parade and a speech by J. Sterling Morton. Students of different grades met at their respective school rooms in the morning for the purpose of planting at least one tree. Each tree that was planted was labeled with the grade, the time planted, and was to be specially cared for by that grade.



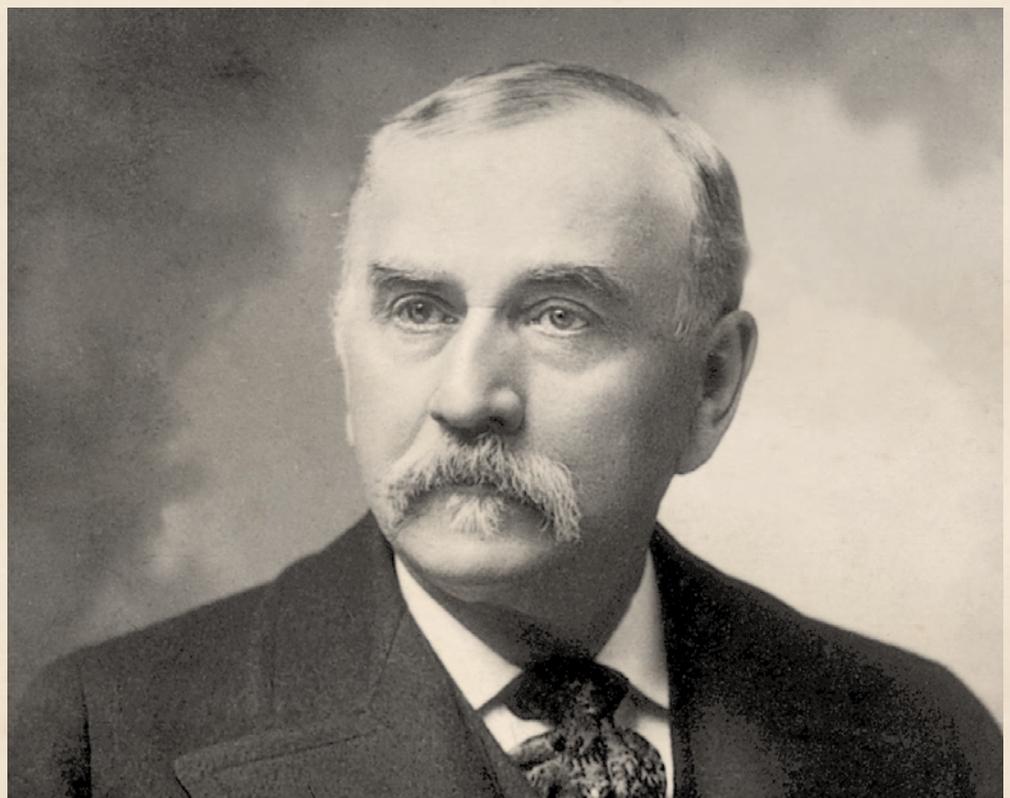
When the plantings were completed, 1,000 students formed a line to begin the parade from the various schools to Nebraska City's opera house.



In the parade, each class carried colorful banners made of satin with silk lining and trimmed with gold fringe. The letters on the banner were painted in oil colors. By the time the parade reached the opera house, the throng numbered well over 1,000 as townspeople joined the march. Every available foot of space in the opera house was occupied, the students having the front seats and gallery, while the older persons stood.

At 11:00, the throng of celebrants was addressed by J. Sterling Morton. Mr. Morton was listened to with much attention, and loudly applauded at the close of his address. (Hear his speech.) At the conclusion of the ceremonies, the students sang "America," and the large audience was dismissed.

This ended the first celebration of Arbor Day as a legal holiday, and, as reported by the newspaper, "To say that it was a complete success but faintly expresses it. A celebration of this kind results in good to all, and is worthy of imitation by every school in the state."





During the 1870s, other states passed legislation to observe Arbor Day, and the tradition began in schools nationwide in 1882.

Today the most common date for the state observance is the last Friday in April, and several U.S. presidents have proclaimed a national Arbor Day on that date. But a number of state Arbor Days are at other times to coincide with the best tree planting weather, from January and February in the south to May in the far north.





“ Each generation takes the earth
as trustees.”

—J. Sterling Morton

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, October 27, 2015

AGENDA ITEM: 5

Deliberate and act on approval of City Council Regular Meeting Minutes of October 13, 2015.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: Please see the accompanying minutes of the Regular Meeting of October 13, 2015.

FISCAL ANALYSIS: N/A

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

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, October 13, 2015 Rockport City Hall, 622 East Market Street

On the 13th day of October 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 Pro-Tem Pat Rios, Ward 3
Council Member J. D. Villa, Ward 2
Council Member Barbara Gurtner, Ward 4

CITY COUNCIL MEMBER(S) ABSENT

Mayor Charles J. Wax
Council Member Rusty Day, Ward 1

STAFF MEMBERS PRESENT

City Manager Kevin Carruth
City Attorney Terry Baiamonte
City Secretary Teresa Valdez
Criminal Investigation Division Commander Jerry Lawing
Public Works Director Mike Donoho
Finance Director Patty Howard
Parks & Leisure Services Director Tom Staley
Community Planner Kimberly Clark

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 Pro-Tem Rios at 6:36 p.m. on Tuesday, October 13, 2015, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

2. Pledge of Allegiance.

Council Member Gurtner led the Pledge of Allegiance to the U.S. flag.

3. Proclamation: Coastal Bend Day of Pink – October 23, 2015.

Mayor Pro-Tem Rios proclaimed October 23, 2015, as Coastal Bend Day of Pink in Rockport, Texas. Mayor Pro-Tem Rios presented the Proclamation to Amy Curry of Radiology Associates.

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.

There were no citizen comments.

Consent Agenda

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

- 5. Deliberate and act on approval of City Council Special Meeting Minutes of September 15, 2015.**
- 6. Deliberate and act on 4th quarter report from Rockport Center for the Arts for Fiscal Year 2014-2015 marketing expenditures.**
- 7. Deliberate and act on 4th quarter report from Texas Maritime Museum for Fiscal Year 2014-2015 marketing expenditures.**
- 8. Deliberate and act on 4th quarter report from Rockport-Fulton Chamber of Commerce for Fiscal Year 2014-2015 marketing expenditures.**
- 9. Deliberate and act on 4th quarter report from the Friends of the Fulton Mansion State Historical Site for Fiscal Year 2014-2015 marketing expenditures.**
- 10. Deliberate and act on report from Aransas County Education Foundation for the 2015 Rockport-Fulton Shopping Tournament marketing expenditures.**
- 11. Deliberate and act on Texas Municipal League Intergovernmental Employee Benefits Pool retiree options.**
- 12. Deliberate and act on request from Rockport Volunteer Fire Department for approval to close the north half of Ann Street between Cornwall and Concho Streets from 10:00 a.m. to noon on Saturday, October 17, 2015, for dedication of the Rockport Volunteer Fire Department historical marker.**

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

Mayor Pro-Tem Rios stated Item 12 should be pulled for separate discussion because new information regarding the requested time for street closure had been received on Monday.

