
CITY COUNCIL AGENDA

Notice is hereby given that the Rockport City Council will hold a special called meeting on Tuesday, November 29, 2016, at 6:30 p.m. The meeting will be held at Rockport City Hall, 622 E. Market, Rockport, Texas. The matters to be discussed and acted upon are as follows:

Opening Agenda

1. Call meeting to order.
2. Pledge of Allegiance.
3. Citizens to be heard.

At this time, comments will be taken from the audience on any subject matter that is not on the agenda. To address the Council, please sign the speaker's card located on the table outside the Council Chamber and deliver to the City Secretary before the meeting begins. Please limit comments to three (3) minutes. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda.

Consent Agenda

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

4. Deliberate and act on approval of City Council Workshop Minutes and Regular Meeting Minutes of November 8, 2016.
5. Deliberate and act on report from Aransas County Education Foundation for the 2016 Rockport-Fulton Shopping Tournament marketing expenditures.
6. Deliberate and act on report from Rockport Center for the Arts and Rockport Rotary Club for marketing expenditures made for Rockport Film Festival 2016.
7. Deliberate and act on report from Rockport-Fulton Chamber of Commerce Seafair Committee for marketing expenditures made for 2016 Seafair.

Public Hearing

8. Conduct and deliberate on a Public Hearing concerning passing-through a water rate increase from San Patricio Municipal Water District.

Regular Agenda

9. Deliberate and act to accept the Annual Report from Lamar Volunteer Fire Department, and authorize disbursement of funds.
10. Deliberate and act on report from the Rockport Yacht Club for marketing expenditures made for 2016 Nautical Flea Market.
11. Deliberate and act on report from Rockport-Fulton Chamber of Commerce HummerBird Committee for marketing expenditures made for 2016 HummerBird Celebration.

12. Deliberate and act on first reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article II, "Water Service", Division 3, "Service Charges" by amending water rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date.
13. Deliberate and act on first reading of an Ordinance of the City of Rockport, Texas, providing for the annexation into the City of Rockport, Aransas County, Texas, of the hereinafter described territory, located adjacent to the City's corporate limits within the extraterritorial jurisdiction of the City and not being a part of any incorporated area; extending the boundary limits of the City so as to include the territory consisting of approximately 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, into the City's municipal limits, for all purposes; providing for related annexation service plans; repealing conflicting ordinances and resolutions; including a severability clause; granting to all the inhabitants of the annexed territory all the rights and privileges of other citizens and binding the inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; and establishing an effective date.
14. Deliberate and act on first reading of an Ordinance of the City of Rockport, Texas, providing for the annexation into the City of Rockport, Aransas County, Texas, of the hereinafter described territory, located adjacent to the City's corporate limits within the extraterritorial jurisdiction of the City and not being a part of any incorporated area; extending the boundary limits of the City so as to include the territory consisting of approximately 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, into the City's municipal limits, for all purposes; providing for related annexation service plans; repealing conflicting ordinances and resolutions; including a severability clause; granting to all the inhabitants of the annexed territory all the rights and privileges of other citizens and binding the inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; and establishing an effective date.
15. Deliberate and act on first reading of an Ordinance of the City of Rockport, Texas, providing for the annexation into the City of Rockport, Aransas County, Texas, of the hereinafter described territory, located adjacent to the City's corporate limits within the extraterritorial jurisdiction of the City and not being a part of any incorporated area; extending the boundary limits of the City so as to include the territory consisting of approximately 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, into the City's municipal limits, for all purposes; providing for related annexation service plans; repealing conflicting ordinances and resolutions; including a severability clause; granting to all the inhabitants of the annexed territory all the rights and privileges of other citizens and binding the inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; and establishing an effective date.
16. Reports from Council.
At this time, the City Council will report/update on all committee assignments, which may include the following: Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Environmental Committee for Water Issues; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport Heritage District Board; Rockport-Fulton

Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; YMCA Development Committee; Texas Maritime Museum, Fulton Mansion, Rockport Center for the Arts, Aransas County, Aransas County Independent School District, Aransas County Navigation District, Town of Fulton, and Texas Municipal League. No formal action can be taken on these items at this time.

Executive Session

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

17. Section 551.071(1)(A) and Section 551.071(2) Consultation with Attorney: Pending or contemplated litigation: (A) Bay Education Center, (B) Texaz Construction and AZ Southwest Properties, and (C) Manning.
18. Section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
19. Section 551.074 Personnel Matters: (A) City Manager evaluation, and (B) Municipal Court Judge.

Open Session

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

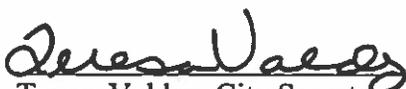
13. Deliberate and act on re-appointment of Municipal Court Judge.
14. Adjournment.

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 Wednesday, November 23, 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.*


Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Special Called Meeting: Tuesday, November 29, 2016

AGENDA ITEM: 4

Deliberate and act on approval of Council Workshop and Regular Meeting Minutes of November 8, 2106.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: Please see the accompanying minutes of the workshop and regular meeting of November 8, 2016.

FISCAL ANALYSIS: N/A

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

CITY OF ROCKPORT

MINUTES

CITY COUNCIL WORKSHOP MEETING 1:30 p.m., Tuesday, November 8, 2016 Rockport City Hall, 622 East Market Street

On the 8th day of November 2016, the City Council of the City of Rockport, Aransas County, Texas, convened in Workshop Session at 1:30 p.m., at the regular meeting place in City Hall, and notice of meeting giving time, place, date and subject was posted as described in V.T.C.A., Government Code § 551.041.

CITY COUNCIL MEMBERS PRESENT

Mayor Charles J. Wax
Mayor Pro-Tem Pat Rios, Ward 3
Council Member Barbara Gurtner, Ward 4

CITY COUNCIL MEMBER(S) ABSENT

Council Member Rusty Day, Ward 1
Council Member J. D. Villa, Ward 2

STAFF MEMBERS PRESENT

City Manager Kevin Carruth
City Secretary Teresa Valdez
City Attorney Terry Baiamonte
Public Works Director Mike Donoho
Community Planner Amanda Torres
Parks & Leisure Services Director Rick Martinez
Finance Director Patty Howard
Police Chief Tim Jayroe
Information Technology Director Brian Jacobs

ELECTED OFFICIALS

Opening Agenda

1. Call to Order.

With a quorum of the Council Members present, the Workshop Session of the Rockport City Council was called to order by Mayor Wax at 1:30 p.m. on Tuesday, November 8, 2016, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

Mayor Wax stated the first items on the Agenda are public hearings and he wanted to emphasize before any discussion is held that this is a workshop meeting, no vote will be taken, nor any action on any item on the Agenda. Mayor Wax said that in a public hearing, the intention is to gather from the public input which they wish to offer to the City Council for its ultimate decision. Mayor Wax informed everyone that there will be a second public hearing tonight at 6:30 on the same three items in terms of the proposed annexation. Mayor Wax expressed that there will be no vote on those same

three items to be discussed tonight; it is solely to take public input on the proposed annexation decision to be made later. Mayor Wax stated the City has proposed an annexation plan that has been provided to everyone and the Council looks forward to hearing comments thereon.

Mayor Wax said he was going to read all three of the public hearing items first to ensure that everyone understood what was being considered.

Public Hearing

At 1:34 p.m., Mayor Wax opened the public hearings. Mayor Wax stated that Texas state statute requires two public hearings on annexation and that why there are two public hearings being held, one at 1:30 p.m. today and the other tonight at 6:30 p.m.

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.

Ron Hoover, 343 Olympic Drive, addressed the Council. Mr. Hoover stated he is working on a development on his property in this area and he has received no warning other than recently that this was going to happen, and he did not understand why the Council was holding two meetings on the same day and then going to vote on it. Mr. Hoover added that the City was not giving anybody time to figure out how this was going to affect them or projects they are doing. Mr. Hoover asked that if the City is going to annex this property, what are you doing for the people that you are annexing, other than taxing them. Mr. Hoover asked if the City will be providing sewer and trash pickup services. Mr. Hoover said his biggest complaint is that he felt like the City was hammering this in by doing two public hearings in one day and that at the end of the meetings, you are going to vote on it at the next City Council meeting.

Mayor Wax answered that two public hearings to take public input will be followed by a minimum of two readings of a proposed ordinance presented at two meetings, both of which are open to the public to receive further public input if anyone should desire to do so. Mayor Wax said that cannot happen before December.

Mr. Hoover said that is not very far away, only 30 days, and he is involved in a subdivision that is not completed yet and he cannot present for a permit until it is completed and as fast as this is being pushed through the books he cannot get his permitting done prior to annexing this property, and once annexed he cannot do the project. Mr. Hoover said he talked to the permit department a couple of days ago and that is what he was told, and he only found out about the proposed annexation a couple of days ago. Mr. Hoover added that almost everybody wants to know what they are going to get after their property is annexed other than a tax bill.

Mayor Wax responded that there are several things in terms of City services they will receive that then become equivalent to other areas of the City: 1) Police protection, 2) Contracted garbage collection under the City's agreement, 3) Maintenance of the streets and roads, and 4) Water and

sewer. He said that those are the basic governmental functions that the City provides to all areas within the City. Mayor Wax added that in addition there will be imposition of zoning ordinances within the City in order to protect the property values of City residents. Mayor Wax said all of those things come with annexation. Mayor Wax expressed that in terms of “short notice” the proposed annexation, especially along these areas, has been discussed for over two years; in the Council’s strategic planning sessions, as well as budget workshops, which are all open to the public and covered by the local newspaper. Mayor Wax added that this is not something that appeared yesterday afternoon; it has been being discussed for at least two years.

Mr. Hoover said he did not think anybody in this room is expected to attend City Council meetings to know what is going on in this community. Mr. Hoover added that he just wants time to get his development together and wants to know what he is going to get for paying City taxes; this could cost everybody a lot of money. Mr. Hoover stated that he owns property in a lot of different cities and his property gets annexed all the time. Mr. Hoover said that City sewer was mentioned, and asked whether that meant that the City was going to bring City sewer to everybody in Oak Terrace and his dealership and the property next to his dealership.

Mayor Wax answered that there is a standard process for expansion and extension of the sewer services; water is already there, there are street light opportunities as well that are currently not there. Mayor Wax added in terms of the property taxes, you may want to look at the total balance between services and taxation. For example, your water bill will go down – the larger the user you are, especially being outside the City, the more of an increment to the exterior to the City limits you are paying; that amount will go down. If you are paying for refuse collection, that bill will go away because that will then be included in the utility bill that will be reduced because of the technical movement from the exterior of the City into the interior of the City. Mayor Wax said that the entire package needs to be looked at, not just the taxation.

Mr. Hoover stated that his biggest concern would be the sewer; land is much easier to develop if it has sewer rather than septic tanks and the City is very strict on what you can put on a septic tank and what you can’t. Mr. Hoover said that anytime you are looking at developing a piece of property, these are things you have to look at, what utilities are available and how can you develop that. Mr. Hoover then asked when the City could get sewer to his property.

Mayor Wax answered that there is a very regulated process to do that and the Building and Development Services Department can help you with that. Mayor Wax stated in the development of a subdivision, that is primarily the responsibility of the developer – to provide distribution of the sewer within that subdivision.

Mr. Hoover said he understood that, but sewer is not available at the current time and if the property is annexed when will the City bring the main trunk line into which everybody can tie.

Mayor Wax reiterated that there is a very regulated process to provide that service and Mr. Hoover should talk to the Building and Development Services Department for information on that process.

City Manager Kevin Carruth stated there is a distinction between enterprise functions like water and sewer, and taxes. Mr. Carruth informed everyone that *ad valorem* taxes do not support water and sewer and gas, those are supported by user fees. Mr. Carruth said extension of services, whether it is in the City limits or not, is the obligation of the developer. Mr. Carruth explained that if you want to bring sewer to your subdivision, you get with the Building and Development Services Department and they will work with you on what you need to do and the process; that has always been the case.

Community Planner Amanda Torres addressed the Council. Ms. Torres reviewed the Service Plan (below) for the Market Street annexation area.

**MUNICIPAL ANNEXATION SERVICE PLAN
FOR
AREA #MARKET STREET A# (82 Acres)**

Area to be Annexed

Being approximately 82 acres, more or less, out of a portion of the John Smith Survey A-167, with said 82 acres being more particularly described by miles 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.

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.

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.

8. 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.

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.

Mr. Mark Kelley, Sr., 1408 Cha Cha Laca, addressed the Council. Mr. Kelley said the information just given by Ms. Torres mentioned there would not be any new parks or new lights in any of these areas that are being annexed. Mr. Kelley asked if they will be getting any new parks, there are not any parks on the south side of Market Street of which he is aware.

Mayor Wax stated the existing lights are supplied by the Texas Department of Transportation (TxDOT) on TxDOT roads which in this case is Market Street, and there are no lights off Market Street in either direction. Mayor Wax added that those lights will be pursued by the City's Building and Development Services Department just as they are in all other areas of the City, in the exact same process.

Ms. Torres stated that there is a large regional park being planned in that vicinity.

Mayor Wax stated Mr. Kelley had asked a question on his request to speak card: Who is responsible for planning this complex spot annexation plan?

Mr. Kelley said he called it "spot" because there are three areas being developed, some are commercial and some are residential. Mr. Kelley said he was just curious if the developer was the person who was actually going to be trusted with this plan. Mr. Kelley added that like Mr. Hoover had stated, they have no information other than what they are just now hearing. Mr. Kelley added that he was just curious as to whether this was being left up to the planner, whoever the planner might be, to make these decisions for us.

Mayor Wax responded by saying that Ms. Torres is a professional staffer who has assisted the City in this process. Mayor Wax stated the City Council had asked for those areas that would assist further development and growth of the City. Mayor Wax added there are statutory limitations on what the

City can do; for example, based on the total acreage of the City, you can annex 10% of that acreage each year and you can carry over two years of that for a total of 30%. He said in addition to that you must have a minimum of a 1000 feet wide corridor according to state law. Mayor Wax stated that what the Council tried to do here is to seek a way to improve control of development of the City as it grows toward the west and the south, and also to connect some of the City's wards because right now Ward 2 comes down Bypass Highway 35 and stops and also comes up Bypass Highway 35 and stops, so one of the areas there allows that Ward to be connected. Mayor Wax said the City is trying to plan ahead for the redistricting that is going to be required in 2020 when the next census comes around. Mayor Wax expressed that the third reason is control of the commercial corner at Highway 188 and Bypass Highway 35, which then throws the City's Extraterritorial Jurisdiction (ETJ) out across the intersection of Highway 188 and FM 1069. Mayor Wax stated that all three areas are intended to help the Council control for the long term growth of the City to the west and south; that's why it is set up this way. Mayor Wax explained that the City cannot take all of Market Street at one time because there are too many acres involved.

Mr. Jim Collins, 102 Lakeway Court, Victoria, Texas, addressed the Council. Mr. Collins stated he owns some property on Market Street and all he wanted to know is what is was going to cost him to hook up to sewer and water and when will the City be putting the sewer and water there. Mr. Collins said he knows the City has water on the other side of the highway, and when he came to the City several years ago the City wanted \$4,000 just to cross the highway to get him water. Mr. Collins said there is no sewer there at all. Mr. Collins added that what he was asking, is will it be 10 years down the road?

Mayor Wax stated he could not answer Mr. Collins' question but the City's Building and Development Services Department could help him with that. Mayor Wax said there is a process by which sewer and water connections are completed and he could not help Mr. Collins with the timing.

Dale Lloyd, 630 Hickory Avenue, said he would pass on addressing the Council.

Mr. Terry Socia, 1400 E. Hackberry Street, addressed the Council. Mr. Socia said he would just like the Council to forget about annexing until the City gets all the property now in the City taken care of. Mr. Socia stated Lady Claire had no street, no water and sewer and you don't know when you are going to put the water or sewer in, so he does not see any sense in annexing more property.

Mr. Dick Kitchens, 610 Pine Ave, said since he was able to attend the public hearing tonight, he will address the Council at that time.

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 Zen Survey A-226, and the James McKay Survey A-160.

{Service Plan below}

**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-228, 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

SH 35-FM 188 Annexation 1st Public Hearing – November 8, 2016 Council Workshop Mtg.

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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.

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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.

- 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.
- 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.

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Annexation of this area would require an increase of approximately 2080 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

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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.

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Mr. Sidney Bergoon, 1520 Highway 188, addressed the Council. Mr. Bergoon said he owns Aransas Memorial Cemetery, and in his lifetime he will not see any services from the City, except the Police and Fire and he gets those already from the County. Mr. Bergoon stated the City will be annexing the whole 40 acres and the only thing he will be doing is paying the difference in the taxes. Mr. Bergoon said he does not think this was thought out, and attending the meeting today was a waste of his time because he has not received any idea from the planning department when he would be receiving services, other than "it is in the planning stages." Mr. Bergoon added that it was like the previous person had stated, that they have been annexed for years and they still don't have any services. Mr. Bergoon expressed that he thought this was a travesty.

Mr. Charles Knighton, 243 Highway 35 Bypass South, addressed the Council. Mr. Knighton stated his concern is the same as the others who had addressed the Council; what are we going to get for our taxes, looks like nothing for a long, long time and this looks like a big tax rev to him. Mr. Knighton said his biggest concern is that he is in the process of building a residence, and he has the permits to do that, so how will that affect him. Mr. Knighton asked when the annexation will be voted upon and effective.

Mayor Wax said this annexation will not affect that. Mayor Wax stated that if he is already permitted to build, regardless of what he is building, and the areas that are annexed to a community are annexed by state law as R-1, Single Family Dwelling, any existing use of property when the annexation take place, if it is not R-1, is considered an existing non-conforming use. Mayor Wax said this means it remains as it is; if there is a business, gas station, school, whatever, that is not an R-1, it continues. Mayor Wax explained that in Mr. Knighton's case if he already has the permit to build and is in the process of building, the annexation would have zero impact on that. Mayor Wax stated that the annexation will be operative on the effective date of the Ordinance and the Council's target date is December 31, 2016.

Mr. Knighton asked that since the majority of the services like fire, security and lighting, things like that which are already being provided by the County, TxDOT, and Sheriff's Department, will the City services replace that and the taxes reflect that over from what they are now, or will he be paying both?

Mayor Wax answered that the taxation rate is the same across the entire City based on the appraised value of the property and it is no different in the north, south, east or west ends of the City. Mayor Wax stated that Mr. Knighton had said that all those services were currently being provided, but he wanted to correct that by pointing out that one of those services, the Police Department; you currently do not have patrolling assets in your area at all, and should you be annexed by the City you would get that. Mayor Wax added that Mr. Knighton would also have increased attention from the City criminal investigation division of the Rockport Police Department that you do not have today. Mayor Wax stated that this area does not have the imposition of a zoning ordinances which protects the value of your property for the long-term. Mayor Wax stated none of those exist in the County; the County does not have the authority to do that.

An unidentified member of the audience stated he wanted to object to Mayor Wax's statement.

John Bowen, 116 Whistlers Cove, addressed the Council. Mr. Bowen said they own Elite Diesel Service and the property at Highway 35 Bypass near the Highway 188 intersection. Mr. Bowen stated that for them the annexation does nothing but stifle future growth plans and adds a tax burden.

Mr. Bowen said they have their own water and sewer and have great faith in the County patrolling the area. Mr. Bowen added that it is all TxDOT frontage so they handle the drainage, lights and road repair. Mr. Bowen stated he did not see where this does anything at all for the business other than put additional restrictions for future growth plans.

Mayor Wax asked Mr. Bowen if he had current plans to grow.

Mr. Bowen answered that they intend to build another building as things grow; they have been developing the business – opened it up just short of one year ago and it is moving along nicely toward a neutral cash flow position and as it starts to go in a positive direction they intend to build a bigger building and have more technicians to take better care of the South Texas marine environment with the boats, work boats and yachts here.

Mayor Wax asked Mr. Bowen if he already had the property platted for that.

Mr. Bowen answered that they have not yet laid the property out for a second building, but they own the property and it is platted. Mr. Bowen said they are perfectly happy with the County, they have not had any issues and there is no win for them with City services that they can tell.

Mayor Wax stated that Mr. Bowen will have an existing non-conforming business.

Glen Thomas, 1075 Highway 188, Aransas Pass, addressed the Council. Mr. Thomas said he was 62 years old, retired and moved here so he could afford to live where he is living. Mr. Thomas stated he

has his own water and septic system and self-contained and you cannot see his house from the street, and he loves it. Mr. Thomas said he has a shooting range in his back yard, he burns his own garbage, trims his own trees, and he is wondering why the City is attacking him. Mr. Thomas asked if he would be able to shoot anymore if he is annexed into the City, and would he be able to use his shooting range.

Mayor Wax answered that discharge of a firearm inside the City limits is violation of a City ordinance. Mayor Wax asked if it was a personal or business shooting range.

City Manager Kevin Carruth asked how many acres were in Mr. Thomas' property.

Mr. Thomas answered that it is a personal shooting range for him and his friends and he has 1.9 acres.

Mr. Carruth stated that according to State law you have to have 10 contiguous acres.

Mr. Thomas said that all he can really see about this annexation is that he loses some privileges and his taxes go up. Mr. Thomas stated he understood this was being done for the betterment of the City, but he is out in the middle of nowhere, nobody even knows he is there. Mr. Thomas said the police came into his driveway one time and said they did not even know his place was there. Mr. Thomas added that the County police come out there all the time and they do a fantastic job.

Carl Ready Smith, 3432 Private Road, Taft, addressed the Council. Mr. Smith said he owns 10 acres that is under consideration for annexation. Mr. Smith said he retired two years ago and finished purchasing the property as of his retirement date and he had been working on a mobile home project on that property. Mr. Smith stated he went through the County, talked to David Reid, has done his water evacuation, has his septic engineer Klaus working on his septic system, has his finished drawing with AEP and easements from AEP, has his loop set up for electrical, does not have any primary in the ground yet, but he has been working on this project for over two years. Mr. Smith expressed that from what he understands, he should be grandfathered in because the project was began 90 days previous to the annexation. Mr. Smith said that is his primary concern. Mr. Smith asked if there was any timeline at all as to when they would have septic and water.

Mayor Wax answered that Mr. Smith was correct and his project would be grandfathered in. Mayor Wax answered that there is no timeline for those kinds of things, the process by which they are attached to the existing sewer line is really dependent on the level of development within a given area and on that developer. Mayor Wax encouraged Mr. Smith to go to the City's website where he can download and read all of this information with significant background detail.

Mr. Smith stated that from some of his research and what he understood, and he may be incorrect that under Article 43 of the Texas Annexation Code you are limited on secondary annexation until you have provided basic city services to the residents who are already residing within the city limits. Mr. Smith said he understands there are still some places within the City limits that do not have water and sewer. Mr. Smith asked what his property would be zoned.

Mayor Wax answered that by state law any annexation comes in zoned as R-1 Single Family Dwelling District, but in Mr. Smith's case, he has an existing non-conforming use of property. Mayor Wax stated that the simplest thing for Mr. Smith to do would be to come in, should the annexation take place, and request a rezone to B-1 or R-2M, and since he would be existing non-conforming, that would be fairly simple to do. Mayor Wax added that as far as the annexation law, the City services that are being offered have to be provided at an equivalent level as other areas within the City. Mayor Wax explained that some areas within the City do not have sewer, in some cases some still have septic and are still operating fine, but all have the same level of Police protection, criminal investigation, water charging, refuse collection to include recycling that does not exist by contract outside the City, but does exist by contract inside the City.

Mr. Smith stated that refuse collection may be a problem because there is not a road to his property. Mr. Smith explained the circumstances of why there is no road to his property.

