

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, June 27, 2017 Rockport City Hall, 622 East Market Street

On the 27th day of June 2017, 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 Secretary Teresa Valdez
City Attorney Terry Baiamonte
Public Works Director Mike Donoho
Parks & Leisure Services Director Rick Martinez
Finance Director Patty Howard
Community Planner Amanda Torres
Police Chief Tim Jayroe

ELECTED OFFICIALS PRESENT

Opening Agenda

1. **Call to Order.**

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Wax at 6:30 p.m. on Tuesday, June 27, 2017, in the Council Chambers of the Rockport City Hall, 622 E. Market Street, Rockport, Texas.

2. **Pledge of Allegiance.**

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

3. **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. Limit your 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. It is the prerogative of the Chair to limit or otherwise restrict commenters if comments are discourteous, inappropriate, repetitive, or uncivil.

There were no citizen comments.

Public Hearings

At 6:37 p.m., Mayor Wax opened the Public Hearings.

Mayor Wax asked the Community Planner to review the Service Plans for the four areas being considered for annexation.

Community Planner Amanda Torres reviewed the Service Plans (inserted below each Agenda item) for the four areas being considered for annexation.

- 4. **Conduct second Public Hearing on proposed annexation by the City of Rockport of 107 acres of land, more or less, along Market Street between Kelly Lane and Verne Street, being out of portions of the John Smith Survey A-187, the T.B. Reeves Survey A-323, the T. Green Survey A-72, and the T.T. Williamson Survey A-222.**

**MUNICIPAL ANNEXATION SERVICE PLAN
FOR
AREA "MARKET STREET B" (107 Acres)**

Area to be Annexed

Being approximately 107 acres of land, more or less, out of portions of the John Smith Survey A-187, the T.B. Reeves Survey, A-323, the T. Green Survey, A-72, and the T.T. Williamson Survey, A-222, with said 107 acres, more or less, being more particularly described by notes and brackets on Field Notes show in Exhibit "A" and map in Exhibit B.

Introduction

In accordance with the direction of the City Council of the City of Rockport, Texas, the City's Comprehensive Plan, and the requirements of Subsection 43.058 of the Texas Local Government Code, the following service plan for the area hereinafter referred to as Area "Market Street B" 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 43.029 of the Texas Local Government Code. This service plan shall become a part of an 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 43.029 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 ordinance 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.

Municipal Annexation Service Plan - "Market Street B" Page 1 of 6

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. The duties include building permits and planning permits for any new construction and remodeling, and enforcing other applicable codes, which regulate building construction within the City of Rockport. These services can be provided within the department's current budget.

4. Emergency Medical Services

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

Services to be Provided: Annexation of the proposed area will not alter the existing lines of service between the area and the existing emergency agreement.

5. Fire

Existing Services: Existing services are typically provided on a mutual city level 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 are fire stations currently located at 822 Henderson Street, 212 Ocean Street, 3001 West Terrace Boulevard and 119 Fronta Lane. Annexation of the proposed area will not alter the response times, service providers or the existing emergency 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 in this area are provided by the City of Rockport.

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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 developers in the adjacent area, gas service shall be provided in accordance with customer preferences 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 to the availability of library facilities to residents of the area.

9. Parks

Existing Services: Parks are not provided by Aransas County in the 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 to the availability of parks to residents of the area.

10. Planning and Zoning

Existing Services: The area falls within the Extrajurisdiction Jurisdiction (EJ) of the City of Rockport. Planning and land subdivision activities are currently unincorporated 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 the area on the effective date of the annexation. The property will comply with regulations under the jurisdiction 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: Solid Waste Collection will be provided by the City's contractor Republic Services, Inc. Services shall comply with existing City policies, beginning with reciprocity of ordinances. As provided for by Section 42.0306 of the Texas Local Government Code, residents may continue to use their existing solid waste collection services for up to two years following the effective date of annexation. At the end of the two-year period or termination of existing services by the customer (whichever is earlier), the City's contractor will begin providing services.

