
CITY COUNCIL WORKSHOP AGENDA

Notice is hereby given that the Rockport City Council will hold a workshop meeting on Tuesday, November 8, 2016, at 1:30 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.

Public Hearing

2. Conduct first Public Hearing on proposed annexation by the City of Rockport, of 92 acres of land, more or less, along Market Street between Warbler Lane and Kelly Lane, out of a portion of the John Smith Survey A-187;
3. Conduct first Public Hearing on proposed annexation by the City of Rockport, of 990 acres of land, more or less, along Highway 35 Bypass between Mundine Road and approximately 1,000 feet south of 18th Street, out of a portion of the Charles Zenn Survey, A-226.
4. Conduct first Public Hearing on proposed annexation by the City of Rockport, of 212 acres of land, more or less, along Highway 35 Bypass between 12th Street and approximately 545 feet north of Griffith Drive, out of portions of the Joseph F. Smith Survey A-198, R.J. Towns Survey A-206, Paul McCombs Survey A-317, and the C.W. Egery Survey A-62.

Regular Agenda

5. Hear and deliberate on policy for funding requests from General Fund.
6. 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, November 4, 2016, 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*.



Ruby Beaven, Assistant City Secretary

CITY COUNCIL AGENDA
Workshop Meeting: Tuesday, November 8, 2016

AGENDA ITEM: 2

Conduct first Public Hearing on proposed annexation by the City of Rockport, of 92 acres of land, more or less, along Market Street between Warbler Lane and Kelly Lane, out of a portion of the John Smith Survey A-187.

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA: PKC

BACKGROUND: This is the first Public Hearing for the proposed annexation along Market Street. Please see the accompanying metes and bounds description and service plan for additional details.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Not an action item.

MUNICIPAL ANNEXATION SERVICE PLAN FOR AREA “MARKET STREET A” (92 Acres)

Area to be Annexed

Being approximately 92 acres, more or less, out of a portion of the John Smith Survey A-187, with said 92 acres being more particularly described by metes and bounds on Field Notes show in Exhibit “A” and map in “Exhibit B.”

Introduction

In accordance with the directives of the City Council of the City of Rockport, Texas, the City's Comprehensive Plan, and the requirements of Subsection 43.056 of the Texas Local Government Code, the following service plan for the area hereinafter referred to as Area “Market Street A” and as shown on the accompanying map that has been prepared. The proposed plan may be amended as a result of the public hearing process in accordance with Subsection 43.056 of the most current edition of the Texas Local Government Code. This service plan shall become a part of an annexation ordinance submitted to the City Council for consideration and action, if any.

The following services will be provided on the effective date of the annexation of the area according to Subsection 43.056 of the most current edition of the Texas Local Government Code regarding services to newly annexed areas:

1. Animal Control

Existing Services: Animal control services for this area are currently provided by the Aransas County Animal Control Department.

Services to be Provided: The Aransas County Animal Control Department will continue the enforcement of the City of Rockport's animal control ordinances on the effective date of the annexation. Such services can be provided with current Animal Control personnel and within the current budget appropriation.

2. Capital Improvements

Construction of capital improvements shall be considered by the City in the future as the needs dictate on the same basis as such capital improvements are considered throughout the city.

3. Building Inspections

Existing Services: Existing building inspection services are provided in this area by the City of Rockport when required by applicable building codes.

Services to be Provided: The Building & Development Department will provide Code Enforcement and Building Inspection Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulated building construction within the City of Rockport. Annexation of this area would require an increase of approximately 520 building inspector labor hours and 520 code enforcement officer labor hours.

4. Emergency Medical Services

Existing Services: Emergency medical services are currently provided under contract with Aransas County by Allegiance Ambulance from their facility located at 400 Enterprise in Rockport.

Services to be Provided: Annexation of the proposed area will not alter the response times, service sectors, or the existing interagency agreements.

5. Fire

Existing Services: Existing services are typically provided as outside city limits response by the Rockport Volunteer Fire Department, Inc.

Services to be Provided: Fire suppression will be available to the area upon annexation and will be provided by the Rockport Volunteer Fire Department, Inc. There is a fire substation currently located at 1608 West Terrace Blvd. Annexation of the proposed area will not alter the response times, service sectors or the existing interagency agreements.

6. Health Code Enforcement

Existing Services: Public health services for this area are currently provided by the Aransas County Environmental Health Department.

Services to be Provided: The Aransas County Health Department will implement the enforcement of the City of Rockport's health ordinances and regulations on the effective date of the annexation. Such services can be provided with current Health Department Personnel and within the current budget appropriation.

7. Parks

Existing Services: Library services are provided by the Aransas County Public Library. City parks are currently open to non-city residents.

Services to be Provided: Library services will still be provided by the Aransas County Public Library under the same terms. Annexation will not result in any changes in the availability of parks and library facilities to residents of the area.

8. Planning and Zoning

Existing Services: This area falls within the Extraterritorial Jurisdiction (ETJ) of the City of Rockport. Platting and land subdivision activities are currently co-administered by Aransas County and the City of Rockport. The City's zoning and land use ordinances, however, are not applicable outside of the existing city limits.

Services to be Provided: The Building and Development Department's responsibility for regulating development and land use through the administration of the City of Rockport Zoning Ordinance will extend to this area on the effective date of the annexation. The property will solely be regulated under the requirements of the City of Rockport Subdivision Ordinance. These services can be provided within the department's current budget.

9. Police

Existing Services: Existing services are primarily provided by the Aransas County Sheriff's Office.

Services to be Provided: The Rockport Police Department will initiate full police and law enforcement services to this proposed annexed area at the effective date. Both divisions of the police department will coordinate this service plan.

1. The Patrol Division will provide active patrol services in the proposed area. These services will include accident investigation and preventative patrol to deter violations of statutes and local ordinances. The Patrol Division will also assist other emergency-related agencies responding within this proposed area. The Patrol Division will provide further service to our customers by initiating and monitoring vacation/property checks for residences and businesses requesting such programs during their absence.
2. The Criminal Investigation Division will provide for active investigation services to be implemented in the proposed area. These services include crime scene search and the related analysis and investigation leading to the identification of suspects, issuance of arrest warrants and the apprehension of suspected offenders; preparation and submission of cases to the appropriate agency for prosecution and/or presentation to a Grand Jury; and response to citizen requests for crime prevention and security inspections of their real property. A review of the ongoing criminal investigations will be conducted to determine which (if any) cases should be transferred to the Rockport Police Department Investigation Division: The Criminal Investigation Division will assist in the development of neighborhood watch programs and conduct certified residential and business security surveys upon request.

Annexation of this area would require an increase of approximately 2,080 patrol labor hours, 1,387 criminal investigation labor hours, and 694 administration labor hours. The Rockport Police Department will coordinate with the proper governmental agencies to ensure that 911 map sheets will be updated related to 911 calls within the specified zone.

10. Sanitary Sewer Service

Existing Services: Existing sanitary sewer service in this area is provided by either the City of Rockport or by on-site sewage facilities.

Services to be Provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and city policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present extension ordinance and as requested by developers. Extension of service shall comply with applicable codes and ordinances.

11. Solid Waste Collection

Existing Services: There is currently no dedicated solid waste disposal service for this area. Residents may contract individually with available service providers.

Services to be Provided: Solid Waste Collection will be provided by the City's contractor, Republic Services, Inc. Service shall comply with existing City policies, beginning with occupancy of structures. As provided for by Section 43.056(n) of the Texas Local Government Code, residents may continue to use their existing solid waste collection service for up to two years following the effective date of annexation. At the end of the two-year period or termination of existing service by the customer (whichever is sooner), the City's contractor will begin providing service.

12. Street Lighting

Existing Services: Existing streetlights in the area are provided by the Texas Department of Transportation.

Services to be Provided: The City of Rockport will coordinate any requests for improved street lighting with the local electric provider in accordance with standard policy.

13. Street Maintenance

Existing Services: Existing street maintenance services for this area are provided by Aransas County Road and Bridge Department.

Services to be Provided: Maintenance to the street facilities will be provided by the City upon the effective date of the annexation. This service can be provided within the current budget appropriation. All streets within the area proposed for annexation are currently paved. Annexation of this area would require an increase of approximately 832 street maintenance labor hours.

14. Storm Water Management

Existing Services: Drainage and storm water management within this area is currently provided by Aransas County.

Services to be Provided: Developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completion. The City will assume maintenance of the developer's drainage facilities upon acceptance from the developer.

15. Water Service

Existing Services: Existing water utility services to this area is provided by the City of Rockport and includes both potable water and fire protection.

Services to be Provided: Water service to the area will continue to be provided by the City of Rockport in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinances and as requested by developers. Extension of service shall comply with City codes and ordinances. Water utility rates will be based on a lower Inside City Limits customer classification as opposed to the Outside City Limits customer classification.

Miscellaneous

All other applicable municipal services will be provided to the area in accordance with the City of Rockport's established policies governing extension of municipal services to newly annexed areas. All City codes shall be in effect upon annexation.

Uniform Level of Services May Not Be Required

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the city, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of services.

Term

This service plan shall be valid for a term of ten (10) years.

Amendments

The plan shall not be amended unless public hearings are held in accordance with V.C.T.A., Local Government Code, Section 43.0561.

EXHIBIT "A"
FIELD NOTE DESCRIPTION
92 ACRES TO BE ANNEXED BY CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS
September 22, 2016

BEING THE DESCRIPTION OF 92 ACRES OF LAND, MORE OR LESS, OUT OF A PORTION OF THE JOHN SMITH SURVEY A-187, WITH SAID 92 ACRES, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at a point at the intersection of the East R.O.W. line of Steart Street and the North R.O.W. line of Elizabeth Street and being the Southwest corner of Block 29, Bellvue Addition, as shown by plat of record in Volume 1, Page 12, Map Records of Aransas County, Texas, with said point being the **NORTHEAST** corner and **PLACE OF BEGINNING** of this description;

THENCE, in a Southerly direction along and with the East R.O.W. line of Steart Street a distance of approximately 1350 feet to a point at the intersection of the North R.O.W. line of Texas State F.M. Road No. 1069 (also known as Market Street), and the East R.O.W. line of said Steart Street, with said point being an **INTERIOR** corner of this description;

THENCE, in a Southeasterly direction and crossing said Texas State F.M. Road No. 1069 (also known as Market Street) a distance of approximately 135 feet to a point at the intersection of said Texas State F.M. Road No. 1069 (also known as Market Street) and the East R.O.W. line of Kelly Lane, with said point being an **EXTERIOR** corner of this description;

THENCE, in a Southerly direction along and with the Easterly R.O.W. line of Kelly Lane a distance of approximately 735 feet to a point at the terminus of said Kelly Lane and being on the North line of a 25.205 acre tract conveyed to Christopher Crowley, et ux, under Clerk's File No. 342937, Official Public Records, Aransas County, Texas, with said point being the **SOUTHEAST** corner of this description;

THENCE, in a Westerly direction along and with the Northerly line of said 25.205 acre tract a distance of approximately 755 feet to a point on the Easterly line of West Terrace Acres Subdivision as shown by plat of record in Volume 2 Page 102, Map Records of Aransas County, Texas, with said point being the most **SOUTHERLY SOUTHWEST** corner of this description;

THENCE, in a Northerly direction along and with the Easterly line of said West Terrace Acres Subdivision a distance of approximately 450 feet to a point at the Northeast corner of Lot 22, Block 17, West Terrace Acres Subdivision, with said point being an **INTERIOR** corner of this description;

THENCE, in a Westerly direction along and with the common line of Lots 21 and 22, Block 17, West Terrace Acres Subdivision, a distance of approximately 286 feet to a point at the intersection of the Westerly R.O.W. line of West Terrace Boulevard and the Southerly R.O.W. line of Red Bird Drive, with said point being an **EXTERIOR** corner of this description;

THENCE, in a Northerly direction along and with the Westerly R.O.W. line of West Terrace Boulevard a distance of approximately 344 feet to a point for the Northeast corner of Lot 16, Block 7, West Terrace Acres Subdivision, with said point being an **INTERIOR** corner of this description;

THENCE, in a Northwesterly direction along and with the Southerly R.O.W. line of West Terrace Boulevard a distance of approximately 1664 feet to a point at the intersection of the Southerly R.O.W. line of West Terrace Boulevard and the Easterly R.O.W. line of Raven Drive and being the Northwest corner of Lot 1, Block 6, West Terrace Acres Subdivision, with said point being an EXTERIOR corner of this description;

THENCE, in a Northeasterly direction and crossing West Terrace Boulevard a distance of approximately 60 feet to a point on the Southerly R.O.W. line of West Terrace Boulevard with said point being an INTERIOR corner of this description;

THENCE, in a Northwesterly direction along and with the Northerly R.O.W. line of West Terrace Boulevard a distance of approximately 236 feet to a point at the intersection of the Northerly R.O.W. line of West Terrace Boulevard and the Easterly R.O.W. line of Warbler Drive, with said point being the most NORTHERLY SOUTHWEST corner of this description;

THENCE, in a Northeasterly direction along and with the Easterly R.O.W. line of Warbler Drive a distance of approximately 246 feet to a point at the intersection of the Easterly R.O.W. line of Warbler Drive and the Southerly R.O.W. line of Texas State F.M. Road No. 1069 (also known as Market Street) with said point being an EXTERIOR corner of this description;

THENCE, in an Easterly direction along and with the Southerly R.O.W. line of Texas State F.M. Road No. 1069 (also known as Market Street) a distance of approximately 216 feet to a point for an INTERIOR corner of this description;

THENCE, in a Northeasterly direction and crossing Texas State F.M. Road NO. 1069 (also known as Market Street) and continuing along the Westerly line of a 3.926 acre tract out of Lot 22, Aransas Pass Colonization Company Subdivision, with said 3.926 acre tract conveyed to Ron C. Hoover under Clerk's File No. 209795, Official Public Records of Aransas County, Texas, and with said line following the existing Rockport City Limit Line, a distance of approximately 1515 feet to a point on the Westerly line of Oak Terrace Subdivision, as shown by plat of record in Volume 2, Page 130, Map Records of Aransas County, Texas, for the NORTHWEST corner of this description;

THENCE, in a Southerly direction along and with the Westerly line of said Oak Terrace Subdivision a distance of approximately 793 feet to a point on the common line of Lots 190 and 191 of said Oak Terrace Subdivision with said point being an INTERIOR corner of this description;

THENCE, in an Easterly direction along and with the common line of Lots 190 and 191 of said Oak Terrace Subdivision a distance of approximately 126 feet to a point on the Westerly R.O.W. line of Redwood Avenue with said point being a corner of this description;

THENCE, continuing in an Easterly direction and crossing said Redwood Avenue a distance of approximately 61 feet to a point at the intersection of the Northerly R.O.W. line of Apple Street with the Easterly R.O.W. line of Redwood Avenue with said point being a corner of this description;

THENCE, continuing in an Easterly direction along and with the Northerly R.O.W. line of Apple Street a distance of approximately 900 feet to a point at the intersection of the Northerly R.O.W. line of Apple Street and the Westerly R.O.W. line Hickory Avenue with said point being a corner of this description;

THENCE, continuing in an Easterly direction and crossing Hickory Avenue a distance of approximately 78 feet to a point on the common line of Lots 17 and 18 of said Oak Terrace Subdivision, with said point being a corner of this description;

THENCE, continuing in an Easterly direction along and with the common line of Lots 17 and 18 of said Oak Terrace Subdivision a distance of approximately 161 feet to a point on the Westerly R.O.W. line of Mission Street (closed and abandoned by Aransas County) with said point being a corner of this description;

THENCE, continuing in an Easterly direction and crossing that portion of Elizabeth Street closed and abandoned by Aransas County a distance of approximately 50 feet to a point for the Southwest corner of Block 27 of said Bellvue Addition, with said point being a corner of this description,

THENCE, continuing in an Easterly direction along and with the Northerly R.O.W. line of Elizabeth Street a distance of approximately 664 feet to the PLACE OF BEGINNING and containing approximately 92 acres or 4,003,239 square feet of land, more or less.

Public Comments Received on Annexation

Record	Date	Name	Contact	Contact Information	Inquiry
1	10/4/2016	Dick Kitchens	Phone	512-422-4444	Hearings on election day?
2	10/6/2016	Natalie Baker	Phone	361-463-9265	Hearings on election day?
3	10/6/2016	Danny Hale	In-Person	dannyhale@sbcglobal.net	Copy of service plan, proposed tax rate, when taxes will take effect
4	10/6/2016	Jeannie Fisher	Phone	405-650-6245	Proposed tax rate, people on homestead exemption
5	10/6/2016	Mary Simison, AP Post	Email	Mary.B.Simison@usps.gov	Effect of annexation on AP zoned areas
6	10/7/2016	Grove Family Investment	Phone	361-815-8902	Question about Market St annexation
7	10/7/2016	Mary Reilly	Phone	504-621-7362	Question about impact on homeowners
8	10/10/2016	Brandon Ayers	Phone	361-205-5514	Question about taxing entities
9	10/12/2016	Richard Martin	Phone	Unknown	Question about why he got notice (owns storage unit on FM 188)
10	10/12/2016	Candy Monroe	Phone	361-557-0683	Seeking info on annexation
11	10/12/2016	Carolyn Peterson	Phone	210-826-0525	Questions about annexation; how much would taxes go up
12	10/12/2016	Santiago Fuentes	Phone	361-933-6790	Calling in regards to annexation letter
13	10/13/2016	Patricia Heel		361-813-5431	Question about annexation
14	10/14/2016	Laura Oswalt	Phone	512-484-9484	Questions about annexation: How much would her taxes go up? She connected to City service; would she get a refund for what she paid to connect? When City sewer is installed, does she have to connect/pay to connect or can she keep septic? If she needs a driveway installed, does the City pay for that expense or does she? Will her property be trenched through if electricity has to be extended from the alleys to create light poles (or other related infrastructure work)? 601 Hickory"
15	10/14/2016	Kay Mitchell	Phone	361-529-8991	Question about annexation

Public Comments Received on Annexation

Record	Date	Name	Contact	Contact Information	Inquiry
16	10/14/2016	Randy Smith	Phone	361-548-9010	Has 15 acres on the bypass and has been trying to build a manufactured home park. He has been working with the County on building a road but does not have construction of park up. Can his project get grandfathered in? Sent over project plans as evidence
17	10/14/2016	Isaias Navarete	Phone	210-277-7519	Question about annexation
18	10/21/2016	Steve Church	Phone	Unknown	Thought property was going to be taken; explained annexation
19	10/25/2016	Julius Julian	Phone	936-355-1060	If the annexation line crosses their parking lot, does their entire property get annexed including their building?
20	10/25/2016	Santiago Fuentes	Phone	361-933-6790	Question about annexation
21	10/28/2016	Ron Hoover	In-Person	361-463-1075	Had question about MH park project. Determined property where project would be built is already in the city limits.
22	10/31/2016	Concetta Johnson	Phone	Unknown	Wanted to know where to mail an opposition letter for annexation

October 3, 2016

~~11:30~~ New 8th
11:30
6:30
Meeting

DEAGEN MELVIN M ETUX SUSAN L
P O BOX 195
STOCKDALE, TX 78160-0195



Certified Mail Receipt No. 7016 1370 0002 0464 7998

Subject: Annexation of Property

To whom it may concern:

The purpose of this letter is to notify you that your property is included in a proposed annexation by the City of Rockport. The City of Rockport plans on annexing an area generally located along Highway 35 Bypass between Mundine Road and approximately 1,000 feet south of 18th Street (see accompanying map of the proposed annexation area). Aransas County Appraisal District records show that you own property in the area. Under state law, the City may annex the area after following certain notice and hearing procedures contained in Chapter 43 of the Texas Local Government Code.

State law establishes the procedure the City must follow to annex the area. Over the next few weeks City staff will prepare a proposed service plan describing the services the City will provide in the area upon annexation. The City Council will then hold public hearings to discuss the annexation and the service plan. The hearings will be held at the Rockport City Hall Council Chambers at 1:30 p.m. and 6:30 p.m. on November 8, 2016. After the public hearings, the City Council will likely conduct the remaining proceedings required to annex the area during a separately scheduled City Council meeting.

If you have questions concerning the annexation process, I encourage you to contact me at (361) 790-1125, extension 226. If you no longer own property in the area, I would appreciate it you would contact me so that we can provide this notice to the current owner.

Sincerely,

Amanda Torres

Community Planner

10/27/2016
We Vote against being
annexed into the City
limits of Rockport TX
Susan Deagen - *[Signature]*
Melvin Deagen - *[Signature]*

2751 SH 35 Bypass, Rockport, Texas 78382 Phone: (361) 729-2213 Fax: (361) 729-6476

www.cityofrockport.com

Concetta A. Johnson
 9513 Geronimo Oaks Street
 San Antonio, Texas 78254

October 30, 2016

City of Rockport, Texas
 622 East Market Street
 Rockport, Texas 78382

SUBJECT: Landowner Protest of Subjective Proposed Annexation Discrimination

ATTENTION: Teresa Valdez, City Secretary

The purpose of this letter is to express my opposition by the City of Rockport, Texas, to the subjective proposed annexation discrimination of the following property I own: Geo ID: 0848-225-12-002, 1080 SH 188, Rockport, Texas 78382, and to protest the proposed annexation of the adjacent property I own, Geo ID: 0848-225-12-003, 521 Hailey Road, Rockport, Texas 78382. When I purchased them in 1983, they were addressed as a single unit/address with a Box #, Star Route 1, Rockport, Texas 78382, and remained as such until address changes were implemented at later dates.

My property Geo ID: 0848-225-12-002 located at 1080 SH 188, has the distinction of being the ONE and ONLY taxable property addressed on that side of SH 188 past the point of intersection of SH 35 BP and SH 188 of the City of Rockport proposed annexation.

Being the only singled out, targeted, taxable private property on the proposed annexation area on that side of the road beyond the SH 35 BP and SH 188 point of intersection displays intentional discrimination on the part of the City of Rockport, Texas, especially when one considers, for example, the replat property of Farm Lot 11, next to my property line has five each properties in that one block, all five are taxable properties addressed on SH 188, Rockport, Texas, and not one is being considered for proposed annexation, nor is any other property continuing beyond that replat of Farm Lot 11 along that side of the road, SH 188, as validated by documentation Sept.27, 2016 Council Meeting **RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION pp.51, 53,54/136**, and the **EXHIBIT "B"**, (the 990 ACRES map view). **See: RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION pp. 51,53,54/136** **EXHIBIT "A"**, and **See: EXHIBIT "B"**, (the 990 ACRES map view).

Concerning City of Rockport Utilities and Services:

After making inquiries with various departments of the City of Rockport, Texas, as to (1) which city utilities and services will be made available (2) or are currently in place in the proposed annexation area where my properties are located, I was informed that water, sewer, and gas services will require

engineering services for all three to Geo ID: 0848-225-12-003, 521 Hailey Road, and sewer and gas will require engineering services for Geo ID: 0848-225-012-002, 1080 SH 188, that the current cost for each service would be \$200,000.00 to \$400,000 because the properties are so far away from the service areas in town. The true reality of my situation, I was also informed, is that due to my properties location, I would probably never acquire those city services, and another city employee informed me that his property had been involuntarily annexed by the City of Rockport about twenty years ago, and he still did not have any sewer service at his property. Additionally, city garbage pickup will not be available at my property, the Fire Department is voluntary and services both the city and county, EMS is a contracted service and also covers both the city and county, lastly, concerning the city police department, I was told if the county sheriff's department is closer, the city police calls are answered by the county sheriff officer. This also addresses Item" **8. Annexation** below In the following topic.

In reference to the following item numbers 4 and 8 on p.49/136, from **CITY COUNCIL AGENDA Regular Meeting: Tuesday, September 27, 2016 AGENDA ITEM: 7, p.49/136 (EXHIBIT "C")** concerning the city utilities and services, to include:

"4. Residents and businesses in the annexation area already consume city services but contribute little or nothing to paying the cost of those services." And

"8. Annexation will bring about for many residents lower utility rates, lower sanitation rates, lower fire insurance premiums, lower flood insurance rates, improved police protection, and improve property values. In many cases the reduction in these costs is greater than the expense of the additional City ad valorem tax." Note: I will address item number "8 first.

Re: above item "8., please refer to above **Concerning City of Rockport Utilities and Services** for the issues and details. After assessing the information received concerning both availability and accessibility of city utilities and services to my properties, I do not find anything beneficial in annexation that applies to them, most especially Geo ID: 0848-225-12-003, 521 Hailey Road . **See: CITY COUNCIL AGENDA Regular Meeting: Tuesday, September 27, 2016 AGENDA ITEM: 7 ,Item #8, p.49/136 (EXHIBIT "C")**

RE: above item # 4.,. annexation area residents consuming City of Rockport services. As an Aransas County property owner paying into that tax base for over thirty-three years for items such as school taxes and the Naval Homeport Installation at Ingleside, Texas, neither myself nor mine ever accessed nor received any benefit from any of those taxes I paid, such as school, and others have in the ACISD county's cities and the county proper.. Consequently, in some measure, I have been contributing to the City of Rockport, both when I resided there and in absentia.. **See: CITY COUNCIL AGENDA Regular Meeting: Tuesday, September 27, 2016 AGENDA ITEM: 7, Item # 4, p.49/136 (EXHIBIT "C")**

During the year following the insurance company opting out of selling mobile home insurance, my two mobile homes there were deliberately burned to the ground, my huge blackberry garden was destroyed, too; thankfully, no one was injured during those fires. I experienced great financial losses, and after I had the property cleaned up, I elected to let the area grow over to discourage further trespassing until such time as I move back there. Yet, I refuse to be discouraged. As I am retired, I plan to sell my home in San Antonio, Texas and move back on to my property in Rockport, Texas. At a later date, my daughter

and son-in-law will be transferring to the area with the company he is employed with, and they plan to build a home on the rear part of the property Geo ID: 0848-225-12-003 and retire there.

In conclusion, the manner in which my property Geo ID: 0848-225-12-002, 1080 SH 188, Rockport, Texas 78382, was singled out as the only taxable property for proposed annexation and no other taxable property was considered or selected for proposed annexation in that stated area located on that side of SH 188 past the point of intersection of SH 35 BP and SH 188, as previously described in detail, as documented in the July 27, 2016 Rockport City Council : **RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION pp. 51,53,54/136** and as documented on **EXHIBIT "B"**, (the 990 ACRES map), constitutes discrimination and I am requesting the property be removed from the proposed annexation. **See: EXHIBIT "A", RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION pp.51, 53,54/136** , and **See: EXHIBIT "B"**, (the 990 ACRES) for map view

Additionally, in consideration of the information I obtained about receiving/accessing future city utilities and services to/at my properties, and that the outcome probability for their acquisition lies beyond bleak-to-none because of their location - especially for the Hailey Road address unless I wish to pay the huge cost for any of them as previously detailed, I am requesting my adjacent properties, Geo ID: 0848-225-12-002, 1080 SH 188, Rockport, Texas 78382 and , Geo ID: 0848-225-12-003, 521 Hailey Road, Rockport, Texas 78382, considered to be the other half of my property, be removed from the proposed annexation that is the subject of a proposed change of/by the City of Rockport city council organization.

Thank you for your consideration in this matter.

Sincerely,

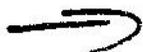
Concetta A. Johnson
Property Owner

cc: Amanda Torres, Community Planner

Enc: 3 ea EXHIBITS

EXHIBIT "A"

RESOLUTION NO. _____



RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION



A RESOLUTION OF THE CITY OF ROCKPORT, TEXAS, SETTING A DATE, TIME, AND PLACE FOR PUBLIC HEARINGS ON THE PROPOSED ANNEXATION BY THE CITY OF ROCKPORT, TEXAS, OF 990 ACRES OUT OF A PORTION OF THE CHARLES ZENN SURVEY, A-226, AND THE JAMES MCKAY SURVEY, A-160, AUTHORIZING AND DIRECTING PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS AND DIRECTING CITY STAFF TO PREPARE ANNEXATION SERVICE PLAN.

WHEREAS, §43 of the Texas Local Government Code and Article I, Section 3 of the Charter of the City of Rockport, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state;

WHEREAS, the City has the desire to extend its boundaries to provide for the strategic management of growth of the City, and to better manage the provision of public services to residents of the area;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS:

SECTION 1. On the 8th day of November, 2016, at 1:30 p.m. and 6:30 p.m. in the City Council Chambers of the City Hall of the City of Rockport, Texas, the City Council will hold public hearings giving all interested persons the right to appear and be heard on the proposed annexation by the City of Rockport, Texas of the following described property, to-wit:

DESCRIPTION OF 990 ACRES OF LAND, MORE OR LESS, OUT OF A PORTION OF THE CHARLES ZENN SURVEY, A-226, AND THE JAMES MCKAY SURVEY, A-160, WITH SAID 990 ACRES, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at a point for the Northwest corner of the Charles Zenn Survey, A-226, and being the Northwest corner of a called 476 acre tract (437.175 acres) as described in a deed of record to D.W. & B. Grant Properties, Ltd., under Clerks File Number 326488, Official Public Records of Aransas County, Texas, and being in the East boundary line of the H. Ryals Survey, A-184, and the East boundary line of a called 105.50 acre tract as described in a deed of record to Hugh T. Chapman under Clerks File Number 268808, Official Public Records of Aransas County, Texas, and being in the West boundary line of a called 7.134

described in a deed of record under Clerks File Number 176546, Real Property Records of Aransas County, Texas, and being an INTERIOR corner of this description;

THENCE, in a Southeasterly direction, along and with the North boundary line of said 20.0 acre tract, a distance of approximately 490 feet to a point in the Upper Northwestern boundary line of Farm Lot 12, of said Landblock 227, Burton and Danforth Subdivision, and being an INTERIOR corner of this description;

THENCE, in a Northeasterly direction, along and with the Upper Northwestern boundary line of said Farm Lot 12, a distance of approximately 313 feet to a point at the Southerly R.O.W. terminus of Nell Road, and being the Northwest corner of said Farm Lot 12, and being an EXTERIOR corner of this description;

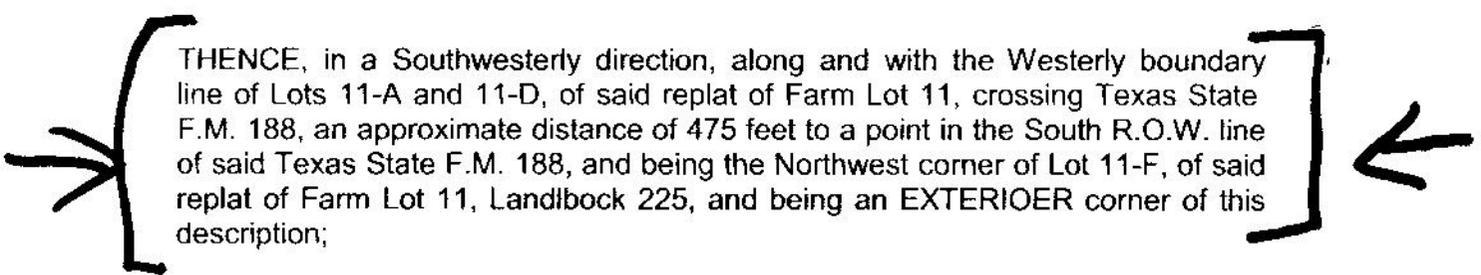
THENCE, in a Southeasterly direction, along and with the South R.O.W. line of Nell Road, and the North boundary line of said Farm Lot 12, a distance of approximately 85 feet to a point for the Northeast corner of said Farm Lot 12 and being an EXTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of Farm Lots 11 and 12, an approximate distance of 2104 feet to a point in the South R.O.W. line of Walker Road, and being in the North boundary line of Farm Lot 10, of Land Block 226, of said Burton and Danforth Subdivision, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of said Walker Road, a distance of approximately 43 feet to a point for the common corner of Farm Lots 10 and 11, of said Landblock 226, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of Farm Lots 10 and 11, and 19 and 18, an approximate distance of 1326 feet to a point in the South R.O.W. line of Hailey Road and being in the North boundary line of Lot 10-B, of a replat of Farm Lot 10, Burton and Danforth Subdivision, lying North of Texas State F.M. 188, according to the plat recorded in Volume 3, Page 54, Plat Records of Aransas County, Texas, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of Hailey Road, an approximate distance of 353 feet to a point for the common corner of Lot 11-A, of a replat of Farm Lot 11, Landblock 225, Burton and Danforth Subdivision, according to the plat recorded in Volume 3, Page 123, Plat Records of Aransas County, Texas, and Fractional Farm Lot 12, of said Landblock 225, Burton and Danforth Subdivision, an being an INTERIOR corner of this description;



THENCE, in a Southwesterly direction, along and with the Westerly boundary line of Lots 11-A and 11-D, of said replat of Farm Lot 11, crossing Texas State F.M. 188, an approximate distance of 475 feet to a point in the South R.O.W. line of said Texas State F.M. 188, and being the Northwest corner of Lot 11-F, of said replat of Farm Lot 11, Landblock 225, and being an EXTERIOER corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of said Texas State F.M. 188, an approximate distance of 25 feet to a point for the Northeast corner of Lot 17-B, Kelsey Subdivision, Unit 2, according to the plat recorded in Volume 4, Page 176, Plat Records of Aransas County, Texas, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of said Farm Lot 18, Landblock 225, and Kelsey Subdivision, Unit 2, an approximate distance of 870 feet to a point in the South R.O.W. line of Mack Road and being the common corner of Farm Lots 9 and 10, of said Landblock 224, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of Mack Road, an approximate distance of 830 feet to a point in the Easterly R.O.W. line of said Texas State Highway No. 35 Relief Route, and being the Northwest corner of Lot 12-B, of a replat of Farm Lot 12, Landblock 224, Burton and Danforth Subdivision, according to the plat recorded in Volume 6, Page 161, Plat Records of Aransas County, Texas, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the Easterly R.O.W. line of said Texas State Highway No. 35 Relief Route, a distance of approximately 460 feet to a point in the West boundary line of Lot 12-A, of said replat of Farm Lot 12, Landblock 224, and being at the projection of the South R.O.W. line of Mundine Road, and being the SOUTHEAST corner of this description;

THENCE, in a Northwesterly direction, along and with the projection of the South R.O.W. line of Mundine Road, crossing said Texas State Highway No. 35 Relief Route, a distance of approximately 2753 feet to a point for the common corner of Farm Lots 8 and 9, of Landblock 17, T.P. McCampbell Subdivision, according to the plat recorded in Volume 1, Pages 3 and 4, Plat Records of Aransas County, Texas, and being the SOUTHWEST corner of this description;

THENCE, in a Northeasterly direction, crossing said Mundine Road, and along and with the common boundary line of Lots 8A and 8B and Lots 8C and 9D, of Ken Mar No. 3, Unit 4, according to the plat recorded in Volume 3, Page 70, Plat Records of Aransas County, Texas, crossing said Texas State F.M. 188, and with the East boundary line of Little Ponds, according to the plat recorded in Volume 5, Page 119, Plat Records of Aransas County, Texas, and the West

EXHIBIT "B"

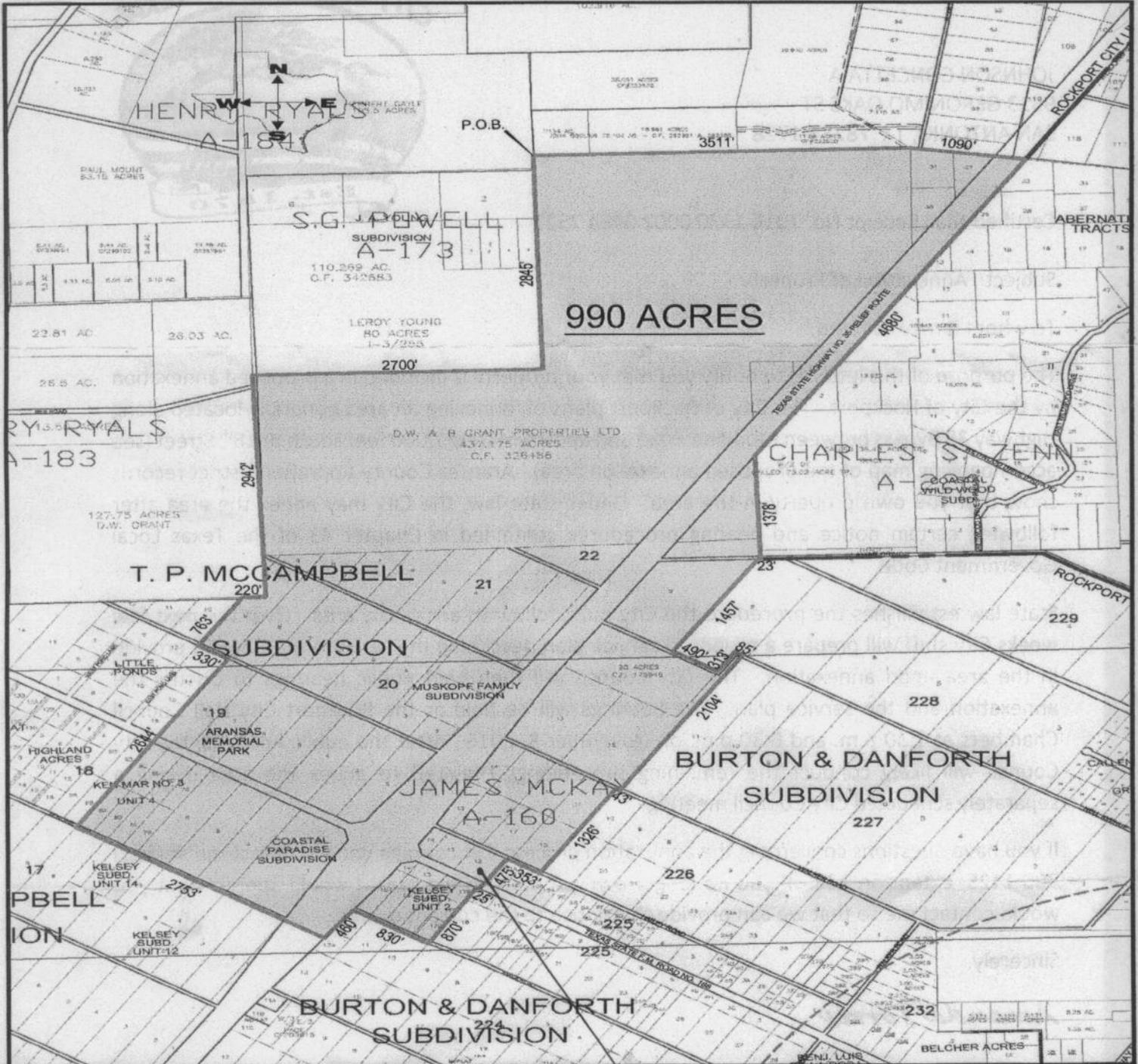


EXHIBIT "B"

PLAT SHOWING A 990 ACRE TRACT OUT OF PORTIONS OF THE CHARLES S. ZENN SURVEY A-226 AND THE JAMES MCKAY SURVEY A-160, TO BE ANNEXED BY THE CITY OF ROCKPORT, ARKANSAS COUNTY, TEXAS

NOTE: THIS AREA HAS NOT BEEN SURVEYED ON THE GROUND AND IS APPROXIMATE AS COMPUTED BY USING CAD ON THE CITY OF ROCKPORT MAP GENERATED BY GRIFFITH & BRUNDRETT, SURVEYING & ENGINEERING, INC.

SEPTEMBER 22, 2016
SCALE 1"=1000'

Griffith & Brundrett
Surveying & Engineering, Inc.
411 S. Pearl St., P.O. Box 2522
Rockport, Texas 78381
Phone: (361) 729-6479
Fax: (361) 729-7933
Email: jerry@griffithsurveyor.com
www.gbsurveyor.com

FILE NAME: MARSHAMANN/ANNEXATION/AREAS_02016
SEE ACCOMPANYING FIELD NOTE DESCRIPTION

2751 SH 35 Bypass, Rockport, Texas 78382 Phone: (361) 729-2213 Fax: (361) 729-6476

www.cityofrockport.com

Conetta A. Johnson
Property

EXHIBIT "C"

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2016

AGENDA ITEM: 7

Deliberate and act on a Resolution of the City of Rockport, Texas, setting a date, time and place for public hearings on the proposed annexation by the City of Rockport, Texas, of 990 acres, more or less, along Highway 35 Bypass between Mundine Road and approximately 1,000 feet south of 18th Street, authorizing and directing publication of notice of such public hearings, and directing City staff to prepare Annexation Service Plan.

SUBMITTED BY: City Manager Kevin Carruth; City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: Over the course of the last several months Council and staff have evaluated reasons for and against annexation of certain areas, including the proposed 990 acres along the Market Street corridor. Reasons for annexation include:

1. The Market Street corridor is a main entry point into the community and serves as the City's "front porch". As is, there is a strong need for unified code enforcement, planning, and zoning in order to transform the area and improve the quality of life for residents and enhance the climate for businesses.
2. Because of the strong interrelationship between the annexation area and the City and because the actions of Rockport substantially affect residents in the annexation area, annexation gives residents a voice in the government of the larger community in which they live.
3. Business, professional, and community leaders living in the annexation area can have a more direct role in community affairs by being elected or appointed to public office in the City.
- 4. Residents and businesses in the annexation area already consume city services but contribute little or nothing to paying the cost of those services.
5. Annexation leads to a unified community and helps to eliminate and prevent conflicts of authority, absence of cooperation, inadequate service levels, and the lack of effective area-wide planning and programming.
6. Political boundaries, after annexation, will more accurately reflect the true and existing sociological, economic, cultural, and physical boundaries of the city.
7. Blight, and its attendant issues, does not respect political boundaries and has a negative impact on residents already in the city limits. Annexation will protect or enhance property values for all.
- ↘ 8. Annexation will bring about for many residents lower utility rates, lower sanitation rates, lower fire insurance premiums, lower flood insurance rates, improved police protection, and improve property values. In many cases the reduction in these costs is greater than the expense of the additional City *ad valorem* tax.

Reasons against annexation are:

CITY COUNCIL AGENDA
Workshop Meeting: Tuesday, November 8, 2016

AGENDA ITEM: 3

Conduct first Public Hearing on proposed annexation by the City of Rockport, of 990 acres of land, more or less, along Highway 35 Bypass between Mundine Road and approximately 1,000 feet south of 18th Street, out of a portion of the Charles Zenn Survey, A-226, and the James McKay Survey, A-160.

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA: PKC

BACKGROUND: This is the first Public Hearing for the proposed annexation along Market Street. Please see the accompanying metes and bounds description and service plan for additional details.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Not an action item.

**MUNICIPAL ANNEXATION SERVICE PLAN
FOR
AREA “SH 35 – FM 188 CROSSROADS” (990 Acres)**

Area to be Annexed

Being approximately 990 acres out of a portion of the Charles Zenn Survey, A-226, and the James McKay Survey, A-160, with said 990 acres being more particularly described by metes and bounds on Field Notes show in Exhibit “A” and map in “Exhibit B.”

Introduction

In accordance with the directives of the City Council of the City of Rockport, Texas, the City's Comprehensive Plan, and the requirements of Subsection 43.056 of the Texas Local Government Code, the following service plan for the area hereinafter referred to as Area “Market Street A” and as shown on the accompanying map that has been prepared. The proposed plan may be amended as a result of the public hearing process in accordance with Subsection 43.056 of the most current edition of the Texas Local Government Code. This service plan shall become a part of an annexation ordinance submitted to the City Council for consideration and action, if any.

The following services will be provided on the effective date of the annexation of the area according to Subsection 43.056 of the most current edition of the Texas Local Government Code regarding services to newly annexed areas:

1. Animal Control

Existing Services: Animal control services for this area are currently provided by the Aransas County Animal Control Department.

Services to be Provided: The Aransas County Animal Control Department will continue the enforcement of the City of Rockport’s animal control ordinances on the effective date of the annexation. Such services can be provided with current Animal Control personnel and within the current budget appropriation.

2. Capital Improvements

Construction of capital improvements shall be considered by the City in the future as the needs dictate on the same basis as such capital improvements are considered throughout the city.

3. Building Inspections

Existing Services: Existing building inspection services are provided in this area by the City of Rockport when required by applicable building codes.

Services to be Provided: The Building & Development Department will provide Code Enforcement and Building Inspection Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulated building construction within the City of Rockport. Annexation of this area would require an increase of approximately 520 building inspector labor hours and 520 code enforcement officer labor hours.

4. Emergency Medical Services

Existing Services: Emergency medical services are currently provided under contract with Aransas County by Allegiance Ambulance from their facility located at 400 Enterprise in Rockport.

Services to be Provided: Annexation of the proposed area will not alter the response times, service sectors, or the existing interagency agreements.

5. Fire

Existing Services: Existing services are typically provided as outside city limits response by the Rockport Volunteer Fire Department, Inc.

Services to be Provided: Fire suppression will be available to the area upon annexation and will be provided by the Rockport Volunteer Fire Department, Inc. There is a fire substation currently located at 119 Freeze Lane. Annexation of the proposed area will not alter the response times, service sectors or the existing interagency agreements.

6. Health Code Enforcement

Existing Services: Public health services for this area are currently provided by the Aransas County Environmental Health Department.

Services to be Provided: The Aransas County Health Department will implement the enforcement of the City of Rockport's health ordinances and regulations on the effective date of the annexation. Such services can be provided with current Health Department Personnel and within the current budget appropriation.

7. Parks

Existing Services: Library services are provided by the Aransas County Public Library. City parks are currently open to non-city residents.

Services to be Provided: Library services will still be provided by the Aransas County Public Library under the same terms. Annexation will not result in any changes in the availability of parks and library facilities to residents of the area.

8. Planning and Zoning

Existing Services: This area falls within the Extraterritorial Jurisdiction (ETJ) of the City of Rockport. Platting and land subdivision activities are currently co-administered by Aransas County and the City of Rockport. The City's zoning and land use ordinances, however, are not applicable outside of the existing city limits.

Services to be Provided: The Building and Development Department's responsibility for regulating development and land use through the administration of the City of Rockport Zoning Ordinance will extend to this area on the effective date of the annexation. The property will solely be regulated under the requirements of the City of Rockport Subdivision Ordinance. These services can be provided within the department's current budget.

9. Police

Existing Services: Existing services are primarily provided by the Aransas County Sheriff's Office.

Services to be Provided: The Rockport Police Department will initiate full police and law enforcement services to this proposed annexed area at the effective date. Both divisions of the police department will coordinate this service plan.

1. The Patrol Division will provide active patrol services in the proposed area. These services will include accident investigation and preventative patrol to deter violations of statutes and local ordinances. The Patrol Division will also assist other emergency-related agencies responding within this proposed area. The Patrol Division will provide further service to our customers by initiating and monitoring vacation/property checks for residences and businesses requesting such programs during their absence.
2. The Criminal Investigation Division will provide for active investigation services to be implemented in the proposed area. These services include crime scene search and the related analysis and investigation leading to the identification of suspects, issuance of arrest warrants and the apprehension of suspected offenders; preparation and submission of cases to the appropriate agency for prosecution and/or presentation to a Grand Jury; and response to citizen requests for crime prevention and security inspections of their real property. A review of the ongoing criminal investigations will be conducted to determine which (if any) cases should be transferred to the Rockport Police Department Investigation Division: The Criminal Investigation Division will assist in the development of neighborhood watch programs and conduct certified residential and business security surveys upon request.

Annexation of this area would require an increase of approximately 2,080 patrol labor hours, 1,387 criminal investigation labor hours, and 694 administration labor hours. The Rockport Police Department will coordinate with the proper governmental agencies to ensure that 911 map sheets will be updated related to 911 calls within the specified zone.

10. Sanitary Sewer Service

Existing Services: Existing sanitary sewer service in this area is provided by either the City of Rockport or by on-site sewage facilities.

Services to be Provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and city policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present extension ordinance and as requested by developers. Extension of service shall comply with applicable codes and ordinances.

11. Solid Waste Collection

Existing Services: There is currently no dedicated solid waste disposal service for this area. Residents may contract individually with available service providers.

Services to be Provided: Solid Waste Collection will be provided by the City's contractor, Republic Services, Inc. Service shall comply with existing City policies, beginning with occupancy of structures. As provided for by Section 43.056(n) of the Texas Local Government Code, residents may continue to use their existing solid waste collection service for up to two years following the effective date of annexation. At the end of the two-year period or termination of existing service by the customer (whichever is sooner), the City's contractor will begin providing service.

12. Street Lighting

Existing Services: Existing streetlights in the area are provided by the Texas Department of Transportation.

Services to be Provided: The City of Rockport will coordinate any requests for improved street lighting with the local electric provider in accordance with standard policy.

13. Street Maintenance

Existing Services: Existing street maintenance services for this area are provided by Aransas County Road and Bridge Department.

Services to be Provided: Maintenance to the street facilities will be provided by the City upon the effective date of the annexation. This service can be provided within the current budget appropriation. All streets within the area proposed for annexation are currently

paved. Annexation of this area would require an increase of approximately 832 street maintenance labor hours.

14. Storm Water Management

Existing Services: Drainage and storm water management within this area is currently provided by Aransas County.

Services to be Provided: Developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completion. The City will assume maintenance of the developer's drainage facilities upon acceptance from the developer.

15. Water Service

Existing Services: Existing water utility services to this area is provided by the City of Rockport and includes both potable water and fire protection.

Services to be Provided: Water service to the area will continue to be provided by the City of Rockport in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinances and as requested by developers. Extension of service shall comply with City codes and ordinances. Water utility rates will be based on a lower Inside City Limits customer classification as opposed to the Outside City Limits customer classification.

Miscellaneous

All other applicable municipal services will be provided to the area in accordance with the City of Rockport's established policies governing extension of municipal services to newly annexed areas. All City codes shall be in effect upon annexation.

Uniform Level of Services May Not Be Required

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the city, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of services.

Term

This service plan shall be valid for a term of ten (10) years.

Amendments

The plan shall not be amended unless public hearings are held in accordance with V.C.T.A., Local Government Code, Section 43.0561.

EXHIBIT "A"
FIELD NOTE DESCRIPTION
990 ACRES TO BE ANNEXED BY CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS

BEING THE DESCRIPTION OF 990 ACRES OF LAND, MORE OR LESS, OUT OF A PORTION OF THE CHARLES ZENN SURVEY, A-226, AND THE JAMES MCKAY SURVEY, A-160, WITH SAID 990 ACRES, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at a point for the Northwest corner of the Charles Zenn Survey, A-226, and being the Northwest corner of a called 476 acre tract (437.175 acres) as described in a deed of record to D.W. & B. Grant Properties, Ltd., under Clerks File Number 326488, Official Public Records of Aransas County, Texas, and being in the East boundary line of the H. Ryals Survey, A-184, and the East boundary line of a called 105.50 acre tract as described in a deed of record to Hugh T. Chapman under Clerks File Number 268808, Official Public Records of Aransas County, Texas, and being in the West boundary line of a called 7.134 acre tract out of a 72.104 acre tract as described in a deed of record to John Cooling under Clerks File Numbers 292381 and 292388, Official Public Records of Aransas County, Texas, with said point being the NORTHWEST corner and PLACE OF BEGINNING of this description;

THENCE, in an Easterly direction along and with the North boundary line of the Charles Zenn Survey, A-226 and the North boundary line of called 476 acre tract, a distance of approximately 3511 feet to a point for the Northeast corner of said called 476 acre tract, and being the Northwest corner of Tract 31, of the Abernathy Tracts, according to the plat recorded in Volume 1, Page 27, Plat Records of Aransas County, Texas, and being an angle point and EXTERIOR corner of this description;

THENCE, in a Southeasterly direction, along and with the North boundary line of the Charles Zenn Survey, A-226, and the North boundary line of Lots 31 and 32, of said Abernathy Tracts, crossing Texas State Highway No. 35 Relief Route, an approximate distance of 1090 feet to a point in the East R.O.W. line of said Texas State Highway No. 35 Relief Route, and being the existing Northwest corner of Fractional Tract 33, of said Abernathy Tract, and being the NORTHEAST corner of this description;

THENCE, in a Southwesterly direction, along and with the East R.O.W. line of said Texas State Highway No. 35 Relief Route, an approximate distance of 4680 feet to a point for the Lower Northwest corner of a called 28.877 acre tract as described in a deed of record to RS Barns LLC, under Clerks File Number 279992, Official Public Records of Aransas County, Texas, and being also called the West One-Half of a 73.02 acre tract out of said Charles Zenn Survey, A-226, and being an INTERIOR corner of this description;

THENCE, in a Southerly direction, along and with the West boundary line of said called 28.877 acre tract, an approximate distance of 1378 feet to a point in the projection of the South R.O.W. line of Lamar Drive, and being in the Northerly boundary line of Landblock 228, Burton and Danforth Subdivision, according to the plat recorded in Volume 1, Pages 62-63, Plat Records of Aransas County, Texas, and being an EXTERIOR corner of this description;

THENCE, in a Westerly direction, along and with the South R.O.W. line of Lamar Drive, as platted, and the North boundary line of Farm Lot 8, of said Landblock 228, a distance of approximately 23 feet to a point for the common corner of Farm Lots 8 and 9, of said Landblock 228, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of Farm Lots 8 and 9, of said Landblock 228, a distance of approximately 1457 feet to a point in the North boundary line of a called 20 acre tract out of the Northwest corner of Landblock 227, of said Burton and Danforth Subdivision, and described in a deed of record under Clerks File Number 176546, Real Property Records of Aransas County, Texas, and being an INTERIOR corner of this description;

THENCE, in a Southeasterly direction, along and with the North boundary line of said 20.0 acre tract, a distance of approximately 490 feet to a point in the Upper Northwesterly boundary line of Farm Lot 12, of said Landblock 227, Burton and Danforth Subdivision, and being an INTERIOR corner of this description;

THENCE, in a Northeasterly direction, along and with the Upper Northwesterly boundary line of said Farm Lot 12, a distance of approximately 313 feet to a point at the Southerly R.O.W. terminus of Nell Road, and being the Northwest corner of said Farm Lot 12, and being an EXTERIOR corner of this description;

THENCE, in a Southeasterly direction, along and with the South R.O.W. line of Nell Road, and the North boundary line of said Farm Lot 12, a distance of approximately 85 feet to a point for the Northeast corner of said Farm Lot 12 and being an EXTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of Farm Lots 11 and 12, an approximate distance of 2104 feet to a point in the South R.O.W. line of Walker Road, and being in the North boundary line of Farm Lot 10, of Land Block 226, of said Burton and Danforth Subdivision, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of said Walker Road, a distance of approximately 43 feet to a point for the common corner of Farm Lots 10 and 11, of said Landblock 226, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of Farm Lots 10 and 11, and 19 and 18, an approximate distance of 1326 feet to a point in the South R.O.W. line of Hailey Road and being in the North boundary line of Lot 10-B, of a replat of Farm Lot 10, Burton and Danforth Subdivision, lying North of Texas State F.M. 188, according to the plat recorded in Volume 3, Page 54, Plat Records of Aransas County, Texas, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of Hailey Road, an approximate distance of 353 feet to a point for the common corner of Lot 11-A, of a replat of Farm Lot 11, Landblock 225, Burton and Danforth Subdivision, according to the plat recorded in Volume 3, Page 123, Plat Records of Aransas County, Texas, and Fractional Farm Lot 12, of said Landblock 225, Burton and Danforth Subdivision, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the Westerly boundary line of Lots 11-A and 11-D, of said replat of Farm Lot 11, crossing Texas State F.M. 188, an approximate distance of 475 feet to a point in the South R.O.W. line of said Texas State F.M. 188, and being the Northwest corner of Lot 11-F, of said replat of Farm Lot 11, Landblock 225, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of said Texas State F.M. 188, an approximate distance of 25 feet to a point for the Northeast corner of Lot 17-B, Kelsey Subdivision, Unit