Ms. Melanie Lyon, 210 Oak Bay, addressed the Council. Ms. Lyon stated her family owns a distribution center in what is labeled the Muskoff Family Subdivision in the area being annexed. Ms. Lyon asked that it be explained to her what non-conforming means and why the zoning will be designated as R-1.

Mayor Wax explained that when an area is annexed, by state law, all the property is zoned R-1 Single Family Dwelling District.

City Manager Kevin Carruth stated it is the most restrictive zoning and from that point forward you can evaluate what changes need to be made. Mr. Carruth said the Future Land Use Map has a lot of the property along the Bypass zoned as Light Industrial or Commercial. Mr. Carruth added that Ms. Lyon's family property, when annexed into the City, will automatically receive R-1 zoning, and the property has existing non-conforming use that can continue, and as part of the process after annexation, the City would look at rezoning those areas with non-conforming uses.

Ms. Lyon asked if the City would be guided by the Land Use Map that was shown at a public hearing and shows her property at Light Industrial? Ms. Lyon asked if the annexation would change the zoning of her property from Light Industrial.

Mayor Wax answered that upon annexation the zoning of the property would change to R-1.

Ms. Lyon asked that after annexation will she have to file paperwork and then the property will go back to what the City included in the Land Use Map that made her property as Light Industrial?

Ms. Torres clarified that whenever the City does change the zoning to appropriate land uses that are existing in that area property owners in the immediate area have to be notified. Ms. Torres stated that gives everyone an opportunity to make sure that what the City is proposing is appropriate.

Ms. Lyon said she wanted to make a comment: “Governmental agencies, I’m a PR professional, I have done this for more than 30 years, you cannot rely on a single newspaper that does not cover every single person in this community for information. I realize that you are only legally obligated to post stuff in the newspaper. I know that is your legal obligation, I worked for a city at one point, but that doesn’t mean it’s right, that it’s proper, that it’s fair, and it’s just, that you are having all this information and that its really incumbent because there is limited media in this community. I think that you should have actually sent direct mail to every single person at their address in these affected areas with a specific legal explanation of what is going on.” Mr. Lyon said she did not receive any notification about the proposed annexation.

Mr. Carruth stated that is what the City did. Mr. Carruth said the City mailed notices to whatever addresses are on file with the appraisal district.

Mr. Terry Harrison, 1224 Meadowbrook Drive, Portland, addressed the Council. Mr. Harrison stated he owns property along Highway 188. Mr. Harrison said he appreciated and thanked the Council for having this meeting, and he realizes it is required by law, but he appreciates the fact that we still live in America. Mr. Harrison expressed that he had a little bit of a different take on this situation. Mr. Harrison said that he realizes that zoning happens and so forth and so on, but he thinks there is another reason why this property is going to be zoned way out there on Highway 188, and he did not think it had a darn thing to do with the fact that it is out on Highway 188. Mr. Harrison declared that he thinks Rockport and Aransas Pass are playing a give-and-take game so they can see who gets to that area first with no concern about furnishing the services. Mr. Harrison added that he checked with Ms. Torres recently when she was employed with the City of Aransas Pass and he had also checked with Rockport previous to that, and everybody wanted to run the water line to him and serve him if the price was right, and there was not any way that you could afford either one of them. Mr. Harrison stated he thinks this is a situation where we are trying to beat the other community.

Ms. Janet Noel, 1531 State Highway 188, addressed the Council. Ms. Noel said this property belongs to her parents and is across from the cemetery. Ms. Noel stated her problem is that the City is annexing the cemetery; all that property, and there is nothing out there that the State and County does not take care of already. Ms. Noel said that all the property owners out there have sewer, water, trash pick-up and she does not see what the City can add to what they already have. Ms. Noel said it was being talked about that the taxes would be related to whatever the value of the property is, but that still did not tell them what the tax increase will be. Ms. Noel added that living in the County and living in the City are two different things. Ms. Noel asked if there was any idea of what the tax increase would be and how does that vary with the County tax rate.

Mayor Wax stated that the City’s tax rate this year is \$.3892 and the County is higher at about \$.40.

Mr. Tom Smith addressed the Council. Mr. Smith said his partner is Jimmy Wilson and they own Coastal Paradise RV Park at Highway 188. Mr. Smith asked if the City could tell them what their taxes are going to be for the RV Park. Mr. Smith said that it will be nice to have more police patrol at that intersection because acceleration is really bad. Mr. Smith added that he is a little uncomfortable with the annexation but it will all work out in the end.

Mayor Wax said he could not tell Mr. Smith what the taxes would be, but Mr. Smith could get that information from the appraisal district. Mayor Wax stated he appreciated the work that Mr. Smith did with the City in conjunction with developing that RV Park.

Mr. Richard Bailey, 634 Pine, addressed the Council. Mr. Bailey stated he anticipated a little more information coming from the Council and the letter he received mentioned “service plans” and service plans are something that are already developed and you are going to get and he hasn’t heard what he is going to get and what will he have to pay to get that other than the tax rate to continue a service but the implementation of that service is a cost. Mr. Bailey said he has not heard a timeline as to when it will take place. Mr. Bailey added that he paid over \$5,000 to have a septic system put in within the last 3-4 years. Mr. Bailey said Seguin, Texas, annexed an area called Oak Terrace North and he would advise the City to review the complications they went through as far as providing the sewer services alone. Mr. Bailey stated they said they would not be annexing soon because of the cost associated with implementation of that. Mr. Bailey expressed that he also understood if there were a certain number of residences the City had a certain amount of time to provide sewer services if it was providing it to other residences currently. Mr. Bailey asked if he has a registered on-site sewer facility on which he pays for maintenance every year, will he be able to continue to use it, or until he hears from the City that it is mandating he connects to the City sewer system.

Mayor Wax answered that Mr. Bailey would be allowed to continue to use his existing septic tank system if properly permitted, or he could come to the City and request connection to the sewer system.

Mr. Bailey said he anticipated attending the Public Hearing to hear timelines and costs for being taken in by the City. Mr. Bailey commented that for the future it would be up to public entities to provide that information to people whom they are getting ready to absorb.

Mayor Wax said those do not exist.

- 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 portion 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.**

{Service Plan below}

**MUNICIPAL ANNEXATION SERVICE PLAN
FOR
AREA "3H 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. Egey Survey A-82, 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.

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 (E.T.J.) 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.

- 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.
- 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.

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.

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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 properly developed 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(h) 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 Anarasa 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 43.0661.

There were no public comments on this item.

At 2:23 p.m., Mayor Wax closed the public hearings.

Regular Agenda

5. Hear and deliberate on policy for funding requests from General Fund.

Mayor Wax said the Council should have had an opportunity to review the memorandum he wrote after the last Council meeting addressing an issue that he thinks the Council needs to take steps on and he is interested in hearing comments from the Council. Mayor Wax stated no vote would be taken on this because this is a Workshop meeting.

Council Member Gurtner said she had read the Mayor's memorandum and she had also received input from her constituency that brought up some points about the fact that we are already paying County funds and Navigation District taxes. Ms. Gurtner said the City planned the budget, worked the budget, we are still tight, and there is lots of funding that we did not get to do that we wanted to do. Ms. Gurtner added that part of that is for personnel that we need. Ms. Gurtner added that having a policy of putting it in the budget prior to transferring funds out is a very good one.

Mayor Pro-Tem Rios said he asked a few people from his Ward for input on this after the request came up at the last Council meeting. Mr. Rios said that the Council is charged to be keepers of citizens' public funds and there are so many good organizations like the Mayor's memorandum refers to, but where do we draw the line between what he considers to be non-governmental activities and good deeds. Mr. Rios said there are so many 501c(3)'s out there that manage to get by through a

lot of hard work by the members and volunteers, and they do tremendous fundraising. Mr. Rios stated there are so many people out there who do so many good things, but the City is limited with funds.

Mr. Rios said he is approached about taxes all the time and if the Council is going to start considering every request, that money has to come from somewhere, and that would have to be from taxes, and he does not particularly like raising taxes for things that are not government activities. Mr. Rios said the City needs a policy and this needs to be discussed more. Mayor Pro-Tem Rios said the City has received two requests, both from great organizations, but he is not sure if it is the taxpayers' responsibility to fund those things.

Mayor Wax commented that taxpayers have an opportunity to fund any number of functions, as a matter of fact the 71 organizations that are registered in the City of Rockport today, 501c(3)'s alone, taxpayers are already funding, but that is an individual decision and not a decision being made by the Council. Mayor Wax stated that every allocation of General Fund dollars has an associated opportunity cost with it, not true of hotel occupancy tax, and he has a lot of trouble when the Council gets requests for General Fund allocations that begin to be equal to a full-time employee in parks and recreation, public works, police, utilities, or anywhere. Mayor Wax said that if he tries to balance what the City property taxes should be funding, it should be the governmental functions of streets and water, drainage, public safety, protection of life and property. Mayor Wax said beyond that he has trouble spending General Fund dollars. Mayor Wax added that he provided a list of 71 501c(3)s but there are a lot of other activities that are doing great work that may not be tax exempt functions.

Mayor Wax asked the City Attorney if there were any legal restrictions to providing general fund dollars to 501c(3) organizations. Mayor Wax said he knows the City provides funding to the Rockport Volunteer Fire Department but he views that as protection of life and property.

City Attorney Terry Baiamonte said the primary limitation comes out of the Constitution and that is that the City cannot donate funds to anyone unless a determination is made that it is related to the betterment of the City and can be tied to the City. Ms. Baiamonte stated it cannot be arbitrary and is subject to judicial review.

Mayor Wax stated that arbitrary becomes *ad hoc* very quickly, and if you do not have an established policy or procedures to deal with requests of this type, then you have to fall back on the interest of the moment, the *ad hoc* approach to this, and he thinks that is the wrong thing for the long-term for the City.

Mayor Pro-Tem Rios said there are only nine categories that hotel occupancy tax funds can be used for and he has been trying to figure out if there is a stretch for these two projects. Mr. Rios said in talking to other officials they say it is a tourism issue, but he is not sure the City is "putting heads in beds."

Mayor Wax said that if Council made the decision to provide hotel occupancy tax funds, the City would demand of these entities the same things that the other entities have to provide, evidence of "heads in beds." Mayor Wax added that he believes that would be a very difficult thing to do.

Mayor Pro-Tem added that there would be a more-filled room if the Council were talking about the Humane Society. Mr. Rios said the Council needs to be sure they have a clear-cut policy and take a look at things, and if they do not fit in the hotel occupancy tax funds, he is not necessarily sure the Council should stretch the General Fund for activities that are non-governmental in nature.

City Manager Kevin Carruth stated that the City already faces pressures on just the core functions due to general growth of the City year after year; public safety being the big one. Mr. Carruth said that absent any guidelines or policy, just on an *ad hoc* basis giving General Fund dollars to organizations doing good noble work, should the City be providing funds that way at the expense of police, public works, streets, etc. Mr. Carruth shared a previous experience with another community that did not have guidelines and over a period of 15-20 year time span it had grown to over \$500,000 for cash contributions, plus free rent and other things and it was a strain on the budget.

Mayor Pro-Tem Rios said the budget process is still fresh in his mind, the City just came out of it, August and September, and he knows department heads did not get their entire wish list filled and that was basically personnel. Mr. Rios agreed with Mayor Wax that a couple of these groups come in and request small amounts and they are not asking a lot, what happens when the City gets requests from a lot of organizations; they could equal 4-5 personnel.

6. Adjournment.

At 2:37 p.m., Mayor Pro-Tem Rios moved to adjourn. Council Member Gurtner seconded the motion. Motion carried unanimously.

APPROVED:

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, November 8, 2016 Rockport City Hall, 622 East Market Street

On the 8th day of November 2016, the City Council of the City of Rockport, Aransas County, Texas, convened in Regular Session at 6:30 p.m., at the regular meeting place in City Hall, and notice of meeting giving time, place, date and subject was posted as described in V.T.C.A., Government Code § 551.041.

CITY COUNCIL MEMBERS PRESENT

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

CITY COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT

City Manager Kevin Carruth
City Attorney Terry Baiamonte
City Secretary Teresa Valdez
Community Planner Amanda Torres
Police Chief Tim Jayroe
Public Works Director Mike Donoho
Parks & Leisure Services Director Rick Martinez
Finance Director Patty Howard
Police Commander Jerry Lawing
Police Officer Chad Brooks
Police Detective Tchanee Gates
Public Works Street Superintendent Reuben Garza
Public Works Street Crew Leader Ryan Picarazzi
Public Works Heavy Equipment Operator Pete Cantu

ELECTED OFFICIALS PRESENT

Aransas County Sheriff Bill Mills

Opening Agenda

1. Call to Order.

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Wax at 6:30 p.m. on Tuesday, November 8, 2016, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

2. Pledge of Allegiance.

Mayor Pro-Tem Rios led the Pledge of Allegiance to the U.S. flag.

3. Presentation: Graduation Certificate from the Public Works Institute of Texas – Ryan Picarazzi.

Public Works Director Mike Donoho stated the Public Works Institute of Texas is a two-year program of instruction in supervision and management in public works. Mr. Donoho expressed that Ryan Picarazzi demonstrates a level of excellence in the City's Public Works Department and he commends Mr. Picarazzi for his commitment to the City. Mr. Donoho added that Mr. Picarazzi is an integral part of the present and future of the Public Works Department.

Mayor Wax presented Ryan Picarazzi with a Graduation Certificate from the Public Works Institute of Texas. Mayor Wax commended Mr. Picarazzi for his hard work and dedication.

4. Citizens to be heard.

At this time comments will be taken from the audience on any subject matter that is not on the agenda. To address the Council, please sign the speaker's card located on the table outside the Council Chamber and deliver to the City Secretary before the meeting begins. Please limit comments to three (3) minutes. In accordance with the Open Meetings Act, Council may not discuss or take any action on any item that has not been posted on the agenda.

George Riekers, 802 E. Market Street, addressed the Council. Mr. Riekers stated he has lived in Rockport a very long time and in the 1970's there was a group of people that worked very hard to get a community pool for Rockport. Mr. Riekers expressed concern regarding the community pool being turned over to the Corpus Christi YMCA. Mr. Riekers asked what could be done to stop this sanction.

Consent Agenda

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

- 5. Deliberate and act on approval of Council Regular Meeting Minutes of October 25, 2016.**
- 6. Deliberate and act on request for approval by the Parks and Leisure Services Department for use of the Festival Grounds and temporary signage at various locations, including a street banner at the Walmart entryway on Highway 35 North for Tropical Christmas festival.**
- 7. Deliberate and act on 4th quarter hotel occupancy tax report from Friends of the Fulton Mansion State Historical Site for 2015-2016 marketing expenditures.**

Mayor Wax called for requests to remove any item from the Consent Agenda for separate discussion.

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

Public Hearings

Mayor Wax read all three of the Public Hearing Agenda items.

At 6:39 p.m., Mayor Wax opened the public hearings.

Aransas County Sheriff Bill Mills addressed the Council. Sheriff Mills apologized for picking this forum to read a statement. Sheriff Mills said due to the arrogance of the annexation meetings and comments made by the Mayor at the Council Workshop this afternoon, he is here in defense of the fine men and women who work for Aransas County Sheriff's office. Sheriff Mills stated that he understood from more than one source that at the annexation meeting this afternoon, the annexation was pitched as an opportunity for better law enforcement since the County does not patrol or conduct investigations. Sheriff Mills went on to provide Aransas County crime statistics for the last 12 months. Sheriff Mills expressed that there are other ways to deal with budget issues: One way is additional revenue, but unlike the federal government we cannot print our own money so the City looks to annexation for higher value areas; the second way is to make budget cuts to control the costs. Sheriff Mills added he understood a reason given this afternoon for the annexation was to connect wards, but that was almost laughable because the wards were created by the City's own actions. Sheriff Mills said there is an area referred to as the donut hole in the middle of Rockport, but the City is not here to annex that and he did not think the City was going to close that gap. Sheriff Mills pointed out that additional patrol seen on the highway and in the City of Rockport is paid for by a federal grant that flows through the Aransas County Sheriff's office. Sheriff Mills stated the County does a very good job of providing service and protection to the people in the County. Sheriff Mills finalized his statement by saying: "If your only pitch for annexation is to tear down someone else, you have no cause for annexation, and you need to get your facts right."

Mayor Wax stated it was not his intention to denigrate the great service that the Sheriff's office provides. Mayor Wax said his sole comment was intended to have everyone understand that the Sheriff's office has three statutory responsibilities which are provision of the County jail, security at the courthouse, and service of civil papers; whereas the Municipal Police Department has additional responsibilities of patrolling within the areas of the City limits.

8. Conduct second 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.

Mr. Melvin Moore, 1002 W. Market Street, addressed the Council. Mr. Moore stated he and his wife own the mobile home park and storage at 902 Market Street. Mr. Moore said they have been planning and updating current sites from mobile home sites to recreational vehicle (RV) sites and including future expansion of RV sites within the park. Mr. Moore asked if he will need approval by the City when he wants to add new spots into the park, and will he be at the mercy of the City Council to say whether he can expand by adding additional spots. Mr. Moore asked what if he added 25 more spots to his four-acre property.

Mayor Wax stated that it would need approval by the City, and Mr. Moore is presently within the half-mile Extraterritorial Jurisdiction of the City so approval would be required by the City

in any case. Mayor Wax said the property is an existing operation and if annexed it becomes an existing non-conforming use, and as long as the business does not change, the same rules apply. Mayor Wax added that he would not anticipate problems since that is the same business which exists today.

Mr. Moore said that currently they are zoned Commercial and he understands that it will be changed to R-1 due to annexation, but they will be able to apply for rezoning after it is annexed. Mr. Moore asked if they are guaranteed Commercial zoning.

Mayor Wax stated that currently Mr. Moore is not zoned anything right now, but by State law anything that is annexed has to come into as R-1 zoning designation which is the most restrictive zoning level. Mayor Wax informed Mr. Moore that the Public Works Department has a complete process of inventorying existing businesses in this area to see if they conform with the City's existing Comprehensive Land Use Plan. Mayor Wax said it would then be a relatively simple conversion from R-1 to either R2-M, or B-1, depending on what would be appropriate for the area, and he did not anticipate any problems with that either.

Mr. Moore said they have one block of land that they have sold 10 lots to people to put RVs and mobile homes on, and they are planning on selling 10 more lots. Mr. Moore stated that if they are annexed they will not be able to sell those additional 10 lots to people for RVs or mobile homes, because it says that you cannot put an RV or mobile home in the City Limits of Rockport.

Mayor Wax stated that is not necessarily true, and according to State law property is zoned R-1 when it is annexed into the City, but that can be changed.

Mr. John Young, 570 Oak Avenue, addressed the Council. Mr. Young asked for the duration of time between the Council approving this annexation and the actual time it will be effective; is that a three-year period?

Mayor Wax answered that once the ordinance is passed it is effective immediately.

Mr. Young asked what, if any services, are going to be extended to our area with this annexation other than an inspector looking over his shoulder when he wants to do a little improvement. Mr. Young said he lives in a mobile home and if he understood the rules correctly, if he removed that mobile home he would not be able to bring in another mobile home. Mr. Young asked if this was true, that he would have to build a frame home. Mr. Young stated that his question stems from his belief that Winter Texans bring a whole economy with them; this is one of the beautiful cities that does not dry up in the middle of the winter. Mr. Young added that it seems that the City is less and less allowing, or maybe not at all, mobile homes or RV sites within the City Limits. Mr. Young said that when this area is brought into the City Limits it is really going to restrain them to what they have the freedom to do now; not doing it frivolously, not making a mess, just trying to live practical lives. Mr. Young asked what services will this area have if annexed; will the City bring sewer lines up these streets for residents to hook into at discounted rates like you have at many other places?

Mayor Wax said he wanted to point out some things that he probably should have done earlier. Mayor Wax stated he was going to talk about annexation as a whole. Mayor Wax expressed that there has been a lot of mis-information or incorrect information about the annexation process.

Mayor Wax stated the average annual *ad valorem* tax change on the annexed area for the average home in the City of Rockport, for a year, it is \$28.52. Mayor Wax continued by saying that the point of annexation is to control development of a community as it grows. Mayor Wax expressed in our community we are growing west and south, and some north, and inclusion gives our residents a voice in this government. Mayor Wax added that the County as a whole is impacted by the efforts of the City. He said Aransas County is 528 square miles and the City of Rockport is 15 square miles, but Rockport is the largest single incorporated municipality and is the County seat, so what happens here impacts the entire community; Fulton as well as County residents that surround Rockport. Mayor Wax said our business leaders, our community leaders, our civic leaders can all have a greater voice in what happens in the City if you live in that annexed area. Mayor Wax informed everyone that the donut hole that Sheriff Mills referred to on Market Street basically to Camper Clinic, out to Ron Hoover RV and that area north, there are three Colonia areas there that are defined by the State. Mayor Wax said by being a Colonia, there are grant opportunities to provide water and wastewater in those areas that are not the result of taxation on the users or citizens of the community. Mayor Wax declared that is the largest reason the City has not annexed those properties, because once you annex those properties you have statutory limits on other actions that must be performed within that area. Mayor Wax said that would include street maintenance, street lights, and expansion of the Police Department to cover the additional area. Mayor Wax stated that once you are annexed, should that occur, your utility rates go down, the water charge that you have today with City water is reduced; your flood insurance premium goes down because you are within an incorporated municipality; your sanitation rates go down because you are not paying a premium for being outside the City limits; Police protection will come from the Rockport Police Department versus Aransas County Sheriff's office, plus the criminal investigation will come from the Rockport Police Department as opposed to Aransas County. Mayor Wax said he would return to the fact that Aransas County is 528 square miles and the City is 15 square miles; a greater concentration of those assets into a somewhat smaller area. Mayor Wax added that the emergency medical services (EMS) response times, not for the area that Mr. Young lives in because he is already within the Allegiance EMS response time, that the City has contracted for is eight minutes fifty-nine seconds, whereas the two other areas would have reduced EMS response times should the annexation go through. Mayor Wax continued by saying that there are no street lights in this area except those provided by the Department of Transportation, and street standards and maintenance are at a different level than those maintained by the County because the County has different standards than the City. Mayor Wax concluded by saying that all of those things are a direct result of annexation and the purpose of annexation is to allow a community to provide urbanizing areas greater control over development within the community. Mayor Wax stated that in the area where Mr. Young lives, there are no zoning requirements for his neighbors because the County does not have zoning requirements by law but the City does. Mayor Wax said that what happens next door to Mr. Young can be managed by the City's Building and Development Department and the City's Code Enforcement Department, which today does not exist because that service does not exist in the County. Mayor Wax reiterated that all of those things are benefits of annexation.

Mr. Young stated that his concern is the extent to which he will be governed. Mr. Young said he moved from Austin and if you spit on the sidewalk in Austin, you better have a permit. Mr. Young expressed that around him he did not see anyone doing any improper construction or dumping their sewage on the ground. Mr. Young added that his only hope is that they will not, in any way, be bullied by the City when this area is annexed and for the sake of everyone in this

area, not be over-governed by rules; he does not want anybody telling him what side of the driveway his trash can has to be on and that he has to pull it back in by 9:00 a.m.

Mr. Dick Kitchens, 610 Pine Avenue, addressed the Council. Mr. Kitchens stated he bought his property in Rockport two years ago and he came here from Austin, but he grew up in Arlington, a little city that he watched grow into what it is today. Mr. Kitchens said he sees the growth in Rockport and understands what the City is trying to do in this process. Mr. Kitchens stated there have been a lot of concerns about the annexation and people are wondering what annexation is and what they are going to get as far as utilities. Mr. Kitchens said the last annexation the City did was to the South, Sixteenth Street and a little further than that and also between Cove Harbor and Palm Harbor, and he would like to know what has been done in those areas since they have already been annexed.

