

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, September 12, 2017 Rockport Service Center, 2751 S.H. 35 Bypass

On the 12th day of September 2017, the City Council of the City of Rockport, Aransas County, Texas, convened in Regular Session at 6:30 p.m., at the Training Room of the Rockport Service Center, 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 J. D. Villa, Ward 2
Council Member Barbara Gurtner, Ward 4

CITY COUNCIL MEMBER(S) ABSENT

Council Member Rusty Day, Ward 1

STAFF MEMBERS PRESENT

City Manager Kevin Carruth
Assistant City Secretary Ruby Beaven
City Attorney Terry Baiamonte
Public Works Director Mike Donoho
Parks & Leisure Services Director Rick Martinez
Payroll / Accounting Specialist Judi Yarnall
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, September 12, 2017, at the Rockport Service Center, 2751 S.H. 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

Mayor Pro-Tem Rios 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.

Tom Rodino, 183 Heron Oaks, addressed the Council. Mr. Rodino informed the Council that he has 27 years' experience in emergency management including hurricanes Brett, Dolly, Ike, and Katrina. Mr. Rodino stated the City of Rockport did an amazing job and the Mayor's updates have been valuable.

Public Hearing

- 4. Conduct the second public hearing for City of Rockport 2017 Property Tax Rate for taxpayers to have an opportunity to express their views on the increase; the City of Rockport will adopt the budget and tax rate for Fiscal Year 2017-2018 on September 26, 2017, at 6:30 p.m. at Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.**

At 6:33 p.m., Mayor Wax opened the Public Hearing.

Pam Dickson Frost, Realtor, addressed the Council. Ms. Dickson Frost inquired about the process for reassessment now that properties have been destroyed by Hurricane Harvey.

Mayor Wax explained the certified tax roll was completed in July 2017. This is the cast for 2017-18 tax year. The next tax assessment will be in July 2018. Mayor Wax stated he expects the taxable base will decrease by approximately 45 percent for the 2018-19 tax year. This will affect the tax rate for next year; however, there is no way for the Appraisal District to reassess the properties a second time.

Ms. Dickson Frost inquired how the City will continue to provide citizens services at the same level prior to Hurricane Harvey.

Mayor Wax explained the City will need to generate sales tax and this is the start of a marathon not a sprint.

Ms. Dickson Frost commended the City for the post Harvey response.

Amelia Lopez Saltarelli, Keller Williams Realty, addressed the Council. Ms. Lopez Saltarelli inquired about affordable housing and informed Council she has been receiving calls from Austin investors asking how to get businesses and residences operational.

Ms. Lopez Saltarelli commended the City/County for getting up and running so fast.

Mayor Wax stated he was looking forward to affordable housing.

At 6:42 p.m., Mayor Wax closed the Public Hearing.

Regular Agenda

- 5. Deliberate and act on first reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2017 taxable property as submitted by the Appraisal District; levying a tax rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2017 of \$0.239805 for the purposes of Maintenance and Operation, \$0.14583535 for the payment of Principal and Interest on debt of the City for a total tax rate of \$0.385640; and providing an effective date.**

MOTION: Mayor Pro-Tem Rios moved to approve the Ordinance of the City of Rockport approving the assessment and renditions for the 2017 taxable property as submitted by the Appraisal District; levying a tax rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2017 of \$0.239805 for the purposes of Maintenance and Operation, \$0.14583535 for the payment of Principal and Interest on debt of the City for a total tax rate of \$0.385640; and providing an effective date. Council Member Gurtner seconded the motion.

Mayor Wax called for a roll call vote:

FOR MOTION: Council Member Villa, Mayor Pro-Tem Rios, Council Member Gurtner, and Mayor Wax.

AGAINST MOTION: None.

ABSENT: Council Member Day

Motion carried unanimously.

- 6. Deliberate and act on the continuance and renewal of the Hurricane Harvey disaster declaration proclaimed by Mayor Charles J. Wax in accordance with the Texas Government Code §418.108, as amended, for the period August 23 – August 29.**

MOTION: Council Member Villa moved for continuance and renewal of the Hurricane Harvey disaster declaration proclaimed for the period August 23 – August 29. Mayor Pro-Tem Rios seconded the motion. Motion carried unanimously.

- 7. Deliberate and act on the continuance and renewal of the Hurricane Harvey disaster declaration proclaimed by Mayor Charles J. Wax in accordance with the Texas Government Code §418.108, as amended, for the period August 30 – September 6.**

MOTION: Council Member Villa moved for continuance and renewal of the Hurricane Harvey disaster declaration proclaimed for the period August 30 – September 6. Council Member Gurtner seconded the motion. Motion carried unanimously.

- 8. Deliberate and act on the continuance and renewal of the Hurricane Harvey disaster declaration proclaimed by Mayor Charles J. Wax in accordance with the Texas Government Code §418.108, as amended, for the period September 7 – September 13.**

MOTION: Council Member Villa moved for continuance and renewal of the Hurricane Harvey disaster declaration proclaimed for the period September 7 – September 13. Mayor Pro-Tem Rios seconded the motion. Motion carried unanimously.

9. Deliberate and act on the continuance and renewal of the Hurricane Harvey disaster declaration proclaimed by Mayor Charles J. Wax in accordance with the Texas Government Code §418.108, as amended, for the period September 14 – September 20.

MOTION: Council Member Gurtner moved for continuance and renewal of the Hurricane Harvey disaster declaration proclaimed for the period September 14 – September 20. Council Member Villa seconded the motion. Motion carried unanimously.

10. Deliberate and act on the continuance and renewal of the Hurricane Harvey disaster declaration proclaimed by Mayor Charles J. Wax in accordance with the Texas Government Code §418.108, as amended, for the period September 21 – September 27.

MOTION: Council Member Villa moved for continuance and renewal of the Hurricane Harvey disaster declaration proclaimed for the period September 21 – September 27. Mayor Pro-Tem Rios seconded the motion. Motion carried unanimously.

11. Deliberate on department disaster reports.

Matthew Otero, owner of Rockport Donuts, addressed the Council. Mr. