

# CITY OF ROCKPORT

## MINUTES

### CITY COUNCIL REGULAR MEETING

6:30 p.m., Tuesday, June 28, 2016

Rockport City Hall, 622 East Market Street

On the 28<sup>th</sup> day of June 2016, 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  
Finance Director Patty Howard  
Police Chief Tim Jayroe  
Public Works Director Mike Donoho  
Park & Leisure Services Director Tom Staley  
Parks Maintenance Superintendent Rick Martinez

#### ELECTED OFFICIALS PRESENT

#### 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 6:32 p.m. on Tuesday, June 28, 2016, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

##### 2. Pledge of Allegiance.

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

### **3. Presentation of Police Department Award.**

Mayor Wax read the following: "In the Spanish Woods subdivision on Saturday evening, September 5, 2015, Tessa Rodriguez was enjoying her backyard pool with her family and friends. At approximately 6:53 p.m., when the adults turned their backs for a moment, Tessa took the opportunity to remove her life jacket so she could swim like the big kids. She instantly sank to the bottom of the pool. In the nearly two minutes it took to notice Tessa was gone and for her father David to get her above water, she had stopped breathing and was unresponsive. Next door neighbor Danielle Hale heard yelling and screaming and came over to investigate. Danielle immediately assessed the situation and began performing CPR on Tessa, reviving her. Allegiance EMS arrived on scene and transported Tessa to the Care Regional Medical Center. After a brief period of observation, Tessa was released to her parents, Abbey and David Rodriguez, and fully recovered from the incident."

Mayor Wax presented the Rockport Police Department's Life Saving Award to Danielle Hale in appreciation for administering CRP and saving Tessa Rodriguez's life.

Abbey and David Rodriguez and their children were present for the presentation.

Danielle Hale received a standing ovation.

### **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 Regular Meeting Minutes of June 14, 2016.**
- 6. Deliberate and act on request for use of the Festival Grounds and closure of certain sections of S. Ann Street, E. Market Street, and S. Magnolia Street, for the Seafair parade; closure of Laurel Street from Business 35 to Seabreeze for Seafair Festival; and approval for temporary signage at various locations for the Seafair Festival and HummerBird Celebration, including a street banner at the Walmart entryway on Highway 35N, and various off-street directional signs.**
- 7. Deliberate and act on 3<sup>rd</sup> quarter hotel occupancy tax report from the Rockport-Fulton Chamber of Commerce Fiscal Year 2015-2016 marketing expenditures.**

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.

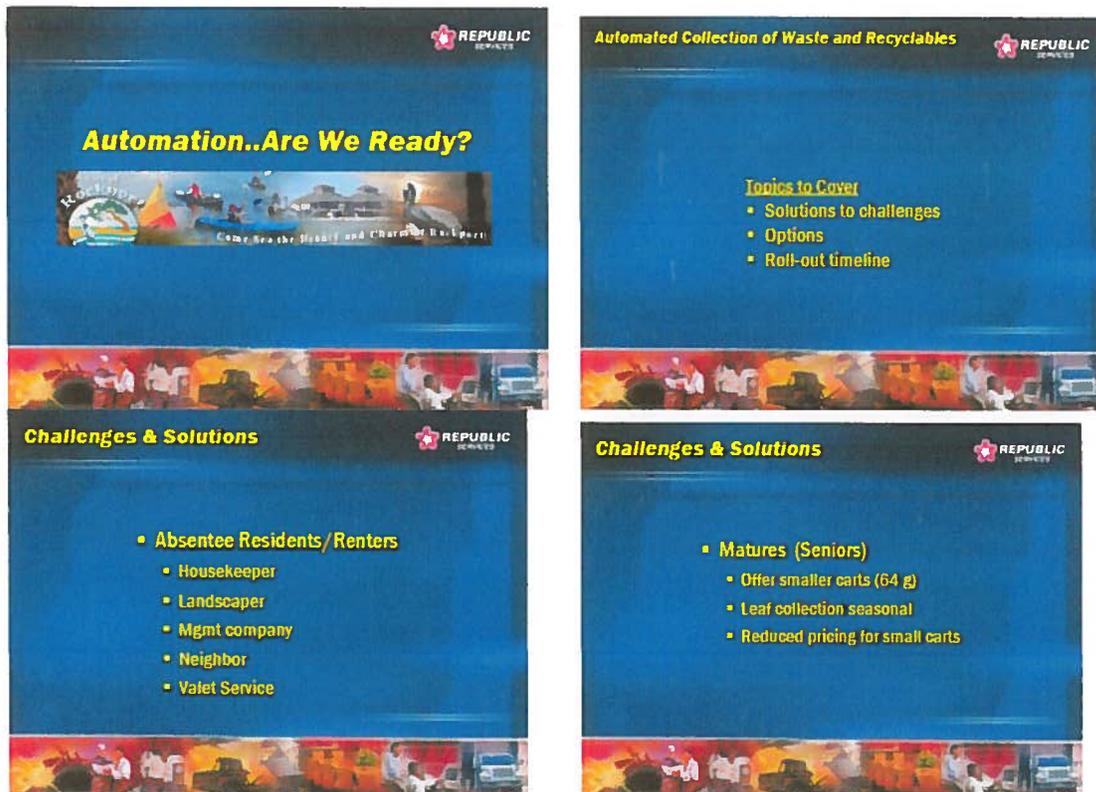
### Regular Agenda

#### **8. Hear and deliberate on presentation of Rockport-Fulton Chamber of Commerce Guiding Lighthouse Report.**

Rockport-Fulton Chamber of Commerce in-coming Chair Rick McKinney and Intern Kierrah Holliday addressed the Council. Mr. McKinney and Ms. Holliday presented the Rockport-Fulton Chamber of Commerce Guiding Lighthouse Report.

#### **9. Deliberate and act on future level of service for sanitation collection.**

Republic Services Municipal Services Manager Mike Reeves addressed the Council. Mr. Reeves stated that at the last Council meeting, he had reported to Council that he had met with the homeowners' associations and discussed the challenges of automated sanitation collection. Mr. Reeves had brought into the Council Chambers two collection carts to show the difference in size between the 64 gallon smaller cart and the 95 gallon cart. Mr. Reeves gave a Power Point presentation (below) on Automated Collection of Waste and Recyclables.



## Challenges & Solutions



- Zero Lots & Difficult Areas
  - Offer smaller carts
  - Identify designated placement areas
  - Convert townhomes to commercial
  - Meet with residents on shallow streets



## Options At Hand



Options	Service Level	Price	Optimal Service	Term length	CP in 2016
Option A	1X waste / 1X recycle	\$22.46	65 g carts Leaf collection 6X per year	6 years 7 years	No
Option B	1X waste / EDW recycle	\$20.46 flat	65 g carts Leaf collection 8X per year	6 years 7 years	No
Option C	Same as now	\$20.46	NA	5 years	Yes/ Estimated 2.15%



## Next Steps



- Take action on an option
- Begin resident outreach
- Gather data and inventory
- Revise routing and maps
- Send out educational info



## Roll-Out Timeline



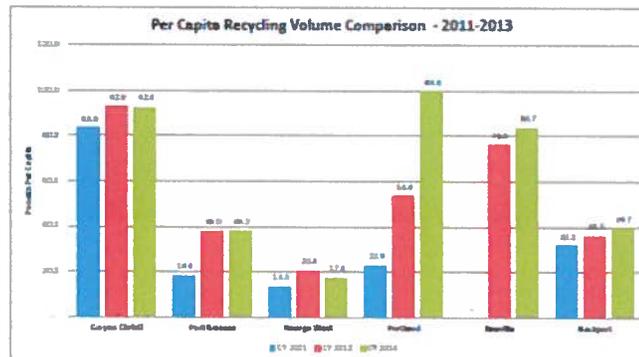
- Routing & house count 3 months
- City sends out info for cart needs and changes
- Survey responses tallied (6 months)
- Both parties identify logistics
- Capital
- Roll-out occurs - 8-12 months