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 authority provider in accordance with interlocal policy.

16. Street Maintenance

Existing Services: Existing street maintenance services for the 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. The 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 \$24 million maintenance later hours.

18. Storm Water Management

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

Services to be Provided: Stormwater management administration will improve effective upon annexation. Any existing storm 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 ensure maintenance of the developer's drainage facilities upon completion from the developer.

17. Water Service

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

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

1. The Patrol Division will provide police patrol services in the proposed area. These services will include routine investigation and preventative patrol to deter criminals of their activities and land subdivisions. The Patrol Division will also assist other emergency-related agencies responding within the proposed area. The Patrol Division will provide further services to our customers by initiating and maintaining unannounced checks for maintenance and business compliance with program areas during their absence.
2. The Criminal Investigation Division will provide for other investigation services in the proposed area. These services include: allow scene search and the initial analysis and investigation leading to the identification of suspects, reviews of arrest warrants and the apprehension of suspected offenders, preparation and submission of cases to the appropriate agency for prosecution and 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 in instances 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 audits upon request.

Annexation of this area, together with other areas annexed in 2016 and 2017, would result in an increase of approximately 684 patrol later hours and 604 patrol investigation later hours. The Rockport Police Department will coordinate with the proper governmental agencies to ensure that 911 dispatch will be updated related to 911 calls within the annexed area.

12. Sanitary Sewer Service

Existing Services: Existing sanitary sewer services in this area is provided by either the City of Rockport or by private coverage facilities.

Services to be Provided: Sanitary sewer services to the area of proposed annexation will be provided in accordance with applicable codes and city policy. When property developers in the adjacent area, sanitary sewer services shall be provided in accordance with the project construction standards and as requested by developers. Extension of services shall comply with applicable codes and ordinances.

13. Solid Waste Collection

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

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 developers in the adjacent area, water service shall be provided in accordance with customer preferences 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 ordinances 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 all municipal services in each area of the city, including the annexed area, if different characteristics of topography, land use, and population density are determined a sufficient basis for providing different levels of services.

Terms

This contract 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 42.0361.

Mayor Wax noted two items of importance in the service plans: 1) all areas being considered for annexation currently do not have recycling services offered to them, but if the area is annexed, the City offers recycling services; and 2) the emergency response time for all areas, except the Market Street area, would be reduced from the current 14.59 minutes to 8.59 minutes because Market Street is already included.

5. Conduct second Public Hearing on proposed annexation by the City of Rockport of 38 acres of land, more or less, along Ann Street between Litron Street and 128 feet east of Pearl Street, being out of a portion of the T.T. Williamson Survey A-221.

MUNICIPAL ANNEXATION SERVICE PLAN
 PDS
 AREA A "PEARL STREET" (29 Acres)

Area to be Annexed
 Being approximately 38 acres of land more or less, out of a portion of the T.T. Williamson Survey A-221, with about 50 homes, some or less, being more particularly described by notes and bounds on Plat Notes shown in Exhibit "A" and map in Exhibit "B."

Introduction
 In accordance with the direction of the City Council of the City of Rockport, Texas, the City's Comprehensive Plan, and the requirements of Subchapter 43.008 of the Texas Local Government Code, the following service plan for the area hereinafter referred to as Area "Pearl Street" and as shown on the accompanying map that has been prepared. The statement plan may be amended as a result of the public hearing process in accordance with Subchapter 43.008 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 Subchapter 43.008 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 to provide animal control services for this area under the current ordinance on the effective date of the annexation. Such services will be provided with current Animal Control Department and within the current budget appropriation.

2. Capital Improvements
 Construction of capital improvements shall be completed by the City in the future as the needs of the area are met as such capital improvements are considered throughout the city.

Rockport Annexation Service Plan - "Pearl Street" Page 1 of 6

Services to be Provided: Natural gas services 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 owners in the adjacent area, gas services shall be provided in accordance with applicable 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 approved by the Outside City Limits customer classification.