Mayor Wax answered the process for extension of utilities throughout this community is exactly the same regardless of the area of the City in which you reside. Mayor Wax stated in some areas, like down Highway 35, in 2010 a force main went all the way down to the Islands of Rockport and has been available for connection by Palm Harbor and others ever since. Mayor Wax added they have chosen whether they wish to join the extension, and there have been some developments along Highway 35 that have chosen to join and some developments have chosen not to join.

Mr. Kitchens stated he was not against annexation, he understands growth, but he is asking if there is a possibility of getting a variance because where he lives there are only a few homes, and asked if whether the annexation line could be drawn differently (distributed a map with the annexation lines drawn differently excluding his home – see below). Mr. Kitchens said that the annexation lines may have been drawn a certain way to follow streets, or because of property lines. Mr. Kitchens asked if the City would take a look at his suggestion and change the annexation area line.



REDWOOD AVE SOUTH
 EAST AT 64900 - 62489 TO PINE AVE (SOUTH SIDE OF BOTH LOTS)
 SOUTH ON PINE AVE EAST AT 63304 TO 62165 TO OAK AVE (SOUTH SIDE OF
 BOTH LOTS)
 EAST TO 29962 AND 65863 HICKORY AVE (SOUTH SIDE OF BOTH LOTS)
 BACK NORTH ON HICKORY TO APPLE GO EAST AT 29604 LOT TO ORIGINAL
 DRAWING
 THIS IS THE LOTS ON MY DRAWING LINE

Mayor Wax said that annexation is not proposed across property lines, but it is a restriction in the statute that it must be a minimum of 1000 feet.

9. Conduct second 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.

Ms. Jane Dysarz, 18 Front Street, addressed the Council. Ms. Dysarz said she and her husband Edward moved to Lamar from Houston and they own a warehouse on ByPass 35 and Highway 188. Ms. Dysarz stated her husband is an inventor and he is working on a new invention at that warehouse. Ms. Dysarz asked how it is decided what is going to be annexed and why. Ms. Dysarz informed the Council that there is a cemetery next to them and they just built a big RV park across the street. Ms. Dysarz asked why the City was not annexing toward the water.

Mayor Wax answered that the City has a statutory limitation in the number of acres that can be annexed per year which is 10% of the total acreage of the City. Mayor Wax said that you can carry over two years of that and the City has not annexed anything since 2010. Mayor Wax stated that the City had to find the most advantageous areas that would help the City control development for the future without exceeding the statutory limitation on the number of acres. Mayor Wax said that is why the three areas were chosen: the one along Market Street, the front porch of the City as Mr. Kitchens described it; the area along Highway 35 ByPass, which is already, by the City's Comprehensive Use Plan, light industry and those kinds of commercial development and by annexing that the City can impose zoning restrictions so there are not competing interests along that same area; and the third area connects our Ward 2 area that will permit some more efficient redistricting once the census occurs in 2020.

Ms. Dysarz asked if they will be getting street lights and utilities.

Mayor Wax answered all of those things follow the exact same processes as they do in other areas of the City.

Ms. Dysarz asked if she will still be required to pay San Patricio County School District taxes.

City of Rockport Community Planner, Ms. Amanda Torres, answered that part of Aransas Pass Independent School District's jurisdictional lines overlap in that area.

Mayor Wax explained that Ms. Dysarz will still be required to pay San Patricio County School District taxes because that is different from Aransas County taxes, and she will not be billed for Aransas County Independent School District taxes.

Ms. Dysarz concluded by saying that she owns a home in Lamar and in the Rockport Country Club and she is a very concerned citizen.

Mr. Charles Knighton, 243 Highway 35 Bypass, addressed the Council. Mr. Knighton said his concerns were the same as Ms. Dysarz' if they were going to be double taxed by the Rockport Independent School District since they already pay Aransas Pass Independent School District taxes. Mr. Knighton asked why they would not be brought into the Rockport Independent School District.

Mayor Wax answered Mr. Knighton that he would not be double taxed. Mayor Wax said Mr. Knighton's question about being brought into the Rockport Independent School District is a question for the Aransas Pass Independent School District because the City does not manage the schools at all.

Mr. Knighton asked if there is development and tax abatement for developers driving this annexation.

Mayor Wax answered that there is development going on right now in the City at Highway 3036 and Highway 35 Bypass that is completely independent of an annexation decision.

City Manager Kevin Carruth added that two more recent examples are the Islands of Rockport where that developer paid a quarter of a million dollars to run the sewer line to his development and Paradise RV park paid to run a water line under the highway to serve their development. Mr. Carruth said the City partnered with both those developers to oversize the lines and the City paid for that additional capacity, but those developers paid to get those lines extended in order to receive City services.

Mr. Greg DeNigro, 1272 Mack Road, Aransas Pass, Texas, addressed the Council. Mr. DeNigro stated he would like to address the flooding in his area; with as little rain that was received today there was flooding in the bar ditches and on the roads. Mr. DeNigro said they get flooded in that whole area and he wanted to know if the City has a plan for that.

Mayor Wax stated in the case of what Mr. DeNigro is talking about, which is stormwater, in Rockport it is managed in conjunction with Aransas County, Town of Fulton, and the Aransas County Navigation District under the Stormwater Advisory Committee. Mayor Wax said there is one Stormwater Plan that covers the entire community. Mayor Wax informed Mr. DeNigro that the County Engineer, Mr. David Reid, is the Executive Secretary of that group and the Chairman is De McLallen from Lamar. Mayor Wax said that entire plan is not independent of those various municipalities. Mayor Wax said the City of Rockport has a Master Drainage Plan for the City and it funnels into the Stormwater Advisory Plan, and if annexation occurs, that same

attention will be given to those new areas as those areas that have been in the City for more extended periods of time.

Mr. DeNigro asked if this annexation was a three-year, five-year or 90-day plan. Mr. DeNigro stated he understood that the Council will have a meeting on December 5, 2016 to decide on the annexation.

Mayor Wax answered that annexation plans are normally three years long and they deal with specific, by statute, areas of proposed annexation that have a larger voting population within a individual community, but that is not what is being talked about here; these are three different areas of the community. Mayor Wax stated that annexation plans do not apply to this type of annexation. Mayor Wax said the Council will further consider the annexation at the December 13th meeting.

Ms. Concetta Johnson, of San Antonio, addressed the Council. Ms. Johnson said she owns the property on Highway 188 and it's the only taxable property on that side of the road, and she feels she should not be included in the annexation, or if she is included in the annexation, other people should be included. Ms. Johnson stated the other properties included in the annexation are non-taxable. Ms. Johnson said she has owned this property since 1983 and then the City put the waterworks next to her, and she would never purchase property next to City utilities where she would have the risk of it being taken away from her for future City growth. Ms. Johnson expressed that she would also like a variance and have her property removed from the annexation list because she feels singled out, that she is the only taxable property on that side of the street that was selected for annexation. Ms. Johnson stated that after checking with the City utilities, in order for her to put City sewer lines in today, she was told it would be between \$200,000 to \$400,000. Ms. Johnson asked how long it would be before she would get City utilities.

Mayor Wax answered that the process for utility extension is the same, should the annexation occur, for her, as it would be for anyone else in the City no matter where they live. Mayor Wax said there is no timeline associated with that because it depends very much on the individual residence. Mayor Wax stated that Mr. Carruth had mentioned earlier that City sewer had been extended to the Islands of Rockport which is outside the City Limits, because that is what the developer chose to do at that time. Mayor Wax added that it was driven by the developer and not the City.

Ms. Johnson said she is not a developer.

Mayor Wax said Ms. Johnson was talking about having the only taxable property on that side of the street but all property within the annexation area is taxable with the exception of governmentally owned properties.

Ms. Johnson said her property is the only taxable property on that side of the street and she feels other properties should be included. Ms. Johnson asked why she has to be included.

Mayor Wax answered that the person best able to answer that question would be the City's Community Planner, Ms. Torres. Mayor Wax encouraged Ms. Johnson to visit Ms. Torres who could provide her answers.

Ms. Johnson asked if it was true that there was a City of Rockport rule that a manufactured home could not be brought into the area.

Mayor Wax said that was not true, and at the last Council meeting, development of a mobile home park/RV resort inside the City limits was approved.

Ms. Johnson asked when the Council would be discussing this again.

Mayor Wax answered that it will be at the next Council Meeting.

City Manager Kevin Carruth stated Ms. Johnson had submitted a letter which was included in the Agenda packet.

10. Conduct second 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.

There were no public comments.

Mayor Wax asked Ms. Torres to discuss the proposed Service Plans for the three areas of annexation.

Community Planner Amanda Torres addressed the Council. Ms. Torres reviewed the Service Plans (below) for the three areas of annexation.

MUNICIPAL ANNEXATION SERVICE PLAN FOR AREA "MARKET STREET A" (82 Acres)
Area to be Annexed
Being approximately 82 acres, more or less, out of a portion of the John Smith Survey A-187, with said 82 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
<i>Existing Services:</i> Animal control services for this area are currently provided by the Aransas County Animal Control Department.
<i>Services to be Provided:</i> 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
<i>Existing Services:</i> Existing building inspection services are provided in this area by the City of Rockport when required by applicable building codes.

Market Street Annexation 2nd Public Hearing - November 8, 2016 Council Regular Mtg.

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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.

8. 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.

Market Street Annexation 2nd Public Hearing - November 8, 2016 Council Regular Mtg.

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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.

**MUNICIPAL ANNEXATION SERVICE PLAN
FOR
AREA "8H 35 – FM 188 CROSSROADS" (890 Acres)**

Area to be Annexed

Being approximately 990 acres out of a portion of the Charles Zern Survey, A-228, 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.

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.

8. 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.

- 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.
- 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.

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.

8. 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.

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

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Uniform Level of Services May Not Be Required

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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.

MUNICIPAL ANNEXATION SERVICE PLAN FOR AREA "8H 36 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 McCombe Survey A-137, and the C.W. Egerly 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

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6. Health Code Enforcement

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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 Arkansas County and the City of Rockport. The City's zoning and land use ordinances, however, are not applicable outside of the existing city limits.

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

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13. Street Maintenance

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

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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 Arkansas 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

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Uniform Level of Services May Not Be Required

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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.

City Manager Kevin Carruth clarified that Allegiance EMS' response time for the County is 15 minutes, whereas in the City it is 8 minutes.

Mayor Wax thanked the public for participating this evening and providing input on the proposed annexation, and stated that it would become part of the record of the Council meeting. Mayor

Wax said it will be available to read as soon as it is published on the City's website at www.cityofrockport.com.

At 7:41 p.m., Mayor Wax closed the public hearings.

Regular Agenda

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

Mayor Wax stated part of the basic governmental functions of a City, not only streets, drainage and sewage, is also the basic protection of life and property executed through our Police Department, emergency medical services and Fire Departments. Mayor Wax said it was a great pleasure to recognize these volunteer fire departments.

Mayor Wax presented a check in the amount of \$38,230.29 to Rickey McLester, Jr. of the Fulton Volunteer Fire Department.

Mayor Wax presented a check in the amount of \$107,442.39 to Danny Cox, Jr. of the Rockport Volunteer Fire Department.

12. *Tabled October 25, 2016* - Deliberate and act on authorizing the Mayor to negotiate and execute all necessary documents for an agreement with Wings Rescue Center to provide bird rescue services.

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

Mayor Wax said the Council had a conversation this afternoon at the Council Workshop and has seen a memorandum that he had written to the Council.

Mr. John Aquilino, 2208 Cape Charles Street, addressed the Council. Mr. Aquilino thanked the Council for the contribution to the birds in terms of spending 2.9 million dollars for the Bent Oaks Park; you can't have birds without habitat. Mr. Aquilino stated birds and fish are probably the two most important things, besides the residents, that make this community what it is. Mr. Aquilino said there are 100 species of birds that migrate here every season and it would be great if the City could help with the cost of rescuing birds. Mr. Aquilino added that it would also be good if the City could, in some way, endorse the work of these volunteers; whether that is on the City's website or some type of public announcement.

Ms. Harvette Green, 102 Silver Oak, addressed the Council. Ms. Green said she is a volunteer with Wings Rescue and she is asking for City support for the organization. Ms. Green stated she hopes the City Council would agree with the organization and other members of the City that birds are an asset to Rockport. Ms. Green asked that the Council give careful consideration of the Wings Rescue Center request.

Council Member Day stated this is an unfunded item in the City budget. Mr. Day asked how many unbudgeted funds the Council has discretion over, and would this be a huge portion of them.

Mayor Wax called the Council's attention to the memorandum he wrote to the Council. Mayor Wax said in this particular case the Council has requests from Wings Rescue Center and Keep Aransas County Beautiful which amount to about \$7,000. Mayor Wax stated in the case of General Funds as opposed to Hotel Occupancy Tax funds, there is an opportunity cost with that. Mayor Wax expressed that \$7,000 would not cover the losses from vandalism and theft that the City discovered this morning in Memorial Park.

Parks & Leisure Services Director Rick Martinez stated that the loss for equipment was approximately \$8,500 and the total loss is approximately \$12,000 which includes damage to the building.

Mayor Wax stated that the point he is making is that there are nine specific categories for which Hotel Occupancy Tax funds may be used, and you cannot do anything else with those funds, versus the General Fund which is a balance of priorities, a decision that you are going to fund this instead of that. Mayor Wax said the Council saw this at the Budget Workshops this summer where the Department Heads requested something and did not get it because there was not funding available. Mayor Wax expressed that it is difficult for him to support a General Fund expenditure for a non-budgeted item that detracts from basic governmental functions of streets, water, wastewater, and protection of life and property.

Council Member Day said that every citizen is going to pay for the \$12,000 worth of damage at the park and if the Council chooses to do this, every citizen will be paying for it also. Council Member Day expressed that not every citizen would say fund it, or that not everybody would say that there is too much trash on the beach and they do not want to pay for clean-up of that.

Council Member Villa stated that nothing had changed from the last meeting. Mr. Villa said he read the Mayor's memorandum and he agrees this is an unbudgeted item and the Council has to look at future 501c(3)s and any other things that may happen. Mr. Villa expressed that this may be an item to be discussed at the Council planning session. Mr. Villa said that if the group goes to the Navigation District and they get funded, that would be three different entities that they will get funding from, Navigation District, Aransas County and the City of Rockport, so City residents would get hit three times.

Mayor Pro-Tem Rios stated his concern is it is unbudgeted and the City is already behind based on what happened this morning. Mr. Rios said he thinks it is a wonderful thing the group does, but he compares it to the other groups in Rockport that do not get funding such as the Humane Society, Meals on Wheels, different churches that provides meals for the needy, and those are not government activities but those are things that individuals do on their own. Mr. Rios said he was not sure the Council can decide for every taxpayer.

Council Member Gurtner stated that one of her constituents came to her and said they were already paying Aransas County taxes and Navigation District taxes and they are funding this organization and this is just hitting them one more time. Ms. Gurtner said the Council needs to carefully consider setting the precedent of funding one organization over another. Ms. Gurtner

said to put funding this over hiring employees and doing things that the City needs to do she has to really think about it.

Jeanette Larson addressed the Council. Ms. Larson said the Navigation District is already paying them for birds rescued in the Navigation District and the City is pushing its burden on somebody else.

Mayor Wax stated: "Absolutely not." Mayor Wax said it makes no difference what decision the Navigation District makes or the approach the County takes, but in the Council's case this is an extremely worthwhile cause, but each citizen has an opportunity to support whatever they choose to support, but the Council would be making a decision for the entire City of Rockport.

MOTION: Mayor Wax moved to deny the request for funding from Wings Rescue Center to provide bird rescue services. Council Member Villa seconded the motion.

Sam Burnman addressed the Council. Mr. Burnman stated that fish and birds bring people and all of your jobs are supported by the fish and the birds. Mr. Burnman said the fish and birds bring in all the people that come here. Mr. Burnman asked that the Council not write this off as not belonging to the City because these are the types of things that built this City.

Mayor Wax said he was not questioning that at all, but that the only issue here was whether General Funds should be used to support this particular activity.

Kay Adams addressed the Council. Ms. Adams said they got 50 people inside the City to sign a petition. Ms. Adams stated that as of today there has been 84 birds rescued in the City, which would come to \$2800 which is not even one-half of what the proposed agreement provided. Ms. Adams said the \$5000 contained in the proposed agreement is a lot more than they would ever request.

Mayor Wax stated that the group could have requested any amount of funding, but the issue before the Council is the dedication of General Fund dollars to support this activity.

Council Member Day stated that when the budget process comes around again next year, in June and July, if they want the City to consider building some funds in to the budget, that is the time to request it.

Mr. Aquilino asked if it would be possible for the Council to issue a Resolution endorsing the Wings Rescue Center. Mr. Aquilino said that could be helpful in getting grants to underwrite expenses.

Mayor Wax said the Council would have the City Attorney look into that.

Mayor Wax stated there was a Motion and a Second and called for the vote.

Motion carried unanimously.

13. Reports from Council.

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

Council Member Day said a list of volunteers is being put together for crowd control at the Tropical Christmas Parade.

Executive Session

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

- 14. Section 551.071(1)(A) Consultation with Attorney on pending or contemplated litigation: (A) Bay Education Center, (B) Texaz Construction and AZ Southwest Properties.**
- 15. Section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.**

At 8:07 p.m., Mayor Wax convened the Rockport City Council into an executive session pursuant to provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in Section 551.071(1)(A) Consultation with Attorney on pending or contemplated litigation: (A) Bay Education Center, (B) Texaz Construction and AZ Southwest Properties; and Section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

Open Session

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

At 8:43 p.m., Mayor Wax reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any necessary actions related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

No action was taken.

16. Adjournment

At 8:44 p.m., Council Member Villa moved to adjourn. Motion was seconded by Mayor Pro-Tem Rios. Motion carried unanimously.

APPROVED:

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Special Called Meeting: Tuesday, November 29, 2016

AGENDA ITEM: 5

Deliberate and act on report from Aransas County Education Foundation for the 2016 Rockport-Fulton Shopping Tournament marketing expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: At the Special City Council Workshop held on June 7, 2016, Cindy Duck and Paula Dean, representing Aransas County Education Foundation, presented the Education Foundation's Fiscal Year 2016-2017 budget request to the City Council. Budget deliberations were held through the summer to finalize the City's Fiscal Year 2016-2017 Budget, with formal adoption at the September 20, 2016, City Council Meeting. Upon approval of the Fiscal Year 2016-2017 Budget, the City Council awarded the Aransas County Education Foundation \$5,000.00 in funding.

Attached is documentation submitted by the Aransas County Education Foundation for payment.

FISCAL ANALYSIS: The FY 2016-2017 Budget includes \$5,000 in account 6602060 of which \$5,000 is available.

STAFF RECOMMENDATION: Staff recommends Council approve the report from Aransas County Education Foundation for marketing expenditures made for 2016 Rockport-Fulton Shopping Tournament and authorize disbursement of funds in the amount of \$4,897.40 from the Hotel Occupancy Tax Fund for the event pursuant to the contract Agreement, as presented.

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2016-2017		
Description of Expense	Approved Budget	Amount of Expense
Rockport Printing - Ads for mail out to out of town prior shoppers		250 ⁰⁰
Rockport Postoffice - stamps for mail out		150 ⁴⁰
Houston Chronicle Ad for tournament		950 ⁰⁰
Rockport Websites - updates & Advertising statewide - Email blasts, ads for stores		3547. ⁰⁰
TOTAL REIMBURSEMENT REQUEST	\$5000 ⁰⁰	\$4897 ⁴⁰

ARANSAS COUNTY ISD EDUCATION FOUNDATION INC P.O. BOX 195 ROCKPORT, TX 75381 (281) 723-6634		FIRST COMMUNITY BANK 1422 HWY. 30 NORTH ROCKPORT, TX 75382	1124 88-1189/1108 14
PAY TO THE ORDER OF <u>Houston Chronicle</u>		8/19/2016	\$ 950.00
Nine hundred fifty and 00/100*****		DOLLARS	
MEMO		 AUTHORIZED SIGNATURE	
⑆001124⑆ ⑆114911807⑆ 008 097 7⑆			

Stopping tournament
Houston Bazaar ad

FIRST COMMUNITY BANK
1629 HWY. 35 NORTH
ROCKPORT, TX 78382

1118

88-1180/1149
14

ARANSAS COUNTY ISD EDUCATION FOUNDATION INC
P.O. BOX 195
ROCKPORT, TX 78381
(361) 729-6934

8/4/2016

PAY TO THE
ORDER OF

Rockport Printing

\$ 250.00

Two hundred fifty and 00/100*****

DOLLARS

MEMO

Mailout - out of town
prior shoppers



AUTHORIZED SIGNATURE

⑈001118⑈ ⑆114911807⑆ 008 097 7⑈

ARANSAS COUNTY ISD
EDUCATION FOUNDATION INC

1118

Date	Type	Reference	Original Amt.	Discount	Payment
8/4/16	Rockport Printing				250.00

Shopping Tournament printing

ARANSAS COUNTY ISD
EDUCATION FOUNDATION INC

1118

Date	Type	Reference	Original Amt.	Discount	Payment
8/4/16	Rockport Printing				250.00

Shopping Tournament printing

Details on Back. Security Features Included

Rockport Printing

Experience • Quality • Service

2220 Hwy. 35 N. • Rockport, Texas 78382 • (361) 729-6121 • Fax: (361) 729-6423

BILL TO

Invoice

DATE	INVOICE #
8/1/2016	25390

ACISD Education Foundation
 P.O. Box 195
 Rockport, Tx 78381-0195

P.O. NO.	TERMS	PROJECT
Mella	Due on receipt	

DESCRIPTION	RATE	AMOUNT
Shopping Tournament Bus. Cards	250.00	250.00
Store & Foundation Mailouts		
TOTAL		\$250.00

Postage
Mail out to out of town
price shoppers

=====
ROCKPORT
1550 FM 2165
ROCKPORT
TX
78382-9998
4877000382
09/06/2016 (800)275-8777 10:54 AM
=====

Table with 3 columns: Product Description, Sale Qty, Final Price. Rows include US Flag Coil/100, US Flag Bkit/20, Total, and Debit Card Remit'd.

Debit Card Remit'd \$150.40
(Card Name:Debit Card)
(Account #:XXXXXXXXXX3964)
(Approval #:927537)
(Transaction #:644)
(Receipt #:001777)
(Debit Card Purchase:\$150.40)
(Cash Back:\$0.00)

BRIGHTEN SOMEONE'S MAILBOX. Greeting
cards available for purchase at select
Post Offices.