2, according to the plat recorded in Volume 4, Page 176, Plat Records of Aransas County, Texas, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of said Farm Lot 18, Landblock 225, and Kelsey Subdivision, Unit 2, an approximate distance of 870 feet to a point in the South R.O.W. line of Mack Road and being the common corner of Farm Lots 9 and 10, of said Landblock 224, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of Mack Road, an approximate distance of 830 feet to a point in the Easterly R.O.W. line of said Texas State Highway No. 35 Relief Route, and being the Northwest corner of Lot 12-B, of a replat of Farm Lot 12, Landblock 224, Burton and Danforth Subdivision, according to the plat recorded in Volume 6, Page 161, Plat Records of Aransas County, Texas, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the Easterly R.O.W. line of said Texas State Highway No. 35 Relief Route, a distance of approximately 460 feet to a point in the West boundary line of Lot 12-A, of said replat of Farm Lot 12, Landblock 224, and being at the projection of the South R.O.W. line of Mundine Road, and being the SOUTHEAST corner of this description;

THENCE, in a Northwesterly direction, along and with the projection of the South R.O.W. line of Mundine Road, crossing said Texas State Highway No. 35 Relief Route, a distance of approximately 2753 feet to a point for the common corner of Farm Lots 8 and 9, of Landblock 17, T.P. McCampbell Subdivision, according to the plat recorded in Volume 1, Pages 3 and 4, Plat Records of Aransas County, Texas, and being the SOUTHWEST corner of this description;

THENCE, in a Northeasterly direction, crossing said Mundine Road, and along and with the common boundary line of Lots 8A and 8B and Lots 8C and 9D, of Ken Mar No. 3, Unit 4, according to the plat recorded in Volume 3, Page 70, Plat Records of Aransas County, Texas, crossing said Texas State F.M. 188, and with the East boundary line of Little Ponds, according to the plat recorded in Volume 5, Page 119, Plat Records of Aransas County, Texas, and the West boundary line of Farm Lot 8, Landblock 19, of said T.P. McCampbell Subdivision, an approximate distance of 2644 feet to a point in the South R.O.W. line of a 40.0 foot wide platted roadway, and being the Northeast corner of Lot 13, of said Little Ponds, and being an INTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of said 40.0 foot wide platted R.O.W. and the North boundary line of said Little Ponds, an approximate distance of 330 feet to a point for the Northwest corner of said Lot 13, and being an EXTERIOR corner of this description;

THENCE, in a Northeasterly direction, crossing said 40.0 foot wide platted R.O.W. and along and with the common boundary line of Farm Lots 9 and 10, Landblock 20, of said T.P. McCampbell Subdivision, an approximate distance of 763 feet to a point for the Northeast corner of said Farm Lot 10, Landblock 20, and being in the South boundary line of a called 127.75 acre tract out of the D.W. Grant Properties, according to the deed of record under Clerks File Number 326488, Official Public Records of Aransas County, Texas, and being an EXTERIOR corner of this description;

THENCE, in an Easterly direction, along and with the South boundary line of said called 127.75 acre tract, a distance of approximately 220 feet to a point for the Southeast corner of said 127.75 acre tract, and being an INTERIOR corner of this description;

THENCE, in a Northerly direction, along and with the Easterly boundary line of said 127.75 acre tract, an approximate distance of 2942 feet to a point for the Southwest corner of a called 80 acre tract, referred to as the Leroy Young 80 acre tract, according to the deed of record under Volume "I-3", Page 255, Deed Records of Aransas County, Texas, and being the Southwest corner of a called 110.269 acre tract, including said 80 acres, called Tract 4, in a deed to Hugh T. Chapman and recorded under Clerks File Number 342683, Official Public Records of Aransas County, Texas, and being an EXTERIOR corner of this description;

THENCE, in an Easterly direction, along and with the common boundary line of said called 476 acre tract and said 110.269 acre tract, a distance of approximately 2700 feet to a point for the Southeast corner of said 110.269 acre tract and being an INTERIOR corner of this description;

THENCE, in a Northerly direction, along and with the East boundary line of said 110.269 acre tract, the East boundary line of Lots 1 and 2, of said J.A. Young Subdivision, according to the plat recorded in Volume 1, Page 57, Plat Records of Aransas County, Texas, and the East boundary line of said 105.50 acre tract, an approximate distance of 2845 feet to the **PLACE OF BEGINNING** and containing approximately 990 acres or 43, 144,568 square feet of land, more or less.

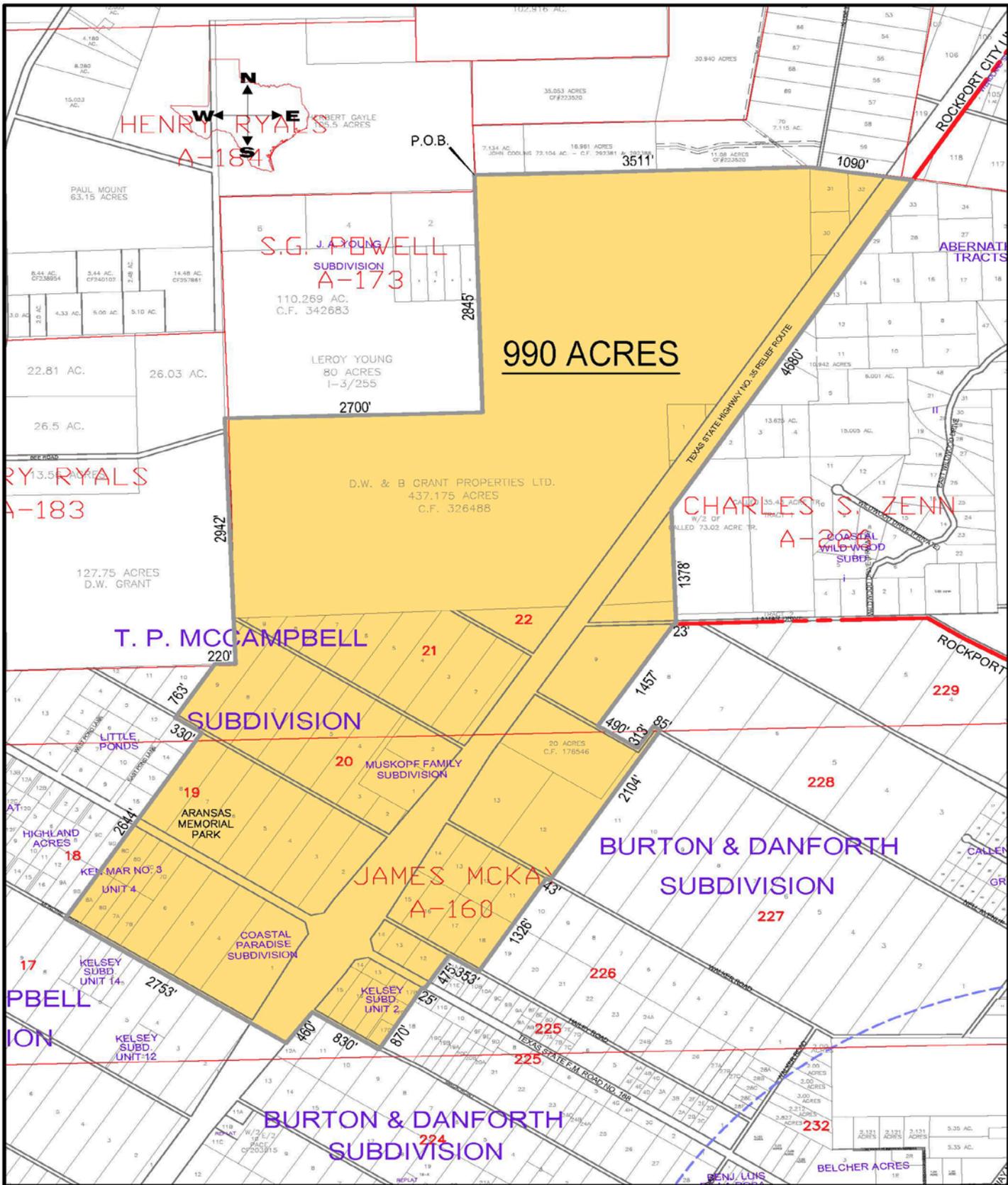


EXHIBIT "B"

PLAT SHOWING A 990 ACRE TRACT OUT OF PORTIONS OF THE CHARLES S. ZENN SURVEY A-226 AND THE JAMES MCKAY SURVEY A-160, TO BE ANNEXED BY THE CITY OF ROCKPORT, ARKANSAS COUNTY, TEXAS

NOTE: THIS AREA HAS NOT BEEN SURVEYED ON THE GROUND AND IS APPROXIMATE AS COMPUTED BY USING CAD ON THE CITY OF ROCKPORT MAP GENERATED BY GRIFFITH & BRUNDRETT, SURVEYING & ENGINEERING, INC.

Griffith & Brundrett
 Surveying & Engineering, Inc.
 411 S. Pearl St., P.O. Box 2322
 Rockport, Texas 78881
 ☎ 361-729-6479
 ☎ 361-729-7933
 ✉ jerryb@gsurveyor.com
 🌐 www.gbsurveyor.com

SEPTEMBER 22, 2016
 SCALE 1"=1000'

FILE NAME: MARSHAMAP\INVESTIGATION_AREAS_9\2016
 SEE ACCOMPANYING FIELD NOTE DESCRIPTION

Public Comments Received on Annexation

Record	Date	Name	Contact	Contact Information	Inquiry
1	10/4/2016	Dick Kitchens	Phone	512-422-4444	Hearings on election day?
2	10/6/2016	Natalie Baker	Phone	361-463-9265	Hearings on election day?
3	10/6/2016	Danny Hale	In-Person	dannyhale@sbcglobal.net	Copy of service plan, proposed tax rate, when taxes will take effect
4	10/6/2016	Jeannie Fisher	Phone	405-650-6245	Proposed tax rate, people on homestead exemption
5	10/6/2016	Mary Simison, AP Post	Email	Mary.B.Simison@usps.gov	Effect of annexation on AP zoned areas
6	10/7/2016	Grove Family Investment	Phone	361-815-8902	Question about Market St annexation
7	10/7/2016	Mary Reilly	Phone	504-621-7362	Question about impact on homeowners
8	10/10/2016	Brandon Ayers	Phone	361-205-5514	Question about taxing entities
9	10/12/2016	Richard Martin	Phone	Unknown	Question about why he got notice (owns storage unit on FM 188)
10	10/12/2016	Candy Monroe	Phone	361-557-0683	Seeking info on annexation
11	10/12/2016	Carolyn Peterson	Phone	210-826-0525	Questions about annexation; how much would taxes go up
12	10/12/2016	Santiago Fuentes	Phone	361-933-6790	Calling in regards to annexation letter
13	10/13/2016	Patricia Heel		361-813-5431	Question about annexation
14	10/14/2016	Laura Oswalt	Phone	512-484-9484	Questions about annexation: How much would her taxes go up? She connected to City service; would she get a refund for what she paid to connect? When City sewer is installed, does she have to connect/pay to connect or can she keep septic? If she needs a driveway installed, does the City pay for that expense or does she? Will her property be trenched through if electricity has to be extended from the alleys to create light poles (or other related infrastructure work)? 601 Hickory"
15	10/14/2016	Kay Mitchell	Phone	361-529-8991	Question about annexation

Public Comments Received on Annexation

Record	Date	Name	Contact	Contact Information	Inquiry
16	10/14/2016	Randy Smith	Phone	361-548-9010	Has 15 acres on the bypass and has been trying to build a manufactured home park. He has been working with the County on building a road but does not have construction of park up. Can his project get grandfathered in? Sent over project plans as evidence
17	10/14/2016	Isaias Navarete	Phone	210-277-7519	Question about annexation
18	10/21/2016	Steve Church	Phone	Unknown	Thought property was going to be taken; explained annexation
19	10/25/2016	Julius Julian	Phone	936-355-1060	If the annexation line crosses their parking lot, does their entire property get annexed including their building?
20	10/25/2016	Santiago Fuentes	Phone	361-933-6790	Question about annexation
21	10/28/2016	Ron Hoover	In-Person	361-463-1075	Had question about MH park project. Determined property where project would be built is already in the city limits.
22	10/31/2016	Concetta Johnson	Phone	Unknown	Wanted to know where to mail an opposition letter for annexation

October 3, 2016

~~11:30~~ New 8th
11:30
6:30
Meeting

DEAGEN MELVIN M ETUX SUSAN L
P O BOX 195
STOCKDALE, TX 78160-0195



Certified Mail Receipt No. 7016 1370 0002 0464 7998

Subject: Annexation of Property

To whom it may concern:

The purpose of this letter is to notify you that your property is included in a proposed annexation by the City of Rockport. The City of Rockport plans on annexing an area generally located along Highway 35 Bypass between Mundine Road and approximately 1,000 feet south of 18th Street (see accompanying map of the proposed annexation area). Aransas County Appraisal District records show that you own property in the area. Under state law, the City may annex the area after following certain notice and hearing procedures contained in Chapter 43 of the Texas Local Government Code.

State law establishes the procedure the City must follow to annex the area. Over the next few weeks City staff will prepare a proposed service plan describing the services the City will provide in the area upon annexation. The City Council will then hold public hearings to discuss the annexation and the service plan. The hearings will be held at the Rockport City Hall Council Chambers at 1:30 p.m. and 6:30 p.m. on November 8, 2016. After the public hearings, the City Council will likely conduct the remaining proceedings required to annex the area during a separately scheduled City Council meeting.

If you have questions concerning the annexation process, I encourage you to contact me at (361) 790-1125, extension 226. If you no longer own property in the area, I would appreciate it you would contact me so that we can provide this notice to the current owner.

Sincerely,

Amanda Torres

Community Planner

10/27/2016
We Vote against being
annexed into the City
limits of Rockport TX
Susan Deagen - *[Signature]*
Melvin Deagen - *[Signature]*

Concetta A. Johnson
 9513 Geronimo Oaks Street
 San Antonio, Texas 78254

October 30, 2016

City of Rockport, Texas
 622 East Market Street
 Rockport, Texas 78382

SUBJECT: Landowner Protest of Subjective Proposed Annexation Discrimination

ATTENTION: Teresa Valdez, City Secretary

The purpose of this letter is to express my opposition by the City of Rockport, Texas, to the subjective proposed annexation discrimination of the following property I own: Geo ID: 0848-225-12-002, 1080 SH 188, Rockport, Texas 78382, and to protest the proposed annexation of the adjacent property I own, Geo ID: 0848-225-12-003, 521 Hailey Road, Rockport, Texas 78382. When I purchased them in 1983, they were addressed as a single unit/address with a Box #, Star Route 1, Rockport, Texas 78382, and remained as such until address changes were implemented at later dates.

My property Geo ID: 0848-225-12-002 located at 1080 SH 188, has the distinction of being the ONE and ONLY taxable property addressed on that side of SH 188 past the point of intersection of SH 35 BP and SH 188 of the City of Rockport proposed annexation.

Being the only singled out, targeted, taxable private property on the proposed annexation area on that side of the road beyond the SH 35 BP and SH 188 point of intersection displays intentional discrimination on the part of the City of Rockport, Texas, especially when one considers, for example, the replat property of Farm Lot 11, next to my property line has five each properties in that one block, all five are taxable properties addressed on SH 188, Rockport, Texas, and not one is being considered for proposed annexation, nor is any other property continuing beyond that replat of Farm Lot 11 along that side of the road, SH 188, as validated by documentation Sept.27, 2016 Council Meeting **RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION pp.51, 53,54/136**, and the **EXHIBIT "B"**, (the 990 ACRES map view). **See: RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION pp. 51,53,54/136** **EXHIBIT "A"**, and **See: EXHIBIT "B"**, (the 990 ACRES map view).

Concerning City of Rockport Utilities and Services:

After making inquiries with various departments of the City of Rockport, Texas, as to (1) which city utilities and services will be made available (2) or are currently in place in the proposed annexation area where my properties are located, I was informed that water, sewer, and gas services will require

engineering services for all three to Geo ID: 0848-225-12-003, 521 Hailey Road, and sewer and gas will require engineering services for Geo ID: 0848-225-012-002, 1080 SH 188, that the current cost for each service would be \$200,000.00 to \$400,000 because the properties are so far away from the service areas in town. The true reality of my situation, I was also informed, is that due to my properties location, I would probably never acquire those city services, and another city employee informed me that his property had been involuntarily annexed by the City of Rockport about twenty years ago, and he still did not have any sewer service at his property. Additionally, city garbage pickup will not be available at my property, the Fire Department is voluntary and services both the city and county, EMS is a contracted service and also covers both the city and county, lastly, concerning the city police department, I was told if the county sheriff's department is closer, the city police calls are answered by the county sheriff officer. This also addresses Item" **8. Annexation** below In the following topic.

In reference to the following item numbers 4 and 8 on p.49/136, from **CITY COUNCIL AGENDA Regular Meeting: Tuesday, September 27, 2016 AGENDA ITEM: 7, p.49/136 (EXHIBIT "C")** concerning the city utilities and services, to include:

"4. Residents and businesses in the annexation area already consume city services but contribute little or nothing to paying the cost of those services." And

"8. Annexation will bring about for many residents lower utility rates, lower sanitation rates, lower fire insurance premiums, lower flood insurance rates, improved police protection, and improve property values. In many cases the reduction in these costs is greater than the expense of the additional City ad valorem tax." Note: I will address item number "8 first.