6. 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 in residents of the area.

8. Parks
Existing Services: Parks are not provided by Aransas County in the 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: The area falls within the Extrajurisdictional Jurisdiction (EJ) of the City of Rockport. Planning and land ordinance activities are currently 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 the area on the effective date of the annexation. The property will solely be regulated under the requirements of the City of Rockport Subchapter Ordinance. These services can be provided within the department's current budget.

11. Police
Existing Services: Existing services are presently provided by the Aransas County Sheriff's Office.

Rockport Annexation Service Plan - "Pearl Street" Page 1 of 6

3. Building Inspections
Existing Services: Existing building inspection services are provided in the 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. The building inspection, electrical and plumbing permits for any new construction and remodeling, and reviewing of other applicable codes, which regulate building construction within the City of Rockport. These services can be provided within the department's current budget.

4. Emergency Medical Services
Existing Services: Emergency medical services are currently provided under contract with Aransas County by Abilene Ambulance from their facility located at 428 DeSoto in Rockport.
Services to be Provided: Annexation of the proposed area will not alter the response times at service stations. This area will be added to existing emergency agreements.

5. Fire
Existing Services: Existing services are currently provided on a non-city basis response by the Rockport Volunteer Fire Department, Inc.
Services to be Provided: Fire suppression will be available in the area under annexation and will be provided by the Rockport Volunteer Fire Department, Inc. There are no stations currently located at 822 Rousseau Street, 213 Ogden Street, 1824 West Terrace Boulevard and 1785 Potato Lane. Annexation of the proposed area will not alter the response times, service stations or the existing inter-agency 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 in the area are provided by the City of Rockport.

Rockport Annexation Service Plan - "Pearl Street" Page 1 of 6

Services to be Provided: The Rockport Police Department will initiate 911 calls and law enforcement services in the proposed annexed area on the effective date. Both divisions of the police department will coordinate the service plan.

- The Patrol Division will provide active patrol services in the proposed area. These activities will include criminal investigations and investigations related to date violations of state statutes and local ordinances. The Patrol Division will also assist other emergency-related agencies responding within the proposed area. The Patrol Division will provide further services to the community by holding and conducting neighborhood watch meetings for residents and businesses requesting such programs during their meetings.
- The Criminal Investigation Division will provide for active investigation activities to be implemented in the proposed area. These services include crime scene search and the related reports and investigations 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 monthly inspections of their real property. A status of the ongoing criminal investigations will be submitted to determine when (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 the area, together with other areas annexed in 2016 and 2017, would require an increase of approximately 884 patrol hour hours and 684 criminal investigation hour 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 area.

12. Sanitary Sewer Service
Existing Services: Existing sanitary sewer service in this area is provided by other 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 owners in the adjacent area, sanitary sewer service shall be provided in accordance with the present ordinance 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 services for this area. Residents may contract individually with available service providers.

Rockport Annexation Service Plan - "Pearl Street" Page 1 of 6

Services to be Provided: Solid Waste Collection will be provided by the City's contractor, Republic Services, Inc. Services shall comply with existing City policies. Beginning with occupancy of residences, as provided for by Section 43.028 of the Texas Local Government Code, residents may continue to use their existing solid waste collection services for up to two years following the effective date of annexation. At the end of the two-year period or termination of existing services by the contractor (whichever is earlier), 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 in 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 \$100 street maintenance labor hours.

16. Storm Water Management

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

Services to be Provided: Stormwater management administration will remain effective upon annexation. Any existing sanitary 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 construction. The City will accept maintenance of the developer's drainage facilities upon completion from the developer.

17. Water Service

Existing Services: Existing water utility services to the area is provided by the City of Rockport and includes both potable water and sewer 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 developers in the adjacent area, water service shall be provided in accordance with minimum standards 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 approved in the Christus 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 all 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 43.028.

There were no public comments.

6. Conduct second Public Hearing on proposed annexation by the City of Rockport of 176 acres of land, more or less, along Maple Street between Steart Street and 128 feet east of Pearl Street, being out of portions of the Thomas Green Survey A-72, the John W. Paup Survey A-179 and A-180, the T.T. Williamson Survey A-221, the T.B. Reeves Survey A-223 and the John G. Smith Survey A-239.

MUNICIPAL ANNEXATION SERVICE PLAN
FOR
AREA "C" (176 Acres)

Area to be Annexed

Being approximately 176 acres of land, more or less, with said 176 acres being out of portions of the Thomas Green Survey A-72, John W. Paup Survey A-179 and A-180, T.T. Williamson Survey A-221, T.B. Reeves Survey A-223 and the John G. Smith Survey A-239, with said 176 acres of land, more or less, being more particularly described by metes and bounds as said Notes show in Exhibit "A" and map in Exhibit "B."

Introduction

In accordance with the direction of the City Council of the City of Rockport, Texas, the City's Comprehensive Plan, and the requirements of Subsection 43.028 of the Texas Local Government Code, the following service plan for the area hereinafter referred to as Area "C" 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 43.028 of the local government code of the Texas Local Government Code. This service plan shall become a part of an ordinance 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 extending to Subsection 43.028 of the local government code 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 Aransas County 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.

Rockport Annexation Survey Plan - "Area C"

3. Building Inspections

Existing Services: Existing building inspection services are provided in the area by the City of Rockport when requested by appropriate building codes.

Services to be Provided: The Building & Development Department will provide Code Enforcement and Building Inspection Services upon annexation. The existing building, electrical and plumbing permits for any new construction and remodeling, and ordering of other appropriate codes, which regulate building construction within the City of Rockport. These services can be provided within the department's current budget.

4. Emergency Medical Services

Existing Services: Emergency medical services are currently provided upon contract with Aransas County by Abilene Ambulance from their facility located at 428 Eastman in Rockport.

Services to be Provided: Annexation of the proposed area will not alter the response time or service contract. The area will be added to existing emergency agreements.

5. Fire

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

Services to be Provided: The suppression will be available in the area upon annexation and will be provided by the Rockport Volunteer Fire Department, Inc. There are no stations currently located at 802 Westwood Street, 212 Ocean Street, 1828 West Terrace Boulevard and 110 Pecos Lane. Annexation of the proposed area will not alter the response time, service contract or the existing emergency 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 maintain 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 the 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 state and departmental policy. When other property develops in the adjacent area, gas service shall be provided in accordance with applicable ordinances and as requested by developers. Estimates of service shall comply with City rates 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. Memorial Park, a City-maintained park, currently extends into 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: The area falls within the Eastland/Jackson/JEA of the City of Rockport. Planning and land subdivision activities are currently 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 Planning and Development Department's responsibility for regulating development and land use through the administration of the City of Rockport Zoning Ordinance will extend to the area on the effective date of the annexation. The property will remain 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: Solid Waste Collection will be provided by the City's municipal, Republic Services, Inc. Service shall comply with existing City policies, including with emergency situations. As provided for by Section 43.021(a) of the Texas Local Government Code, residents may continue to use their existing solid waste collection services for up to ten years following the effective date of annexation. At the end of the ten-year period or termination of existing services by the customer (whichever is earlier), the City's contractor will begin providing services.

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 approve any requests for improved street lighting with the local revenue provided 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 will 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 \$84 street maintenance labor hours.

16. Storm Water Management

Existing Services: Design 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 stormwater drainage and retention requirements will be transferred to the City by the maintenance Department will provide storm water through all their staff expertise and will be provided 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 in this area is provided by the City of Rockport and includes both private water and fire protection.