Rockport Web Sites
 P.O. Box 2446
 Rockport, Texas 78381-2446
 Nancy@RockportWebSites.com
 361-729-1180

Pay from this Invoice

DATE	INVOICE #
11/3/2016	3118

DUE NLT DATE
11/15/2016

BILL TO
The Education Foundation - Exempt P.O. Box 195 Rockport, Texas 78381-0195

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
Domain Name	Annual Only. ICAN rule. Domain name: www.shoprockportfulton.com	1	22.00	22.00
Hosting, Annual	Domain name: www.shoprockportfulton.com	1	180.00	180.00
Maintenance & Update NO PLAN	Maintenance and updates to website accomplished within 5-7 business days. Changes to include: stores, dates, registration and sponsors.. On domain: www.shoprockportfulton.com	1	1,000.00	1,000.00
Custom Items	Who fish	1	795.00	795.00
Custom Items	On the water	1	1,050.00	1,050.00
Custom Items	Advertising for out of local area.	1	500.00	500.00
	Shopping Tournament website			

Subtotal	3,547.00
8.25% Tax	
Total	3,547.00

CITY COUNCIL AGENDA
Special Called Meeting: Tuesday, November 29, 2016

AGENDA ITEM: 6

Deliberate and act on report from Rockport Center for the Arts and Rockport Rotary Club for marketing expenditures made for Rockport Film Festival 2016.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: At the Special City Council Workshop held on June 7, 2016, Elena Rodriguez, Rockport Center for the Arts Creative and Managing Director, and Kathy David, President of the Rockport Rotary Club presented their budget request to the City Council for Hotel Occupancy Tax funds to advertise the Annual Rockport Film Festival to be held in November 2016. Budget deliberations were held through the summer to finalize the City's Fiscal Year 2016-2017 Budget, with formal adoption at the September 20, 2016, City Council Meeting. Upon approval of the Fiscal Year 2016-2017 Budget, the City Council awarded the Rockport Center for the Arts and Rockport Rotary Club \$3,000.00 in funding.

FISCAL ANALYSIS: The FY 2016-2017 Budget includes \$3,000 in account 6602053 of which \$3,000 is available.

RECOMMENDATION: Staff recommends approval of the report submitted by Rockport Center for the Arts and Rockport Rotary Club for the annual Rockport Film Festival held November 2016, and authorize disbursement of Hotel Occupancy Tax funds in the amount of \$3,000.00, as presented.

Hotel Occupancy Tax Report for the City of Rockport

**TENTH ANNUAL
ROCKPORT
FILM FESTIVAL**
November 3-5, 2016



A collaborative project between the Rockport Rotary Club & Rockport Center for the Arts



Our Goals

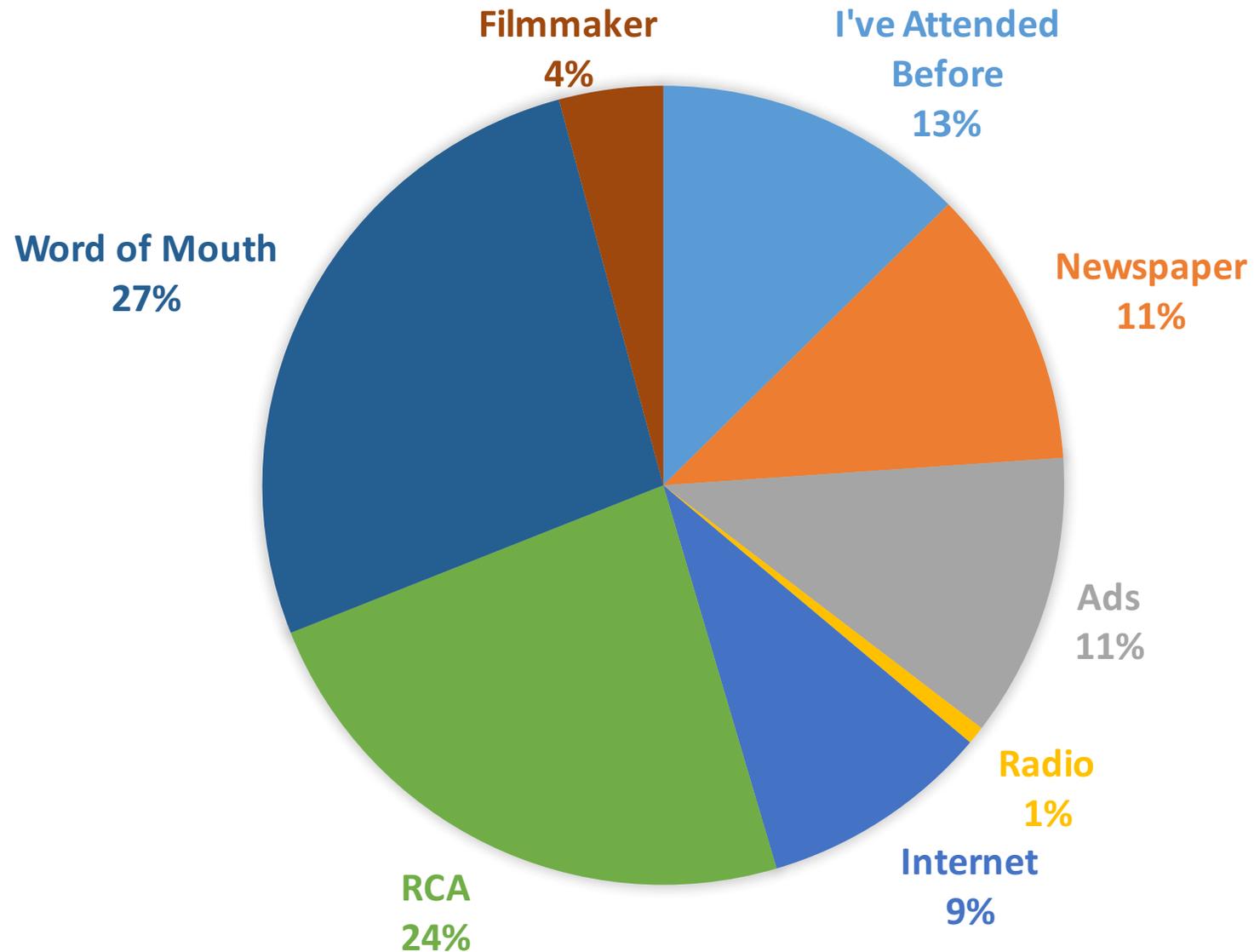
- Increase attendees coming from outside 70 miles
- Increase renown & prestige of the Rockport Film Festival

Our Methods

- Drive visitors to our website and Facebook page through targeted digital advertising (geo & demo tracking)
- Promote the Festival through mass media: television, radio, newspapers, and magazines

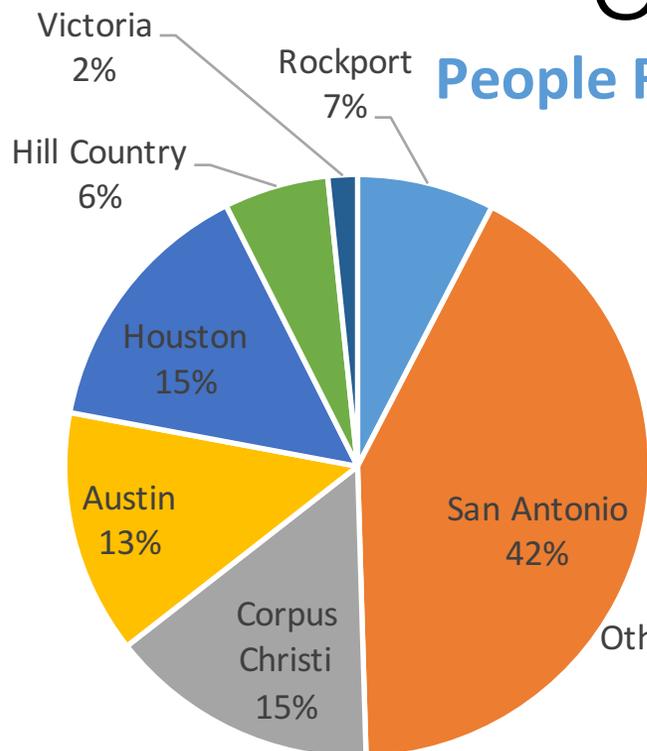


How did you hear about the Rockport Film Festival?

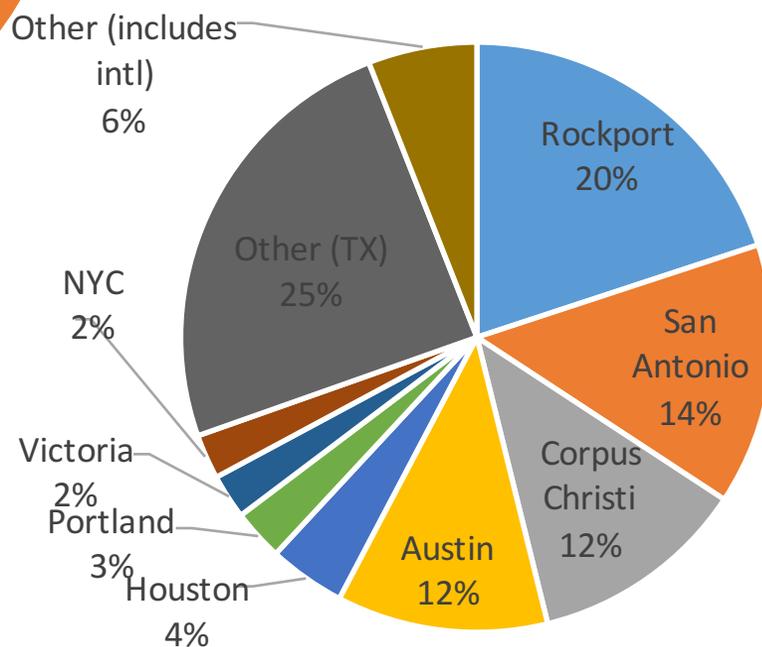


Online Advertising - Facebook

People Reached



People Engaged



- During the month before the Festival
 - **32 posts** on our Facebook page
 - Posts boosted in **San Antonio, Austin, the Hill Country, Houston, Corpus Christi, and Victoria.**
 - **93%** of the audience reached was **outside of Rockport/ 75%** of the audience reached was **more than 70 miles** outside of the Coastal Bend
 - **80%** of the audience engaged (liking or sharing posts) lived **outside of Rockport/ 68%** of engagement came **from outside 70 miles**

Online Advertising – Digital Ads



- **Digital ads** targeted toward adults 25-44 that are classified as art or film enthusiasts and residing in **San Antonio, Austin, or Victoria**
- Clicking on the ads led directly to our website
- The ads had an **average success rate of 0.07% (7 clicks per every 10k impressions)** and reached **240,000 people**
- Our mobile ads received the most clicks (**48 clicks per every 1000 impressions**)
- **25%** of new Festival attendees learned about the festival via Digital ads



TV/Radio - Ads



- **Video PSA** that ran
 - **193 times** on KRISTV between 10/12-11/4
 - **95 times** on Time Warner Cable between 10/20-11/4
- **Audio PSA** that ran **40 times** on iHeart media: KMXR/BIG 93.9 between 10/28-11/5
- **Sponsorship of KEDT** that let to **25+ mentions** during peak driving hours from 10/3-11/4



TV/Radio - Appearances



Rockport Film Festival This Weekend

More than forty films will be highlighted at the 10th Annual Rockport Film Festival this weekend.

KIITV.COM | BY TEGNA



- **Great Day San Antonio (KENS5)** – Elena was a guest the week before the Festival. During the 10 minute segment, the station played clips from the film and one trailer in its entirety
- **Domingo Live (KIII)** – Luis appeared on the program the Sunday preceding the Festival
- **KIII** – live broadcast with Sarah Acosta that ran during the morning news and was repeated during the evening news the Tuesday before the Festival
- **KNBT** – live radio interview with KNBT in New Braunfels the Wednesday before the Festival

Print Advertising – Media Coverage

editor's pick

BENEFIT
7 Most Beautiful Women: Inside & Out Charity Event
Oct. 6th
Join The Bend Magazine for the second annual 7 Most Beautiful Women: Inside & Out! An evening of celebration and fundraising for 7 charities. Tickets are \$10 each, and a portion of the proceeds will go to the selected charities. For an about: Christy Cooper, Christy Hawk, (954) 292-3595, aboutmagazine.com

COMMUNITY
33rd Annual Songwriter's Showcase
Oct. 17th
Live music's heartbeats were featured, so this year's surely will be. Enjoy an eat and listen to some wonderful original music. Bring a dish or a blanket if you wish. For: Stephen Jay Campbell, (954) 294-7374, jcampbell@aboutmagazine.com

ART
TEXAS Exhibit: trees, sky & sea
Oct. 20th
Bobby C. Venge photographs celebrate 13 years of Fine Art Photography with national Photography Award honorees. About: Fine Arts, (954) 292-3595, aboutmagazine.com

FESTIVAL
Ziegenbock Music Fest
Oct. 25th
Performances by Gary Allan w/ Cody Johnson, Jack Ingram, Bret Coats, Dory Kern, Steve Azar, William. The Church Brothers and a special performance and hosting duties by: The Ragdoll. aboutmagazine.com, (954) 292-3595, aboutmagazine.com

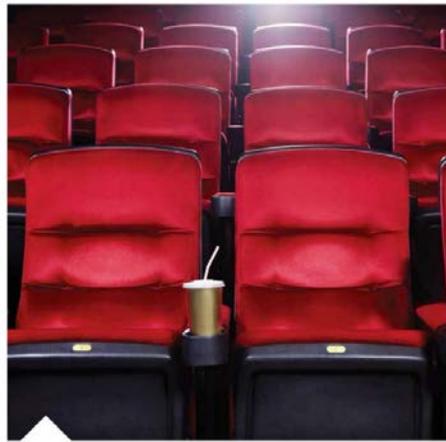



[The Bend Magazine image of the covered boat]

thebendmag.com 19

Out & About

NOVEMBER 2016 ARTS & CULTURE 100 CELEBRATION 100 DATE BOOK 100 SOCIAL HOUR 100



What's Inside

The Rockport Film Festival was founded in 2007 by REC Cury. An award-winning filmmaker himself, Rec saw the need for independent cinema in the Coastal Bend. He spent for the Art Center's involvement, and, luckily, the newly hired Art Director, John Aabo, had a film background.

[The Bend Magazine image of the covered boat]

thebendmag.com 103

Cinema with Charm

The 10th Annual Rockport Film Festival showcases a multitude of voices and stories

By Amy Wilkins Photos Contributed by 3 filmmakers

Celebrating its 10th year, the Rockport Film Festival returns November 1st - 6th, bringing an array of independent feature length and short films to South Texas. And all for your viewing pleasure.

This year, the festival proceedings will break from the norm and kick off with their Red Carpet Party on Thursday, November 4th at the 1907 28 Wood House, one of Rockport's oldest homes. Recently renovated, the Red Carpet Party will serve as the festival's debut as a multi-event space. Also on hand will be food catered by local restaurants and beverages supplied by Blazer and Legends Cantina. This all leads up to the premiere of the opening night film, "Monkey Dink Haven," screening under the stars!

As for Elena Rodriguez, Rockport Film Festival Director, watching the festival grow and become such a mainstay in the seaside community of Rockport 10 years after year, makes all of the hard work worth it.

"I love film. Just seeing the variety of viewpoints and ideas that can be expressed through film on the big screen makes it all worthwhile," said Rodriguez. "Rockport has a plethora of painting, drawing, and crafts, but the cinematic arts are the one art form I was lacking and I see people get in a hurry and pretend to bridge the gap in the artistic offerings of this town."

Friday and Saturday are the main days for live film festivals, as the festival will be screening selections from all over the world, falling within six categories of films: Documentary Features, Narrative Features, Documentary Shorts, Narrative Shorts, Animated Shorts and Student Shorts.

Many different viewpoints and artistic expressions will be on display, making the festival a one-of-a-kind experience.

The 10th Annual Rockport Film Festival has selected five larger-than-life feature-length films, including:

- "The Red Carpet Party Premieres Under the Stars: 'Monkey Dink Haven'" directed by Elena Rodriguez and her filmmaker Douglas
- "Charming" directed by Bill Parks
- "Howling in the Long & Red" directed by Doug Heston
- "Honey in the Jar" directed by Matt Ortega
- "Niche People" directed by Nicole Lewis Heston

For tickets and more information, visit RockportFilmFest.com

[The Bend Magazine image of the covered boat]

thebendmag.com 104

100 The Bend

[The Bend Magazine image of the covered boat]

The Bend Magazine –
October & November issues

- Press Releases were sent to daily newspapers w/ Features Departments in Victoria, San Antonio, Austin, Houston, Galveston, Dallas, Ft Worth.
- This resulted in **two articles** in the **Corpus Christi Caller Times**, **two articles** in the **Bend Magazine**, and **one article** in the **Victoria Advocate**.

Print Advertising – Media Coverage Cont.

Rockport film fest offers looks into fascinating lives



By [Jon Wilcox](#)

Nov. 2, 2016 at 5:42 p.m.

Updated Nov. 3, 2016 at 6 a.m.



A scene from the documentary "Everything in the Song is True."

Victoria Advocate – Story ran Thursday, Nov 3

The screenshot shows two news articles from the Corpus Christi Caller Times website. The top article is titled "New York City filmmaker to host workshops in Rockport" by Fares Sabawi, dated October 26, 2016. It features a photo of a woman and text stating that a New York City filmmaker will host stop-motion animation workshops on Halloween, with Jessie Brugger conducting the series tied to the 10th annual Rockport Film Festival. The bottom article is titled "10th annual Rockport Film Festival celebrates Texas" by Jimmy Willden, dated November 2, 2016. It features a photo of a band performing and text explaining the festival's goal of bringing independent cinema to the town and celebrating its 10th year. Both articles include social media sharing options and a "TOP VIDEOS" section.

Corpus Christi Caller Times – Stories ran Oct 26 & Nov 2

Print Advertising – Posters and Rack Cards

- **Posters and Rack Cards** featuring descriptions and screening times of the feature films were printed and distributed to

- **San Antonio**
- **Austin (during the Austin Film Festival)**
- **Local hotels**
- **RV parks**



TENTH ANNUAL ROCKPORT FILM FESTIVAL

Red Carpet Party & Premiere Screening! HONKY TONK HEAVEN
 Directed by Brendo Greene Mitchell & Sam Wainwright Douglas, USA
 Documentary, 75 minutes
 The most famous country music legends have all been regulars on stage at the world famous honky tonk. The Broken Spoke With fifty years under its belt buckle "the last of the true Texas dance halls" has endured rapid urban growth and skyrocketing rents due to the passion and hard work of its charismatic, tenacious owners. More than a history of who played and when at this landmark venue, the film reveals a universal story about what it takes to maintain a family business in our increasingly corporate-driven society.
Thursday, November 3
 Party @ 5:30 pm, Film @ 7:00pm
 203 N Magnolia, Rockport, TX
 \$50 Admission or VIP Pass

BREWED IN THE 210
 Directed by Marco Ortega, USA
 Documentary, 62 minutes
 Highlighting San Antonio area brewers and local businesses, who have contributed to the growth and revival of handcrafted beer deep in the heart of Texas. Local brewers tell their stories, share their passion, and illustrate how craft beer has made an impact on the community of San Antonio.
Saturday, November 5 @ 2:15pm
 Cinema 4, Rockport, TX
 \$10 Admission or VIP Pass

CHICKEN PEOPLE
 Directed by Nicole Lucas Haines, USA
 Documentary, 83 minutes
 In the world of competitive chicken breeding, the stakes are high and the contestants are plucky. CHICKEN PEOPLE follows three of the top breeders as they hatch and press their birds in their quest to claim the title of Supreme Grand Champion.
Friday, November 4 @ 6:45pm
 Cinema 4, Rockport, TX
 \$10 Admission or VIP Pass

EVERYTHING IN THE SONG IS TRUE
 Directed by Douglas Mariano, UAE
 Documentary, 83 minutes
 Four iconic cowboys whose music, art and way of life sustain vital connections to the folk culture that defines the American frontier. Their songs and deeds speak to a powerful connection to the land, the animals and a way of life that is unique to the United States and revered around the world.
Saturday, November 5 @ 2:15pm
 Cinema 4, Rockport, TX
 \$10 Admission or VIP Pass

RIVERING
 Directed by Bill Parks, New Zealand
 Documentary, 99 minutes
 Filmed on the wild rivers of New Zealand, RIVERING is a very different kind of sports movie. Focusing on the communities, the camaraderie, the characters, as well as the scenery and excitement that goes along with the sport of kayaking. With breathtaking scenery and exciting action, RIVERING is a film about passion for the outdoors that will resonate far beyond the paddling community.
Friday, November 4 @ 2:15pm
 Cinema 4, Rockport, TX
 \$10 Admission or Pass

SHORT FILMS
 Short Film Blocks @ Noon & 9 PM
Friday, November 4 & Saturday, November 5
 Cinema 4, Rockport, TX
 \$10 Admission or VIP Pass

NOVEMBER 3-5, 2016
ROCKPORTFILMFESTIVAL.COM
 The Rockport Film Festival is a project of Rockport Center for the Arts & Rockport Rotary.

The Lighthouse Inn
 Make it a Weekend!

HONKY TONK HEAVEN
 Directed by Brendo Greene Mitchell & Sam Wainwright Douglas, USA
 Documentary, 75 minutes
 The most famous country music legends have all been regulars on stage at the world famous honky tonk. The Broken Spoke With fifty years under its belt buckle "the last of the true Texas dance halls" has endured rapid urban growth and skyrocketing rents due to the passion and hard work of its charismatic, tenacious owners. More than a history of who played and when at this landmark venue, the film reveals a universal story about what it takes to maintain a family business in our increasingly corporate-driven society.
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 Cinema 4, Rockport, TX
 \$10 Admission or VIP Pass

SHORT FILMS
 Short Film Blocks @ Noon & 9 PM
Friday, November 4 & Saturday, November 5
 Cinema 4, Rockport, TX
 \$10 Admission or VIP Pass

NOVEMBER 3-5, 2016

TENTH ANNUAL ROCKPORT FILM FESTIVAL

ROCKPORTFILMFESTIVAL.COM

The Rockport Film Festival is a project of Rockport Center for the Arts & Rockport Rotary



Print Advertising – Printed Ads

NOV 3-5

TENTH ANNUAL ROCKPORT FILM FESTIVAL
ROCKPORTFILMFESTIVAL.COM

RIVERING
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Documentary, 99 minutes
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Friday, November 4 @ 2:15pm
Cinema 4, Rockport, TX
\$10 Admission or VIP Pass

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Friday, November 4 @ 6:45pm
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\$10 Admission or VIP Pass

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\$10 Admission or VIP Pass

SHORT FILMS
Short Film Blocks @ Noon & 9 PM
Friday, November 4 & Saturday, November 5
Cinema 4, Rockport, TX
\$10 Admission or VIP Pass

PENNY REDMON VISITING LECTURER SERIES
NYC based animator JESSIE BRUGGER answers questions about merging art and film. Short films developed in her workshop at the Rockport Center for the Arts will be screened.
Saturday, Nov 5 @ 10:30 AM
Cinema 4, Rockport, TX
FREE

Ads featuring film schedules ran in the Delmar & TAMUCC papers

TENTH ANNUAL ROCKPORT FILM FESTIVAL
ROCKPORTFILMFESTIVAL.COM

All screenings take place at Cinema 4 in Rockport, TX

RIVERING
Friday, Nov 4
2:15pm

CHICKEN PEOPLE
Friday, Nov 4
6:45pm

BREWED IN THE 210
Saturday, Nov 5
2:15pm

EVERYTHING IN THE SONG IS TRUE
Saturday, Nov 5
6:45pm

SHORTS
Short Film Blocks @ Noon & 9 PM
Friday, Nov 4 & Saturday, Nov 5

free

Q&A WITH NYC BASED ANIMATOR
JESSIE BRUGGER
Saturday, Nov 5
10:30 AM

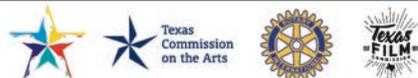
ADMISSION
ONE FILM \$10
VIP PASS \$100

NOV 3-5
ROCKPORTFILMFESTIVAL.COM

Ad ran in the Rockport Pilot special Seafair edition

NOV 3-5

ROCKPORT FILM FESTIVAL
ROCKPORTFILMFESTIVAL.COM



Specific Outreach to Target Markets



• San Antonio

- Elena appeared on Great Day SA the week before the Festival. They showed clips from the films and one trailer in its entirety
- Posters and rack cards went up in the city two-three weeks prior to the Festival. Locations included
 - Guillermo's restaurant, UTSA student union and communication building, San Antonio College Arts and music, Wal-Mart, Half price books (two locations), Starbucks (4 locations)
- Targeted Facebook/Instagram posts
- Targeted digital advertising

Specific Outreach to Target Markets

TENTH ANNUAL ROCKPORT FILM FESTIVAL

Red Carpet Party & Premiere Screening!
HONKY TONK HEAVEN

Directed by Brenda Greene Mitchell & Sam Wainwright Douglas, USA
Documentary, 73 minutes

The most famous country music legends have all been regulars on stage at the world famous honky tonk, The Broken Spoke. With fifty years under its belt, the last of the true Texas dance halls has endured rapid urban growth and skyrocketing rents due to the passion and hard work of its charismatic, tenacious owners. More than a history of who played and when at this landmark venue, the film reveals a universal story about what it takes to maintain a family business in our increasingly corporate-driven society.