Re: above item "8., please refer to above **Concerning City of Rockport Utilities and Services** for the issues and details. After assessing the information received concerning both availability and accessibility of city utilities and services to my properties, I do not find anything beneficial in annexation that applies to them, most especially Geo ID: 0848-225-12-003, 521 Hailey Road . **See: CITY COUNCIL AGENDA Regular Meeting: Tuesday, September 27, 2016 AGENDA ITEM: 7 ,Item #8, p.49/136 (EXHIBIT "C")**

RE: above item # 4.,. annexation area residents consuming City of Rockport services. As an Aransas County property owner paying into that tax base for over thirty-three years for items such as school taxes and the Naval Homeport Installation at Ingleside, Texas, neither myself nor mine ever accessed nor received any benefit from any of those taxes I paid, such as school, and others have in the ACISD county's cities and the county proper.. Consequently, in some measure, I have been contributing to the City of Rockport, both when I resided there and in absentia.. **See: CITY COUNCIL AGENDA Regular Meeting: Tuesday, September 27, 2016 AGENDA ITEM: 7, Item # 4, p.49/136 (EXHIBIT "C")**

During the year following the insurance company opting out of selling mobile home insurance, my two mobile homes there were deliberately burned to the ground, my huge blackberry garden was destroyed, too; thankfully, no one was injured during those fires. I experienced great financial losses, and after I had the property cleaned up, I elected to let the area grow over to discourage further trespassing until such time as I move back there. Yet, I refuse to be discouraged. As I am retired, I plan to sell my home in San Antonio, Texas and move back on to my property in Rockport, Texas. At a later date, my daughter

and son-in-law will be transferring to the area with the company he is employed with, and they plan to build a home on the rear part of the property Geo ID: 0848-225-12-003 and retire there.

In conclusion, the manner in which my property Geo ID: 0848-225-12-002, 1080 SH 188, Rockport, Texas 78382, was singled out as the only taxable property for proposed annexation and no other taxable property was considered or selected for proposed annexation in that stated area located on that side of SH 188 past the point of intersection of SH 35 BP and SH 188, as previously described in detail, as documented in the July 27, 2016 Rockport City Council : **RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION pp. 51,53,54/136** and as documented on **EXHIBIT "B"**, (the 990 ACRES map), constitutes discrimination and I am requesting the property be removed from the proposed annexation. **See: EXHIBIT "A", RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION pp.51, 53,54/136** , and **See: EXHIBIT "B"**, (the 990 ACRES) for map view

Additionally, in consideration of the information I obtained about receiving/accessing future city utilities and services to/at my properties, and that the outcome probability for their acquisition lies beyond bleak-to-none because of their location - especially for the Hailey Road address unless I wish to pay the huge cost for any of them as previously detailed, I am requesting my adjacent properties, Geo ID: 0848-225-12-002, 1080 SH 188, Rockport, Texas 78382 and , Geo ID: 0848-225-12-003, 521 Hailey Road, Rockport, Texas 78382, considered to be the other half of my property, be removed from the proposed annexation that is the subject of a proposed change of/by the City of Rockport city council organization.

Thank you for your consideration in this matter.

Sincerely,

Concetta A. Johnson
Property Owner

cc: Amanda Torres, Community Planner

Enc: 3 ea EXHIBITS

EXHIBIT "A"

RESOLUTION NO. _____

→ **RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION** ←

A RESOLUTION OF THE CITY OF ROCKPORT, TEXAS, SETTING A DATE, TIME, AND PLACE FOR PUBLIC HEARINGS ON THE PROPOSED ANNEXATION BY THE CITY OF ROCKPORT, TEXAS, OF 990 ACRES OUT OF A PORTION OF THE CHARLES ZENN SURVEY, A-226, AND THE JAMES MCKAY SURVEY, A-160, AUTHORIZING AND DIRECTING PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS AND DIRECTING CITY STAFF TO PREPARE ANNEXATION SERVICE PLAN.

WHEREAS, §43 of the Texas Local Government Code and Article I, Section 3 of the Charter of the City of Rockport, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state;

WHEREAS, the City has the desire to extend its boundaries to provide for the strategic management of growth of the City, and to better manage the provision of public services to residents of the area;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS:

SECTION 1. On the 8th day of November, 2016, at 1:30 p.m. and 6:30 p.m. in the City Council Chambers of the City Hall of the City of Rockport, Texas, the City Council will hold public hearings giving all interested persons the right to appear and be heard on the proposed annexation by the City of Rockport, Texas of the following described property, to-wit:

DESCRIPTION OF 990 ACRES OF LAND, MORE OR LESS, OUT OF A PORTION OF THE CHARLES ZENN SURVEY, A-226, AND THE JAMES MCKAY SURVEY, A-160, WITH SAID 990 ACRES, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at a point for the Northwest corner of the Charles Zenn Survey, A-226, and being the Northwest corner of a called 476 acre tract (437.175 acres) as described in a deed of record to D.W. & B. Grant Properties, Ltd., under Clerks File Number 326488, Official Public Records of Aransas County, Texas, and being in the East boundary line of the H. Ryals Survey, A-184, and the East boundary line of a called 105.50 acre tract as described in a deed of record to Hugh T. Chapman under Clerks File Number 268808, Official Public Records of Aransas County, Texas, and being in the West boundary line of a called 7.134

described in a deed of record under Clerks File Number 176546, Real Property Records of Aransas County, Texas, and being an INTERIOR corner of this description;

THENCE, in a Southeasterly direction, along and with the North boundary line of said 20.0 acre tract, a distance of approximately 490 feet to a point in the Upper Northwestern boundary line of Farm Lot 12, of said Landblock 227, Burton and Danforth Subdivision, and being an INTERIOR corner of this description;

THENCE, in a Northeasterly direction, along and with the Upper Northwestern boundary line of said Farm Lot 12, a distance of approximately 313 feet to a point at the Southerly R.O.W. terminus of Nell Road, and being the Northwest corner of said Farm Lot 12, and being an EXTERIOR corner of this description;

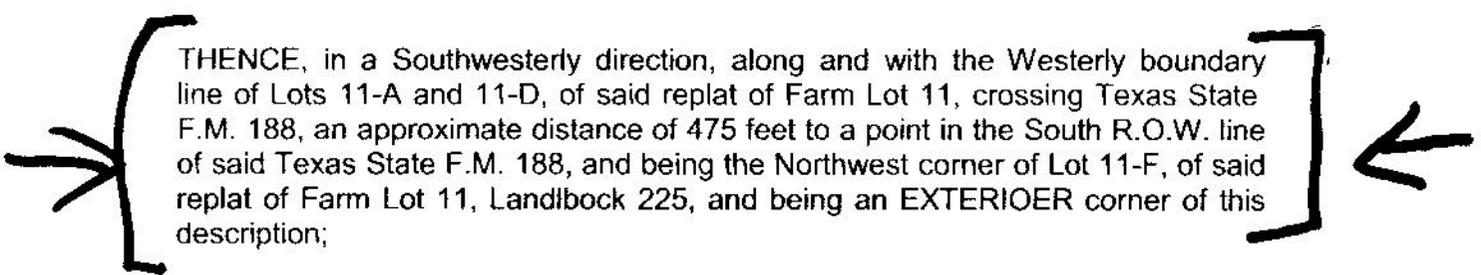
THENCE, in a Southeasterly direction, along and with the South R.O.W. line of Nell Road, and the North boundary line of said Farm Lot 12, a distance of approximately 85 feet to a point for the Northeast corner of said Farm Lot 12 and being an EXTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of Farm Lots 11 and 12, an approximate distance of 2104 feet to a point in the South R.O.W. line of Walker Road, and being in the North boundary line of Farm Lot 10, of Land Block 226, of said Burton and Danforth Subdivision, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of said Walker Road, a distance of approximately 43 feet to a point for the common corner of Farm Lots 10 and 11, of said Landblock 226, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of Farm Lots 10 and 11, and 19 and 18, an approximate distance of 1326 feet to a point in the South R.O.W. line of Hailey Road and being in the North boundary line of Lot 10-B, of a replat of Farm Lot 10, Burton and Danforth Subdivision, lying North of Texas State F.M. 188, according to the plat recorded in Volume 3, Page 54, Plat Records of Aransas County, Texas, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of Hailey Road, an approximate distance of 353 feet to a point for the common corner of Lot 11-A, of a replat of Farm Lot 11, Landblock 225, Burton and Danforth Subdivision, according to the plat recorded in Volume 3, Page 123, Plat Records of Aransas County, Texas, and Fractional Farm Lot 12, of said Landblock 225, Burton and Danforth Subdivision, an being an INTERIOR corner of this description;



THENCE, in a Southwesterly direction, along and with the Westerly boundary line of Lots 11-A and 11-D, of said replat of Farm Lot 11, crossing Texas State F.M. 188, an approximate distance of 475 feet to a point in the South R.O.W. line of said Texas State F.M. 188, and being the Northwest corner of Lot 11-F, of said replat of Farm Lot 11, Landblock 225, and being an EXTERIOER corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of said Texas State F.M. 188, an approximate distance of 25 feet to a point for the Northeast corner of Lot 17-B, Kelsey Subdivision, Unit 2, according to the plat recorded in Volume 4, Page 176, Plat Records of Aransas County, Texas, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of said Farm Lot 18, Landblock 225, and Kelsey Subdivision, Unit 2, an approximate distance of 870 feet to a point in the South R.O.W. line of Mack Road and being the common corner of Farm Lots 9 and 10, of said Landblock 224, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of Mack Road, an approximate distance of 830 feet to a point in the Easterly R.O.W. line of said Texas State Highway No. 35 Relief Route, and being the Northwest corner of Lot 12-B, of a replat of Farm Lot 12, Landblock 224, Burton and Danforth Subdivision, according to the plat recorded in Volume 6, Page 161, Plat Records of Aransas County, Texas, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the Easterly R.O.W. line of said Texas State Highway No. 35 Relief Route, a distance of approximately 460 feet to a point in the West boundary line of Lot 12-A, of said replat of Farm Lot 12, Landblock 224, and being at the projection of the South R.O.W. line of Mundine Road, and being the SOUTHEAST corner of this description;

THENCE, in a Northwesterly direction, along and with the projection of the South R.O.W. line of Mundine Road, crossing said Texas State Highway No. 35 Relief Route, a distance of approximately 2753 feet to a point for the common corner of Farm Lots 8 and 9, of Landblock 17, T.P. McCampbell Subdivision, according to the plat recorded in Volume 1, Pages 3 and 4, Plat Records of Aransas County, Texas, and being the SOUTHWEST corner of this description;

THENCE, in a Northeasterly direction, crossing said Mundine Road, and along and with the common boundary line of Lots 8A and 8B and Lots 8C and 9D, of Ken Mar No. 3, Unit 4, according to the plat recorded in Volume 3, Page 70, Plat Records of Aransas County, Texas, crossing said Texas State F.M. 188, and with the East boundary line of Little Ponds, according to the plat recorded in Volume 5, Page 119, Plat Records of Aransas County, Texas, and the West

EXHIBIT "B"

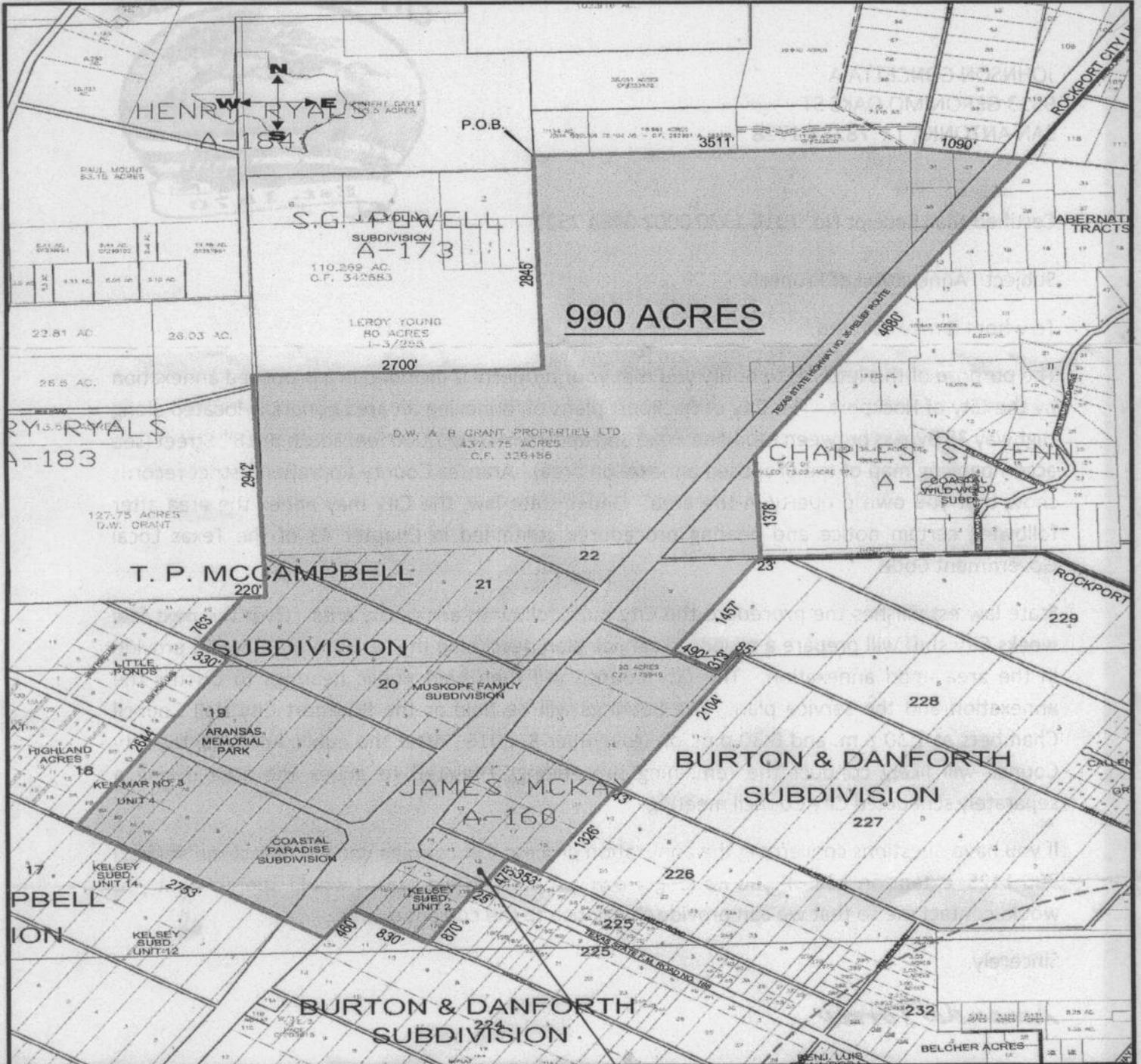


EXHIBIT "B"

PLAT SHOWING A 990 ACRE TRACT OUT OF PORTIONS OF THE CHARLES S. ZENN SURVEY A-226 AND THE JAMES MCKAY SURVEY A-160, TO BE ANNEXED BY THE CITY OF ROCKPORT, ARKANSAS COUNTY, TEXAS

NOTE: THIS AREA HAS NOT BEEN SURVEYED ON THE GROUND AND IS APPROXIMATE AS COMPUTED BY USING CAD ON THE CITY OF ROCKPORT MAP GENERATED BY GRIFFITH & BRUNDRETT, SURVEYING & ENGINEERING, INC.

SEPTEMBER 22, 2016
SCALE 1"=1000'

Griffith & Brundrett
Surveying & Engineering, Inc.
411 S. Pearl St., P.O. Box 2522
Rockport, Texas 78381
Phone: (361) 729-6479
Fax: (361) 729-7933
Email: jbr@griffithsurveyor.com
www.gbsurveyor.com

FILE NAME: MARSHAMANN/ANNEXATION/AREAS_02016
SEE ACCOMPANYING FIELD NOTE DESCRIPTION

2751 SH 35 Bypass, Rockport, Texas 78382 Phone: (361) 729-2213 Fax: (361) 729-6476

www.cityofrockport.com

Conetta A. Johnson
Property

EXHIBIT "C"

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2016

AGENDA ITEM: 7

Deliberate and act on a Resolution of the City of Rockport, Texas, setting a date, time and place for public hearings on the proposed annexation by the City of Rockport, Texas, of 990 acres, more or less, along Highway 35 Bypass between Mundine Road and approximately 1,000 feet south of 18th Street, authorizing and directing publication of notice of such public hearings, and directing City staff to prepare Annexation Service Plan.

SUBMITTED BY: City Manager Kevin Carruth; City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: Over the course of the last several months Council and staff have evaluated reasons for and against annexation of certain areas, including the proposed 990 acres along the Market Street corridor. Reasons for annexation include:

1. The Market Street corridor is a main entry point into the community and serves as the City's "front porch". As is, there is a strong need for unified code enforcement, planning, and zoning in order to transform the area and improve the quality of life for residents and enhance the climate for businesses.
2. Because of the strong interrelationship between the annexation area and the City and because the actions of Rockport substantially affect residents in the annexation area, annexation gives residents a voice in the government of the larger community in which they live.
3. Business, professional, and community leaders living in the annexation area can have a more direct role in community affairs by being elected or appointed to public office in the City.
- ④ 4. Residents and businesses in the annexation area already consume city services but contribute little or nothing to paying the cost of those services.
5. Annexation leads to a unified community and helps to eliminate and prevent conflicts of authority, absence of cooperation, inadequate service levels, and the lack of effective area-wide planning and programming.
6. Political boundaries, after annexation, will more accurately reflect the true and existing sociological, economic, cultural, and physical boundaries of the city.
7. Blight, and its attendant issues, does not respect political boundaries and has a negative impact on residents already in the city limits. Annexation will protect or enhance property values for all.
- ↘ ⑧ 8. Annexation will bring about for many residents lower utility rates, lower sanitation rates, lower fire insurance premiums, lower flood insurance rates, improved police protection, and improve property values. In many cases the reduction in these costs is greater than the expense of the additional City *ad valorem* tax.

Reasons against annexation are:

CITY COUNCIL AGENDA
Workshop Meeting: Tuesday, November 8, 2016

AGENDA ITEM: 4

Conduct first Public Hearing on proposed annexation by the City of Rockport, of 212 acres of land, more or less, along Highway 35 Bypass between 12th Street and approximately 545 feet north of Griffith Drive, out of portions of the Joseph F. Smith Survey A-198, R.J. Towns Survey A-206, Paul McCombs Survey A-137, and the C.W. Egery Survey A-62.

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA: PKC

BACKGROUND: This is the first Public Hearing for the proposed annexation connecting the two city limits along Highway 35 Bypass. Please see the accompanying metes and bounds description and service plan for additional details.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Not an action item.