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

1. The Patrol Division will provide police patrol services in the proposed area. These services will include existing investigation and prosecution related to date violations of state statutes and local ordinances. The Patrol Division will also assist other emergency-related agencies (including within the proposed area). The Patrol Division will provide further services to our customers by including and monitoring vulnerability checks for businesses and businesses requesting such programs during their operation.
2. The Criminal Investigation Division will provide for active investigation services in the implementation of 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 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 in districts which (if any) cases should be forwarded 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, together with other areas annexed in 2016 and 2017, would require an increase of approximately 500 patrol labor hours and 500 criminal investigation 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 area.

12. Sanitary Sewer Service

Existing Services: Existing sanitary sewer services in this area is provided by either the City of Rockport or by private sewage facilities.

Services to be Provided: Sanitary sewer services in the area of proposed annexation will be provided in accordance with applicable state and city policy. When property develops in the adjacent area, sanitary sewer services shall be provided in accordance with the present minimum standards and as requested by developers. Estimates of service shall comply with applicable state and ordinances.

13. Solid Waste Collection

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

Services to be Provided: Water service to the area will continue to be provided by the City of Rockport in accordance with the applicable state and departmental policy. When other property develops in the adjacent area, water service shall be provided in accordance with applicable ordinances and as requested by developers. Estimates of service shall comply with City rates 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.

Electric Service

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 services 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 all municipal services to each area of the city, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of services.

Term

This annex 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 43.021.

There were no public comments.

7. Conduct second Public Hearing on proposed annexation by the City of Rockport of 182 acres of land, more or less, along State Highway 35 Bypass between 214 feet north of Holly Road and 1030 feet southwest of Eighteenth Street, being out of portions of the Paul McCombs Survey A-317, the C.W. Egery Survey A-63, and the Samuel Highland Survey A-73.

MUNICIPAL ADMINISTRATION SERVICE PLAN
FOR
AREA "DAP 35" 15.2 Acres

Area to be Amended

Being approximately 162 acres of land, more or less, out of portions of the Paul McCanna Survey, A-317, the C W Egan Survey, A-43, and the Batten Highway Survey, A-71, with said 162 acres, more or less, being more particularly described by metes and bounds as filed herein show in Exhibit "A" and map in "Exhibit B."

Introduction

In accordance with the direction of the City Council of the City of Rockport, Texas, the City's Comprehensive Plan, and the requirements of Subchapter 43.056 of the Texas Local Government Code, the following service plan for the area heretofore referred to as Area "Dap 35" 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 Subchapter 43.028 of the most current edition of the Texas Local Government Code. This service plan shall become a part of an ordinance submitted to the City Council for consideration and action, if any.

The following services will be provided on the effective date of the amendment of the area according to Subchapter 43.028 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 Care Department.

Services to be Provided. The Aransas County Animal Control Department will maintain the enforcement of the City of Rockport's animal control ordinance on the effective date of the amendment. 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. These services can be provided within the department's current budget.

4. Emergency Medical Services

Existing Services. Emergency medical services are currently provided under contract with Aransas County by Advanced Ambulance from their facility located at 420 Enterprise in Rockport.

Services to be Provided. Amendment of the proposed area will not alter the response times or service sector. This area will be added to existing interagency agreements.

5. Fire

Existing Services. Existing services are typically provided as a public safety utility 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 are fire stations currently located at 802 Revolution Street, 212 Chasen Street, 3626 West Terrace Boulevard and 119 Frisco Lane. Amendment 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 ordinance and regulations on the effective date of the amendment. 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 in this area are provided by the City of Rockport.

Services to be Provided. Natural gas services 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 services shall be provided in accordance with applicable ordinances and as requested by developers. Extension of services shall comply with City codes and ordinances. Gas utility rates will be based on a lower inside City limits customer classification as approved by 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 after the annexation. Amendment 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 Extrajurisdictional Jurisdiction (EJJ) of the City of Rockport. Planning and land subdivision activities are currently 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 the area on the effective date of the amendment. The property will comply with 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 currently provided by the Aransas County Sheriff's Office.

Services to be Provided. The Rockport Police Department will initiate 611 police and law enforcement services in this proposed annexed area on the effective date. Both divisions of the police department will coordinate the service plan.

1. The Patrol Division will provide active patrol services in the proposed area. These services will include uniform investigation and procedures used in deterrence of crime, citations and local enforcement. The Patrol Division will also assist other emergency-related agencies responding within the proposed area. The Patrol Division will provide further services to all customers by identifying and removing vandalism-prone items for maintenance and law-enforcement regarding such programs during their response.
2. The Criminal Investigation Division will provide for active investigation services to be implemented in the proposed area. These services include active search and the initial analysis and investigation leading to the identification of suspects, creation 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 disposition of their real property. A review of the ongoing criminal investigations will be conducted in a narrative which (if any) cases should be forwarded 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, together with other areas annexed in 2016 and 2017, would require an increase of approximately 654 patrol patrol hours and 264 criminal investigation patrol hours. The Rockport Police Department will coordinate with the proper governmental agencies to ensure that 611 map sheets will be updated related to 611 calls within the specified zone.

12. Sanitary Sewer Service

Existing Services. Existing sanitary sewer services in this area are provided by either the City of Rockport or by on-site septic facilities.

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

13. Solid Waste Collection

Existing Services. There is currently no dedicated solid waste disposal services in this area. Residents may contract individually with outside service providers.

Services to be Provided: Solid Waste Collection will be provided by the City's contractor, Republic Services, Inc. Services shall comply with existing City policies, beginning with occupancy of structures. As provided for by Section 43.024(b) 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 earlier), 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 increased 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 65M above 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 continue effective upon annexation. Any existing county drainage and administrative requirements 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 ensure maintenance of the developer's drainage facilities upon annexation from the developer.

17. Water Service

Existing Services: Existing water utility service 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 departmental requirements 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 required in the Outside City Limits customer classification.

18. Sewerage

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 in each area of the city including the annexed area, 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

This plan shall not be amended unless public hearings are held in accordance with V.C.T.A., Local Government Code, Section 43.026T.

Thomas F. Edwards, 1402 Poinciana Street, addressed the Council. Mr. Edwards stated he owns Edwards Fabrication and asked what benefits will he received from being annexed into the City.

Mayor Wax answered that the area would be able to receive the same services, in the same manner as presently provided to citizens of Rockport, and Ms. Torres could provide him a copy of the Service Plan.

At 6:49 p.m., Mayor Wax closed the Public Hearings.

Regular Agenda

8. Deliberate and act on approval of City Council Regular Meeting Minutes of June 13, 2017.

MOTION: Council Member Villa moved to approve the City Council Regular Meeting Minutes of June 13, 2017. Council Member Rios seconded the motion. Motion carried unanimously.

9. Deliberate and act on second & final reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from R-1 (1st Single Family Dwelling District) to B-1 (General Business District) for property located at 2035-2053 State Highway 35 Bypass, also known as part of Lot 58 (0.745 acre), J. Smith Survey, Rockport, Aransas County, Texas; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

MOTION: Council Member Villa moved to approve the second and final reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from R-1 (1st Single Family Dwelling District) to B-1 (General Business District) for property located at 2035-2053 State Highway 35 Bypass, also known as part of Lot 58 (0.745 acre), J. Smith Survey, Rockport, Aransas County, Texas; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Gurtner seconded the motion. Motion carried unanimously.