Thursday, November 3
Party @ 5:30 pm, Film @ 7:00pm
203 N Magnolia, Rockport, TX
\$50 Admission or VIP Pass

SHORT FILMS

Short Film Blocks
@ Noon & 9 PM
Friday, November 4 &
Saturday, November 5
Cinema 4, Rockport, TX
\$10 Admission or VIP Pass

BREWED IN THE 210

Directed by Marco Orrego, USA
Documentary, 62 minutes

Highlighting San Antonio area brewers and local businesses, who have contributed to the growth and revival of handcrafted beer deep in the heart of Texas. Local brewers tell their stories, share their passion, and illustrate how craft beer has made an impact on the community of San Antonio.

Saturday, November 5 @ 2:15pm
Cinema 4, Rockport, TX
\$10 Admission or VIP Pass

RIVERING

Directed by Bill Parks, New Zealand
Documentary, 99 minutes

Filmed on the wild rivers of New Zealand, RIVERING is a very different kind of sports movie, focusing on the communities, the cameramen, the characters, as well as the scenery and excitement that goes along with the sport of kayaking. With breathtaking scenery and exciting action, RIVERING is a film about passion for the outdoors that will resonate far beyond the paddling community.

Friday, November 4 @ 2:15pm
Cinema 4, Rockport, TX
\$10 Admission or Pass

CHICKEN PEOPLE

Directed by Nicole Lucas Haines, USA
Documentary, 83 minutes

In the world of competitive chicken breeding, the stakes are high and the contestants are plucky CHICKEN PEOPLE. Follows three of the top breeders as they hatch and green their birds in their quest to claim the title of Supreme Grand Champion.

Friday, November 4 @ 6:45pm
Cinema 4, Rockport, TX
\$10 Admission or VIP Pass

EVERYTHING IN THE SONG IS TRUE

Directed by Douglas Morrone, UAE
Documentary, 83 minutes

Four iconic cowboys whose music, art and way of life sustain vital connection to the folk culture that defines the American frontier. As modern life continues to encroach on the wide open spaces, their stories take on a new relevance. Their songs and deeds speak to a powerful connection to the land, the animals and a way of life that is unique to the United States and revered around the world.

Saturday, November 5 @ 6:45pm
Cinema 4, Rockport, TX
\$10 Admission or VIP Pass

Discounted Rates for Festival Attendees
The Lighthouse Inn
Make it a Weekend!

NOVEMBER 3-5, 2016
ROCKPORTFILMFESTIVAL.COM

The Rockport Film Festival is a project of Rockport Center for the Arts & Rockport Rotary.

• Austin & Hill Country

- Posters and rack cards went up in the city two-three weeks prior to the Festival. Locations included
 - The Hideout Cafe on Congress, Starbucks on Congress, a Yoga studio, dance studio, the Austin Film Festival (5 posters)
- KNBT radio interview the day before the Festival
- Representation at the Hill Country Film Festival in April, 2016
- Targeted Facebook/Instagram posts
- Targeted digital advertising

Specific Outreach to Target Markets



- **Victoria**

- An article in the Victoria Advocate that ran Nov 3
- Targeted digital advertising

- **Youths**

- Ads were placed in both the Delmar and TAMUCC papers
- A stop motion animation workshop at the local high school produced films that were screened at a free Saturday program. Participants in the program stayed for several film blocks and receptions

- **Vacationers**

- Rack cards and posters were distributed to hotels & RV parks a full month before the festival

Results

- **TWO SOLD OUT SHOWS**
- In 2015, we had our first sold out show. In 2016, both evening features sold out: CHICKEN PEOPLE and EVERYTHING IN THE SONG IS TRUE
- In 2015, we had our **highest attended Red Carpet Party ever**, and in 2016 we exceeded 2015 attendance by 60 people
- In 2016, we saw **13% growth** from 2015 (our best attended year)



Results - Attendance

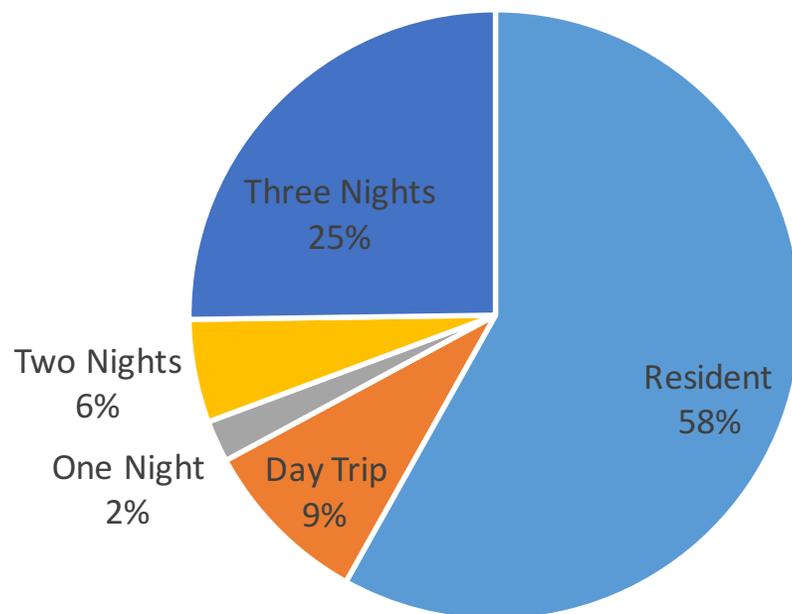
Day	Block or Event	Attendance per block or event
Thursday, Nov 3	Red Carpet Party at the Art Center, Outdoor Screening Feature "Honky Tonk Heaven"	315
Friday, Nov 4	Matinee Short Films	89
Friday, Nov 4	Matinee Feature- "Rivering"	108
Friday, Nov 4	Wind Way Gallery Reception	82
Friday, Nov 4	Late Night Feature- "Chicken People"	165
Friday, Nov 4	Late Night Short Films	105
Saturday, Nov 5	Penny Redmon Sceenings, Free to Public	52
Saturday, Nov 5	Matinee Short Films	103
Saturday, Nov 5	Matinee Feature- "Brewed in the 210"	89
Saturday, Nov 5	Fulton Mansion Reception	96
Saturday, Nov 5	Late Night Feature- "Everything in the Song is True"	167
Saturday, Nov 5	Late Night Short Films	83
	Total Attendance	1454

(Last year we had under 1300 attendance)

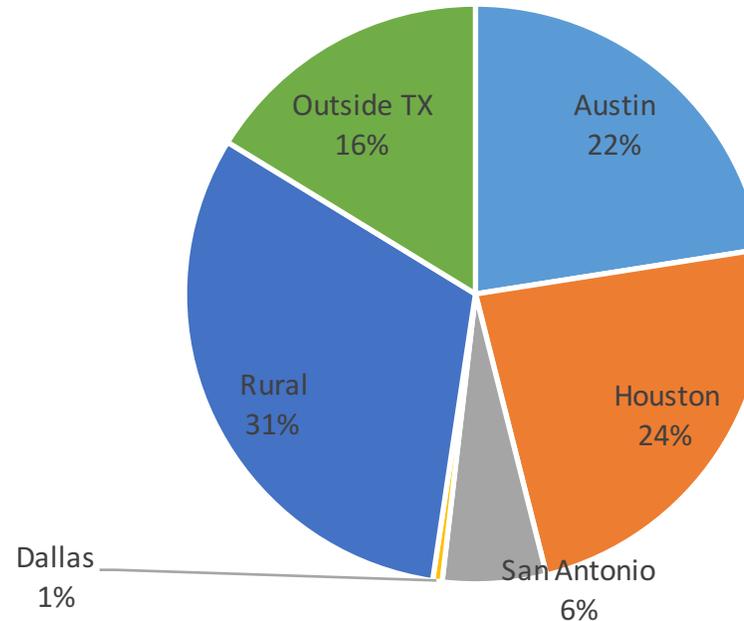
Results

- **One third** of attendees stayed in **hotels** during the Festival
- **42%** of attendees were **nonlocals**
- **88%** of nonlocal attendees came from **outside 70 miles**

How Many Nights Did You stay in Rockport



Attendees from beyond 70 Miles



Results

- **Filmmaker Engagement** – We had over 24 filmmakers attend the Festival, up from 13 last year
- One filmmaker has put us in touch with the production team of **a movie filmed in Rockport to be screened at the RCA in January**
- Two filmmakers included **Rockport and the Rockport Film Festival in their popular public access/YouTube show**

Tyrone D. Smith shared **The Como Brothers's** post —
watching **Da Big Daddy G Show** in **Austin, Texas**.
22 hrs · 🌐

Check out **The Como Brothers Amazing Music** in our 11th Episode of **Da Big Daddy G Show**. We are definitely proud of this one! Thanks **David Hancock** for helping on the mic! Thanks to all the wonderful people (**Elena Rodz & Company**) who put together the 10th Annual **Rockport Film Festival!!!**

The Como Brothers ✓
18 November at 12:46 · 🌐 Like Page

Our music was used on the **Da Big Daddy G Show** about the **Rockport Film Festival** If you missed the last night's episode that was aired in **Texas & streaming it's now on YouTube** . <https://youtu.be/rz6AOfcloQo>

Da Big Daddy G Show: Da Big Daddy G Rocks the Rockport Film Festival
Da Big Daddy G interviews Artists and Filmmakers And even the Mayor of Rockport at The 10th Annual...
YOUTUBE.COM

Like Comment Share

Samuel Thomas checked in to **Lighthouse Inn And Suites**
Rockport Tx with **Louis Hunter**.
4 November at 23:48 · Rockport · 🌐

Rocking the robes in Rockport at the **Lighthouse Inn And Suites** **Rockport Tx**



Like Comment Share



Daneilla Lovett
5 November · 🌐

This was an absolute amazing week where I was able to discover a hidden talent of mine; stop motion animation. Not only was I able to receive the guidance of **Jessie Brugger** in creating my own film, I had the opportunity to have it shown at the **Rockport Film Festival**. I received such great feedback and recognition. Definitely a memory to cherish. — with **Jessie Brugger**.

Like Comment Share

You, **Jessie Brugger**, **Annie Wildey** and 48 others

1 share 11 comments

View 5 more comments

Jamie Stiers congratulations **Daneilla!**
Like · Reply · 1 · 6 November at 13:50

Barb Hagedorn Learning from the best. **Jessie**, you are so talented.
Like · Reply · 2 · 6 November at 14:13

Kyndrah Warner That is beyond amazing! I am so proud of you, girl! ❤️
Like · Reply · 1 · 6 November at 16:48

Cindy Duck Paula said you were amazing!!! **Red Carpet Girl!!!**
Like · Reply · 2 · 6 November at 23:05

Write a comment... 📷 🗨



Festival Sponsors

Producers

- Mary & Jerry Channell
- First Community Bank
- Coldwell Banker - The Ron Brown Company & The Rialto Theater
- Rockport Rotary - Rockport Web Sites, Signature Home Inspectors, JD Debler, Dockside Properties

Directors

- Prosperity Bank
- The Rockport Group at Morgan Stanley
- Kimmi's Fine Foods
- My Coastal Home
- GSM Insurors
- Friends of the Fulton Mansion

Supporting Actors

- Hidden Treasures

Red Carpet Party Sponsors

- Cavalino Tequila
- Andrews Distributing
- Sherri & Glenn Heintschel
- Anne & Jeff Hunt
- Sushi Luck
- Stevie Lew's BBQ kitchen
- Eling Corporation Coastal
- Kimmi's Fine Foods
- Paradise Key Dockside Bar & Grill
- Tomcat Grill
- Old Fulton Seafood Café & Deli

Filmmaker Hospitality Sponsors

- JC Penney (Corpus Christi)
- Bealls
- Rockport Printing
- Tropical Smoothie Café
- Burger King
- JJ's Little Bay
- Tackle Town
- Popeyes
- Sonic Drive-In
- Dairy Queen
- Swan Point Landing – Orvis
- Kimmi's Fine Foods

In Kind Media Support

Time Warner Ad Sales

Dates: 10/20/16 - 11/4/16

number of ads: 95x

Value: \$750

I heart Media radio

Station: KMXR BIG 93.9

Dates: 10/28 /16 - 11/5/16

number of ads 40x

value: \$1000

KRIS TV Channel 6

Stations:

NBC/CBS/KDF/CW/Telemundo

Dates: 10/12 - 11/4

number of ads: 193x

value: \$3915

Exhibit "B"

HOT Funding Expense Report FY 2015-2016

Descript of Expense	Approved Budget	Amount of Expense
Overnight Prints - Printing of flyers & rack cards to be distributed in San Antonio & Austin	\$350.00	\$805.90
Perry Communications & Facebook - Online campaign presence boost to reach tourists in San Antonio, Houston, Austin, & the Hill Country	\$550.00	\$550.00
CENTRO - Digital advertising campaign targeted at nonlocal residents with a history of film interest	\$1700.00	\$1700.00
KEDT - 25 radio spots the ran from Oct 3 – Nov 4	\$400.00	\$400.00
<i>Total Reimbursement Request</i>	<i>\$3000.00</i>	<i>\$3455.90</i>

Hotel Occupancy Tax Report for the City of Rockport

**TENTH ANNUAL
ROCKPORT
FILM FESTIVAL**
November 3-5, 2016



Thank you, City of Rockport!

CITY COUNCIL AGENDA
Special Called Meeting: Tuesday, November 29, 2016

AGENDA ITEM: 7

Deliberate and act on report from Rockport-Fulton Chamber of Commerce Seafair Committee for marketing expenditures made for 2016 Seafair.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: At the Special City Council Workshop held on June 7, 2016, Sandy Jumper, Director of Tourism and Events presented the Seafair Committee's Fiscal Year 2016-2017 budget request to the City Council. Budget deliberations were held through the summer to finalize the City's Fiscal Year 2016-2017 Budget, with formal adoption at the September 20, 2016, City Council Meeting. Upon approval of the Fiscal Year 2016-2017 Budget, the City Council awarded the Seafair Committee \$1,500.00 in funding. Attached is documentation submitted by the Chamber for payment.

FISCAL ANALYSIS: Charged to account 6602047. The budgeted amount is \$1,500.00 of which \$1,500.00 is available.

STAFF RECOMMENDATION: Staff recommends approval of the report from Seafair Committee for marketing expenditures made for 2016 Seafair and authorize disbursement of funds in the amount of \$1,500.00 from the Hotel Occupancy Tax Fund, as presented.

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2016-2017		
Description of Expense	Approved Budget	Amount of Expense
RADIO ADVERTISING ON NEW BRAUNFELS/AUSTIN/SAN ANTONIO	\$500.00	\$2,000.00 *
TOTAL REIMBURSEMENT REQUEST	\$1,500.00	\$1,500.00

* REMOVED VICTORIA RADIO TO KGINB - NB, SA + AUSTIN CORRIDOR.

Seafair 2016

We are very pleased with our numbers and so appreciative of our amazing volunteers. I have a great team who worked tirelessly all weekend to bring you an awesome 42nd Seafair. Battle of the Bands was tons of fun. Our headliners for Friday and Saturday were outstanding. We came within 5% of last year's numbers, states Seafair Chairman Eric Heller

"We know we had lots of competition this year with other events so the staff and all the volunteers should be extra proud of the event," Rick McKinney, Chairman of the Board Rockport-Fulton

Gate traffic on Saturday showed locals coming in the first hour followed by out of towners ~ 70% San Antonians then the 5 to 8pm timeframe went to the 20-35 age group coming from Corpus Christi. Spazmatics were definitely popular and the highlight of the night.

102 Arts & Crafts and Market Vendors

11 food vendors and 3 food trucks

5 bands in the Battle of the Bands

6 Gumbo Teams

150 gallons of Gumbo

15 chili contestants

6 Cardboard Boats Entrants

5 salsas in Salsa Contest and 8 Desserts

192 Volunteers

Car Show (not as many as anticipated)

72 crabs raced

340 T-shirts sold

The Committee will be meeting for a debrief. Eric Heller has agreed to be the chairman one more year. Robert Mitchell has agreed to be the Vice Chairman "In Training" and will take over the helm for 2018.

The event will not be held on Columbus Day Weekend next year. It will be held on Oct. 12-15, 2017.

CITY COUNCIL AGENDA
Special Called Meeting: Tuesday, November 29, 2016

AGENDA ITEM: 8

Conduct and deliberate on a Public Hearing concerning passing-through a water rate increase from San Patricio Municipal Water District.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: The City received notice from our water supplier, San Patricio Municipal Water District (SPMWD), of a \$0.04 per 1,000-gallon increase in their rate effective January 1, 2015. A pass-through of the \$0.04/1,000-gallon increase is proposed. If approved, water customers will notice the rate increase in their March 2017 utility bill. The average residential customer will see an increase of about \$0.28 on their monthly bill. See the accompanying October 26 letter from SPMWD for additional detail.

FISCAL ANALYSIS: The proposed increase is a straight pass through charge so it will be budget neutral.

RECOMMENDATION: Not an action item, public hearing only.



PUBLIC HEARING NOTICE

Rockport City Council

NOTICE is hereby given that the City of Rockport will hold a Public Hearing on Tuesday, November 29, 2016 at 6:30 p.m. at the Rockport City Hall, 622 E. Market Street, Rockport, Texas on a proposal to increase water rates for all customers. The City received notice from our water supplier, San Patricio Municipal Water District, of an increase in rates effective January 1, 2017. A pass-through rate increase of \$0.04 per 1,000 gallons of water is proposed. If approved, customers will note an increase in rates with their March 1, 2017 utility bill.

The City encourages citizens to participate and to make their views known at this public hearing. Citizens unable to attend this meeting may submit their written comments to City Manager Kevin Carruth, 622 E. Market Street, Rockport, TX 78382 or email at citymgr@cityofrockport.com. For further information please contact the Finance Director Patty Howard at 361-729-2213 ext. 228 or email at finance@cityofrockport.com. This facility and parking spaces are wheelchair accessible. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting by contacting the Office of the City Secretary at 361-729-2213 ext. 225 or email at citysec@cityofrockport.com. Braille is not available.

POSTED this the 21st of **NOVEMBER** 2016 in the City of Rockport City Hall, 622 E. Market Street, Rockport, Texas 78382 and on the City's webpage at www.cityofrockport.com. **PUBLISHED** in the *Rockport Pilot* on Wednesday, November 26, 2016.

CITY OF ROCKPORT

Teresa Valdez, City Secretary

Billie Jo Tennill, President
Troy Mircovich, Vice President
Brian Williams, Manager/District Engineer
Rebecca Klaevemann, Secretary/Treasurer



A. Larry Kalich, Director
Bunny C. Cox, Director
Ed Rainwater, Director
Alan Miller, Director
Beil Kellar, Director
Tom Bridges, Director

October 26, 2016

Kevin Carruth, City Manager
 City of Rockport
 622 E. Market St.
 Rockport, TX 78382

Dear Mr. Carruth:

I am enclosing a copy of the summary of the District's proposed FY 2017 budget. Discussion of the budget will be an agenda item for the Board Meeting scheduled for November 8, 2016 and adoption on December 13, 2016.

The proposed 2017 rate for Municipal customers will be \$3.11 per thousand gallons (the current rate is \$3.07). This rate will take effect on January 1, 2017 on the bill that is mailed at the end of January and due in February.

As you know the District lost a major industrial customer this year. Sherwin Alumina accounted for almost twenty percent of our sales. Originally we had estimated that the rate impact of losing them could be as high as twenty-five cents per thousand gallons. We were fortunately able to mitigate the increase with the addition of some new industrial customers and reductions in power, maintenance, capital, and no increase in water from the City of Corpus Christi.

Water storage in the Lake Corpus Christi/Choke Canyon reservoir system is just over fifty-six percent combined capacity and we remain in Stage 2 Drought Contingency. We appreciate your water conservation efforts in the past year and encourage you to continue your conservation efforts.

Please don't hesitate to call me if you have any questions.

Sincerely,

Rebecca K. Klaevemann

Enclosure

Phone 361-643-6521
 Fax 361-643-9093

SAN PATRICIO MUNICIPAL WATER DISTRICT
 PROPOSED BUDGET WORKSHEET
 AS OF: OCTOBER 31ST, 2016

01 -GENERAL WATER OPERATING

FINANCIAL SUMMARY

TWO YEARS PRIOR ACTUAL	ONE YEAR PRIOR ACTUAL	----- CURRENT YEAR -----		PROPOSED BUDGET
		AMENDED BUDGET	Y-T-D ACTUAL	

REVENUE SUMMARY

00 NON-DEPARTMENTAL	2,841,060.91	669,969.09	260,262.00	271,298.99	63,800.00
21 ADMINISTRATION	0.00	0.00	0.00	0.00	0.00
24 PLANT B	3,235,725.60	3,467,699.95	3,305,234.00	2,630,410.51	3,329,980.00
25 PLANT C	2,243,106.98	2,351,409.70	3,099,073.00	2,059,541.70	4,842,402.00
27 TREATED	10,771,209.09	11,343,608.38	11,343,524.00	9,006,070.08	9,905,387.00
28 UNTREATED	2,611,762.92	2,676,392.74	2,739,936.00	2,067,036.19	1,176,510.00
30 GROUNDWATER	0.00	0.00	0.00	0.00	0.00
40 DEBT SERVICE	1,758.88	2,442.49	0.00	4,736.47	0.00
50 PROJECT 2008 (WAS98)	0.00	6,270,740.01	0.00	5,537,586.75	0.00
51 97 BOND FUND	0.00	0.00	0.00	0.00	0.00
*** TOTAL REVENUES ***	<u>21,704,624.38</u>	<u>26,782,262.36</u>	<u>20,748,029.00</u>	<u>21,576,680.69</u>	<u>19,318,079.00</u>

EXPENDITURE SUMMARY

00 NON-DEPARTMENTAL	149,685.26	388,864.71	3,781,892.00	229,662.13	3,645,726.80
20 BOARD OF DIRECTORS	50,180.88	54,254.34	53,900.00	16,476.81	42,400.00
21 ADMINISTRATION	384,317.83	434,361.75	730,500.00	406,114.74	485,500.00
22 LAB	41,608.27	42,065.58	62,350.00	40,834.47	63,600.00
23 PLANT A	295,098.34	311,233.39	349,000.00	261,940.77	386,380.00
24 PLANT B	446,724.09	431,505.65	535,599.00	340,054.61	868,286.00
25 PLANT C	1,476,358.79	1,582,639.92	1,576,349.00	1,136,596.37	1,702,645.00
26 SHOP	49,210.86	54,665.97	60,000.00	47,200.72	64,000.00
27 TREATED	1,402,014.87	1,152,771.79	1,389,498.00	863,754.47	1,295,153.65
28 UNTREATED	12,630,504.82	13,548,752.45	11,764,697.00	8,612,812.89	11,074,613.00
40 DEBT SERVICE	1,859,877.39	1,815,588.04	0.00	1,549,496.34	0.00
50 PROJECT 2008 (WAS98)	0.00	0.00	0.00	9,149,099.24	0.00
51 97 BOND FUND	0.00	0.00	0.00	0.00	0.00
*** TOTAL EXPENDITURES ***	<u>18,785,581.40</u>	<u>19,816,703.59</u>	<u>20,303,785.00</u>	<u>22,654,043.56</u>	<u>19,628,304.45</u>

** REVENUES OVER (UNDER) EXPENDITURES **	<u>2,919,042.98</u>	<u>6,965,558.77</u>	<u>444,244.00</u>	<u>(1,077,362.87)</u>	<u>(310,225.45)</u>
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CITY COUNCIL AGENDA
Special Called Meeting: Tuesday, November 29, 2016

AGENDA ITEM: 9

Deliberate and act to accept the Annual Report from Lamar Volunteer Fire Department and authorize disbursement of funds.