MUNICIPAL ANNEXATION SERVICE PLAN FOR AREA “SH 35 CONNECTION” (212 Acres)

Area to be Annexed

Being approximately 212 acres out of portions of the Joseph F. Smith Survey A-198, R.J. Towns Survey A-206, Paul McCombs Survey A-137, and the C.W. Egery Survey A-62, with said 212 acres being more particularly described by metes and bounds on Field Notes show in Exhibit “A” and map in “Exhibit B.”

Introduction

In accordance with the directives of the City Council of the City of Rockport, Texas, the City's Comprehensive Plan, and the requirements of Subsection 43.056 of the Texas Local Government Code, the following service plan for the area hereinafter referred to as Area “Market Street A” and as shown on the accompanying map that has been prepared. The proposed plan may be amended as a result of the public hearing process in accordance with Subsection 43.056 of the most current edition of the Texas Local Government Code. This service plan shall become a part of an annexation ordinance submitted to the City Council for consideration and action, if any.

The following services will be provided on the effective date of the annexation of the area according to Subsection 43.056 of the most current edition of the Texas Local Government Code regarding services to newly annexed areas:

1. Animal Control

Existing Services: Animal control services for this area are currently provided by the Aransas County Animal Control Department.

Services to be Provided: The Aransas County Animal Control Department will continue the enforcement of the City of Rockport’s animal control ordinances on the effective date of the annexation. Such services can be provided with current Animal Control personnel and within the current budget appropriation.

2. Capital Improvements

Construction of capital improvements shall be considered by the City in the future as the needs dictate on the same basis as such capital improvements are considered throughout the city.

3. Building Inspections

Existing Services: Existing building inspection services are provided in this area by the City of Rockport when required by applicable building codes.

Services to be Provided: The Building & Development Department will provide Code Enforcement and Building Inspection Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulated building construction within the City of Rockport. Annexation of this area would require an increase of approximately 520 building inspector labor hours and 520 code enforcement officer labor hours.

4. Emergency Medical Services

Existing Services: Emergency medical services are currently provided under contract with Aransas County by Allegiance Ambulance from their facility located at 400 Enterprise in Rockport.

Services to be Provided: Annexation of the proposed area will not alter the response times, service sectors, or the existing interagency agreements.

5. Fire

Existing Services: Existing services are typically provided as outside city limits response by the Rockport Volunteer Fire Department, Inc.

Services to be Provided: Fire suppression will be available to the area upon annexation and will be provided by the Rockport Volunteer Fire Department, Inc. There is a fire substation currently located at 1608 West Terrace Blvd. Annexation of the proposed area will not alter the response times, service sectors or the existing interagency agreements.

6. Health Code Enforcement

Existing Services: Public health services for this area are currently provided by the Aransas County Environmental Health Department.

Services to be Provided: The Aransas County Health Department will implement the enforcement of the City of Rockport's health ordinances and regulations on the effective date of the annexation. Such services can be provided with current Health Department Personnel and within the current budget appropriation.

7. Parks

Existing Services: Library services are provided by the Aransas County Public Library. City parks are currently open to non-city residents.

Services to be Provided: Library services will still be provided by the Aransas County Public Library under the same terms. Annexation will not result in any changes in the availability of parks and library facilities to residents of the area.

8. Planning and Zoning

Existing Services: This area falls within the Extraterritorial Jurisdiction (ETJ) of the City of Rockport. Platting and land subdivision activities are currently co-administered by Aransas County and the City of Rockport. The City's zoning and land use ordinances, however, are not applicable outside of the existing city limits.

Services to be Provided: The Building and Development Department's responsibility for regulating development and land use through the administration of the City of Rockport Zoning Ordinance will extend to this area on the effective date of the annexation. The property will solely be regulated under the requirements of the City of Rockport Subdivision Ordinance. These services can be provided within the department's current budget.

9. Police

Existing Services: Existing services are primarily provided by the Aransas County Sheriff's Office.

Services to be Provided: The Rockport Police Department will initiate full police and law enforcement services to this proposed annexed area at the effective date. Both divisions of the police department will coordinate this service plan.

1. The Patrol Division will provide active patrol services in the proposed area. These services will include accident investigation and preventative patrol to deter violations of statutes and local ordinances. The Patrol Division will also assist other emergency-related agencies responding within this proposed area. The Patrol Division will provide further service to our customers by initiating and monitoring vacation/property checks for residences and businesses requesting such programs during their absence.
2. The Criminal Investigation Division will provide for active investigation services to be implemented in the proposed area. These services include crime scene search and the related analysis and investigation leading to the identification of suspects, issuance of arrest warrants and the apprehension of suspected offenders; preparation and submission of cases to the appropriate agency for prosecution and/or presentation to a Grand Jury; and response to citizen requests for crime prevention and security inspections of their real property. A review of the ongoing criminal investigations will be conducted to determine which (if any) cases should be transferred to the Rockport Police Department Investigation Division: The Criminal Investigation Division will assist in the development of neighborhood watch programs and conduct certified residential and business security surveys upon request.

Annexation of this area would require an increase of approximately 2,080 patrol labor hours, 1,387 criminal investigation labor hours, and 694 administration labor hours. The Rockport Police Department will coordinate with the proper governmental agencies to ensure that 911 map sheets will be updated related to 911 calls within the specified zone.

10. Sanitary Sewer Service

Existing Services: Existing sanitary sewer service in this area is provided by either the City of Rockport or by on-site sewage facilities.

Services to be Provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and city policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present extension ordinance and as requested by developers. Extension of service shall comply with applicable codes and ordinances.

11. Solid Waste Collection

Existing Services: There is currently no dedicated solid waste disposal service for this area. Residents may contract individually with available service providers.

Services to be Provided: Solid Waste Collection will be provided by the City's contractor, Republic Services, Inc. Service shall comply with existing City policies, beginning with occupancy of structures. As provided for by Section 43.056(n) of the Texas Local Government Code, residents may continue to use their existing solid waste collection service for up to two years following the effective date of annexation. At the end of the two-year period or termination of existing service by the customer (whichever is sooner), the City's contractor will begin providing service.

12. Street Lighting

Existing Services: Existing streetlights in the area are provided by the Texas Department of Transportation.

Services to be Provided: The City of Rockport will coordinate any requests for improved street lighting with the local electric provider in accordance with standard policy.

13. Street Maintenance

Existing Services: Existing street maintenance services for this area are provided by Aransas County Road and Bridge Department.

Services to be Provided: Maintenance to the street facilities will be provided by the City upon the effective date of the annexation. This service can be provided within the current budget appropriation. All streets within the area proposed for annexation are currently

paved. Annexation of this area would require an increase of approximately 832 street maintenance labor hours.

14. Storm Water Management

Existing Services: Drainage and storm water management within this area is currently provided by Aransas County.

Services to be Provided: Developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completion. The City will assume maintenance of the developer's drainage facilities upon acceptance from the developer.

15. Water Service

Existing Services: Existing water utility services to this area is provided by the City of Rockport and includes both potable water and fire protection.

Services to be Provided: Water service to the area will continue to be provided by the City of Rockport in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinances and as requested by developers. Extension of service shall comply with City codes and ordinances. Water utility rates will be based on a lower Inside City Limits customer classification as opposed to the Outside City Limits customer classification.

Miscellaneous

All other applicable municipal services will be provided to the area in accordance with the City of Rockport's established policies governing extension of municipal services to newly annexed areas. All City codes shall be in effect upon annexation.

Uniform Level of Services May Not Be Required

Nothing in this plan shall require the city to provide a uniform level of full municipal services to each area of the city, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of services.

Term

This service plan shall be valid for a term of ten (10) years.

Amendments

The plan shall not be amended unless public hearings are held in accordance with V.C.T.A., Local Government Code, Section 43.0561.

EXHIBIT "A"
FIELD NOTE DESCRIPTION
212 ACRE TRACT TO BE ANNEXED BY CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS
September 22, 2016

BEING THE DESCRIPTION OF A 212 ACRES OF LAND, MORE OR LESS, OUT OF PORTIONS OF THE JOSEPH F. SMITH SURVEY A-198, R. J. TOWNS SURVEY A-206, PAUL MCCOMBS SURVEY A-317, AND THE C. W. EGERY SURVEY A-62, WITH SAID 121 ACRES, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at the common Northeast corner Lot 14, Peninsula Oaks Subdivision, Unit 3, as shown by plat of record in Volume 3, Page 34, Map Records of Aransas County, Texas, and the Northwest corner of Lot 15A, Peninsula Oaks Subdivision, Unit 3, as shown by a replat in Volume 4, Page 137, Map Records of Aransas County, Texas, with said point being the NORTHWEST corner and PLACE OF BEGINNING of this description;

THENCE, in a Southeasterly direction and following the Northerly boundary line of said Lot 15A, then Lot 16 of said Peninsula Oaks Subdivision, Unit 3, and crossing Texas State Highway No. 35 Relief Route a distance of approximately 1330 feet to a point for the Northeast corner of Lot 18, Peninsula Oaks Subdivision, Unit 3, with said point being the NORTHEAST corner of this description;

THENCE, in a Southwesterly direction a distance of approximately 2307 feet to a point for the Southeast corner of a 31.398 acre tract out the C. W. Egerly Survey A-62 conveyed to Buffalo Park, Inc. under Clerk's File No. 245633, Official Public Records of Aransas County, Texas, with said point being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction a distance of approximately 632 feet to a point for the common Northwest corner of Lot 17 and Northeast corner of Lot 18, Block 253, Foor & Swickheimer Subdivision, as shown by plat of record in Volume 1, Page 28, Map Records of Aransas County, Texas, with said point being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction along and with the Easterly line of said Lot 18 and crossing Kresta Lane a distance of approximately 627 feet to a point on the Southerly R.O.W. line of Kresta Lane, with said point being the an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction along and with the Southerly R.O.W. line of Kresta Lane a distance of approximately 232 feet to a point for the common Northwest corner of Lot 28 and the Northeast corner of Lot 29, Block 252 of said Foor & Swickheimer Subdivision with said point being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction along and with the Easterly line of Lots 29 and 39, Block 252 of said Foor & Swickheimer Subdivision and crossing Twelfth Street for an approximate distance of 2010 feet to a point on the Southerly R.O.W. line of Twelfth Street and being the Northeast corner of Lot 49, Block 251 of the Foor & Swickheimer Subdivision with said point being the SOUTHEAST corner of this description;

THENCE, in a Northwesterly direction along and with the Southerly R.O.W. line of Twelfth Street a distance of approximately 780 feet to a point in the cut-back R.O.W. line of Texas State Highway No. 35 Relief Route with said point being Northwest corner of Lot 50, Block 251 of said Foor & Swickheimer Subdivision and an INTERIOR corner of this description;

THENCE, in a Southwesterly direction of said cut-back R.O.W. line of Texas State Highway No. 35 Relief Route a distance of approximately 52 feet to a point on the Easterly line of a portion of Lot 20, Sartain & Montgomery Subdivision of the Paul McCombs Survey A-317 as shown by plat of record in Volume 1, Page 34, Map Records of Aransas County, Texas, with said point being an EXTERIOR corner of this description;

THENCE, in a Southwesterly direction of said cut-back R.O.W. line of Texas State Highway No. 35 Relief Route a distance of approximately 180 feet to a point on the Westerly line of a portion Lot 21 of said Sartain & Montgomery Subdivision with said point being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction along and with the Easterly R.O.W. line of Texas State Highway No. 35 Relief Route a distance of approximately 202 feet to a point for the Southwest corner of a portion of Lot 22 of said Sartain & Montgomery Subdivision with said point being an EXTERIOR corner of this description;

THENCE, in a Westerly direction and crossing Texas State Highway No. 35 Relief Route a distance of approximately 621 feet to a point at the intersection of the Easterly R.O.W. line of Holly Road with the Westerly R.O.W. line of Texas State Highway No. 35 Relief Route with said point being the SOUTHWEST corner of this description;

THENCE, in a Northwesterly direction and crossing Holly Road a distance of approximately 42 feet to a point for the Southeast corner of Lot 41 of said Sartain and Montgomery Subdivision and being on the Westerly R.O.W. line of Holly Road with said point being an EXTERIOR corner of this description;

THENCE, in a Northeasterly direction along and with the Westerly R.O.W. line of Holly Road a distance of approximately 2032 feet to a point for the Northeast corner of Lot 23 of said Sartain and Montgomery Subdivision with said point being an INTERIOR corner of this description;

THENCE, in a Northwesterly direction along and with the Southerly R.O.W. line of Holly Road a distance of approximately 30 feet to a point for the Southeast corner of Lot 2-A of said Sartain and Montgomery Subdivision with said point being an EXTERIOR corner of this description;

THENCE, in a Northeasterly direction along and with the Westerly R.O.W. line of Holly Road a distance of approximately 273 feet to a point for the Northeast corner of said Lot 2-A of said Sartain and Montgomery Subdivision with said point being an EXTERIOR corner of this description;

THENCE, in a Northeasterly direction along and with the Northerly R.O.W. line of Holly Road a distance of approximately 410 feet to a point for the Southeast corner of Lot 13A, Peninsula Oaks Subdivision, Unit 5, as shown by a replat of record in Volume 5, Page 211, Map Records of Aransas County, Texas, with said point being an INTERIOR corner of this description;

THENCE, in a Northeasterly direction along and with the Westerly R.O.W. line of Alexander Drive a distance of approximately 1230 feet to a point at its intersection with the Southerly R.O.W. line of St. Francis Circle with said point being an EXTERIOR corner of this description;

THENCE, in a Northeasterly direction and crossing St. Francis Circle a distance of approximately 65 feet to a point for the Southwest corner of Lot 18, Club Lake Estates, as shown by plat of record in Volume 3, Page 79, Map Records of Aransas County, Texas, with said point being an EXTERIOR corner of this description;

THENCE, in a Southeasterly direction along and with the Northerly R.O.W. line of St. Francis Circle a distance of approximately 770 feet to a point with its intersection with the Westerly R.O.W. line of St. Francis Circle and with said point being the Southeast corner of Lot 15 of said Club Lake Estates and an INTERIOR corner of this description;

THENCE, in a Northeasterly direction along and with the Westerly R.O.W. line of St. Francis Circle a distance of approximately 1005 feet to a point at its intersection with the Southerly R.O.W. line of Griffith Drive and being the Northeast corner of Lot 7 of the said Club Lake Estates and being an EXTERIOR corner of this description;

THENCE, in a Northeasterly direction and crossing Griffith Drive a distance of approximately 63 feet to a point for the Southwest corner of Lot 14A, Peninsula Oaks Subdivision, Unit 3, as shown by a replat of record in Volume 4, Page 137, Map Records of Aransas County, Texas, with said point being an INTERIOR corner of this description;

THENCE, in a Northeasterly direction a distance of approximately 508 feet to the PLACE OF BEGINNING and containing 212 acres or 9,241,648 square feet of land, more or less.

Public Comments Received on Annexation

Record	Date	Name	Contact	Contact Information	Inquiry
1	10/4/2016	Dick Kitchens	Phone	512-422-4444	Hearings on election day?
2	10/6/2016	Natalie Baker	Phone	361-463-9265	Hearings on election day?
3	10/6/2016	Danny Hale	In-Person	dannyhale@sbcglobal.net	Copy of service plan, proposed tax rate, when taxes will take effect
4	10/6/2016	Jeannie Fisher	Phone	405-650-6245	Proposed tax rate, people on homestead exemption
5	10/6/2016	Mary Simison, AP Post	Email	Mary.B.Simison@usps.gov	Effect of annexation on AP zoned areas
6	10/7/2016	Growe Family Investment	Phone	361-815-8902	Question about Market St annexation
7	10/7/2016	Mary Reilly	Phone	504-621-7362	Question about impact on homeowners
8	10/10/2016	Brandon Ayers	Phone	361-205-5514	Question about taxing entities
9	10/12/2016	Richard Martin	Phone	Unknown	Question about why he got notice (owns storage unit on FM 188)
10	10/12/2016	Candy Monroe	Phone	361-557-0683	Seeking info on annexation
11	10/12/2016	Carolyn Peterson	Phone	210-826-0525	Questions about annexation; how much would taxes go up
12	10/12/2016	Santiago Fuentes	Phone	361-933-6790	Calling in regards to annexation letter
13	10/13/2016	Patricia Heel		361-813-5431	Question about annexation
14	10/14/2016	Laura Oswalt	Phone	512-484-9484	Questions about annexation: How much would her taxes go up? She connected to City service; would she get a refund for what she paid to connect? When City sewer is installed, does she have to connect/pay to connect or can she keep septic? If she needs a driveway installed, does the City pay for that expense or does she? Will her property be trenched through if electricity has to be extended from the alleys to create light poles (or other related infrastructure work)? 601 Hickory"
15	10/14/2016	Kay Mitchell	Phone	361-529-8991	Question about annexation

Public Comments Received on Annexation

Record	Date	Name	Contact	Contact Information	Inquiry
16	10/14/2016	Randy Smith	Phone	361-548-9010	Has 15 acres on the bypass and has been trying to build a manufactured home park. He has been working with the County on building a road but does not have construction of park up. Can his project get grandfathered in? Sent over project plans as evidence
17	10/14/2016	Isaias Navarete	Phone	210-277-7519	Question about annexation
18	10/21/2016	Steve Church	Phone	Unknown	Thought property was going to be taken; explained annexation
19	10/25/2016	Julius Julian	Phone	936-355-1060	If the annexation line crosses their parking lot, does their entire property get annexed including their building?
20	10/25/2016	Santiago Fuentes	Phone	361-933-6790	Question about annexation
21	10/28/2016	Ron Hoover	In-Person	361-463-1075	Had question about MH park project. Determined property where project would be built is already in the city limits.
22	10/31/2016	Concetta Johnson	Phone	Unknown	Wanted to know where to mail an opposition letter for annexation

~~11:30~~ New 8th
11:30
6:30
Meeting

October 3, 2016

DEAGEN MELVIN M ETUX SUSAN L
P O BOX 195
STOCKDALE, TX 78160-0195



Certified Mail Receipt No. 7016 1370 0002 0464 7998

Subject: Annexation of Property

To whom it may concern:

The purpose of this letter is to notify you that your property is included in a proposed annexation by the City of Rockport. The City of Rockport plans on annexing an area generally located along Highway 35 Bypass between Mundine Road and approximately 1,000 feet south of 18th Street (see accompanying map of the proposed annexation area). Aransas County Appraisal District records show that you own property in the area. Under state law, the City may annex the area after following certain notice and hearing procedures contained in Chapter 43 of the Texas Local Government Code.