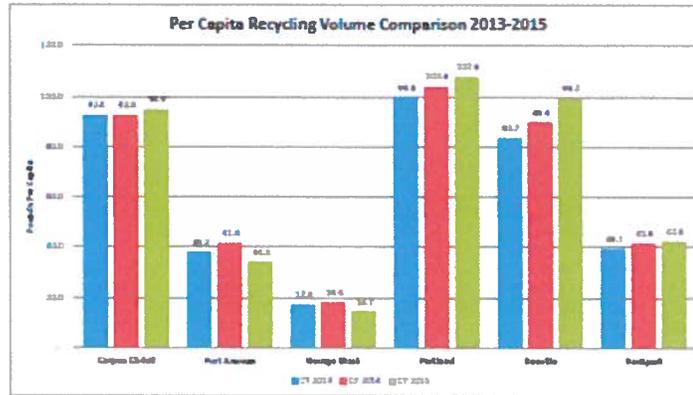


## Q & A



Questions





City of Rockport, Texas

Automation rates upon roll-out:

Option A- 1X per week waste, 1X per week recycling with Carts

CATEGORY	FREQUENCY OF COLLECTION	RATE PER MONTH	INCREASE FACTOR	NEW RATE PER MONTH					
Residential 96 gallon Cart		\$20.48	1.0000	\$22.48					
Additional 96 g Carts ea		\$17.40	1.0000	\$19.40					
Residential 65 gallon Cart		\$19.98	1.0000	\$21.98					
Commercial 96 gallon Cart		\$29.70	1.0000	\$31.70					
Commercial : Container Service								<b>New Rate</b>	
					<b>Additional Containers</b>				
2 Cubic Yard Container	1/wk	\$80.38	1.0000	\$89.38	2 Cu Yd	1/wk	\$81.87	1.0000	\$91.87
	2/wk	\$157.71	1.0000	\$167.71	2/wk	\$103.90	1.0000	\$108.90	
	3/wk	\$199.38	1.0000	\$199.38	3/wk	\$138.65	1.0000	\$143.65	
	4/wk	\$244.01	1.0000	\$244.01	4/wk	\$181.47	1.0000	\$186.47	
	5/wk	\$310.78	1.0000	\$310.78	5/wk	\$232.04	1.0000	\$237.04	
	6/wk	\$357.39	1.0000	\$357.39	6/wk	\$267.70	1.0000	\$272.70	
3 Cubic Yard Container	1/wk	\$98.37	1.0000	\$98.37	3 Cu Yd	1/wk	\$89.38	1.0000	\$74.38
	2/wk	\$191.78	1.0000	\$191.78	2/wk	\$130.08	1.0000	\$135.08	
	3/wk	\$241.75	1.0000	\$241.75	3/wk	\$162.68	1.0000	\$167.68	
	4/wk	\$290.39	1.0000	\$290.39	4/wk	\$208.48	1.0000	\$213.48	
	5/wk	\$338.89	1.0000	\$338.89	5/wk	\$256.67	1.0000	\$261.67	
	6/wk	\$404.39	1.0000	\$404.39	6/wk	\$306.28	1.0000	\$311.28	
4 Cubic Yard Cost	1/wk	\$113.43	1.0000	\$113.43	4 Cu Yd	1/wk	\$82.50	1.0000	\$67.50
	2/wk	\$214.43	1.0000	\$214.43	2/wk	\$157.77	1.0000	\$162.77	
	3/wk	\$308.00	1.0000	\$308.00	3/wk	\$233.28	1.0000	\$238.28	
	4/wk	\$421.48	1.0000	\$421.48	4/wk	\$317.52	1.0000	\$322.52	
	5/wk	\$519.88	1.0000	\$519.88	5/wk	\$391.50	1.0000	\$396.50	
	6/wk	\$641.77	1.0000	\$641.77	6/wk	\$485.18	1.0000	\$490.18	
6 Cubic Yard Container	1/wk	\$133.88	1.0000	\$133.88	6 Cu Yd	1/wk	\$98.85	1.0000	\$103.85
	2/wk	\$257.01	1.0000	\$257.01	2/wk	\$201.64	1.0000	\$206.64	
	3/wk	\$381.07	1.0000	\$381.07	3/wk	\$280.59	1.0000	\$285.59	
	4/wk	\$500.82	1.0000	\$500.82	4/wk	\$381.39	1.0000	\$386.39	
	5/wk	\$639.18	1.0000	\$639.18	5/wk	\$487.23	1.0000	\$492.23	
	6/wk	\$800.39	1.0000	\$800.39	6/wk	\$673.17	1.0000	\$678.17	
8 Cubic Yard Container	1/wk	\$168.89	1.0000	\$168.89	8 Cu Yd	1/wk	\$128.28	1.0000	\$133.28
	2/wk	\$329.88	1.0000	\$329.88	2/wk	\$238.41	1.0000	\$243.41	
	3/wk	\$488.87	1.0000	\$488.87	3/wk	\$348.08	1.0000	\$353.08	
	4/wk	\$660.80	1.0000	\$660.80	4/wk	\$431.23	1.0000	\$436.23	
	5/wk	\$729.88	1.0000	\$729.88	5/wk	\$560.47	1.0000	\$565.47	
	6/wk	\$874.15	1.0000	\$874.15	6/wk	\$672.33	1.0000	\$677.33	