SUBMITTED BY: Patty Howard, Finance Director

APPROVED FOR AGENDA: PKC

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

The disbursements for the current year as well as the previous three years are detailed in the table below. The portion of the 1998 C.O. Bonds used for the central RFVD station is paid from the 77% RFVD receives, with the balance being disbursed to the department.

Department	2013	2014	2015	2016
Fulton VFD	\$36,421.75	\$37,070.68	\$37,591.32	\$38,230.29
Lamar VFD	\$3,563.95	\$3,432.73	\$3,483.69	\$4,066.99
Rockport VFD	\$86,414.00	\$88,488.34	\$89,824.83	\$107,442.39

Please see the accompanying ordinance and letter and annual report from LVFD. FVFD and RVFD received their disbursements at the November 8 meeting.

FISCAL ANALYSIS: Total collections for FY 2015-2016 are \$179,248.06. The City retains 5% of collections as an administrative fee (\$8,962.40), with the balance of the fund being disbursed to the VFDs.

RECOMMENDED ACTION: Staff recommends acceptance of the FY 2015-2016 Lamar Volunteer Fire Department report and authorize disbursement of funds, as presented.

ARTICLE IV. SURCHARGE REVENUE ACCOUNT*

Sec. 102-400. Authorization.

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

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

Sec. 102-401. Surcharge.

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

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

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

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

Sec. 102-402. Use of revenues.

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

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

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

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

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

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

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

Sec. 102-404. Penalties.

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

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

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

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

Sec. 102-405. Scheduled review.

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

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

Secs. 102-406—102-499. Reserved.

LAMAR VOLUNTEER FIRE DEPARTMENT
302 Bois D'Arc Rockport TX 78382
FAX 361-729-9106
E-Mail: lamarvfd@lamarvfd.com

Patty Howard
Finance Director
City of Rockport
622 E Market Dstreet
Rockport, Tx. 78382

Dear Ms. Howard;

I am in receipt of your letter dated 28 October, however due to the incorrect address, it was not received in time to respond before the deadline. Please note our new address above.

The Fire Fund distribution check is used annually primarily for matching grant monies for new equipment from the Texas Forest Service. This past year, we received a new skid unit and some new protective gear. Any balance was used as general operating funding. There is no carryover from years previous.

I hope this satisfies the reporting requirement and I apologize for the delay in responding.

If you have any questions, please feel free to call me at 361-727-6606.

Best regards,



Karl Compton, Secretary/Treasurer

Lamar Volunteer Fire Department, Inc.

9 November 2016

CITY COUNCIL AGENDA
Special Called Meeting: Tuesday, November 29, 2016

AGENDA ITEM: 10

Deliberate and act on report from the Rockport Yacht Club for marketing expenditures made for 2016 Nautical Flea Market.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: A representative from the Rockport Yacht Club presented their budget request to the City Council for Hotel Occupancy Tax funds to advertise the annual Nautical Flea Market held May 6-7, 2016. Budget deliberations were held through the summer to finalize the City's Fiscal Year 2015-2016 Budget, with formal adoption at the September 15, 2015, City Council Meeting. Upon approval of the Fiscal Year 2015-2016 Budget, the City Council awarded the Rockport Yacht Club \$2,500.00 in funding for the Nautical Flea Market. See the accompanying letter dated November 8, 2016 and report from the Yacht Club for additional details.

According to the Agreement signed by the Rockport Yacht Club, a recipient of Hotel Occupancy funds "shall prepare and file with the City Secretary a financial report, on a form prescribed by the City, no later than 30 days after the event for which hotel occupancy tax funds were spent by the Recipient." As the letter from Commodore Bill Coxwell states, the Rockport Yacht Club missed the 30-day timeline to file a financial report with the City Secretary. The 2016 Nautical Flea Market ended May 8.

FISCAL ANALYSIS: This expenditure is charged to account 660-2044. The FY 2015-2016 budget includes \$2,500 for the Nautical Flea Market and the full amount is available because the FY 2015-2016 budget has not yet been closed out.

RECOMMENDATION: If Council does not want to enforce the 30-day reporting deadline, Staff recommends Council approve the Report from Rockport Yacht Club marketing expenditures made for Nautical Flea Market held May 6-7, 2016, and authorize disbursement of funds in the amount of \$1,775.00 from the Hotel Occupancy Tax Fund for the event.



ROCKPORT YACHT CLUB

November 8, 2016

Teresa Valdez
City Secretary
City of Rockport, TX

Dear Teresa:

We at the Rockport Yacht Club seem to have missed turning in our HOT Funds Report. The buck does stop with me, Commodore this year, Bill Coxwell, and I do sincerely apologize to be asking for forgiveness. Further, please excuse the miscommunication within our organization and our not getting the information to the city in a timely manner. We do feel that we really brought in vendors as well as attendees from out of town. The 2016 Nautical Flea Market was one our best ever, with more vendors, and could be our biggest out of town gate numbers via zip codes. With this being said, we respectfully request that you please consider the attached Rockport Yacht Club Report for HOT Funds for our 2016 Nautical Flea Market.

On a side note, the Rockport Yacht Club hosted its first annual TSA Youth Regatta in August, the Rockin' Rockport Regatta. We had some 90 youth sailors and their families. In fact, the TSA organization (Texas Sailing Association) awarded RYC for the Regatta of the Year. The TSA and the Rockport Yacht Club have agreed to a 2017 date in June, based on requests from families as they would like to make the Regatta a vacation week, not just a Regatta weekend. We realize we are not adding the Regatta in our HOT funds, but please consider we are doing much more than the Nautical Flea Market to benefit the Rockport area and our community.

Additionally, the Bridge and Board of RYC has approved the production and airing of a TV commercial to promote the Nautical Flea Market in 2017. HOT funds will facilitate our efforts to broaden the scope of our advertising the NFM.

Therefore, again, we would sincerely appreciate your consideration of the HOT funds per our request.

Please let me know if you require anything further, or if there is anything else I may do.

Highest regards,

A handwritten signature in blue ink that reads "Bill Coxwell". The signature is fluid and cursive, with a large initial "B" and "C".

Bill Coxwell
Commodore 2016
Rockport Yacht Club
Cell 361.463.1193

Atta: RYC HOT Funds Report

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2015-2016		
Description of Expense	Approved Budget	Amount of Expense
Flyers & Posters		459
Network/Internet		210
News paper		603
Radio		503
TOTAL REIMBURSEMENT REQUEST		1,775

	Company	Amount		
Flyers	02/07/2016 Rockport Printing	322.00	322.00	#REF!
Flyers	03/27/2016 Rockport Printing	137.00	137.00	#REF!
		459.00		
Network	04/15/2016 Wonderful Women's Ne	15.00	15.00	#REF!
Network	04/20/2016 Wonderful Women's Ne	15.00	15.00	#REF!
Network	05/29/2016 Telltales	180.00	180.00	#REF!
		210.00		
Print Ads	04/14/2016 San Antonio Express	184.36	184.36	#REF!
Print Ads	05/01/2016 Houston Chronicle-Adv	218.00	218.00	#REF!
Print Ads	05/15/2016 Houston Chronicle-Adv	70.00	70.00	#REF!
Print Ads	04/11/2016 Cox Media	131.00	131.00	#REF!
		603.36		
Radio	06/26/2016 KRNH	503.10	503.10	503.10
		1,775.46		

CITY COUNCIL AGENDA
Special Called Meeting: Tuesday, November 29, 2016

AGENDA ITEM: 11

Deliberate and act on report from Rockport-Fulton Chamber of Commerce HummerBird Committee for marketing expenditures made for 2016 HummerBird Celebration.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: At the Special City Council Workshop held on June 2, 2015, Sandy Jumper, Director of Tourism and Events, presented the HummerBird Committee's Fiscal Year 2015-2016 budget request to the City Council. Budget deliberations were held through the summer to finalize the City's Fiscal Year 2015-2016 Budget, with formal adoption at the September 15, 2015, City Council Meeting. Upon approval of the Fiscal Year 2015-2016 Budget, the City Council awarded the HummerBird Committee \$1,500.00 in funding. Attached is documentation submitted by the Chamber for payment.

According to the Agreement signed by the Rockport-Fulton Chamber of Commerce HummerBird Committee, a recipient of Hotel Occupancy funds "shall prepare and file with the City Secretary a financial report, on a form prescribed by the City, no later than 30 days after the event for which hotel occupancy tax funds were spent by the Recipient." The 2016 HummerBird Festival ended September 11, 2016.

FISCAL ANALYSIS: The FY 2015-2016 budget includes \$1,500 for HummerBird and is charged to account 6602048, of which \$1,500 has already been spent. The HummerBird financial report for FY 2014-2015 was not received within the 30-day Agreement requirement but was presented for approval by Council in January of 2016. Council approved the payment to be taken from the FY 2015-2016 budget.

STAFF RECOMMENDATION: If Council does not want to enforce the 30-day reporting deadline and also wants to exceed the budgeted amount for FY 2015-2016, staff recommends Council approve the report from Rockport-Fulton Chamber of Commerce HummerBird Committee for marketing expenditures made for 2016 HummerBird Celebration, and authorize disbursement of funds in the amount of \$1,500.00 from the Hotel Occupancy Tax Fund for the event.

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2016-2017		
Description of Expense	Approved Budget	Amount of Expense
<i>Ads in Birdwatching Magazine and</i>	<i>\$827.00</i>	<i>\$827.00</i>
<i>Cornell Lab of Ornithology News</i>	<i>\$727.00</i>	<i>\$727.00</i>
<i>(See attached)</i>		
TOTAL REIMBURSEMENT REQUEST	<i>\$1,500.00</i>	<i>\$1,500.00</i>

Hummerbird Advertising 9/15 -9/18			
Magazine	date/months	price	size
Cornell Lab of Ornithology/All about Birds Newsletter	August	\$727	1/4 page
Birdwatching Magazine	August	\$857	1/6 page
Birdwatchingdaily.com	August	\$500	300x250
Birdwatchersdigest	JulyAugust issue	\$950	1/4 page
digital ad included online for not			
Texas Ornithological Society	July or August	\$300	full page
Kill TV (with 15% discount on \$1000)	August	\$850	30 days
Google Ad words	August	\$1,000	30 days
		\$5,184	



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KENN KAUFMAN**

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Vol. 30 Issue 4

chick and have one or two healthy chicks. In a related study, Mock found that the amount of androgens (including testosterone) that Cattle Egrets add to the yolks of the first two eggs is almost double what they add to the yolk of the third. This presumably increases the aggression of Chicks Nos. 1 and 2, an advantage they appear not to need.

While siblicide definitely causes brood reduction, there is another explanation for the behavior. A third egg offers insurance against the loss of the first two eggs from infertility or predation, or the early predation of either chick. Studies of several species have shown that a third egg will hatch and survive under such conditions.

For years, it's been known that associating with other species can be beneficial for one or more species within a group. Egrets in Florida, for example, enjoy a degree of protection from predators by nesting near alligators. Is it possible that siblicide, by providing chicks and carcasses, might play a role in attracting the reptiles?

Lucas A. Nell wanted to find out. In a recent study, he and colleagues from in the Department of Wildlife Ecology and Conservation at the University of Florida compared the body condition of alligators trapped in areas with and without nesting colonies of wading birds. Body-condition indices were significantly higher in alligators associated with the colonies. While it's obvious that eating a young egret will benefit an alligator, this is the first study to document the effects of an egret colony on the body condition of a population of alligators. It's as if both parties negotiated a deal. We'll keep predators away, say the reptiles, so long as you provide an occasional morsel of egret. Everybody wins.

Siblicide is an unusual reproductive strategy that helps maximize surviving offspring. It again demonstrates the cleverness of those amazing birds.

Eldon Greij is professor emeritus of biology at Hope College, located in Holland, Michigan, and the founding editor of *Birder's World* magazine.



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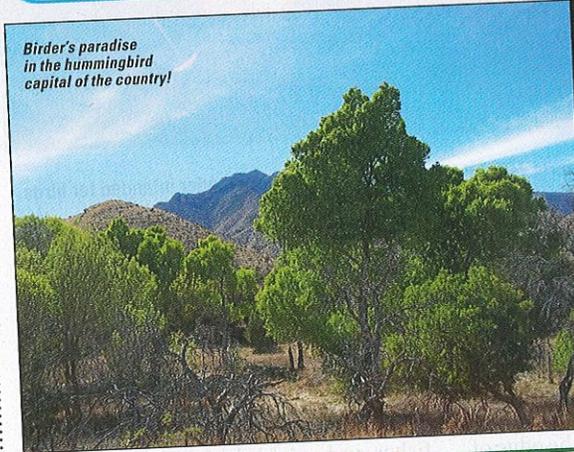
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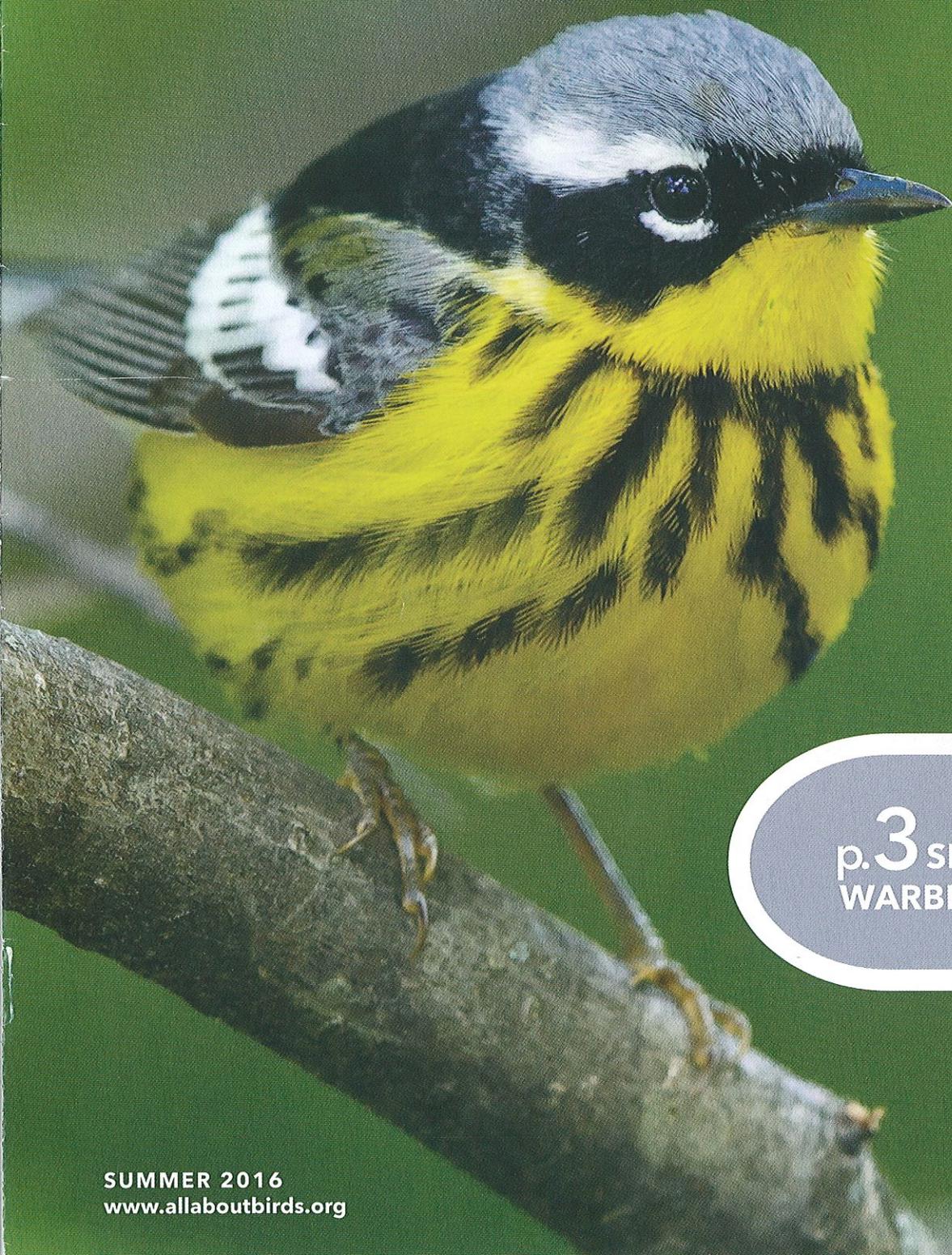
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p. 3 SPRUCE-WOODS
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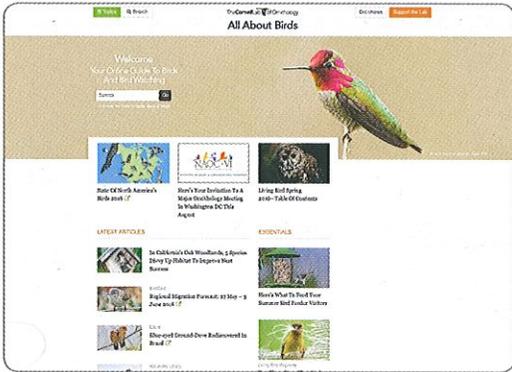
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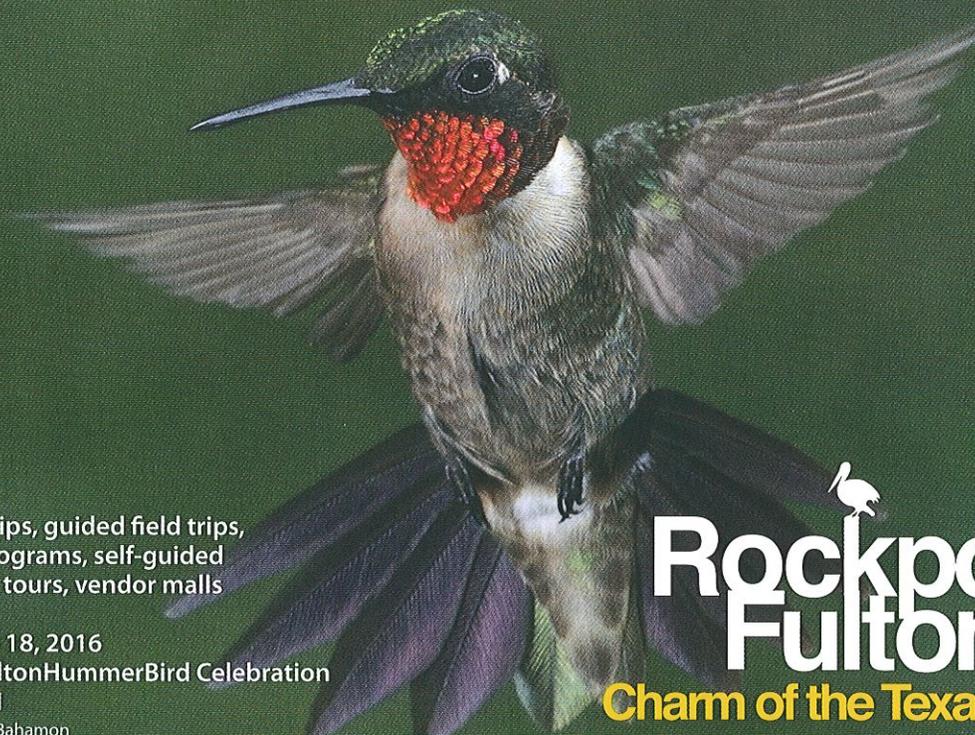


**THIS IS THE LAST ISSUE OF
ALL ABOUT BIRDS IN PRINT**

This is the final issue of a printed *All About Birds* newsletter, but all of this timely content about birds and birding—and more—can always be found on the AllAboutBirds.org website. Along with almost 600 species profiles, *All About Birds* online offers a constant stream of the latest news and articles from the Cornell Lab of Ornithology and all around the world of birds. Visit www.birds.cornell.edu/enews and sign up to receive the Cornell Lab's monthly eNews, with all of the *All About Birds* monthly highlights delivered to your email box.

HummerBird Celebration.

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Photography by Juan Bahamon


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Fulton**

Charm of the Texas Coast

2016 HummerBird Celebration

Overall the event is a boost to the community during an ordinarily slow period.

Our hotels were estimated to be between 65% to 85% full for the four days. That would translate to approximately 1,000 rooms occupied for two nights. If there were two people to a room, that means an additional 2,000 people in our hotels and lodging properties. If those 2,000 people spent approximately \$250 a day purchasing food, going on bus trips, speaker programs or boat trips, buying hummingbird products, getting gas, etc. that would mean the HummerBird Celebration had a half million dollar impact on the community. That is not counting all the day trippers that come in just to visit the Hummer Homes. We estimate that to be another 1,000 people. "In years past, our numbers have reached as high as 5,000 over the course of the week. We feel we did not reach that number but with all the uncertainty in the world, the number of new Hummingbird events popping up across the nation, and weather events, we are thrilled with the weekend," said Diane Probst, President/CEO

Some of the weekend's tallies included:

- 1,345 seats were taken during speaker programs, 264 enjoyed boat rides, 350 went on buses to see the Hummer Homes, approximately 1,000 people visited the banding demonstration site, 98 people went on the guided bus field trips and approximately 100 people took the photography classes held at the Rockport Center for the Arts. In the Vendor "Hummer Malls I & II", comments were very good in terms of sales and the number of visitors. There were more than 65 vendors with nature-related items for sale.
- There were more than 188 cities in Texas represented at the event, more than 26 different states and people were noted from eight countries – Thailand, Russia and England specifically coming to attend this event.

Collaboration... The Collaboration from other local attractions was fantastic. Programs at the Bay Education Center, Opening Reception and Exhibit at the Rockport Center for the Arts, Birder's Breakfast at the History Center, Aransas Pathways with the opening of Tule Creek East and so on...

From Steve... Both Judge Mills and CJ Wax polled the audience to see who was from the farthest away. There were none from beyond US. So I think we need to remove the bit about the foreign visitors. We have been impacted by the strong US economy and the strong dollar. And the weak energy market. So I would say that the economic conditions this year were definite headwinds and we still did reasonably well in attendance.

The community is also boosted by the programs that are provided, without cost, to ACISD and Sacred Heart schools. These kids got lessons from world-renown lecturers, including folks from Coastal Bays and Estuaries. I am guessing that 250-300 kids were impacted. And Tommy Moore told me, he is relying our kids to provide future Boat Captains and Tour Guides.