State law establishes the procedure the City must follow to annex the area. Over the next few weeks City staff will prepare a proposed service plan describing the services the City will provide in the area upon annexation. The City Council will then hold public hearings to discuss the annexation and the service plan. The hearings will be held at the Rockport City Hall Council Chambers at 1:30 p.m. and 6:30 p.m. on November 8, 2016. After the public hearings, the City Council will likely conduct the remaining proceedings required to annex the area during a separately scheduled City Council meeting.

If you have questions concerning the annexation process, I encourage you to contact me at (361) 790-1125, extension 226. If you no longer own property in the area, I would appreciate it you would contact me so that we can provide this notice to the current owner.

Sincerely,

Amanda Torres

Community Planner

10/27/2016
We Vote against being
annexed into the City
limits of Rockport TX
Susan Deagen - *[Signature]*
Melvin Deagen - *[Signature]*

Concetta A. Johnson
 9513 Geronimo Oaks Street
 San Antonio, Texas 78254

October 30, 2016

City of Rockport, Texas
 622 East Market Street
 Rockport, Texas 78382

SUBJECT: Landowner Protest of Subjective Proposed Annexation Discrimination

ATTENTION: Teresa Valdez, City Secretary

The purpose of this letter is to express my opposition by the City of Rockport, Texas, to the subjective proposed annexation discrimination of the following property I own: Geo ID: 0848-225-12-002, 1080 SH 188, Rockport, Texas 78382, and to protest the proposed annexation of the adjacent property I own, Geo ID: 0848-225-12-003, 521 Hailey Road, Rockport, Texas 78382. When I purchased them in 1983, they were addressed as a single unit/address with a Box #, Star Route 1, Rockport, Texas 78382, and remained as such until address changes were implemented at later dates.

My property Geo ID: 0848-225-12-002 located at 1080 SH 188, has the distinction of being the ONE and ONLY taxable property addressed on that side of SH 188 past the point of intersection of SH 35 BP and SH 188 of the City of Rockport proposed annexation.

Being the only singled out, targeted, taxable private property on the proposed annexation area on that side of the road beyond the SH 35 BP and SH 188 point of intersection displays intentional discrimination on the part of the City of Rockport, Texas, especially when one considers, for example, the replat property of Farm Lot 11, next to my property line has five each properties in that one block, all five are taxable properties addressed on SH 188, Rockport, Texas, and not one is being considered for proposed annexation, nor is any other property continuing beyond that replat of Farm Lot 11 along that side of the road, SH 188, as validated by documentation Sept.27, 2016 Council Meeting **RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION pp.51, 53,54/136**, and the **EXHIBIT "B"**, (the 990 ACRES map view). **See: RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION pp. 51,53,54/136** **EXHIBIT "A"**, and **See: EXHIBIT "B"**, (the 990 ACRES map view).

Concerning City of Rockport Utilities and Services:

After making inquiries with various departments of the City of Rockport, Texas, as to (1) which city utilities and services will be made available (2) or are currently in place in the proposed annexation area where my properties are located, I was informed that water, sewer, and gas services will require

engineering services for all three to Geo ID: 0848-225-12-003, 521 Hailey Road, and sewer and gas will require engineering services for Geo ID: 0848-225-012-002, 1080 SH 188, that the current cost for each service would be \$200,000.00 to \$400,000 because the properties are so far away from the service areas in town. The true reality of my situation, I was also informed, is that due to my properties location, I would probably never acquire those city services, and another city employee informed me that his property had been involuntarily annexed by the City of Rockport about twenty years ago, and he still did not have any sewer service at his property. Additionally, city garbage pickup will not be available at my property, the Fire Department is voluntary and services both the city and county, EMS is a contracted service and also covers both the city and county, lastly, concerning the city police department, I was told if the county sheriff's department is closer, the city police calls are answered by the county sheriff officer. This also addresses Item" **8. Annexation** below In the following topic.

In reference to the following item numbers 4 and 8 on p.49/136, from **CITY COUNCIL AGENDA Regular Meeting: Tuesday, September 27, 2016 AGENDA ITEM: 7, p.49/136 (EXHIBIT "C")** concerning the city utilities and services, to include:

"4. Residents and businesses in the annexation area already consume city services but contribute little or nothing to paying the cost of those services." And

"8. Annexation will bring about for many residents lower utility rates, lower sanitation rates, lower fire insurance premiums, lower flood insurance rates, improved police protection, and improve property values. In many cases the reduction in these costs is greater than the expense of the additional City ad valorem tax." Note: I will address item number "8 first.

Re: above item "8., please refer to above **Concerning City of Rockport Utilities and Services** for the issues and details. After assessing the information received concerning both availability and accessibility of city utilities and services to my properties, I do not find anything beneficial in annexation that applies to them, most especially Geo ID: 0848-225-12-003, 521 Hailey Road . **See: CITY COUNCIL AGENDA Regular Meeting: Tuesday, September 27, 2016 AGENDA ITEM: 7 ,Item #8, p.49/136 (EXHIBIT "C")**

RE: above item # 4.,. annexation area residents consuming City of Rockport services. As an Aransas County property owner paying into that tax base for over thirty-three years for items such as school taxes and the Naval Homeport Installation at Ingleside, Texas, neither myself nor mine ever accessed nor received any benefit from any of those taxes I paid, such as school, and others have in the ACISD county's cities and the county proper.. Consequently, in some measure, I have been contributing to the City of Rockport, both when I resided there and in absentia.. **See: CITY COUNCIL AGENDA Regular Meeting: Tuesday, September 27, 2016 AGENDA ITEM: 7, Item # 4, p.49/136 (EXHIBIT "C")**

During the year following the insurance company opting out of selling mobile home insurance, my two mobile homes there were deliberately burned to the ground, my huge blackberry garden was destroyed, too; thankfully, no one was injured during those fires. I experienced great financial losses, and after I had the property cleaned up, I elected to let the area grow over to discourage further trespassing until such time as I move back there. Yet, I refuse to be discouraged. As I am retired, I plan to sell my home in San Antonio, Texas and move back on to my property in Rockport, Texas. At a later date, my daughter

and son-in-law will be transferring to the area with the company he is employed with, and they plan to build a home on the rear part of the property Geo ID: 0848-225-12-003 and retire there.

In conclusion, the manner in which my property Geo ID: 0848-225-12-002, 1080 SH 188, Rockport, Texas 78382, was singled out as the only taxable property for proposed annexation and no other taxable property was considered or selected for proposed annexation in that stated area located on that side of SH 188 past the point of intersection of SH 35 BP and SH 188, as previously described in detail, as documented in the July 27, 2016 Rockport City Council : **RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION pp. 51,53,54/136** and as documented on **EXHIBIT "B"**, (the 990 ACRES map), constitutes discrimination and I am requesting the property be removed from the proposed annexation. **See: EXHIBIT "A", RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION pp.51, 53,54/136** , and **See: EXHIBIT "B"**, (the 990 ACRES) for map view

Additionally, in consideration of the information I obtained about receiving/accessing future city utilities and services to/at my properties, and that the outcome probability for their acquisition lies beyond bleak-to-none because of their location - especially for the Hailey Road address unless I wish to pay the huge cost for any of them as previously detailed, I am requesting my adjacent properties, Geo ID: 0848-225-12-002, 1080 SH 188, Rockport, Texas 78382 and , Geo ID: 0848-225-12-003, 521 Hailey Road, Rockport, Texas 78382, considered to be the other half of my property, be removed from the proposed annexation that is the subject of a proposed change of/by the City of Rockport city council organization.

Thank you for your consideration in this matter.

Sincerely,

Concetta A. Johnson
Property Owner

cc: Amanda Torres, Community Planner

Enc: 3 ea EXHIBITS

EXHIBIT "A"

RESOLUTION NO. _____

→ **RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED ANNEXATION** ←

A RESOLUTION OF THE CITY OF ROCKPORT, TEXAS, SETTING A DATE, TIME, AND PLACE FOR PUBLIC HEARINGS ON THE PROPOSED ANNEXATION BY THE CITY OF ROCKPORT, TEXAS, OF 990 ACRES OUT OF A PORTION OF THE CHARLES ZENN SURVEY, A-226, AND THE JAMES MCKAY SURVEY, A-160, AUTHORIZING AND DIRECTING PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS AND DIRECTING CITY STAFF TO PREPARE ANNEXATION SERVICE PLAN.

WHEREAS, §43 of the Texas Local Government Code and Article I, Section 3 of the Charter of the City of Rockport, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state;

WHEREAS, the City has the desire to extend its boundaries to provide for the strategic management of growth of the City, and to better manage the provision of public services to residents of the area;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS:

SECTION 1. On the 8th day of November, 2016, at 1:30 p.m. and 6:30 p.m. in the City Council Chambers of the City Hall of the City of Rockport, Texas, the City Council will hold public hearings giving all interested persons the right to appear and be heard on the proposed annexation by the City of Rockport, Texas of the following described property, to-wit:

DESCRIPTION OF 990 ACRES OF LAND, MORE OR LESS, OUT OF A PORTION OF THE CHARLES ZENN SURVEY, A-226, AND THE JAMES MCKAY SURVEY, A-160, WITH SAID 990 ACRES, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at a point for the Northwest corner of the Charles Zenn Survey, A-226, and being the Northwest corner of a called 476 acre tract (437.175 acres) as described in a deed of record to D.W. & B. Grant Properties, Ltd., under Clerks File Number 326488, Official Public Records of Aransas County, Texas, and being in the East boundary line of the H. Ryals Survey, A-184, and the East boundary line of a called 105.50 acre tract as described in a deed of record to Hugh T. Chapman under Clerks File Number 268808, Official Public Records of Aransas County, Texas, and being in the West boundary line of a called 7.134

described in a deed of record under Clerks File Number 176546, Real Property Records of Aransas County, Texas, and being an INTERIOR corner of this description;

THENCE, in a Southeasterly direction, along and with the North boundary line of said 20.0 acre tract, a distance of approximately 490 feet to a point in the Upper Northwestern boundary line of Farm Lot 12, of said Landblock 227, Burton and Danforth Subdivision, and being an INTERIOR corner of this description;

THENCE, in a Northeasterly direction, along and with the Upper Northwestern boundary line of said Farm Lot 12, a distance of approximately 313 feet to a point at the Southerly R.O.W. terminus of Nell Road, and being the Northwest corner of said Farm Lot 12, and being an EXTERIOR corner of this description;

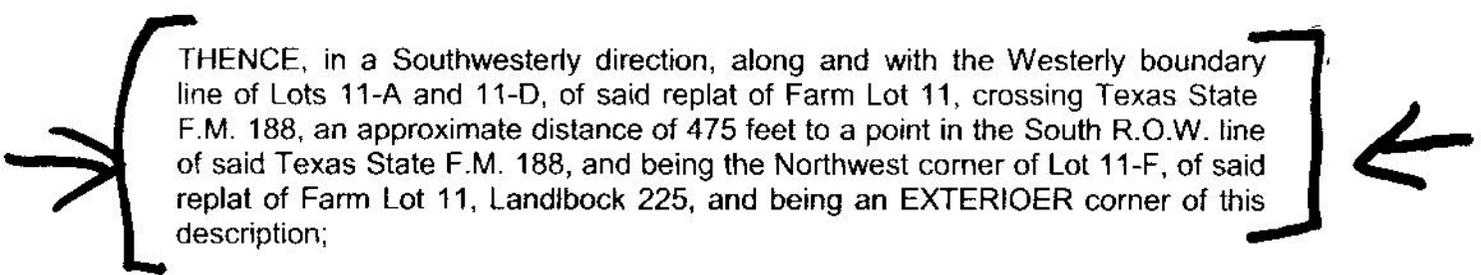
THENCE, in a Southeasterly direction, along and with the South R.O.W. line of Nell Road, and the North boundary line of said Farm Lot 12, a distance of approximately 85 feet to a point for the Northeast corner of said Farm Lot 12 and being an EXTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of Farm Lots 11 and 12, an approximate distance of 2104 feet to a point in the South R.O.W. line of Walker Road, and being in the North boundary line of Farm Lot 10, of Land Block 226, of said Burton and Danforth Subdivision, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of said Walker Road, a distance of approximately 43 feet to a point for the common corner of Farm Lots 10 and 11, of said Landblock 226, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of Farm Lots 10 and 11, and 19 and 18, an approximate distance of 1326 feet to a point in the South R.O.W. line of Hailey Road and being in the North boundary line of Lot 10-B, of a replat of Farm Lot 10, Burton and Danforth Subdivision, lying North of Texas State F.M. 188, according to the plat recorded in Volume 3, Page 54, Plat Records of Aransas County, Texas, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of Hailey Road, an approximate distance of 353 feet to a point for the common corner of Lot 11-A, of a replat of Farm Lot 11, Landblock 225, Burton and Danforth Subdivision, according to the plat recorded in Volume 3, Page 123, Plat Records of Aransas County, Texas, and Fractional Farm Lot 12, of said Landblock 225, Burton and Danforth Subdivision, an being an INTERIOR corner of this description;

A large hand-drawn bracket on the left side of the page, with three arrows pointing to the right towards the first paragraph. A second hand-drawn arrow on the right side of the page points to the left towards the same paragraph.

THENCE, in a Southwesterly direction, along and with the Westerly boundary line of Lots 11-A and 11-D, of said replat of Farm Lot 11, crossing Texas State F.M. 188, an approximate distance of 475 feet to a point in the South R.O.W. line of said Texas State F.M. 188, and being the Northwest corner of Lot 11-F, of said replat of Farm Lot 11, Landblock 225, and being an EXTERIOER corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of said Texas State F.M. 188, an approximate distance of 25 feet to a point for the Northeast corner of Lot 17-B, Kelsey Subdivision, Unit 2, according to the plat recorded in Volume 4, Page 176, Plat Records of Aransas County, Texas, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the common boundary line of said Farm Lot 18, Landblock 225, and Kelsey Subdivision, Unit 2, an approximate distance of 870 feet to a point in the South R.O.W. line of Mack Road and being the common corner of Farm Lots 9 and 10, of said Landblock 224, and being an EXTERIOR corner of this description;

THENCE, in a Northwesterly direction, along and with the South R.O.W. line of Mack Road, an approximate distance of 830 feet to a point in the Easterly R.O.W. line of said Texas State Highway No. 35 Relief Route, and being the Northwest corner of Lot 12-B, of a replat of Farm Lot 12, Landblock 224, Burton and Danforth Subdivision, according to the plat recorded in Volume 6, Page 161, Plat Records of Aransas County, Texas, and being an INTERIOR corner of this description;

THENCE, in a Southwesterly direction, along and with the Easterly R.O.W. line of said Texas State Highway No. 35 Relief Route, a distance of approximately 460 feet to a point in the West boundary line of Lot 12-A, of said replat of Farm Lot 12, Landblock 224, and being at the projection of the South R.O.W. line of Mundine Road, and being the SOUTHEAST corner of this description;

THENCE, in a Northwesterly direction, along and with the projection of the South R.O.W. line of Mundine Road, crossing said Texas State Highway No. 35 Relief Route, a distance of approximately 2753 feet to a point for the common corner of Farm Lots 8 and 9, of Landblock 17, T.P. McCampbell Subdivision, according to the plat recorded in Volume 1, Pages 3 and 4, Plat Records of Aransas County, Texas, and being the SOUTHWEST corner of this description;

THENCE, in a Northeasterly direction, crossing said Mundine Road, and along and with the common boundary line of Lots 8A and 8B and Lots 8C and 9D, of Ken Mar No. 3, Unit 4, according to the plat recorded in Volume 3, Page 70, Plat Records of Aransas County, Texas, crossing said Texas State F.M. 188, and with the East boundary line of Little Ponds, according to the plat recorded in Volume 5, Page 119, Plat Records of Aransas County, Texas, and the West

EXHIBIT "B"

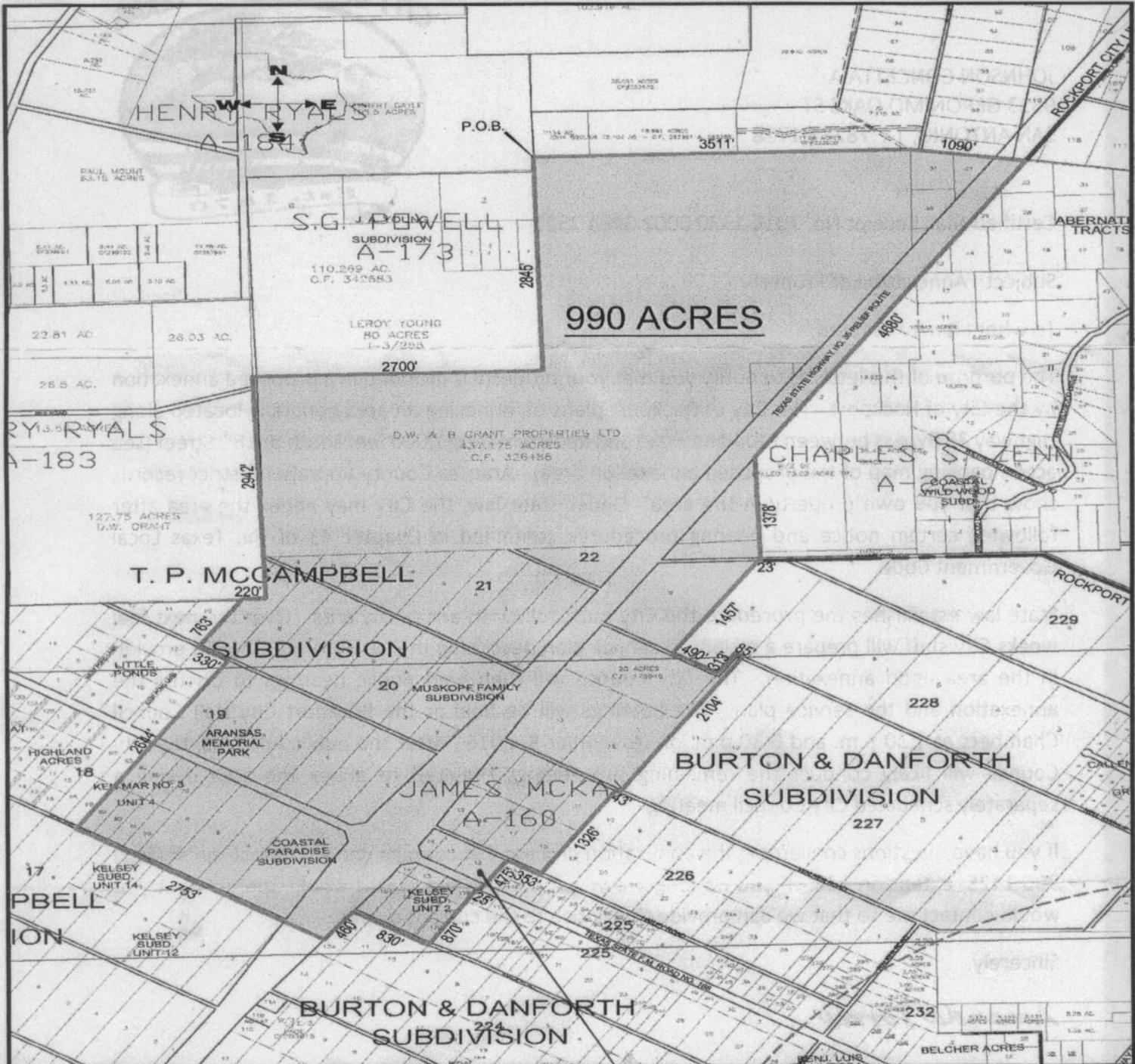


EXHIBIT "B"

PLAT SHOWING A 990 ACRE TRACT OUT OF PORTIONS OF THE CHARLES S. ZENN SURVEY A-226 AND THE JAMES MCKAY SURVEY A-160, TO BE ANNEXED BY THE CITY OF ROCKPORT, ARKANSAS COUNTY, TEXAS

NOTE: THIS AREA HAS NOT BEEN SURVEYED ON THE GROUND AND IS APPROXIMATE AS COMPUTED BY USING CAD ON THE CITY OF ROCKPORT MAP GENERATED BY GRIFFITH & BRUNDRETT, SURVEYING & ENGINEERING, INC.