MOTION: Council Member Villa moved to remove Consent Agenda Item 12 from the Consent Agenda for separate discussion. Council Member Gurtner seconded the motion. Motion carried unanimously.

MOTION: Council Member Gurtner moved to adopt the Consent Agenda Items, minus Item 12, as presented. Council Member Villa seconded the motion. Motion carried unanimously.

Mayor Pro-Tem Rios stated that the Agenda cover sheet for Item 12 shows the requested times as 10:00 a.m. until noon, but the letter received on Monday from the Rockport Volunteer Fire Department requests closure of Ann Street from 8:00 a.m. until 4:00 p.m.

Brief discussion was held among Council and City Manager Kevin Carruth.

MOTION: Council Member Villa moved to approve Consent Agenda Item 12 as posted on the Agenda, time of street closure being 10:00 a.m. until noon. Council Member Gurtner seconded the motion.

City Manager Kevin Carruth stated he had just received an updated message that the Rockport Volunteer Fire Department is hosting an Open House and the letter received on Monday has the correct requested time for street closure.

MOTION: Council Member Villa moved to amend his previous motion by changing the time for closure of a portion of Ann Street from 8:00 a.m. until 4:00 p.m. on Saturday, October 17, 2015. Council Member Gurtner seconded the motion. Motion carried unanimously.

Regular Agenda

13. Deliberate and act on a water supply agreement with Copano Cove Water Company, Inc.

Public Works Director Mike Donoho informed the Council that the water supply agreement with Copano Cove Water Company, Inc. expired in 2014 and they have requested to renew the agreement.

City Manager Kevin Carruth said there are no substantive changes to the agreement from the previous agreement. Mr. Carruth stated the agreement is more compliant with the San Patricio Municipal Water District agreement.

MOTION: Council Member Gurtner moved to approve the water supply agreement with Copano Cove Water Company, Inc. Council Member Villa seconded the motion. Motion carried unanimously.

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

Rockport-Fulton Area Chamber of Commerce Board Chair 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 Board Chair Ms. Hoover in regard to the quarterly report.

15. Deliberate and act on Final Plat submitted by Rebecca Allen Niven, Estate of Phoebe Allen Olcott, and Estate of Deborah Allen Hammett for a minor subdivision, 1024 Water Street; also known as Lots 1, 2, and 3, Block 1, Hugo Allen Subdivision, City of Rockport, Aransas County, Texas.

Public Works Director Mike Donoho stated the Final Plat is for a minor subdivision of 1.188 acres into three (3) platted lots at 1024 Water Street. Mr. Donoho informed the Council the Planning & Zoning Commission voted on October 5, 2015, to accept the final plat contingent upon the final plat being held by the City and not filed of record until the sewer has been extended to all three (3) lots and has been accepted by the City.

Brief discussion was held among Council and Mr. Donoho.

MOTION: Council Member Villa moved to approve the Final Plat submitted by Rebecca Allen Niven, Estate of Phoebe Allen Olcott, and Estate of Deborah Allen Hammett for a minor subdivision, 1024 Water Street; also known as Lots 1, 2, and 3, Block 1, Hugo Allen Subdivision, City of Rockport, Aransas County, Texas, contingent upon the final plat being held by the City and not filed of record until the sewer has been extended to all three (3) lots and has been accepted by the City. Council Member Gurtner seconded the motion. Motion carried unanimously.

16. Reports from Council.

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

There were no reports from Council.

Executive Session

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

- 17. Section 551.071(1)(A) Consultation with Attorney on pending or contemplated litigation: a) Aumada, and b) Bay Education Center.**
- 18. Section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.**
- 19. Section 551.072 Deliberation about Real Property: Acquisition of property for public purpose : a) Aransas Woods Tract, and b) 1501 and 1505 Broadway.**
- 20. Section 551.074 Personnel Matters – Municipal Court Administrator.**
- 21. Section 551.076 Deliberations Regarding Security Devices or Security Audits.**
- 22. Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.**

At 6:58 p.m., Mayor Pro-Tem Rios 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 551.071910(A) Consultation with Attorney on pending or contemplated litigation: a) Aumada, and b) Bay Education Center; Section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rule of Professional Conduct of the State Bar of Texas clearly conflicts with the chapter; Section 551.072 Deliberation about Real Property: Acquisition of property for public purpose: a) Aransas Woods Tract, and b) 1501 and 1505 Broadway; Section 551.074 Personnel Matters – Municipal Court Administrator; Section 551.076 Deliberations Regarding Security Devices or Security Audits; and Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.

Open Session

- 23. 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 8:34 p.m., Mayor Pro-Tem Rios 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.

MOTION:

24. Deliberate and act on re-appointment of Court Administrator for Municipal Court.

City Manager Kevin Carruth called the Council's attention to the previous letter of appointment of Court Administrator for Municipal Court included in the Agenda packet. Mr. Carruth stated Diana McGinnis is seeking re-appointment of a 2-year term and there is no change in salary.

MOTION: Council Member Villa moved to re-appoint Diana McGinnis as Court Administrator for Rockport Municipal Court. Council Member Gurtner seconded the motion. Motion carried unanimously.

25. Adjournment

At 8:35 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 COUNCIL AGENDA
Regular Meeting: Tuesday, October 27, 2015

AGENDA ITEM: 6

Deliberate and act to appoint members to the Park & Leisure Services Advisory Board, Rockport Zoning Board of Adjustment and YMCA Development Committee.

SUBMITTED BY: Mayor Charles J. Wax

APPROVED FOR AGENDA: PKC

BACKGROUND: There are three vacancies on the Park and Leisure Services Advisory Board. As provided in Sec. 70-41 of the City of Rockport Code of Ordinances, the City Council is to appoint members to the Board.

Sec. 70-41. Composition; appointments.

(b) All appointments to the park and leisure services advisory board shall be made by the city council. Such appointments will be made from a pool of individuals to represent each of the four city wards and three representatives appointed by the mayor who have made application to serve on the park and leisure services advisory board. The park and leisure services advisory board may offer recommendations to the city council regarding appointments to the board.

Applications to serve on the Park and Leisure Services Advisory Board have been received from Kate Catlow and Debra Corpora and accompanies this briefing sheet. The current membership of the Commission is listed in the table below.

Park and Leisure Services Advisory Board

Place	Member	End of Term	Ward	Comments
1	Kate Catlow	June 1, 2018	1	Richard Corbit did not seek reappointment.
2	Ty Brisgill	June 1, 2018	1	
3	Leo Villa	June 1, 2017	2	
4	Kathryn Morrow	June 1, 2018	3	
5	Cassandra Perkins	June 1, 2017	2	
6	Debra Corpora	June 1, 2016	3	Bob Shoemaker passed away.
7	VACANT	June 1, 2016		Ellen Kennard moved.