The local hospitality industry is also boosted by the publicity surrounding the event. The Rockport-Fulton name recognition endures. I believe that many folks in the nearer parts of Texas return at other times of the year. Diane Loyd, for example, is confident she will be receiving many guests as a result of the folks visiting her Hummer Home. It may have been the hummers or maybe the margaritas, I don't know. Either way, folks went away happy with a positive view of Rockport/Fulton.

Next year's dates are: Sept. 14-17, 2017.

CITY COUNCIL AGENDA
Special Called Meeting: Tuesday, November 29, 2016

AGENDA ITEM: 12

Deliberate and act on first reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 “Utilities”, Article II, “Water Service”, Division 3, “Service Charges” by amending water rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date.

SUBMITTED BY: City Manager Kevin Carruth

APPROVED FOR AGENDA: PKC

BACKGROUND: The City received notice from our water supplier, San Patricio Municipal Water District (SPMWD), of a \$0.04 per 1,000-gallon increase in their rate effective January 1, 2015. A pass-through of the \$0.04/1,000-gallon increase is proposed. If approved, water customers will notice the rate increase in their March 2017 utility bill. The average residential customer will see an increase of about \$0.28 on their monthly bill. See the accompanying October 26 letter from SPMWD for additional detail.

FISCAL ANALYSIS: The proposed increase is a straight pass through charge so it will be budget neutral.

RECOMMENDATION: Staff recommends Council approve, on first reading, an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 “Utilities”, Article II, “Water Service”, Division 3, “Service Charges” by amending water rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date, as presented.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF ROCKPORT CODE OF ORDINANCES CHAPTER 102 “UTILITIES,” ARTICLE II. “WATER SERVICE,” DIVISION 3. “SERVICE CHARGES” BY AMENDING WATER RATES FOR ALL CUSTOMERS; PROVIDING FOR THE VALIDITY OF SAID ORDINANCE; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. AMENDMENT

That Chapter 102 “Utilities,” Article II. “Water Service,” Division 3 “Service Charges” is hereby amended to wit:

Sec. 102-56. - Water rates inside city limits.

(a) There shall be charged and collected by the city from all residential customers of water supplied by the city inside its city limits, as now or hereafter established, the amount of money based upon the size of the customers tap and the customers usage (in gallons of water), as set forth in the following schedule of rates and charges:

(1) For the first 1,500 gallons, or fractional part thereof, used in any one regular billing cycle by any one user, the following sum per cycle:

Tap Size (In Inches)	MINIMUM CHARGES	NEW CHARGES
¾	\$19.26	\$19.32
1	\$23.30	\$23.36
1½	\$43.40	\$43.46
2	\$67.54	\$67.60
3	\$131.92	\$131.98
4	\$204.34	\$204.40
6	\$204.34	\$204.40

(2) If applicable, for all additional gallons used over 1,501 to 10,000, the sum of ~~\$5.05~~ **\$5.09** per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

(3) Conservation billing. If applicable for all gallons used over 10,001 to 15,000, the sum of ~~\$5.95~~ **\$5.99** each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(4) Conservation billing. If applicable for all gallons used over 15,001 and up, the sum of ~~\$6.78~~ **\$6.82** for each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(b) There shall be charged and collected by the city from all commercial customers of water supplied by the city inside its city limits, as now or hereafter established, the amount of money based upon the size of the customers tap and the customer’s usage (in gallons of water), as set forth in the following schedule of rates and charges, used in any one regular billing cycle by any one user, the following sum per cycle.

(1) For the first 1,500 gallons, or fractional part thereof, used in any one regular billing cycle by

any one user, the following sum per cycle:

Tap Size (In Inches)	MINIMUM CHARGES	NEW CHARGES
¾	\$19.26	\$19.32
1	\$23.30	\$23.36
1½	\$43.40	\$43.46
2	\$67.54	\$67.60
3	\$131.92	\$131.98
4	\$204.34	\$204.40
6	\$204.34	\$204.40

- (2) If applicable, for all additional gallons used over 1,501 to 10,000, the sum of ~~\$5.05~~ **\$5.09** per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.
- (3) Conservation billing. If applicable for all gallons used over 10,001 to 15,000, the sum of ~~\$5.95~~ **\$5.99** each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.
- (4) Conservation billing. If applicable for all gallons used over 15,001 and up, the sum of ~~\$6.78~~ **\$6.82** for each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

Sec. 102-57. - Wholesale water rates.

There shall be charged and collected by the city from all contracted resale customers, the sum of ~~\$5.47~~ **\$5.51** per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

Sec. 102-58. - Water rates outside city limits.

(a) There shall be charged and collected by the city from all customers of water supplied by the city outside its city limits, including customers residing within the Town of Fulton city limits, the amount of money based upon the size of the customer's tap and the customer's usage (in gallons of water), as set forth in the following schedule of rates and charges:

- (1) For the first 1,500 gallons, or fractional part thereof, used in any one regular billing cycle by any one user, the following sum per cycle:

Tap Size (In Inches)	MINIMUM CHARGES	NEW CHARGES
¾	\$26.62	\$26.68
1	\$32.24	\$32.30
1½	\$60.18	\$60.24
2	\$93.73	\$93.79
3	\$183.23	\$183.29
4	\$283.89	\$283.95
6	\$283.89	\$283.95

- (2) If applicable, for all additional gallons used over 1,501 to 10,000 gallons, the sum of ~~\$7.14~~ **\$7.18** per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.
- (3) Conservation billing. If applicable, for all gallons used over 10,001 to 15,000 the sum of ~~\$8.43~~ **\$8.47** per 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(4) Conservation billing. If applicable for all gallons used over 15,001 and up, the sum of ~~\$9.60~~ **\$9.64** for each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(b) There shall be charged and collected by the city, for all commercial customers of water supplied by the city outside its city limits, as now or hereafter established, the amount of money based upon the size of the customers tap and the customer's usage (in gallons of water), as set forth in the following schedule of rates and charges, used in any one regular billing cycle by any one user, the following sum per cycle:

(1) For the first 1,500 gallons, or fractional part thereof, used in any one regular billing cycle by any one user, the following sum per cycle:

Tap Size (In Inches)	MINIMUM CHARGES	NEW CHARGES
¾	\$26.62	\$26.68
1	\$32.24	\$32.30
1½	\$60.18	\$60.24
2	\$93.73	\$93.79
3	\$183.23	\$183.29
4	\$283.89	\$283.95
6	\$283.89	\$283.95

(2) If applicable, for all additional gallons used over 1,501 to 10,000 gallons, the sum of ~~\$7.14~~ **\$7.18** per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

(3) Conservation billing. If applicable, for all gallons used over 10,001 to 15,000 the sum of ~~\$8.43~~ **\$8.47** per 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(4) Conservation billing. If applicable for all gallons used over 15,001 and up, the sum of ~~\$9.60~~ **\$9.64** for each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

Secs. 102-59—102-70. - Reserved.

SECTION 2. REPEALER.

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

SECTION 3. SEVERABILITY.

If any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is, for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

SECTION 4. EFFECTIVE DATE.

This ordinance shall become effective upon adoption on second reading by the Rockport City Council and publication of the Ordinance caption in the official newspaper of the City of Rockport. Rates would become effective on January 15, 2017 and reflected on the March 1, 2017 billing.

APPROVED on first reading this the 29th day of November 2016.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED, PASSED and ADOPTED on second and final reading this ____ day of December 2016.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Special Called Meeting: Tuesday, November 29, 2016

AGENDA ITEM: 13

Deliberate and act on first reading of an Ordinance of the City of Rockport, Texas, providing for the annexation into the City of Rockport, Aransas County, Texas, of the hereinafter described territory, located adjacent to the City's corporate limits within the extraterritorial jurisdiction of the City and not being a part of any incorporated area; extending the boundary limits of the City so as to include the territory consisting of approximately 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, into the City's municipal limits, for all purposes; providing for related annexation service plans; repealing conflicting ordinances and resolutions; including a severability clause; granting to all the inhabitants of the annexed territory all the rights and privileges of other citizens and binding the inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; and establishing an effective date.

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA: PKC

BACKGROUND: This is the first reading of the ordinance for the proposed annexation along Market Street. Please see the accompanying ordinance, metes and bounds description, and service plan for more information.

FISCAL ANALYSIS:

RECOMMENDATION: Staff recommends that Council approve on first reading an Ordinance providing for the annexation into the City of Rockport, Aransas County, Texas, of the hereinafter described territory, located adjacent to the City's corporate limits within the extraterritorial jurisdiction of the City and not being a part of any incorporated area; extending the boundary limits of the City so as to include the territory consisting of approximately 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, into the City's municipal limits, for all purposes; providing for related annexation service plans; repealing conflicting ordinances and resolutions; including a severability clause; granting to all the inhabitants of the annexed territory all the rights and privileges of other citizens and binding the inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; and establishing an effective date, as presented.

ORDINANCE 2016-

AN ORDINANCE OF THE CITY OF ROCKPORT, TEXAS, PROVIDING FOR THE ANNEXATION INTO THE CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, OF THE HEREINAFTER DESCRIBED TERRITORY, LOCATED ADJACENT TO THE CITY'S CORPORATE LIMITS WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY AND NOT BEING A PART OF ANY INCORPORATED AREA; EXTENDING THE BOUNDARY LIMITS OF THE CITY SO AS TO INCLUDE THE TERRITORY CONSISTING OF APPROXIMATELY 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, INTO THE CITY'S MUNICIPAL LIMITS, FOR ALL PURPOSES; PROVIDING FOR RELATED ANNEXATION SERVICE PLANS; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; INCLUDING A SEVERABILITY CLAUSE; GRANTING TO ALL THE INHABITANTS OF THE ANNEXED TERRITORY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING THE INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, §43.021 of the Texas Local Government Code and the home-rule charter of the City of Rockport, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state;

WHEREAS, said territory proposed to be annexed is within the city's extraterritorial jurisdiction and is contiguous to the city; and

WHEREAS, the procedures prescribed by the Texas Local Government Code and the Charter of the City of Rockport, Texas, and the laws of this state have been duly followed with respect to the following described territory, to wit:

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 IN FIELD NOTES SHOWN IN EXHIBIT "A" AND MAP AS EXHIBIT "B".

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

1. That the heretofore described property is hereby annexed to the City of Rockport, Aransas County, Texas, and that the boundary limits of the City of Rockport be and the same are hereby extended to include the above described territory within the city limits of the City of Rockport, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the city of Rockport and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

2. A service plan for the area is hereby adopted and attached as exhibit C.

The City Secretary is hereby directed to file with the County Clerk of Aransas County, Texas, and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, a certified copy of this ordinance.

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

APPROVED and PASSED on first reading this the ____ day of _____ 20__.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED, PASSED and ADOPTED on second reading this the ____ day of _____ 20__.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

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.

2016 Field Notes/Market Street Annex

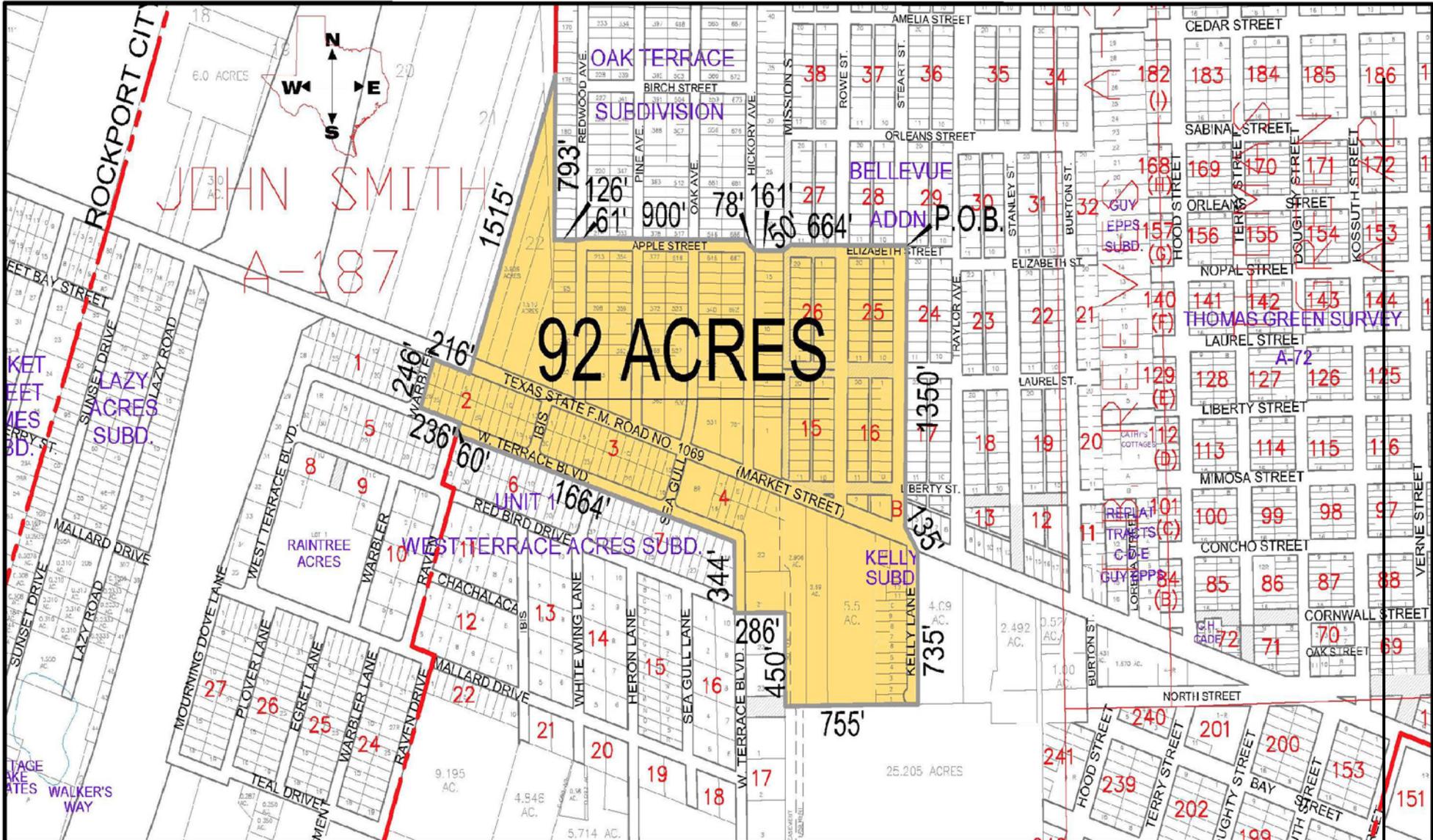


EXHIBIT "B"
PLAT SHOWING A 92 ACRE TRACT OUT OF THE JOHN SMITH SURVEY A-187
TO BE ANNEXED BY THE CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS

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.

G Griffith & Brundrett
 Surveying & Engineering, Inc.
 411 S. Pearl St., P.O. Box 2322
 Rockport, Texas 78081
 ☎ :361-729-6479
 📠 :361-729-7933
 ✉ :jeryb@gsurveyor.com
 🌐 :www.gsurveyor.com

SEPTEMBER 22, 2016
 SCALE 1" = 500'

FILE NAME: MARSH-AMARAN-1\ATL\AR_25-9-2015
 SHEET: ACCOMPANYING: H111.DWG 1 OF 10-SURV.DWG

EXHIBIT "C"
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 shown 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 regulate 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 or service sectors. This area will be added to 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. Natural Gas Service

Existing Services: Existing natural gas utility services to this area are provided by the City of Rockport.

Services to be Provided: Natural gas 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, gas service shall be provided in accordance with extension ordinances and as requested by developers. Extension of service shall comply with City codes and ordinances. Gas utility rates will be based on a lower Inside City Limits customer classification as opposed to the Outside City Limits customer classification.

8. Library Services

Existing Services: Library services are provided by the Aransas County Public Library.

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 library facilities to residents of the area.

9. Parks

Existing Services: Parks are not provided by Aransas County in this area. All City parks are currently open to non-city residents.

Services to be Provided: Parks will continue to be provided by the City and annexation will not result in any changes in the availability of parks to residents of the area.

10. 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.

11. 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 state 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 relating to 911 calls within the specified zone.

12. 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.

13. 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.

14. 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.

15. 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.

16. Storm Water Management

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

Services to be Provided: Stormwater management administration will become effective upon annexation. Any existing county drainage and stormwater easements will be transferred to the City for maintenance. 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.

17. 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.

CITY COUNCIL AGENDA
Special Called Meeting: Tuesday, November 29, 2016

AGENDA ITEM: 14

Deliberate and act on first reading of an Ordinance of the City of Rockport, Texas, providing for the annexation into the City of Rockport, Aransas County, Texas, of the hereinafter described territory, located adjacent to the City's corporate limits within the extraterritorial jurisdiction of the City and not being a part of any incorporated area; extending the boundary limits of the City so as to include the territory consisting of approximately 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, into the City's municipal limits, for all purposes; providing for related annexation service plans; repealing conflicting ordinances and resolutions; including a severability clause; granting to all the inhabitants of the annexed territory all the rights and privileges of other citizens and binding the inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; and establishing an effective date.

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA: PKC

BACKGROUND: This is the first reading of the ordinance for the proposed annexation on the SH 35-FM 188 crossroads. Please see the accompanying ordinance, metes and bounds description, and service plan for more information.

FISCAL ANALYSIS:

RECOMMENDATION: Staff recommends Council approve on first reading an ordinance providing for the annexation into the City of Rockport, Aransas County, Texas, of the hereinafter described territory, located adjacent to the City's corporate limits within the extraterritorial jurisdiction of the City and not being a part of any incorporated area; extending the boundary limits of the City so as to include the territory consisting of approximately 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, into the City's municipal limits, for all purposes; providing for related annexation service plans; repealing conflicting ordinances and resolutions; including a severability clause; granting to all the inhabitants of the annexed territory all the rights and privileges of other citizens and binding the inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; and establishing an effective date, as presented.

ORDINANCE 2016-

AN ORDINANCE OF THE CITY OF ROCKPORT, TEXAS, PROVIDING FOR THE ANNEXATION INTO THE CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, OF THE HEREINAFTER DESCRIBED TERRITORY, LOCATED ADJACENT TO THE CITY'S CORPORATE LIMITS WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY AND NOT BEING A PART OF ANY INCORPORATED AREA; EXTENDING THE BOUNDARY LIMITS OF THE CITY SO AS TO INCLUDE THE TERRITORY CONSISTING OF APPROXIMATELY 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, INTO THE CITY'S MUNICIPAL LIMITS, FOR ALL PURPOSES; PROVIDING FOR RELATED ANNEXATION SERVICE PLANS; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; INCLUDING A SEVERABILITY CLAUSE; GRANTING TO ALL THE INHABITANTS OF THE ANNEXED TERRITORY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING THE INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, §43.021 of the Texas Local Government Code and the home-rule charter of the City of Rockport, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state;

WHEREAS, said territory proposed to be annexed is within the city's extraterritorial jurisdiction and is contiguous to the city; and

WHEREAS, when required by State law, the City has offered, provided, negotiated and/or entered into binding non-annexation agreements on terms mutually agreeable to the City and the pertinent land owners, which agreements will be filed of record with the Clerk of Aransas County, Texas; and

WHEREAS, all of the herein-described property lies adjacent to and contiguous to the City of Rockport, Texas; and

WHEREAS, the procedures prescribed by both local and State law have been duly followed with respect to the following described territory, to wit:

Tract #2 Burton & Danforth Subdivision Block 227 Lot 12 and Part of Lot 13, being a tract of approximately 38.355 acres, ACAD Parcel ID - 14749, record property owners – Nancy Scarborough Dandre

Tract #3 A226 C S Zenn Survey, being a tract of approximately 437.175 acres, ACAD Parcel ID - 35529, record property owners – DW & B Grant Properties Ltd.

Tract #4 Abernathy Tracts Lot Pt. of Tr.1 & 2, being a tract of approximately 4.521 acres, ACAD Parcel ID - 45067, record property owners – DW & B Grant Properties Ltd.

Tract #5 Burton & Danforth Subdivision Block 228 Lot 9 Pt of, being a tract of approximately 3.422 acres, ACAD Parcel ID - 14770, record property owners – Billy Dean Monroe

Tract #6 McCampbell Subdivision Block 18 Lot 4 & Pt of 5 & 6, being a tract of approximately 28.134 acres, ACAD Parcel ID - 65175, record property owners – Clifford D. Tonne

[All as numbered and shown on the attached and applicable page of Exhibit “D”]

WHEREAS, the procedures prescribed by both local and State law have been duly followed with respect to the following described territory, which tracts are subject to and provide for in applicable Development Agreements, as set forth and required by §212.172 of the Texas Local Government Code, to wit:

Tract #1 ABS A160 James McKay Survey, being a tract of approximately 20.0 acres, ACAD Parcel ID - 8810307, record property owners – Catherine Blaffer Taylor; Camilla Blaffer Mallard; Joan Blaffer Johnson; Bernard N. Von Bothmer; Jane D. Owen; Anne D. Owen; Edward J. Hudson Jr.; Robert L. Hudson; Jacqueline de la Begassiere; Marisol de la Begassiere; Diane de la Begassiere; Sarah Blaffer Hrdy; Maria Von Bothmer; James O. Coleman

[As numbered and shown on the attached and applicable page of Exhibit “D”]

WHEREAS, the City finds that it is in the best interest of the public to have certain tracts that will not be annexed into the City to be surrounded by annexed areas; and

WHEREAS, the procedures prescribed by the Texas Local Government Code and the Charter of the City of Rockport, Texas, and the laws of this state have been duly followed with respect to the following described territory, to wit:

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 IN FIELD NOTES SHOWN IN EXHIBIT “A” AND MAP AS EXHIBIT “B”.

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

1. That the heretofore described property is hereby annexed to the City of Rockport, Aransas County, Texas, and that the boundary limits of the City of Rockport be and the same are hereby extended to include the above described territory within the city limits of the City of Rockport, except as set forth in applicable Development Agreements, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the city of Rockport and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.
2. A service plan for the area is hereby adopted and attached as exhibit C.

The City Secretary is hereby directed to file with the County Clerk of Aransas County, Texas, and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, a certified copy of this ordinance.

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

APPROVED and PASSED on first reading this the ____ day of _____ 2016.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED, PASSED and ADOPTED on second reading this the _____ day of _____, 2016.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

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, 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 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.