SEPTEMBER 22, 2016
SCALE 1"=1000'

Griffith & Brundrett
Surveying & Engineering, Inc.
411 S. Pearl St., P.O. Box 2522
Rockport, Texas 78382
Phone: (361) 729-6479
Fax: (361) 729-7933
Email: jerry@griffithsurveyor.com
www.gbsurveyor.com

FILE NAME: MARSHAMANN/ANNEXATION/AREAS_02016
SEE ACCOMPANYING FIELD NOTE DESCRIPTION

2751 SH 35 Bypass, Rockport, Texas 78382 Phone: (361) 729-2213 Fax: (361) 729-6476

www.cityofrockport.com

Conetta A. Johnson
Property

EXHIBIT "C"

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2016

AGENDA ITEM: 7

Deliberate and act on a Resolution of the City of Rockport, Texas, setting a date, time and place for public hearings on the proposed annexation by the City of Rockport, Texas, of 990 acres, more or less, along Highway 35 Bypass between Mundine Road and approximately 1,000 feet south of 18th Street, authorizing and directing publication of notice of such public hearings, and directing City staff to prepare Annexation Service Plan.

SUBMITTED BY: City Manager Kevin Carruth; City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: Over the course of the last several months Council and staff have evaluated reasons for and against annexation of certain areas, including the proposed 990 acres along the Market Street corridor. Reasons for annexation include:

1. The Market Street corridor is a main entry point into the community and serves as the City's "front porch". As is, there is a strong need for unified code enforcement, planning, and zoning in order to transform the area and improve the quality of life for residents and enhance the climate for businesses.
2. Because of the strong interrelationship between the annexation area and the City and because the actions of Rockport substantially affect residents in the annexation area, annexation gives residents a voice in the government of the larger community in which they live.
3. Business, professional, and community leaders living in the annexation area can have a more direct role in community affairs by being elected or appointed to public office in the City.
- ④ 4. Residents and businesses in the annexation area already consume city services but contribute little or nothing to paying the cost of those services.
5. Annexation leads to a unified community and helps to eliminate and prevent conflicts of authority, absence of cooperation, inadequate service levels, and the lack of effective area-wide planning and programming.
6. Political boundaries, after annexation, will more accurately reflect the true and existing sociological, economic, cultural, and physical boundaries of the city.
7. Blight, and its attendant issues, does not respect political boundaries and has a negative impact on residents already in the city limits. Annexation will protect or enhance property values for all.
- ↘ ⑧ 8. Annexation will bring about for many residents lower utility rates, lower sanitation rates, lower fire insurance premiums, lower flood insurance rates, improved police protection, and improve property values. In many cases the reduction in these costs is greater than the expense of the additional City *ad valorem* tax.

Reasons against annexation are:

CITY COUNCIL AGENDA
Workshop Meeting: Tuesday, November 8, 2016

AGENDA ITEM: 5

Hear and deliberate on policy for funding request from General Fund.

SUBMITTED BY: Mayor Charles J. Wax

APPROVED FOR AGENDA: PKC

BACKGROUND: City Council recently received two requests from local nonprofit organizations for funding from the General Fund. The City currently does not have any policies or guidelines concerning such requests. Prior to taking action on any requests from the General Fund, Council needs to have a thorough discussion and determine whether it wants to consider funding nonprofits or not and, if so, what policies to adopt.

Please see the accompanying memorandum from Mayor Wax to the City Council as well as the list from the Internal Revenue Service (IRS) listing all of the 501(c)(3) organizations in Rockport and Fulton for detailed information.

FISCAL ANALYSIS: Historically, the City has not funded nonprofit organizations using General Fund dollars. In Rockport and Fulton alone there are 78 nonprofit groups who have 501(c)(3) status with the IRS, in addition to the thousands of other nonprofits that are not local. While some of these organizations do not provide services that the City could or would likely fund (e.g. scholarships for seminary students), adopting a policy to fund non-profits out of the General Fund could lead to a significant expense and a resulting increase in the *ad valorem* rate and/or the reallocation of funds from existing core functions and priorities. Alternatively, nonprofits may be able to provide certain services the City is not able to otherwise provide or cannot provide as efficiently as the nonprofit.

RECOMMENDATION: Not an action item.

MEMORANDUM

To: City Council

From: C.J. Wax, Mayor

Date: November 4, 2016

Re: Funding Policy Considerations



At the October 25, 2016, Council meeting, the Council was asked to support Wings Rescue with an unbudgeted General Fund allocation of \$35 per bird rescued within the City limits (with a draft total allocation of \$5,005). Also, during the Citizens to be Heard period, we were asked to provide \$2,000 unbudgeted from the General Fund to Keep Aransas County Beautiful in order for them to obtain personal liability insurance for the board members of that activity. Both of these requests highlight an important issue that the Council needs to deal with more broadly than just these two requests.

I believe the Council needs to take a position and establish a policy on requests of this type regardless of the source of the request. We have statutory guidance on the disposition of the Hotel Occupancy Tax dollars that we collect and disburse to support those activities that directly benefit tourism which is the bedrock of our economy. The lion's share of these funds goes to the Chamber who acts as our Convention & Visitors Bureau and has performed in that capacity for years. Their success with advertising and attracting our guests has a direct impact on our economy which can be measured in dollars and cents. These dollars are also distributed, as you all know, to other activities that can be shown to directly impact our local economy. The difference with Hotel Occupancy funds is that there are no opportunity costs associated with them, other than within certain categories that are clearly listed in the law. These funds cannot be used to fund other requirements; they are limited to the nine categories outlined in the legislation.

At the October 25 meeting, JD made a comment about balancing the need to rescue birds with another request, presented the previous evening, for the City to provide playground equipment for special needs children. This example highlights the issue; but, it is but one example of the differing priorities the Council must consider when taking decisions. Any request from the General Fund, regardless of the amount requested, has direct opportunity costs associated with it. There are a myriad of worthy causes throughout the community that are seeking various funding sources to continue the important work they are doing. Wings Rescue and Keep Aransas County Beautiful are just the two most recent examples.

I will call these activities non-governmental activities because I don't see statutory requirements for the City to support them. Other jurisdictions have different rules and different priorities and I appreciate that; however, we are charged with responsible management from a policy perspective of the tax dollars of the citizens of the City of Rockport.

You all know the excellence of our budget process; the effort that goes into the organization and presentation of our annual plan. You're also aware that we have been blessed with exemplary execution of our annual budget plan by our department heads and City Manager. Patty has a

string of plaques on her wall that attest to the budget's presentation and we've also been recognized for the transparency of our process to include the entire budget's availability to every citizen through our web page.

Entities doing good works throughout the community can make their requests to us; some feel more supportive of some of these activities than others. Our charge is to represent the community as a whole. We must take into account the current budget year as well as our best guess as to our future when making any decision. Are we willing to forsake some other need in order to support any particular activity? On October 25 we were asked for \$6,800, if another equal request comes to us for another worthwhile activity or two, are we willing to forgo one half FTE in the Public Works department in order to support whatever request is being submitted. At what point do we "cut off" any future support when a new request may excite us more than those we have supported up to that point?

Experience in other communities shows that over time, absent clear policies and procedures, funding requests to support non-governmental functions continues to grow in both breadth and level. New requests appear which force further decisions regarding support of non-core functions to the possible detriment of basic governmental functions. General Fund support for these requests results in a continuous drag on the City's ability to provide for its core functions.

There are a number of ways that come to mind to respond to these questions. I'll offer a few although there may be others. First, we could deny all requests for General Fund allocations that don't fall within the budgeted categories we labor through during the budget season. Second, we could set a percentage of the total budget that we would commit to support these activities and "compete" the various requests similar to the process we use for Hotel Occupancy Tax. How do we set that percentage – percent of the total, percent of the expected reserve fund balance, equivalent to one FTE in Parks, Public Works or PD? Each will require significant additional detail as to accounting, reporting, auditing and the like that must follow any distribution of public tax dollars.

Third, is there a specific set of activities that we do want to entertain and exclude others? Right now we're asked to support bird rescue and community clean-up activities. Do these fall into a particular category? Should we consider other requests to help with social services? Should we include capital requests for these activities also? Should we accept or decline support based on certain categories, level of impact, or numbers of citizens involved? Is there a top limit to the amount of support we will undertake regardless of category?

What I believe the Council needs to consider and ultimately take a decision on is the policy that we will follow when faced with requests that support activities that are not necessarily governmental. Whatever decision we take, we will be setting a precedent for the future.



Exempt Organizations Select Check

[Exempt Organizations Select Check Home](#)

Organizations Eligible to Receive Tax-Deductible Charitable Contributions (Pub. 78 data) - Search Results

The following list includes tax-exempt organizations that are eligible to receive tax-deductible charitable contributions. Click on the "Deductibility Status" column for an explanation of limitations on the deductibility of contributions made to different types of tax-exempt organizations.

Results are sorted by EIN. To sort results by another category, click on the icon next to the column heading for that category. Clicking on that icon a second time will reverse the sort order. Click on a column heading for an explanation of information in that column.

1-25 of 61 results

Results Per Page 25

« Prev | 1-25 | [Next](#) »

EIN ▲	Legal Name (Doing Business As) ▲	City ▲	State ▲	Country ▲	Deductibility Status ▲
74-2081983	A I M Home Health Agency Inc.	Rockport	TX	United States	PC
74-2756867	Access Inc.	Rockport	TX	United States	PC
26-0671367	Aquarium at Rockport Harbor Inc.	Rockport	TX	United States	PC
45-3436337	Aransas County Area Go Texan Committee	Rockport	TX	United States	PC
74-2553831	Aransas County Crime Stoppers Inc.	Rockport	TX	United States	UNKWN
74-2360568	Aransas County Historical Society	Rockport	TX	United States	PC
74-2998660	Aransas County Isd Education Foundation Inc.	Rockport	TX	United States	PC
74-1850482	Aransas County Medical Services Inc.	Rockport	TX	United States	PC
23-7135070	Aransas County United Fund Inc.	Rockport	TX	United States	PC
74-3006814	Aransas First	Rockport	TX	United States	PC
74-6041372	Barrow Foundation	Rockport	TX	United States	PF
74-3032285	Camp Aranzazu Inc.	Rockport	TX	United States	PC
20-2588905	Camp Karankawa Association	Rockport	TX	United States	PC
76-2244857	Castaways Thrift Shop Inc.	Rockport	TX	United States	PC
74-2304519	Center of Positive Thought of Rockport	Rockport	TX	United States	PC
06-1827538	Coastal Bend Texas Association of School Business Officials	Rockport	TX	United States	PC
80-0552982	Coastal Bend Troop Support Inc.	Rockport	TX	United States	PC
14-1940429	Coastal House of Faith	Rockport	TX	United States	PC
20-8512681	Community of Hope International Inc.	Rockport	TX	United States	PC
74-2880132	Corpus Christi Dhammaratanaram Buddhist Temple	Rockport	TX	United States	PC
74-2699529	Foundation of the First United Methodist Church of Rockport Texas	Rockport	TX	United States	SOUNK
74-2585212	Friends of Connie Hagar Inc.	Rockport	TX	United States	PC
74-2971638	Friends of Goose Island State Park A Texas Nonprofit Corporation	Rockport	TX	United States	PC
74-2850297	Friends of the Aransas County Library	Rockport	TX	United States	PC
80-0635964	Friends of the Pool	Rockport	TX	United States	PC

« Prev | 1-25 | [Next](#) »



Exempt Organizations Select Check

[Exempt Organizations Select Check Home](#)

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26-50 of 61 results

Results Per Page 25

[« Prev](#) | 26-50 | [Next »](#)

EIN ▲	Legal Name (Doing Business As) ▲	City ▲	State ▲	Country ▲	Deductibility Status ▲
74-2311062	Harbor Oaks Womens Club	Rockport	TX	United States	PC
74-2947451	Heavens Heroes Foundation	Rockport	TX	United States	PF
74-2537595	Helping Hands Volunteers	Rockport	TX	United States	PC
81-0835963	Heritage Food Foundation	Rockport	TX	United States	PC
74-2980769	J Cs Lighthouse for Children	Rockport	TX	United States	PC
74-2599377	Jordan Ministries	Rockport	TX	United States	PC
06-1674101	Mid-Coast Chapter Texas Master Naturalist Inc.	Rockport	TX	United States	PC
16-1702997	Nami Rockport	Rockport	TX	United States	PC
27-0282756	Pazera Family Foundation	Rockport	TX	United States	PF
94-2995658	Philadelphia Foundation	Rockport	TX	United States	PF
74-2705226	Piecemakers by the Bay Quilt Guild	Rockport	TX	United States	PC
47-1883759	Rock Church of Rockport	Rockport	TX	United States	PC
74-1652612	Rockport Art Association Inc.	Rockport	TX	United States	PC
74-6024691	Rockport Cemetery Association	Rockport	TX	United States	EO
74-1886903	Rockport Christian Service Association Inc.	Rockport	TX	United States	PC
46-0806587	Rockport Friends Inc.	Rockport	TX	United States	PC
81-2498116	Rockport Heritage and Arts District Association Inc.	Rockport	TX	United States	PC
13-4252182	Rockport Little Theater	Rockport	TX	United States	PC
74-2638699	Rockport Rotary Club Scholarship Foundation	Rockport	TX	United States	PC
74-2359705	Rockport Volunteer Fire Dept Inc.	Rockport	TX	United States	PC
74-2592626	Rockport-Fulton Good Samaritans Inc.	Rockport	TX	United States	PC
74-2791427	Rockport-Fulton Youth Football League	Rockport	TX	United States	PC
45-5446249	Rockport-Fulton Youth Organization Inc.	Rockport	TX	United States	PC
74-2775098	South Rockport Neighbors	Rockport	TX	United States	PC
74-2097680	Texas Maritime Museum Association Inc.	Rockport	TX	United States	PC

[« Prev](#) | 26-50 | [Next »](#)



Exempt Organizations Select Check

[Exempt Organizations Select Check Home](#)

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51-61 of 61 results

Results Per Page 25

[« Prev](#) | 51-61 | [Next »](#)

EIN ▲	Legal Name (Doing Business As) ▲	City ▲	State ▲	Country ▲	Deductibility Status ▲
74-1910621	Texas Yachting Association	Rockport	TX	United States	PC
74-1796095	The Aransas County Council on Aging	Rockport	TX	United States	PC
74-2832533	The Margaret Sue Rust Foundation	Rockport	TX	United States	PF
74-2425445	The Marguerite Sours Foundation	Rockport	TX	United States	PF
71-0916426	The Odyssey After School Enrichment Program	Rockport	TX	United States	PC
30-0629928	The Shores Church Inc.	Rockport	TX	United States	PC
73-1453394	Thies Family Ministries Inc.	Rockport	TX	United States	PC
74-6190488	US Army Entry Level Physical Therapy Education Program Alumni	Rockport	TX	United States	EO
76-0574582	Wells Texas Foundation Inc.	Rockport	TX	United States	PF
30-0931951	Wings Rescue Center	Rockport	TX	United States	PC
05-0602264	Womans Club of Aransas County Inc.	Rockport	TX	United States	PC

[« Prev](#) | 51-61 | [Next »](#)



Exempt Organizations Select Check

[Exempt Organizations Select Check Home](#)

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1-17 of 17 results

Results Per Page 25

« Prev | 1-17 | Next »

EIN ▲	Legal Name (Doing Business As) ▲	City ▲	State ▲	Country ▲	Deductibility Status ▲
74-2739539	100 Club of Aransas County	Fulton	TX	United States	PC
54-2083726	Aransas Bird & Nature Club Inc.	Fulton	TX	United States	PC
45-0663776	Aransas County Community Garden	Fulton	TX	United States	PC
74-2487786	Aransas County Emergency Corp	Fulton	TX	United States	PC
61-1676415	Buckin for Boobs	Fulton	TX	United States	PC
47-2454099	David Delay Scholarship	Fulton	TX	United States	PC
74-2591329	Friends of the Fulton Mansion	Fulton	TX	United States	PC
90-0797070	Friends of the History Center for Aransas County	Fulton	TX	United States	PC
74-2372015	Fulton Volunteer Fire Department Inc.	Fulton	TX	United States	PC
74-2901017	Habitat for Humanity of Aransas County Texas Inc.	Fulton	TX	United States	PC
01-0827626	Hughes C Varner Ministries	Fulton	TX	United States	POF
74-2536992	Humane Society of Aransas County	Fulton	TX	United States	PC
47-5004920	June Project	Fulton	TX	United States	PC
81-2901088	Keep Aransas County Beautiful	Fulton	TX	United States	PC
74-2295765	Lamar Volunteer Fire Department Inc. C/O Robert L Parke	Fulton	TX	United States	PC
26-1917725	Promised Land Foundation Online	Fulton	TX	United States	PC
74-2957543	Rockport Computer Users Group Inc.	Fulton	TX	United States	PC

« Prev | 1-17 | Next »