Council Liaison: J.D. Villa

Staff Liaison: Tom Staley

There are two vacancies on the Zoning Board of Adjustment. As provided for in Sec. 118-201 of the City of Rockport Code of Ordinances, the City Council is to appoint members to the Board.

Sec. 118-201. Members of the Board of Adjustment.

(a) *Composition of Board.* The Zoning Board of Adjustment shall consist of five members appointed by the City Council, for a term of one year and three for a term of two years, and thereafter for terms of two years. Any vacancies shall be filled immediately for the unexpired term by appointment by the City Council.

Applications to serve on the Planning & Zoning Commission have been received from David Swartwort and Carey Dietrich and accompanies this briefing sheet. The current membership of the Commission is listed in the table below.

Zoning Board of Adjustment

Place	Member	End of Term	Ward	Comments
1	David Swartwort	June 1, 2017	4	Todd Pearson did not seek reappointment.
2	Michael Mahoney	June 1, 2017	3	
3	Carey Dietrich	June 1, 2016	3	Gilbert Jurenka moved out of the City.
4	Leo Villa	June 1, 2016	2	
5	Tom Kramer	June 1, 2016	1	
6	Frank Reilly	June 1, 2016	3	Alternate
7	C. G. "Turf" Overturf	June 1, 2017	3	Alternate

Staff Liaison: Mike Donoho

The YMCA Ad Hoc Project Committee gave a final presentation to the Council on July 14, 2015 and addressed the Committee's charge from the Council to determine: scope of services, facility design, construction estimates, estimates of operating & maintenance costs, management agreement with YMCA of the Coastal Bend, and project funding plan. The next step in the process is to form a smaller committee of five to seven members to develop specific plans of action for the project. At the July 28, 2015 Council meeting, Council voted to establish a TMCA Development Committee consisting of approximately seven (7) members. Mayor Wax has confirmed acceptance by the following five (5) citizens.

YMCA Development Committee

Place	Member
1	Yvonne Perez
2	Eric Heller
3	Jordan Fisher
4	Brian Olsen
5	Glen Gomez

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: Staff recommends appointment of Kate Catlow and Debra Corpora to the Park and Leisure Services Advisory Board; David Swartwort & Carey Dietrich to the Zoning Board of Adjustment; and Yvonne Perez, Eric Heller, Jordan Fisher, Brian Olsen and Glen Gomez to the YMCA Development Committee as presented.

CITY OF ROCKPORT
622 E. Market St
Rockport, TX 78382
361-729-2213

RECEIVED

OCT 21 2015

APPLICATION FOR
BOARD OR COMMISSION APPOINTMENT CITY SECRETARY

Ward 3

Check area of Interest:

- Keep Rockport Beautiful Advisory Board
- Planning and Zoning Commission
- Tree & Landscaping Committee
- Rockport Heritage District Board
- Park and Leisure Services Advisory Board
- Environmental Committee for Water Issues
- Other _____
(please add)

Name: Debra Corpora Age (Optional): _____
 Home Address: 718 N. Live Oak St
 Home Phone: 727-0730 Work Phone: cell 979-777-289
 Business Address: retired
 E-mail Address: debcorpor@qol.com
 Resident of City for 11 years Voter Registration No. 1146137565
 Occupation: retired teacher + administrator
 Education: BS TEXAS A+M - COLLEGE STATION
 Special Knowledge or Experience Applicable to City Board or Commission Function: *(attach additional information if needed)*
MASTER LEVEL BIRD WATCHER, ARANSAS COUNTY NATIVE PLANT COMPILER

- Banking/Finance
- Building/Construction
- Real Estate/Development
- Industrial Training
- Business Development
- Promotion/Marketing
- Manufacturing/Industrial Operations
- Law/Contract Administration

Other Information (civic activities, etc.): ARANSAS BIRD + NATURE CLUB PRESIDENT, ARANSAS FIRST BOARD OF DIRECTORS, ARANSAS PATHWAYS STEERING COMMITTEE, ROCKPORT-FULTON CHAMBER BOARD, TOURISM DEVELOPMENT COUNCIL

I have attended one or more meetings of the board or commission for which I have applied:

Yes No

Date: Oct. 20, 2015 Signature: Debra Corpora

RETURN COMPLETED FORM TO THE CITY SECRETARY'S OFFICE

ALL INFORMATION MUST BE FURNISHED IN ORDER TO BE CONSIDERED

Email to: citysec@cityofrockport.com

CITY OF ROCKPORT
622 E. Market St.
Rockport, TX 78382
361-729-2213

RECEIVED
OCT 09 2015
CITY SECRETARY

APPLICATION FOR
BOARD OR COMMISSION APPOINTMENT

Check area of Interest:

- Keep Rockport Beautiful Advisory Board (suspended) Park and Leisure Services Advisory Board
- Planning and Zoning Commission
- Tree & Landscaping Committee Environmental Committee for Water Issues
- Rockport Heritage District Board
- Zoning Board of Adjustment Other _____
(please add)

Name: Kate Catlow Age (Optional): 57
 Home Address: 911 Navigation circle Ward No: 1
 Home Phone: 512-809-5782 Work Phone: _____
 Business Address: _____
 E-mail Address: Kate.Wcatlow@gmail.com
 Resident of City for 3 years Voter Registration No. _____
 Occupation: self employed Pilate Teach + Body worker
 Education: 1981 BS Biology Stevens Point WI + secondary Education
 Special Knowledge or Experience Applicable to City Board or Commission Function: (attach additional information if needed)

- Banking/Finance Business Development
- Building/Construction Promotion/Marketing
- Real Estate/Development Manufacturing/Industrial Operations
- Industrial Training Law/Contract Administration

Other Information (civic activities, etc.) Strong teaching + Education skills. background in environmental biology, community volunteer experience

I have attended one or more meetings of the board or commission for which I have applied:

Yes No

Date: 10-9-15 Signature: Kate Catlow

RETURN COMPLETED FORM TO THE CITY SECRETARY'S OFFICE

ALL INFORMATION MUST BE FURNISHED IN ORDER TO BE CONSIDERED
Email to: citysec@cityofrockport.com

RECEIVED

SEP 01 2015

ADMIN. ASST.