2016 Field Notes/990 AcreAnnex

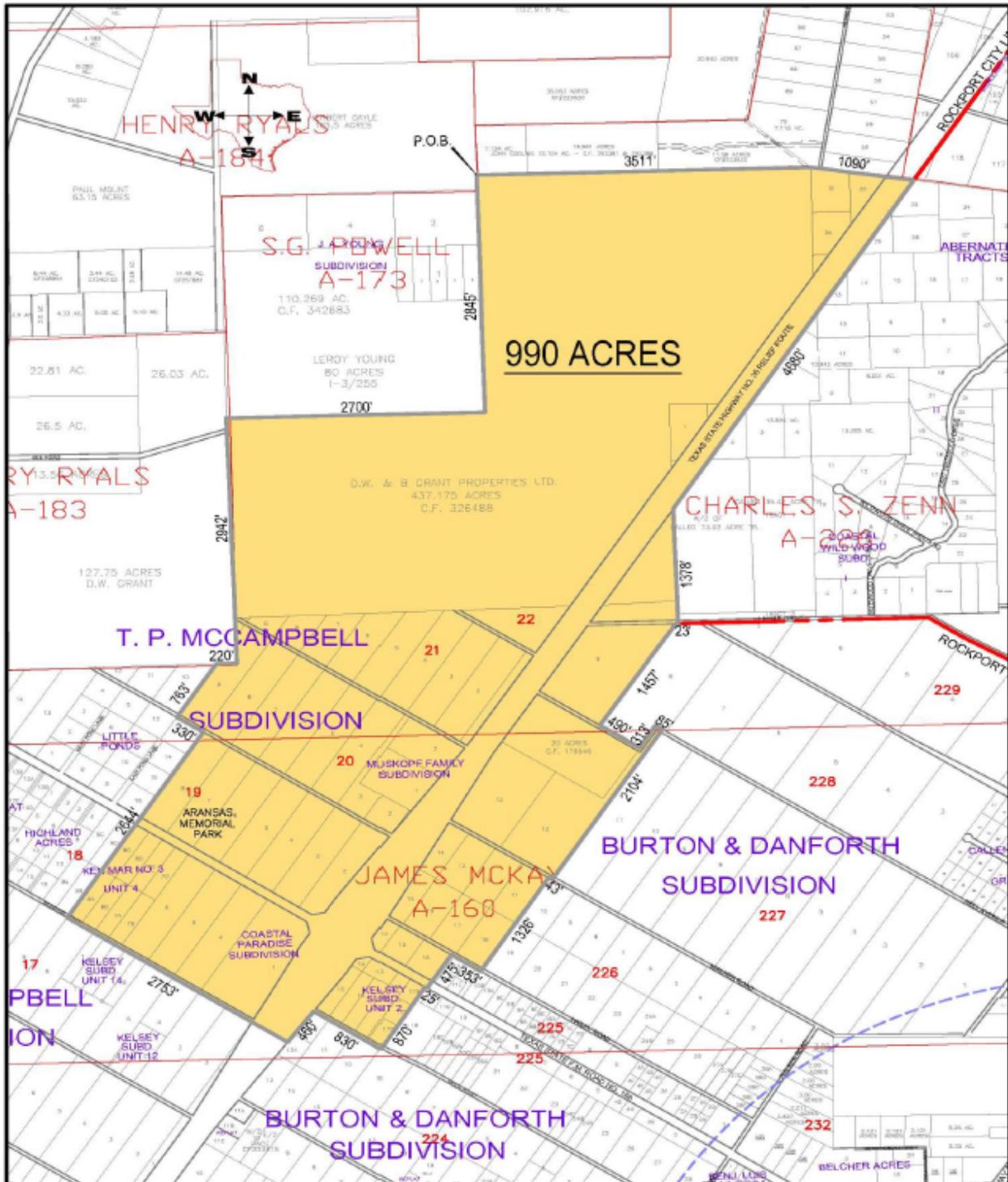


EXHIBIT "B"

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. Main St., P.O. Box 2322
 Rockport, Texas 76087
 361-229-6475
 361-229-7533
 jemsbl@gsurveyor.com
 www.gsurveyor.com

FILE NAME: 180704ARANNEXATIONLARIASL2016
 SEE ADDITIONAL FIELD NOTE DESCRIPTION

SEPTEMBER 22, 2016
 SCALE 1"=1000'

EXHIBIT "C" 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 shown 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 "SH 35-FM188 Crossroads" 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 regulate 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 or service sectors. This area will be added to 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. Natural Gas Service

Existing Services: Existing natural gas utility services to this area are provided by the City of Rockport.

Services to be Provided: Natural gas 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, gas service shall be provided in

accordance with extension ordinances and as requested by developers. Extension of service shall comply with City codes and ordinances. Gas utility rates will be based on a lower Inside City Limits customer classification as opposed to the Outside City Limits customer classification.

8. Library Services

Existing Services: Library services are provided by the Aransas County Public Library.

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 library facilities to residents of the area.

9. Parks

Existing Services: Parks are not provided by Aransas County in this area. All City parks are currently open to non-city residents.

Services to be Provided: Parks will continue to be provided by the City and annexation will not result in any changes in the availability of parks to residents of the area.

10. 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.

11. 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 state 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. Storm Water Management

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

Services to be Provided: Stormwater management administration will become effective upon annexation. Any existing county drainage and stormwater easements will be transferred to the City for maintenance. 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.

17. 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 "D" Tract #1

ABS A160 James McKay Survey, being a tract of approximately 20.0 acres, ACAD Parcel ID - 8810307, record property owners – Catherine Blaffer Taylor; Camilla Blaffer Mallard; Joan Blaffer Johnson; Bernard N. Von Bothmer; Jane D. Owen; Anne D. Owen; Edward J. Hudson Jr.; Robert L. Hudson; Jacqueline de la Begassiere; Marisol de la Begassiere; Diane de la Begassiere; Sarah Blaffer Hrdy; Maria Von Bothmer; James O. Coleman

<p>Property Identification #: 8810307</p> <p>Geo ID: 4000-160-010-000 Situs: 362-398 S H 35 BYPASS Address: ROCKPORT, TX 78382 Property Type: Real State Code: D2</p>	<p>Property Information: 2016</p> <p>Legal Description: ABS A160 James Mckay Survey Description: 20.0 ACRES Abstract: A160 Neighborhood: NULL Appraised Value: N/A Jurisdictions: CAD, GAR, NVD, SAR, XSP</p>	<p>Owner Identification #: 110088</p> <p>Name: TAYLOR CATHERINE BLAFFER Exemptions: DBA: NULL</p>
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Aransas CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Aransas County Appraisal District expressly disclaims any and all liability in connection herewith.

EXHIBIT "D"

Tract #2

Burton & Danforth Subdivision Block 227 Lot 12 and Part of Lot 13, being a tract of approximately 38.355 acres, ACAD Parcel ID - 14749, record property owners – Nancy Scarborough Dandre

Property Identification #: 14749 Geo ID: 0848-227-012-005 Situs: 1170 SH 188 ROCKPORT, TX Address: 78382 Property Type: Real State Code: D1	Property Information: 2016 Legal Description: BURTON & DANFORTH, BLOCK 227, LOT 12 & PT OF 13, ACRES 38.355 Abstract: S0848 Neighborhood: HWY-BP-188-N1 Appraised Value: N/A Jurisdictions: CAD, GAR, NVD, SAR, XSP	Owner Identification #: 58953 Name: DANDRE NANCY SCARBOROUGH Exemptions: NULL DBA: NULL
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Aransas CAD Map Search

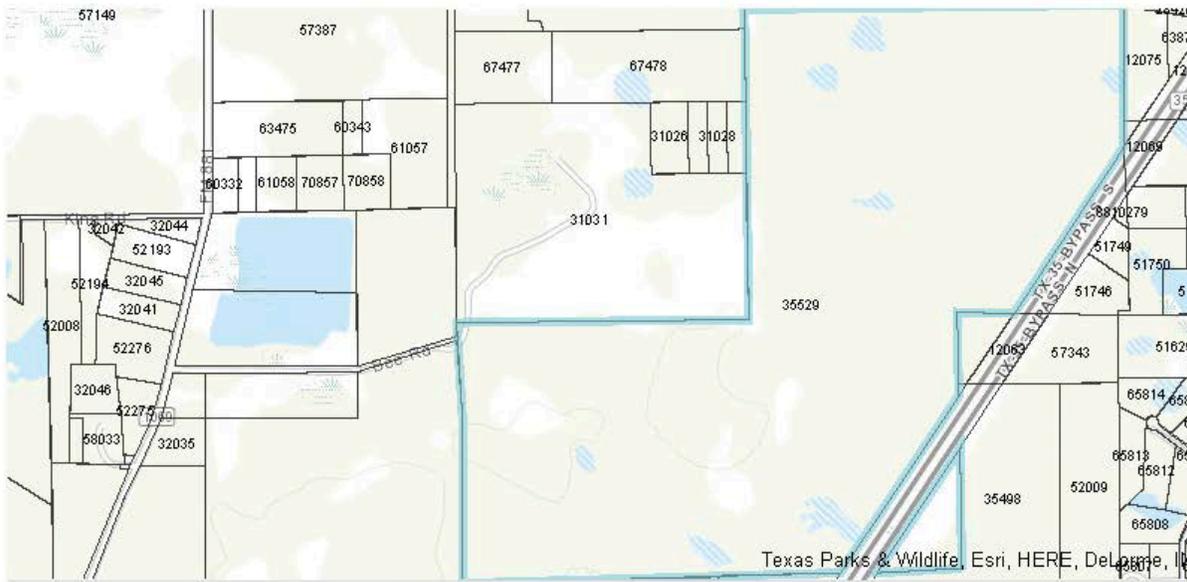
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EXHIBIT "D"

Tract #3

A226 C S Zenn Survey, being a tract of approximately 437.175 acres, ACAD Parcel ID - 35529, record property owners – DW & B Grant Properties Ltd.

Property Identification #: 35529	Property Information: 2016	Owner Identification #: 112230
Geo ID: 6575-226-450-000	Legal Description: A226 C S Zenn Survey, ACRES	Name: DW & B GRANT PROPERTIES LTD
Situs: 501-651 S H 35 BYPASS	Description: 437.175	Exemptions:
Address: ROCKPORT, TX 78382	Abstract: A226	DBA: NULL
Property Type: Real	Neighborhood: HWY-BP-188-N1	
State: D1	Appraised Value: N/A	
Code:	Jurisdictions: CAD, GAR, NVD, XSP, SAP	



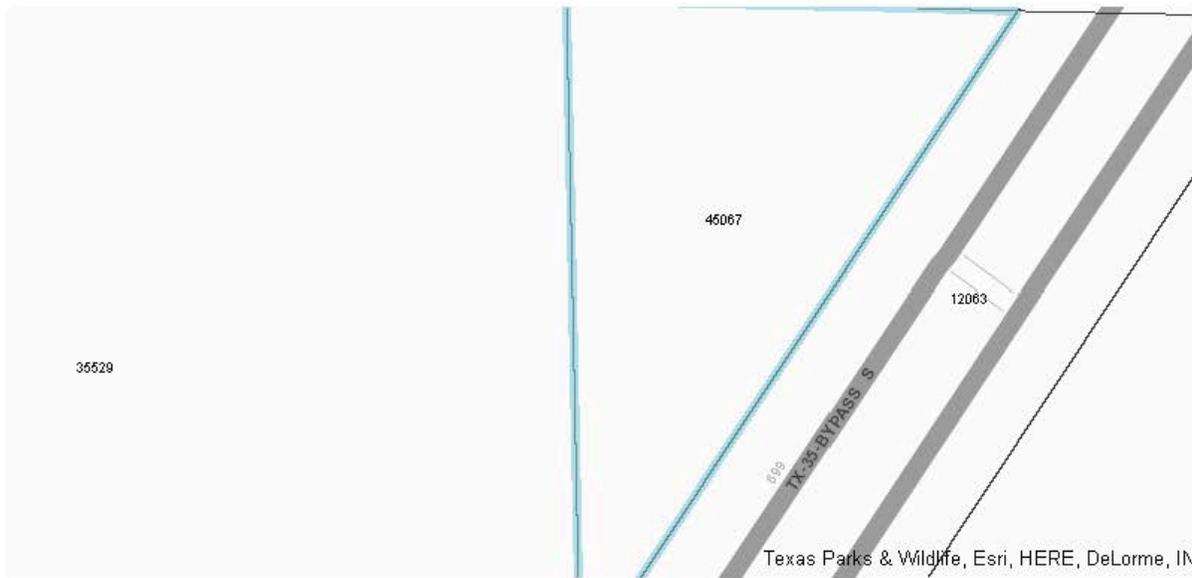
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EXHIBIT "D" Tract #4

Abernathy Tracts Lot Pt. of Tr.1 & 2, being a tract of approximately 4.521 acres, ACAD Parcel ID - 45067, record property owners – DW & B Grant Properties Ltd.

Property Identification #: 45067 Geo ID: 0025-000-002-000 Situs: 661-741 S H 35 BYPASS Address: ROCKPORT, TX 78382 Property Type: Real State: D1 Code:	Property Information: 2016 Legal: ABERNATHY TRACTS, LOT PT. Description: OF TR.1 & 2, ACRES 4.521 Abstract: S0025 Neighborhood: HWY-BP-188-N1 Appraised Value: N/A Jurisdictions: CAD, GAR, NVD, SAR, XSP	Owner Identification #: 112230 Name: DW & B GRANT PROPERTIES LTD Exemptions: DBA: NULL
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Aransas CAD Map Search

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EXHIBIT "D"

Tract #5

Burton & Danforth Subdivision Block 228 Lot 9 Pt of, being a tract of approximately 3.422 acres, ACAD Parcel ID - 14770, record property owners – Billy Dean Monroe

Property Identification #: 14770 Geo ID: 0848-228-009-000 Situs: 450 S H 35 BYPASS ROCKPORT, Address: TX 78382 Property Type: Real State Code: F1	Property Information: 2016 Legal Description: BURTON & DANFORTH, BLOCK 228, LOT 9, PT OF, ACRES 3.422 Abstract: S0848 Neighborhood: HWY:BP-188-N1 Appraised Value: N/A Jurisdictions: CAD, GAR, NVD, SAR, XSP	Owner Identification #: 31542 Name: MONROE BILLY DEAN Exemptions: HS DBA: RV- BIG FISH RV PARK
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Aransas CAD Map Search

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EXHIBIT "D" Tract #6

McC Campbell Subdivision Block 18 Lot 4 & Pt of 5 & 6, being a tract of approximately 28.134 acres, ACAD Parcel ID - 65175, record property owners – Clifford D. Tonne

Property Identification #: 65175 Geo ID: 3900-018-004-000 Situs: 1371-1471 SH 188 ARANSAS Address: PASS, TX 78336 Property Type: Real State Code: D1	Property Information: 2016 Legal: McCampbell, BLOCK 18, Lot 4 & Description: PT OF 5 & 6, ACRES 28.134 Abstract: S3900 Neighborhood: NULL Appraised Value: N/A Jurisdictions: CAD, GAR, NVD, XSP, SAP	Owner Identification #: 87486 Name: TONNE CLIFFORD D Exemptions: DBA: NULL
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Aransas CAD Map Search

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CITY COUNCIL AGENDA
Special Called Meeting: Tuesday, November 29, 2016

AGENDA ITEM: 15

Deliberate and act on first reading of an Ordinance of the City of Rockport, Texas, providing for the annexation into the City of Rockport, Aransas County, Texas, of the hereinafter described territory, located adjacent to the City's corporate limits within the extraterritorial jurisdiction of the City and not being a part of any incorporated area; extending the boundary limits of the City so as to include the territory consisting of approximately 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, into the City's municipal limits, for all purposes; providing for related annexation service plans; repealing conflicting ordinances and resolutions; including a severability clause; granting to all the inhabitants of the annexed territory all the rights and privileges of other citizens and binding the inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; and establishing an effective date.

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA: PKC

BACKGROUND: This is the first reading of the ordinance for the proposed annexation connecting the two city limits along Highway 35 Bypass. Please see the accompanying ordinance, metes and bounds description, and service plan for more information.

FISCAL ANALYSIS:

RECOMMENDATION: Staff recommends Council approve on first reading an ordinance providing for the annexation into the City of Rockport, Aransas County, Texas, of the hereinafter described territory, located adjacent to the City's corporate limits within the extraterritorial jurisdiction of the City and not being a part of any incorporated area; extending the boundary limits of the City so as to include the territory consisting of approximately 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, into the City's municipal limits, for all purposes; providing for related annexation service plans; repealing conflicting ordinances and resolutions; including a severability clause; granting to all the inhabitants of the annexed territory all the rights and privileges of other citizens and binding the inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; and establishing an effective date, as presented.

ORDINANCE 2016

AN ORDINANCE OF THE CITY OF ROCKPORT, TEXAS, PROVIDING FOR THE ANNEXATION INTO THE CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, OF THE HEREINAFTER DESCRIBED TERRITORY, LOCATED ADJACENT TO THE CITY'S CORPORATE LIMITS WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY AND NOT BEING A PART OF ANY INCORPORATED AREA; EXTENDING THE BOUNDARY LIMITS OF THE CITY SO AS TO INCLUDE THE TERRITORY CONSISTING OF APPROXIMATELY 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, INTO THE CITY'S MUNICIPAL LIMITS, FOR ALL PURPOSES; PROVIDING FOR RELATED ANNEXATION SERVICE PLANS; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; INCLUDING A SEVERABILITY CLAUSE; GRANTING TO ALL THE INHABITANTS OF THE ANNEXED TERRITORY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING THE INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, §43.021 of the Texas Local Government Code and the home-rule charter of the City of Rockport, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state;

WHEREAS, said territory proposed to be annexed is within the city's extraterritorial jurisdiction and is contiguous to the city; and

WHEREAS, the procedures prescribed by the Texas Local Government Code and the Charter of the City of Rockport, Texas, and the laws of this state have been duly followed with respect to the following described territory, to wit:

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 IN FIELD NOTES SHOWN IN EXHIBIT "A" AND MAP AS EXHIBIT "B".

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

1. That the heretofore described property is hereby annexed to the City of Rockport, Aransas County, Texas, and that the boundary limits of the City of Rockport be and the same are hereby extended to include the above described territory within the city limits of the City of Rockport, and the same shall hereafter be included

within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the city of Rockport and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

2. A service plan for the area is hereby adopted and attached as exhibit C.

The City Secretary is hereby directed to file with the County Clerk of Aransas County, Texas, and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, a certified copy of this ordinance.

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

APPROVED and PASSED on first reading this the ____ day of _____ 2016.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED, PASSED and ADOPTED on second reading this the ____ day of _____ 2016.

CITY OF ROCKPORT, TEXAS

Charles J. Wax, Mayor

ATTEST:

Teresa Valdez, City Secretary

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. Egery 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;

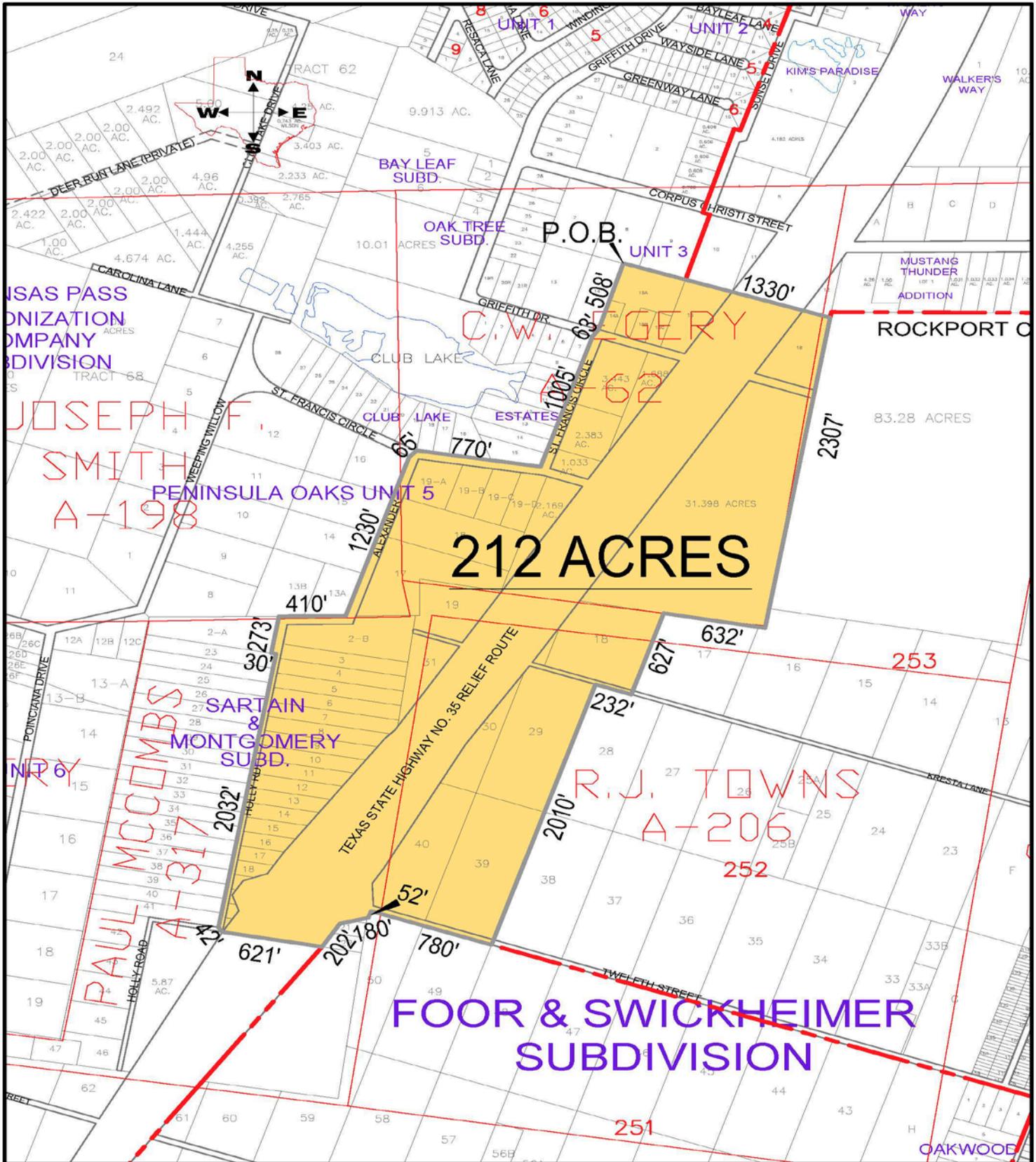
THENCE, in a Southeasterly direction along and with the Northerly R.O.W. line of St. Francis Circle a distance of approximately 770 feet to a point with its intersection with the Westerly R.O.W. line of St. Francis Circle and with said point being the Southeast corner of Lot 15 of said Club Lake Estates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

2015 FIELD NOTES/212 ACRES ANNEXT



212 ACRES

FOOR & SWICKHEIMER
SUBDIVISION

EXHIBIT "B"

PLAT SHOWING A 212 ACRE TRACT OUT OF PORTIONS OF THE C.W. EGERY SURVEY A-62,
 PAUL MCCOMBS SURVEY A-317, R.J TOWNS SURVEY A-206, AND THE JOSEPH F. SMITH SURVEY A-198
 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 78381
 361-729-6479
 361-729-7933
 jerryb@gbssurveyor.com
 www.gbssurveyor.com

SEPTEMBER 22, 2016
 SCALE 1"=600'

FILE NAME: MARSHAMAP/ANNEXATION_AREA_9_2016
 SEE ACCOMPANYING FIELD NOTE DESCRIPTION

EXHIBIT "C"
**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 shown 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 "SH 35 Connection" 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 regulate 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 or service sectors. This area will be added to 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. Natural Gas Service

Existing Services: Existing natural gas utility services to this area are provided by the City of Rockport.

Services to be Provided: Natural gas 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, gas service shall be provided in accordance with extension ordinances and as requested by developers. Extension of service shall comply with City codes and ordinances. Gas utility rates will be based on a lower Inside City Limits customer classification as opposed to the Outside City Limits customer classification.

8. Library Services

Existing Services: Library services are provided by the Aransas County Public Library.

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 library facilities to residents of the area.

9. Parks

Existing Services: Parks are not provided by Aransas County in this area. All City parks are currently open to non-city residents.

Services to be Provided: Parks will continue to be provided by the City and annexation will not result in any changes in the availability of parks to residents of the area.

10. 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.

11. 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 state 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 relating to 911 calls within the specified zone.

12. 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.

13. 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.

14. 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.

15. 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.

16. Storm Water Management

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

Services to be Provided:

Stormwater management administration will become effective upon annexation. Any existing county drainage and stormwater easements will be transferred to the City for maintenance. 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.

17. 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.