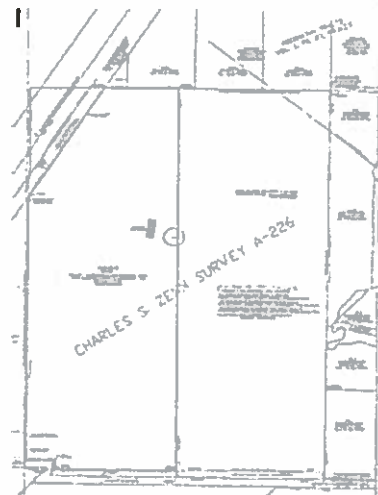
10. Deliberate and act on first reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from R-1 (1st Single Family Dwelling District) to B-1 (General Business District) and granting a Conditional Use Permit for newly annexed property located at 652 State Highway 35 Bypass, Rockport, Aransas County, Texas, currently zoned R-1 (1st Single Family Dwelling District) to B-1 (General Business District), to allow expansion of a recently annexed RV park.

Mayor Wax reminded Council that the Joint Public Hearing on this item was held with the Planning & Zoning Commission at the Council Workshop meeting this afternoon.

Council Member Day asked how many RV spots are being added to the current Blue Moon RV Park.

Ray Loxterman, owner of Blue Moon RV Park, answered that there are currently 24 RV spots and there will be 10 or so added.

Community Planner Amanda Torres noted a point of clarification: the Aransas County Appraisal District shows the area having an extension towards State Highway 35 Bypass (below), but that area does not belong; the correct area is shown on the survey included in the Agenda packet (below).



MOTION: Council Member Villa moved to approve the first reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from R-1 (1st Single Family Dwelling District) to B-1 (General Business District) and granting a Conditional Use Permit for newly annexed property located at 652 State Highway 35 Bypass, Rockport, Aransas County, Texas, currently zoned R-1 (1st Single Family Dwelling District) to B-1 (General Business District), to allow expansion of a recently annexed RV park. Council Member Day seconded the motion. Motion carried unanimously.

11. Reports from Council.

At this time, the City Council will report/update on all committee assignments, which may include the following: Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; 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.

Mayor Wax reported that the Special Session of the Texas Legislature will begin on July 18, 2017, and the Governor has listed 20 topics he wants the Legislature to address. Mayor Wax stated there are three city-related topics that are harmful to Texas: 1) Revenue Cap – regardless of how you feel about taxes, putting a revenue cap on any taxing authority imposes the will of the Legislature living in Austin deciding what is best for you living in Rockport; 2) Annexation reform – Governor wants to remove the authority of municipalities to annex; and 3) Super preemption – has particular impact on us – cell phone usage, permit vesting, permit streamlining, tree ordinances – every tree ordinance would become invalid, would have to be at the mercy of Texas Legislators.

Council Member Villa stated the Parks and Leisure Services Advisory Board is looking at upcoming events.

Mayor Pro-Tem Rios reminded everyone of the Art Festival this coming weekend. He added that this will be the first time in 10 years that he will have to miss the event.

City Manager Kevin Carruth announced that the garbage carts will be delivered beginning July 5, 2017, and service will begin on July 10th.

Executive Session

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

- 12. Section 551.071(1)(A) Consultation with Attorney: Pending or contemplated litigation: Bay Education Center.**
- 13. Section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.**

14. Section 551.072 Deliberations about Real Property.

At 6:57 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: Pending or contemplated litigation: Bay Education Center; Section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter; and Section 551.072 Deliberations about Real Property.

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 7:45 p.m., Mayor Wax reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any necessary actions related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

No action was taken.

15. Adjournment

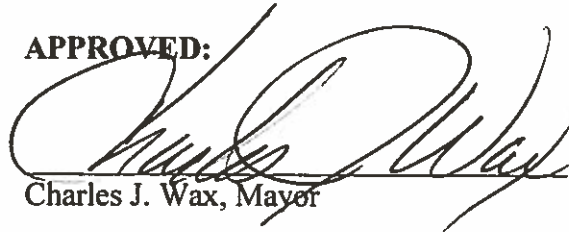
At 7:46 p.m., Council Member Villa moved to adjourn. Motion was seconded by Council Member Day. Motion carried unanimously.



ATTEST:


Teresa Valdez, City Secretary

APPROVED:


Charles J. Wax, Mayor