CITY OF ROCKPORT
622 E. Market St.
Rockport, TX 78382
361-729-2213

APPLICATION FOR
BOARD OR COMMISSION APPOINTMENT

Check area of Interest:

- Keep Rockport Beautiful Advisory Board
- Park and Leisure Services Advisory Board
- Planning and Zoning Commission
- Environmental Committee
- Tree & Landscaping Committee
- Rockport Heritage District Board
- for Water Issues
- Other ZBA
(please add)

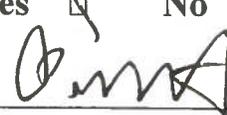
Name: DAVID SWARTWORT Age (Optional): 43
 Home Address: 124 CHERRY HILLS LN.
 Home Phone: 512.750.8667 Work Phone: _____
 Business Address: 1815 BROADWAY ROCKPORT
 E-mail Address: david.c.swartwort@gmail.com
 Resident of City for >1 years Voter Registration No. N/A YET
 Occupation: GLOW BUSINESS OWNER
 Education: BA, MA, MEd.
 Special Knowledge or Experience Applicable to City Board or Commission Function: *(attach additional information if needed)*

- Banking/Finance
- Building/Construction
- Real Estate/Development
- Industrial Training
- Business Development
- Promotion/Marketing
- Manufacturing/Industrial Operations
- Law/Contract Administration

Other Information (civic activities, etc.) _____

I have attended one or more meetings of the board or commission for which I have applied:

Yes No

Date: 26/08/15 Signature: 

RETURN COMPLETED FORM TO THE CITY SECRETARY'S OFFICE

ALL INFORMATION MUST BE FURNISHED IN ORDER TO BE CONSIDERED
 Email to: citysec@cityofrockport.com

David Swartwout
 124 Cherry Hill Ln.
 Rockport, Tx. 78382
 512.750.8664
 david.c.swartwout@gmail.com

Dynamic, focused, and dedicated educator with more than 17 years of experience in teaching and administration. Extremely strong leadership and communication skills with a sound background in running highly effective programs.

STRENGTHS

Instructional Leadership ♦ Administration ♦ Strategic and Continuous Improvement Planning ♦ Improving School Culture ♦ Building Effective Teams ♦ Mentoring and Coaching ♦ Data Use ♦ Continuous Learning

Education:

2013-2015	The College of New Jersey (TCNJ)	Master's Degree in Educational Administration, Global Leadership Specialization: School Restructuring, Instructional Leadership and Teacher Evaluation
1995-1997	New York University	Master's Degree, Center for Latin American and Caribbean Studies Specialization: Effect of Neoliberal Policy on Education Sectors in the Southern Cone
1990-1994	University of Scranton	Bachelor of Arts Majors: History and International Studies

Professional Experience:

2015 – Present	Co-Owner Glow Restaurant LLC, Rockport, Tx Management and oversight of most recent expansion as well as daily operations Notable achievements (among many) included recognition as business of the month (July) from the Rockport Chamber of Commerce and Business of Distinction from Congressman Blake Farenthold	
2011- 2015	International School of Panama	High School Assistant Principal
	Selected Areas of Involvement/Achievement:	
	<ul style="list-style-type: none"> ○ Co-oversee and co-coordinate the strategic and operational activities grades 9-12 section of the school comprising three programs (IB Diploma Program, ISP Diploma and Panamanian Diploma) with 320 students and 50 faculty; ○ Coordinate professional development and appraisal of faculty (development of supervision and evaluation process, K-12 - emphasis on student learning and achievement through a formal process of evaluation aligned to school wide goals); ○ Co-Leader on AdvancED accreditation process & IB Self Study, 2013-2014; ○ Co-coordinated HS annual budget of 750k; ○ Support faculty in differentiated delivery of the academic programs; ○ Identify and implement changes to the range and spread of courses offered; ○ Developed advisory program for grades 9-12; ○ Initiated and led Student Support Team; ○ Assist the director and principal with the teacher recruitment process. 	
2014- Present	AdvancED	Accreditation and Continuous Improvement Team Member
2010- Present	International Baccalaureate Organization The Hague, Netherlands	Global Politics Development Team <i>Chief Examiner</i> , Global Politics HL Extension Commentary Team Leader/Teacher Trainer On-line Workshop Developer <i>Diploma Examiner</i> , Extended Essay, Subject: Politics
2008- 2012	International School of Panama	Model United Nations (MUN) Director
	Already well-established MUN program and host of one of the premier MUN experiences in the region – PANAMUN. Grew student-directed program to include nearly 500 delegates from nearly 20 visiting schools, nationally and internationally. Enhanced programming and website design. Liaise with business office, coordinated and managed annual budget.	

2008-2014	International School of Panama	Teacher, Grades 9-12 IB History, IB International Relations, IB Global Politics
2007-2008	College du Leman, Switzerland	Teacher, Grades 9-12 Developed 5 Year Departmental Strategic Plan Instructor: International Relations, World History, IB Psychology, Philosophy, AP Comparative Government United States History
2005-2006	Fieldston School, Bronx NY	Form Dean <ul style="list-style-type: none"> ○ Worked to foster the intellectual, artistic, emotional, ethical, physical, and social development of every student in the form throughout their Upper School career ○ Worked closely with individual students and their parents, served as the team leader of the advisors to the Form ○ Reported to the Upper School Principal and worked closely with the Assistant Principal, the other Deans, the Director of College Counseling, the Director of Diversity, the School Counselor, and the School Nurse ○ Co-Chaired NYSAIS Accreditation Review
2004-2005	Fieldston School, Bronx NY	Department Chair, Grades 7-12 <ul style="list-style-type: none"> ○ Direct supervision and evaluation of department members, including 7 probationary teachers; ○ Direct oversight of curricular issues, including the introduction of new upper school electives; ○ Hired for and staffed both divisions for upcoming academic year and administered budget
2002-2004	Fieldston School, Bronx NY	Director, Summer Service Institute <ul style="list-style-type: none"> ○ Administered a program for students in 7th and 8th grades who were interested in applying to independent schools. ○ Student centered and student taught – select juniors and seniors from Fieldston were primary instructors. ○ Central administrator to the program managing staffing, field trips, community service component, and budget.
1998-2006	Fieldston School, Bronx NY	Teacher, Grades 9-12 Courses: World History, US History Survey Course, US, the Third World and the Cold War, Imperial Russia, Modern Latin America, Advanced Seminar on Globalization and Current Events, Modern Middle East and Comparative Government <ul style="list-style-type: none"> ○ Guided and initiated various student-initiated, independent projects for the spring term of the 12th year (classroom without walls); ○ Initiated and led the Fieldston Model United Nations Club; ○ Coordinated and administered English-History initiative to create inter-disciplinary reader for the 10th year US History/American; ○ Administered high school's History Fair and History Center.
1994-1995	Jesuit Volunteer Corps	Director of After-School Programming Campfire for Boys and Girls, Yakima Washington

Selected Presentations:

AASSA	Teacher Evaluation Tools, Curacao 2015
PAIS Conference	Curriculum Development, Panama 2013
AASCA Conference:	Developing Effective Teacher Evaluation Systems, Panama 2012

Selected Professional Development:

- October, 2015 IBO Accreditation Training and Leadership Bethesda, Maryland
- September, 2014 IB Leadership Training Workshop IBAmericas, Denver
- December, 2013 AdvancED 2013 Latin American Conference (ELEOT, ASSIST Performance Diagnostics)
- October, 2012 IBO Workshop IB World Politics
- September, 2011 Tri-Conference, Panama Panama City, Panama
- 2011-Present Principal's Training Center Certification in Summer of 2014
- July, 2009 Gilder-Lehrman Award Cold War and the Third World, Cambridge, UK
- October, 2008 IB Training Level 2, History of the Americas
- June-July, 2004 Columbia University TC Klingenstein Summer Institute Fellow
- July, 2004 Gilder-Lehrman Award American Revolution 1768-1775, Stanford, CA
- July, 2002 National Endowment for the Arts (NEH) Integration of Technology and the Classroom

CITY OF ROCKPORT

622 E. Market St.
Rockport, TX 78382
361-729-2213

**APPLICATION FOR
BOARD OR COMMISSION APPOINTMENT**

Check area of Interest:

- Keep Rockport Beautiful Advisory Board
- Planning and Zoning Commission
- Tree & Landscaping Committee
- Rockport Heritage District Board
- Park and Leisure Services Advisory Board
- Environmental Committee for Water Issues
- Other Board of Adjustments
(please add)

Name: Carey Dietrich Age (Optional): 57

Home Address: 602 Fulton Ave

Home Phone: 361-205-7228 (cell) Work Phone: 361-776-3815

Business Address: City of Ingleside ; P.O. Drawer 400; Ingleside, TX 78348

E-mail Address: cdietrich76@gmail.com or cdietrich@inglesidetxt.gov

Resident of City for 57 years Voter Registration No. _____

Occupation: Code Enforcement Officer / State Licensed Plmb. Inspector

Education: G.E.D. - some college - ICC certifications - St. Plmb Board Licensed

Special Knowledge or Experience Applicable to City Board or Commission Function: *(attach additional information if needed)*

- Banking/Finance
- Building/Construction
- Real Estate/Development
- Industrial Training
- Business Development
- Promotion/Marketing
- Manufacturing/Industrial Operations
- Law/Contract Administration

Other Information (civic activities, etc.) member CBCDG-SWAC / Exec Director YTC
Member CEAT / member TELEA

I have attended one or more meetings of the board or commission for which I have applied:

Yes No

Date: 10/7/15 Signature: Carey Dietrich

RETURN COMPLETED FORM TO THE CITY SECRETARY'S OFFICE

ALL INFORMATION MUST BE FURNISHED IN ORDER TO BE CONSIDERED

Email to: citysec@cityofrockport.com

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, October 27, 2015

AGENDA ITEM: 7

Deliberate and act on rescheduling both the Council Regular Meeting of November 10, 2015, and Council Workshop Meeting of November 24, 2015, to November 17, 2015.

SUBMITTED BY: City Manager Kevin Carruth

APPROVED FOR AGENDA: PKC

BACKGROUND: The City Council cancelled the November 24, 2015, Council Meeting due to the Thanksgiving holidays, thus there is only one meeting scheduled for November. Since there is only one meeting scheduled for November and there are a couple of scheduling conflicts during packet preparation, staff has suggested the regular meeting be moved to November 17, 2015.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council approve rescheduling both the Council Regular Meeting of November 10, 2015, and Council Workshop Meeting of November 24, 2015, to November 17, 2015, as presented.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, October 27, 2015

AGENDA ITEM: 8

Hear, deliberate, and act to accept the Utility Bill Surcharge Fund Disbursement Report, Annual Reports from Fulton, Lamar, and Rockport Volunteer Fire Departments, and authorize disbursement of funds.

SUBMITTED BY: Patty Howard, Finance Director

APPROVED FOR AGENDA: PKC

BACKGROUND: Utility Bill Surcharge funds are collected from utility customers and distributed to the three Aransas County volunteer fire departments at the end of the fiscal year. The Chapter 102, Article IV of the Code of Ordinances prescribes that Rockport Volunteer Fire Department (RVFD) and Fulton Volunteer Fire Department (FVFD) receive 77 and 23 percent, respectively, of the surcharge and that Lamar Volunteer Fire Department (LVFD) receive the amount collected from customers (who are gas only) in Lamar. The City retains a 5 percent administrative fee.

The disbursements for FY 2014-2015 are RVFD \$89,824.83, FVFD \$37,591.32, and LVFD \$3,483.69. The portion of the 1998 C.O. Bonds used for the central RVFD station is paid from the 77% RVFD receives, with the balance being disbursed to the department.

Please see the accompanying letters that were sent to each department, the disbursement report, and the annual reports from FVFD, LVFD, and RVFD.

FISCAL ANALYSIS: Total collections for FY 2014-2015 are \$175,709.69. The City retains 5% of collections as an administrative fee (\$8,785.48), with the balance of the fund being disbursed to the VFDs.

RECOMMENDED ACTION: Staff recommends Council accept the FY 2014-2015 Volunteer Fire Department reports, Utility Bill Surcharge Fund Disbursement Report, and authorize disbursement of funds, as presented.

ARTICLE IV. SURCHARGE REVENUE ACCOUNT*

Sec. 102-400. Authorization.

A special account titled municipal utility bill surcharge revenue account shall be established and maintained by the city for the purpose of collecting a monthly surcharge on all municipal utility bills.

(Ord. No. 1486, § 2, 12-1-09; Ord. No. 1487, § 1, 12-15-09)

Sec. 102-401. Surcharge.

(a) *Single unit customer.* A surcharge in the amount of \$1.35 per municipal utility bill per month is hereby established for each non-wholesale single unit customer.

(b) *Multi-unit customer.* A surcharge in the amount of \$1.35 for each meter connection, plus \$0.27 for each space, room, apartment, condo or like multiple unit, per municipal utility bill per month, is hereby established for each non-wholesale multi-unit customer. Multi-unit customers shall include but not limited to R.V. parks, apartments, condominiums, hotels/motels and shopping centers.

(c) *Wholesale customer.* A surcharge per municipal utility bill per month is hereby established for each wholesale customer in an amount equal to the sum of \$1.35 per each single unit served, plus \$0.27 for each space, room, apartment, condo or like multiple unit served by the wholesale customer. Wholesale customers shall include all contracted resale customers being charged wholesale water rate.

(Ord. No. 1486, § 2, 12-1-09; Ord. No. 1487, § 1, 12-15-09; Ord. No. 1509, § 1, 8-24-10)

Sec. 102-402. Use of revenues.

Use of the revenues resulting from the municipal utility bill surcharge are expressly limited for the exclusive purpose of capital outlay purchases by the Rockport, Fulton and Lamar Volunteer Fire Departments. Capital outlay is defined as any material item having an intended life of more than two years and/or a unit cost of more than \$100.00.

(Ord. No. 1486, § 2, 12-1-09; Ord. No. 1487, § 1, 12-15-09)

Sec. 102-403. Administration; date of allocation of revenues; date of annual reporting.