City of Rockport, Texas

Automation rates upon roll-out:

Option B- 1X per week waste, EDW recycling with Cans

CATEGORY	FREQUENCY OF COLLECTION	RATE PER MONTH	INCREASE FACTOR	NEW RATE PER MONTH					
Residential 66 gallon Cart		\$20.46	1.0000	\$20.46					
Additional 66 g Carts ea		\$17.40	1.0000	\$17.40					
Residential 66 gallon Cart		\$19.98	1.0000	\$19.98					
Commercial 66 gallon Cart		\$29.70	1.0000	\$29.70					New Rate
<b>Commercial : Container Service</b>					<b>Additional Containers</b>				
2 Cubic Yard Container	1/wk	\$80.38	1.0000	\$80.38	2 Cu Yd	1/wk	\$81.87	1.0000	\$81.87
	2/wk	\$152.21	1.0000	\$152.21		2/wk	\$153.80	1.0000	\$153.80
	3/wk	\$200.35	1.0000	\$200.35		3/wk	\$203.85	1.0000	\$203.85
	4/wk	\$244.01	1.0000	\$244.01		4/wk	\$248.47	1.0000	\$248.47
	5/wk	\$283.76	1.0000	\$283.76		5/wk	\$290.04	1.0000	\$290.04
6/wk	\$317.30	1.0000	\$317.30	6/wk	\$327.70	1.0000	\$327.70		
3 Cubic Yard Container	1/wk	\$206.37	1.0000	\$206.37	3 Cu Yd	1/wk	\$209.35	1.0000	\$209.35
	2/wk	\$391.19	1.0000	\$391.19		2/wk	\$395.08	1.0000	\$395.08
	3/wk	\$521.75	1.0000	\$521.75		3/wk	\$527.28	1.0000	\$527.28
	4/wk	\$639.20	1.0000	\$639.20		4/wk	\$650.45	1.0000	\$650.45
	5/wk	\$738.63	1.0000	\$738.63		5/wk	\$754.07	1.0000	\$754.07
6/wk	\$824.30	1.0000	\$824.30	6/wk	\$845.28	1.0000	\$845.28		
4 Cubic Yard Cost	1/wk	\$113.43	1.0000	\$113.43	4 Cu Yd	1/wk	\$122.50	1.0000	\$122.50
	2/wk	\$214.43	1.0000	\$214.43		2/wk	\$223.77	1.0000	\$223.77
	3/wk	\$295.32	1.0000	\$295.32		3/wk	\$307.28	1.0000	\$307.28
	4/wk	\$371.48	1.0000	\$371.48		4/wk	\$385.52	1.0000	\$385.52
	5/wk	\$433.86	1.0000	\$433.86		5/wk	\$449.50	1.0000	\$449.50
6/wk	\$481.77	1.0000	\$481.77	6/wk	\$498.18	1.0000	\$498.18		
6 Cubic Yard Container	1/wk	\$123.88	1.0000	\$123.88	6 Cu Yd	1/wk	\$130.85	1.0000	\$130.85
	2/wk	\$237.01	1.0000	\$237.01		2/wk	\$241.04	1.0000	\$241.04
	3/wk	\$331.07	1.0000	\$331.07		3/wk	\$338.59	1.0000	\$338.59
	4/wk	\$400.32	1.0000	\$400.32		4/wk	\$411.39	1.0000	\$411.39
	5/wk	\$458.18	1.0000	\$458.18		5/wk	\$467.23	1.0000	\$467.23
6/wk	\$505.39	1.0000	\$505.39	6/wk	\$513.17	1.0000	\$513.17		
8 Cubic Yard Container	1/wk	\$168.59	1.0000	\$168.59	8 Cu Yd	1/wk	\$178.28	1.0000	\$178.28
	2/wk	\$329.58	1.0000	\$329.58		2/wk	\$338.41	1.0000	\$338.41
	3/wk	\$468.57	1.0000	\$468.57		3/wk	\$480.08	1.0000	\$480.08
	4/wk	\$585.80	1.0000	\$585.80		4/wk	\$601.23	1.0000	\$601.23
	5/wk	\$692.58	1.0000	\$692.58		5/wk	\$712.81	1.0000	\$712.81
6/wk	\$784.15	1.0000	\$784.15	6/wk	\$802.33	1.0000	\$802.33		