(a) *Allocation of revenues.* The city shall retain five percent of all surcharge revenues collected for the purpose of administration of the surcharge. On or before October 15, of each year the city shall disburse the fund balance to the Rockport, Fulton and Lamar Volunteer Fire Departments as follows:

- (1) Fulton Volunteer Fire Department, 23 percent;
- (2) Rockport Volunteer Fire Department, 77 percent; and
- (3) Lamar Volunteer Fire Department will receive funds generated from the municipal utility service accounts (natural gas) on the Lamar Peninsula.

(b) *Required reporting.* The Rockport, Fulton and Lamar Volunteer Fire Departments must present an annual report to the Rockport City Council outlining the use of the funds from the prior disbursement on or before the second regularly scheduled city council meeting of the month of October. Funds held by each volunteer fire department must be maintained in a fully insured account. No fire department is obligated to spend the funds allocated to them every year. Funds may carry over from year to year.

(Ord. No. 1486, § 2, 12-1-09; Ord. No. 1487, § 1, 12-15-09)

Sec. 102-404. Penalties.

(a) *Failure to pay.* Municipal utility customers who fail to pay the municipal utility bill surcharge under this article will be subject to the suspension or loss of municipal utility service until the delinquent bills and all appropriate reconnect fees are paid in full.

(b) *Failure to expend properly.* Should any fire department misuse the funds allocated to them under this article the council shall have the option of:

- (1) Requiring a repayment of a like amount to the municipal utility bill surcharge revenue account;
- (2) Deducting a like amount from the next annual disbursement, with the funds remaining in the municipal utility bill surcharge revenue account; or
- (3) Deducting a like amount from the next annual disbursement and adding that amount to the disbursement to the other volunteer fire department.

(Ord. No. 1486, § 2, 12-1-09; Ord. No. 1487, § 1, 12-15-09)

Sec. 102-405. Scheduled review.

The allocation of municipal utility surcharge revenues outlined above shall be reviewed by the Rockport and Fulton Fire Chiefs during the budget process on even numbered years. The allocation of revenues may be reviewed and amended sooner upon a receipt of a written request from both the Rockport Fire Chief and the Fulton Fire Chief. To the extent possible, the allocation of municipal utility surcharge revenue shall be based upon the percentage of actual municipal utility accounts for Rockport and for Fulton, excluding all accounts within dual response areas of Rockport and Fulton.

(Ord. No. 1486, § 2, 12-1-09; Ord. No. 1487, § 1, 12-15-09)

Secs. 102-406—102-499. Reserved.

City of Rockport
FY 2014-2015 Utility Bill Surcharge Fund
Disbursement Report
30-Sep-15

<u>FY 2014-2015 Collections</u>	<u>Total</u>	<u>City 5%</u>	<u>Lamar VFD</u>	<u>RVFD - 77%</u>	<u>FVFD - 23%</u>
Surcharge Collection	\$175,709.69	\$8,785.48	\$3,483.69	\$125,849.20	\$37,591.32
<u>Disbursement:</u>			<u>LVFD</u>	<u>RVFD</u>	<u>FVFD</u>
Less: Debt Service -- Bond Principal & Interest			0	\$36,024.37	0
FY 2014-2015 Net Disbursement:			\$3,483.69	\$89,824.83	\$37,591.32



October 7, 2015

Mr. Danny Cox, Jr., Fire Chief
Rockport Volunteer Fire Department
PO Box 1325
Fulton, Texas 78381-1325

Dear Chief Cox:

The annual distribution of the Fire Fund will be at the City Council Meeting held on October 27, 2015 at 6:30 p.m. in Council chambers at City Hall. Please plan to have a representative from your department at that meeting to accept the check from the City. **We will NOT disburse the check unless someone is there personally to accept it.**

Chapter 102, Section 403(b) sets the requirements for reporting as follows: "The Rockport, Fulton and Lamar Volunteer Fire Departments must present an annual report to the Rockport City Council outlining the use of the funds from the prior disbursement on or before the second regularly scheduled city council meeting of the month of October. Funds held by each volunteer fire department must be maintained in a fully insured account. No fire department is obligated to spend the funds allocated to them every year. Funds may carry over from year to year."

Please send your report to me before October 21, 2015 so I can include it with the agenda packet sent out prior to the City Council Meeting.

If you have any questions, please feel free to contact me at (361) 729-2213 ext. 228 or by email at finance@cityofrockport.com.

Sincerely,

A handwritten signature in black ink that reads "Patty Howard". The signature is written in a cursive style with a large, looped "P" and "H".

Patty Howard
Finance Director

Cc: Kevin Carruth, City Manager
Teresa Valdez, City Secretary



October 7, 2015

Mr. Rick McLester, Jr., Fire Chief
Fulton Volunteer Fire Department
PO Box 503
Fulton, Texas 78358-00503

Dear Chief McLester:

The annual distribution of the Fire Fund will be at the City Council Meeting held on October 27, 2015 at 6:30 p.m. in Council chambers at City Hall. Please plan to have a representative from your department at that meeting to accept the check from the City. **We will NOT disburse the check unless someone is there personally to accept it.**

Chapter 102, Section 403(b) sets the requirements for reporting as follows: "The Rockport, Fulton and Lamar Volunteer Fire Departments must present an annual report to the Rockport City Council outlining the use of the funds from the prior disbursement on or before the second regularly scheduled city council meeting of the month of October. Funds held by each volunteer fire department must be maintained in a fully insured account. No fire department is obligated to spend the funds allocated to them every year. Funds may carry over from year to year."

Please send your report to me before October 21, 2015 so I can include it with the agenda packet sent out prior to the City Council Meeting.

If you have any questions, please feel free to contact me at (361) 729-2213 ext. 228 or by email at finance@cityofrockport.com.

Sincerely,

A handwritten signature in black ink that reads "Patty Howard". The signature is written in a cursive, flowing style.

Patty Howard
Finance Director

Cc: Kevin Carruth, City Manager
Teresa Valdez, City Secretary



October 7, 2015

Mr. Carl Stubbs, Fire Chief
Lamar Volunteer Fire Department
PO Box 294
Fulton, Texas 78358-0294

Dear Chief Stubbs:

The annual distribution of the Fire Fund will be at the City Council Meeting held on October 27, 2015 at 6:30 p.m. in Council chambers at City Hall. Please plan to have a representative from your department at that meeting to accept the check from the City. **We will NOT disburse the check unless someone is there personally to accept it.**

Chapter 102, Section 403(b) sets the requirements for reporting as follows: "The Rockport, Fulton and Lamar Volunteer Fire Departments must present an annual report to the Rockport City Council outlining the use of the funds from the prior disbursement on or before the second regularly scheduled city council meeting of the month of October. Funds held by each volunteer fire department must be maintained in a fully insured account. No fire department is obligated to spend the funds allocated to them every year. Funds may carry over from year to year."

Please send your report to me before October 21, 2015 so I can include it with the agenda packet sent out prior to the City Council Meeting.

If you have any questions, please feel free to contact me at (361) 729-2213 ext. 228 or by email at finance@cityofrockport.com.

Sincerely,

A handwritten signature in black ink that reads "Patty Howard". The signature is written in a cursive style.

Patty Howard
Finance Director

Cc: Kevin Carruth, City Manager
Teresa Valdez, City Secretary

**Rockport Volunteer Fire Department Inc.
PO Box 1325
Rockport Texas 78381
361-729-5392**

MEMO

TO: Kevin Carruth, Rockport City Manager

From: Danny Cox Jr, RVFD Chief

Date: October 18, 2015

**RE: Accounting of Expenditures as per Ordinance #1119, Chapter 102,
Section 102-403(b)**

Opening Fund Balance		
October 1, 2014	\$	5,100
 Revenues		
Fire Fund	\$	88,488
Interest	\$	5
 Expenditures		
Bunker Gear	\$	0
Radio Units	\$	0
Fire Equipment	\$	0
Truck Purchase	\$	0
Bank Charges	\$	0
 Ending Fund Balance		
September 30, 2015	\$	93,593

LAMAR VOLUNTEER FIRE DEPARTMENT
P.O. BOX 294 FULTON, TX 78358
FAX 361-729-9106
E-Mail: lamarvfd@lamarvfd.com



October 21, 2015

City of Rockport
Attn: Finance Director
622 E. Market Street
Rockport, TX 78382

Dear Ms. Howard:

The funds we received from the gas fund last year were used to complete our new fire station located at 302 Bois D'Arc in Lamar. The funds we receive this year will be used to purchase additional equipment and items to complete the station.

If you require further information, please contact our Secretary/Treasurer, Zella Hunt, at 205-7037.

Sincerely,

/s/

Carl Stubbs
Fire Chief

Members of Rockport City Council,

The Fulton Volunteer Fire Department would like to thank you for your contribution and continued support. Last year, your contribution was used to help us purchase and maintain the much needed upgrade to our communications system, both inside our trucks and on the individual volunteer firefighters. We also were able to acquire and convert a lighter and more agile brush truck because of your contributions. The remaining portion of the Fire Fund distribution has been placed in an account and will be used to purchase the next round of personal protective equipment.

Thank you again for the disbursement of the Fire Fund.

Respectfully,

A handwritten signature in cursive script, appearing to read "Jonathan R. Peters".

Jonathan R. Peters

Treasurer, Fulton Volunteer Fire Department

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, October 27, 2015

AGENDA ITEM: 9

Deliberate and act on approval of a change order to the construction contract for the South Rockport Drainage Improvements Phase 2.

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

APPROVED FOR AGENDA: PKC

BACKGROUND: On January 27, 2015, Council awarded a construction contract for the second phase of drainage improvements in South Rockport, funded through the DRS 2.2 grant to J. J. Fox Construction in the amount of \$803,415.00.

This project will make drainage improvements along the following street segments.

1. King Street, from Kossuth to Fuqua
2. Lamar Street, from Kossuth to Bronte
3. Corpus Christi Street, from Kossuth to Bronte
4. First Street, from Verne to Bronte
5. Second Street, from Kossuth to Bronte
6. Third Street, from Kossuth to Bronte
7. Verne Street, from King to Third
8. Fuqua Street, from King to Third
9. Bronte Street, from Lamar to Third

The original construction plans called for open ditches in the area of the west side of Fuqua Street from Second Street to Third Street, the north side of Second Street from Fuqua Street to Verne Street, and the south side of First Street from Fuqua Street to Verne Street.

Due to the construction contract coming in under budget and the deletion of 9,234 sq. ft. of concrete lining in the original proposed open ditches, there are sufficient funds in the grant award to allow the contractor to replace some of the deeper and steeper open ditches with underground pipe without exceeding the grant total. The change order also calls for addition of 30 working days to the construction schedule to accomodate the revised scope of work.

FISCAL ANALYSIS: The original contract was for \$803,415.00. The change order will be to the full amount of construction funds awarded in the grant in the amount of \$831,250.00. Funds will charged to Fund 40, account 631-8012. This project is 100 percent funded by the grant and there is no match requirement.

RECOMMENDATION: Staff recommends Council approve the change order in the amount of \$27,835.00 to allow the continuous piping of the proposed ditches and increasing the construction schedule by 30 working days, as presented.



Texas General Land Office Disaster Recovery

Construction Contract Change Order Request Form

Engineer: URBAN ENGINEERING 2004 N. Commerce Victoria, TX 77901 Phone No.: 361-790-7225	Owner: CITY OF ROCKPORT 622 E. Market Street Rockport, TX 78382 Phone No.: 361-790-1160	Contractor: J.J. Fox Construction, Inc PO Box 2708 Rockport, TX 78381 Agreement Date: 3/23/15 Phone No: 361-537-0575	
Date: 10/21/15 Project Code No.: 1560.B3.00 Bid Package No.:1	Contract For: DRS 220250 South Rockport Drainage Improvements-Phase 2	GLO Contract No.: 13-132-000-7194 Change Order No.:1	
You are hereby requested to comply with the following changes from the contract plans and specifications:			
Item No.	Description of Changes: Quantities, Units, Unit Prices, Change in Completion Scheduled, Etc.	Decrease in Contract Price	Increase in Contract Price
D6	Concrete Lined Ditch -9234 SF \$10/SF	\$92,340.00	
E8	6'x5' Junction Box with Grate Top 2 EA \$7,000/EA		\$14,000.00
CO1	15" RCP 120 LF \$55/LF		\$6,600.00
CO2	18" RCP 180 LF \$60/LF		\$10,800.00
CO3	24" RCP 319 LF \$75/LF		\$23,925.00
CO4	30" RCP 316 LF \$100/LF		\$31,600.00
CO5	36" RCP 238 LF \$125/LF		\$29,750.00
CO6	2'x2' Grate Inlet 18 EA \$2,000/EA		\$36,000.00
CO7	Ditch Grading -2600 LF \$12.50/LF	\$32,500.00	

Change in Contract Price \$27,835.00	Change in Contract Time (30 Working Days)
Original Contract Price: \$ 803,415.00	Original Contract Time: 140 days
Previous Change Order(s): No. 1 to No. \$ 0.00	Net Change From Previous Change Orders: 0 days
Contract Price Prior to this Change Order: \$ 803,415.00	Contract Time Prior to this Change Order: 140 days
Net Increase/Decrease of this Change Order: +\$ 27,835.00	Net Increase/Decrease of this Change Order: 30 days
Contract Price With all Approved Change Orders: \$ 831,250.00	Contract Time With all Change Orders: 170 days
Cumulative Percent Change in Contract Price (+/-): +3.46%	Grantee Contract End Date: 12 / 31 /18
Construction Contract Start Date: April 7, 2015	Construction Contract End Date: January 31, 2016

Reimbursements of costs included in this change order are subject to review by the GLO-DR program.