City of Rockport, Texas

CPI will be assessed October 1, 2016

Option C- Current Service Level

CATEGORY	FREQUENCY OF COLLECTION	RATE PER MONTH	INCREASE FACTOR	NEW RATE PER MONTH					
Residential 66 gallon Cart		\$20.46	1.0000	\$20.46					
Additional 66 g Carts ea		\$17.40	1.0000	\$17.40					
Residential 66 gallon Cart		\$19.98	1.0000	\$19.98					
Commercial 66 gallon Cart		\$29.70	1.0000	\$29.70					New Rate
<b>Commercial : Container Service</b>					<b>Additional Containers</b>				
2 Cubic Yard Container	1/wk	\$74.05	1.0000	\$74.05	2 Cu Yd	1/wk	\$58.87	1.0000	\$58.87
	2/wk	\$150.06	1.0000	\$150.06		2/wk	\$153.90	1.0000	\$153.90
	3/wk	\$193.98	1.0000	\$193.98		3/wk	\$198.05	1.0000	\$198.05
	4/wk	\$234.87	1.0000	\$234.87		4/wk	\$240.47	1.0000	\$240.47
	5/wk	\$280.48	1.0000	\$280.48		5/wk	\$282.04	1.0000	\$282.04
6/wk	\$346.28	1.0000	\$346.28	6/wk	\$347.70	1.0000	\$347.70		
3 Cubic Yard Container	1/wk	\$89.79	1.0000	\$89.79	3 Cu Yd	1/wk	\$80.38	1.0000	\$80.38
	2/wk	\$162.98	1.0000	\$162.98		2/wk	\$163.08	1.0000	\$163.08
	3/wk	\$212.54	1.0000	\$212.54		3/wk	\$216.08	1.0000	\$216.08
	4/wk	\$268.25	1.0000	\$268.25		4/wk	\$275.65	1.0000	\$275.65
	5/wk	\$328.14	1.0000	\$328.14		5/wk	\$338.07	1.0000	\$338.07
6/wk	\$382.38	1.0000	\$382.38	6/wk	\$396.28	1.0000	\$396.28		
4 Cubic Yard Cost	1/wk	\$108.55	1.0000	\$108.55	4 Cu Yd	1/wk	\$82.50	1.0000	\$82.50
	2/wk	\$206.80	1.0000	\$206.80		2/wk	\$157.77	1.0000	\$157.77
	3/wk	\$294.80	1.0000	\$294.80		3/wk	\$233.28	1.0000	\$233.28
	4/wk	\$369.28	1.0000	\$369.28		4/wk	\$317.52	1.0000	\$317.52
	5/wk	\$435.53	1.0000	\$435.53		5/wk	\$381.00	1.0000	\$381.00
6/wk	\$485.73	1.0000	\$485.73	6/wk	\$485.18	1.0000	\$485.18		
6 Cubic Yard Container	1/wk	\$126.45	1.0000	\$126.45	6 Cu Yd	1/wk	\$88.85	1.0000	\$88.85
	2/wk	\$247.84	1.0000	\$247.84		2/wk	\$201.04	1.0000	\$201.04
	3/wk	\$359.55	1.0000	\$359.55		3/wk	\$280.59	1.0000	\$280.59
	4/wk	\$447.32	1.0000	\$447.32		4/wk	\$381.39	1.0000	\$381.39
	5/wk	\$523.19	1.0000	\$523.19		5/wk	\$487.23	1.0000	\$487.23
6/wk	\$572.48	1.0000	\$572.48	6/wk	\$573.17	1.0000	\$573.17		
8 Cubic Yard Container	1/wk	\$161.15	1.0000	\$161.15	8 Cu Yd	1/wk	\$128.28	1.0000	\$128.28
	2/wk	\$318.85	1.0000	\$318.85		2/wk	\$225.41	1.0000	\$225.41
	3/wk	\$445.70	1.0000	\$445.70		3/wk	\$345.08	1.0000	\$345.08
	4/wk	\$575.44	1.0000	\$575.44		4/wk	\$431.23	1.0000	\$431.23
	5/wk	\$692.01	1.0000	\$692.01		5/wk	\$590.47	1.0000	\$590.47
6/wk	\$854.08	1.0000	\$854.08	6/wk	\$672.33	1.0000	\$672.33		