*** This document may be executed prior to submission for GLO-DR program review, but all parties involved will be held responsible if the change order or the amendment warranted as a result of this change order is not in compliance with CDBG or HUD requirements.**

RECOMMENDED:

By: Brandl B. Karl
ENGINEER
Brandl B. Karl, P.E.
Date: 10-21-15

APPROVED:

By: _____
OWNER
Charles J. Wax, Mayor
Date: _____

ACCEPTED:

By: _____
CONTRACTOR
Tommy Fox, President
Date: _____

JUSTIFICATION FOR CHANGE

1. Will this Change Order increase or decrease the number of beneficiaries? If there is a change, how many beneficiaries will be affected?	<input type="checkbox"/> Increase	<input type="checkbox"/> Decrease	<input checked="" type="checkbox"/> No Change	Total _____	L/M _____
2. Effect of this change on scope of work:	<input checked="" type="checkbox"/> Increase	<input type="checkbox"/> Decrease	<input type="checkbox"/> No Change		
3. Effect on operation and maintenance costs:	<input type="checkbox"/> Increase	<input checked="" type="checkbox"/> Decrease	<input type="checkbox"/> No Change		
4. Are all prices in the change order dependent upon unit prices found in the original bid? If "No", explain:				<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
5. Has this change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction? If "Yes", is an Environmental Re-assessment required?				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
6. Is the Texas Commission on Environmental Quality (TCEQ) clearance still valid? (if applicable)				<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
7. Is the TCEQ permit approval still valid? (sewer projects only)	N/A			<input type="checkbox"/> Yes	<input type="checkbox"/> No
8. Are the handicapped access requirements/approval still valid? (if applicable)	N/A			<input type="checkbox"/> Yes	<input type="checkbox"/> No
9. Are other Disaster Recovery contractual special condition clearance still valid? (If no, specify):				<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

NOTE:

- * Generally, a cumulative change in the contract price in excess of 25% cannot be reviewed (18% **decrease** for counties).

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, October 27, 2015

AGENDA ITEM: 10

Deliberate and act on a resolution expressing official intent to reimburse costs incurred for the acquisition of land primarily for municipal park purposes.

SUBMITTED BY: City Manager Kevin Carruth

APPROVED FOR AGENDA: PKC

BACKGROUND: On September 15, 2015, Council authorized the purchase of the 8.856 acres between Hwy 35 Business and Broadway at the intersection of Maple Street with funding via a certificate of obligation. The proposed resolution will allow for the reimbursement of project costs expended prior to the funding of the debt issue in February 2016. Please see the accompanying resolution and notice for additional details.

FISCAL ANALYSIS: The proposed resolution will allow for the reimbursement of project costs expended prior to the funding of the debt issue.

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

RESOLUTION NO. 2015 - __

**RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE
COSTS INCURRED FOR THE ACQUISITION OF LAND PRIMARILY
FOR MUNICIPAL PARK PURPOSES**

**THE STATE OF TEXAS
COUNTY OF ARANSAS
CITY OF ROCKPORT**

WHEREAS, City Council of the **CITY OF ROCKPORT, TEXAS** (the "*City*"), has determined that it is beneficial for the City to purchase approximately 8.856 acres of land located between Business Highway 35 North and Broadway and at the intersection of East Maple Street within the boundaries of the City, most of which is expected to be developed and used for municipal park purposes (the "*Project*"); and

WHEREAS, the City expects that it will pay expenditures in connection with the Project prior to the issuance of tax-exempt obligations (the "*Obligations*") to finance the Project; and

WHEREAS, the City finds, considers, and declares that the reimbursement of the City for the payment of expenditures related to the Project will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention to reimburse itself for such payments at such time as the City issues Obligations to finance the Project;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT THAT:

SECTION 1. EXPECTATION TO INCUR DEBT. The City reasonably expects to incur debt, as one or more series of Obligations, with an aggregate maximum principal amount equal to \$3,000,000, for the purpose of financing the Project.

SECTION 2. REIMBURSEMENT OF PRIOR EXPENDITURES. All costs to be reimbursed pursuant hereto will be capital expenditures. No Obligations will be issued by the City in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid, or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

SECTION 3. THREE-YEAR LIMITATION FOR REIMBURSEMENT. The foregoing notwithstanding, no Obligations will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

SECTION 4. PUBLIC RECORD. The City Council directs that this Resolution shall be maintained as a public record available for inspection by all persons in accordance with the provisions of Chapter 552, Texas Government Code, and that no later than 30 days after this date, this Resolution will be made available for inspection by all members of the general public at the offices of the City.

SECTION 5. INCORPORATION OF RECITALS. The City hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the City hereby incorporates such recitals as a part of this Resolution.

SECTION 6. EFFECTIVE DATE. This Resolution shall become effective immediately upon passage thereof.

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***PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT
AT A REGULAR MEETING THIS 27TH DAY OF OCTOBER, 2015.***

Mayor
City of Rockport, Texas

Attest:

City Secretary
City of Rockport, Texas

(City Seal)

** ** * * * * *

CERTIFICATE FOR RESOLUTION

I, the undersigned City Secretary of the **CITY OF ROCKPORT, TEXAS** (the "**City**"), hereby certify as follows:

1. The City Council of the City (the "**City Council**") convened in Regular Meeting on October 27, 2015 at the designated meeting place (the "**Meeting**"), and the roll was called of the duly constituted officers and members of the City Council, to wit:

Charles J. ("C.J.") Wax, Mayor
 Patrick R. (Pat) Rios, Mayor Pro Tem and Council Member Ward #3
 James Russell (Rusty) Day, Jr., Council Member Ward #1
 Joe David ("J.D.") Villa, Council Member Ward #2
 Barbara Gurtner, Council Member Ward #4

and all of said persons were present, except the following absentees: _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at the Meeting: a written Resolution entitled:

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(the "**Resolution**") was duly introduced for the consideration of the City Council. It was then duly moved and seconded that the Resolution be passed; and, after due discussion, said motion, carrying with it the passage of the Resolution, prevailed and carried by the following vote:

AYES: _____ NOES: _____ ABSTENTIONS:

2. A true, full and correct copy of the Resolution passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; the Resolution has been duly recorded in the City Council' minutes of the Meeting; the above and foregoing paragraph is a true, full and correct excerpt from the City Council' minutes of the Meeting pertaining to the passage of the Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the City Council as indicated therein; each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the Meeting, and that the Resolution would be introduced and considered for passage at the Meeting, and each of the officers and members consented, in advance, to the holding of the Meeting for such purpose; and the Meeting was open to the public, and public notice of the time, place and purpose of the Meeting was given, all as required by Texas Government Code, Chapter 551.

SIGNED AND SEALED the 27th day of October, 2015.

 Teresa Valdez, City Secretary
 City of Rockport, Texas

(City Seal)