Discussion was held among Council and Mr. Reeves.

Vic Medina addressed the Council. Mr. Medina stated he works for a disposal company in Corpus Christi. Mr. Medina encouraged the Council to put the upcoming contract out for request for proposals and look at other options.

David Peden addressed the Council. Mr. Peden stated he has lived at 1837 Bay Shore for 22 years and has served on the Key Allegro Homeowners Association Board. Mr. Peden said he has no problem with the concept of automation as long as there is a solution for the part-time residents in Key Allegro. Mr. Peden expressed that there are 600 part-time residents in Key Allegro. Mr. Peden asked the Council to consider leaving the status quo or please provide them with a solution.

Dudley McDaniel addressed the Council. Mr. McDaniel stated he was first going to comment as the representative for the Key Allegro Homeowners Association Board. Mr. Dudley said he wanted to correct the minutes of the June 14<sup>th</sup> City Council meeting which quoted him as saying that the Key Allegro Homeowners Association Board was against automated collection, but what he did say was that historically the Board was opposed to automated collection, but this time their Board is neither for or against automated collection. Mr. McDaniel expressed that the Board has some concerns: 1) They do not want to incur costs to enforce a City ordinance – part of what they need to see as a Board, to be able to equally satisfy our home owners, is a draft ordinance. What are the restrictions, how long can carts be stored on street; what provisions will City provide, how do they get non-owners' and renters' carts off of street, 2) Enforcement – If we go to automated system, what are you going to do if owner does not respect requirements, put garbage out on street that is not in containers, put BBQ pits, etc. on street to be collected. Mr. McDaniel added that it is left up to the Homeowners Association to enforce their bylaws. Mr. McDaniel stated that the Key Allegro Homeowners Association Board is neither for nor against automated collection because they do not have enough data. Mr. McDaniel asked the Council to not make a decision until the Homeowners Association has had time to review the ordinance.

City Manager Kevin Carruth stated an Ordinance is not required. Mr. Carruth said the existing Ordinance is general and addresses littering.

Mr. McDaniel then addressed the Council as a resident of Rockport. Mr. McDaniel stated he was strongly in favor of automated collection because he thinks it is the right thing to do. Mr. McDaniel said he does think the City has allowed this as a disservice because of inconvenience. Mr. McDaniel added that the debate has been about what is convenient. Mr. McDaniel expressed that there are five key questions that should be asked: Are you asking in favor of keeping litter off streets; for managing tax payer costs; for improved safety of sanitation workers; for compliance with local, state and federal law; and then what is convenient for owners, residents and renters.

Stan Armstrong addressed the Council. Mr. Armstrong stated that no matter what is decided, one thing we still need to have is an ordinance with teeth in it for neighbors leaving cans out for

one week at a time. Mr. Armstrong said he is leaning toward maintaining the status quo but he does understand it may be time to do something different.

Alton Crusius, 305 Fulton Avenue, addressed the Council. Mr. Crusius suggested Council request bids for sanitation services. Mr. Crusius stated he was personally satisfied with the current contract for sanitation services.

Jim Bagley, 206 S. Fourth Street, addressed the Council. Mr. Bagley stated twice a week collection in this area is very good because it keeps odors down. Mr. Bagley said he would like to stay with the same level of service that we have now. Mr. Bagley added that he would like to hear from others besides homeowners associations and possibly another company.

Debbie Kahanek addressed the Council. Ms. Kahanek stated she lives on Lauderdale Street and there are residents on each side of her, 12-15 people, who put the garbage out on the street and by Monday morning, the birds, cats, and other animals have gotten into the trash. Ms. Kahanek said this is a problem that we have to look at, and she supports the automated service that has carts with lids.

Council Member Villa stated that the discussion about automated service has been going on for two years. Council Member Villa stated that no one in his Ward has come to him to complain about going to automated sanitation collection. Council Member Villa added that Key Allegro, Harbor Oaks and others will have 8-12 months to figure out how they will handle automated service. Council Member Villa expressed that sometimes you have to improvise.

**MOTION:** Council Member Villa moved to authorize staff to negotiate a new agreement with Republic Services to include once a week automated collection, every other week automated recyclable collection, leaf collection eight times a year, a contract term length of six (6) years, with smaller carts as presented in Republic's Option B. Council Member Gurtner seconded the motion. Motion carried 3:2.

**FOR MOTION:** Council Member Villa, Council Member Gurtner and Council Member Day.

**AGAINST MOTION:** Mayor Wax and Mayor Pro-Tem Rios.

**10. Tabled June 14, 2016 - Deliberate and act on interlocal agreements with Aransas County and/or the Town of Fulton for the following services:**

- a. Animal Control**
- b. Aquatic Center**
- c. Dispatching Services**
- d. Jail Services**
- e. Juvenile Case Manager**
- f. Restaurant Health Inspections**
- g. Roads and Drainage**
- h. Septic Systems**

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

Mayor Wax asked the Council if there was any particular agreement that they would like to address.

Mayor Pro-Tem Rios stated that the agreements contain, in principal, what was agreed to at the Joint Special Workshop held with Commissioners Court on March 21, 2016.

**MOTION:** Mayor Pro-Tem Rios moved to approve the Agreements reflecting the consensus of the March 21, 2016 meeting. Council Member Gurtner seconded the motion. Motion carried unanimously.

**11. Deliberate and act on awarding bid for Bayshore Drive emergency shoreline repair project.**

Public Works Director Mike Donoho addressed the Council. Mr. Donoho stated that the high tide and high winds on April 17-18, 2016, accelerated erosion of the shoreline on Bayshore Drive, between Curlew Drive and Albatross Lane. Mr. Donoho said the Council declared an imminent threat to the public health and safety, and authorized emergency repairs at its May 22, 2016 Council meeting. Mr. Donoho informed the Council that Coast and Harbor Engineering prepared specifications for a temporary measure to halt the erosion that is within the US Army Corps of Engineers national permit 13 and solicited construction firms for bids. Mr. Donoho stated three firms submitted bids and Lester Contracting was the lowest bidder. Mr. Donoho added that Lester Contracting has completed similar work in the past, including some in the Rockport area, and Coast and Harbor Engineering has worked successfully with the firm before. Mr. Donoho stated that shoreline stabilization is an eligible use of hotel occupancy taxes.

Discussion was held among Council and Mr. Donoho.

**MOTION:** Mayor Wax moved to award the bid for Bayshore Drive emergency shoreline repair project to Lester Contracting, Inc. in the amount of \$186,875.00 for the Bayshore Drive emergency shoreline repair project. Mayor Pro-Tem Rios seconded the motion. Motion carried unanimously.

**12. Deliberate and act to approve an expenditure of not to exceed \$200,000 for the purchase and installation of a pre-constructed and designed, fully accessible, multi-user concrete restroom for placement at Memorial Park.**

Parks & Leisure Services Director Tom Staley addressed the Council. Mr. Staley stated the 40-year old restroom at the front entrance to Memorial Park is in need of replacement due to an aged, failing plumbing system, increased public use, and ADA non-compliance. Mr. Staley said the restroom was recently closed due to a failed, unrepairable plumbing system and portable toilets are now in place to serve park patrons. Mr. Staley added that the restroom is no longer of sufficient size to meet demands during high use seasons. Mr. Staley informed the Council that the proposed new restroom will support three males and three females, versus the current facility that accommodates two for each sex. Mr. Staley stated the project funding will include purchase and installation of the restroom, including site preparation, utility tie-ins, and an accessible walkway to the room entrances and drinking fountain.

Discussion was held among Council, Mr. Staley and Park Maintenance Supervisor Rick Martinez.

**MOTION:** Council Member Villa moved to approve an expenditure not to exceed \$200,000 for purchase and installation of a pre-constructed and designed, fully accessible, multi-user concrete restroom for placement at Memorial Park. Mayor Pro-Tem Rios seconded the motion. Motion carried unanimously.

### **13. Reports from Council.**

At this time, the City Council will report/update on all committee assignments, which may include the following: Aransas Pathways Steering Committee, Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Environmental Committee for Water Issues; 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 Development Committee; Texas Maritime Museum; Fulton Mansion; Rockport Center for the Arts; Emergency Management, 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 stated that the entire Texas Municipal League Board of Directors had voiced compliments about the hospitality and great City staff they encountered during their stay in Rockport for the June Board meeting.

### **Executive Session**

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

- 14. Section 551.071(1)(A) Consultation with Attorney on pending or contemplated litigation: A) Bay Education Center, (B) Pena/Dack, and (C) Texaz Construction and AZ Southwest Properties.**
- 15. Section 551.072 Deliberation regarding real property – deliberate the purchase, exchange, lease, or value of real property: a) Red Fish.**
- 16. Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.**

At 8:01 p.m., Mayor Wax convened the Rockport City Council into an executive session pursuant to 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) Bay Education Center, (B) Pena/Dack, and(C) Texaz Construction and AZ Southwest Properties; Section 551.072 Deliberation regarding real property – deliberate the purchase, exchange, lease, or value of real property: a) Red Fish; and Section 551.087 Deliberation Regarding Economic Development Negotiations: Project Cardinal.

**Open Session**

**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.**

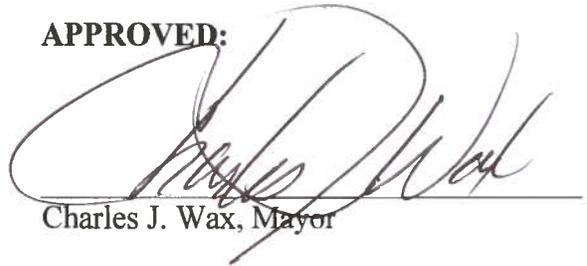
At 8:45 p.m., Mayor Wax reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any necessary actions related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

No action was taken.

**17. Adjournment**

At 8:46 p.m., Council Member Villa moved to adjourn. Motion was seconded by Mayor Pro-Tem Rios and carried unanimously.

**APPROVED:**



Charles J. Wax, Mayor



**ATTEST:**



Teresa Valdez, City Secretary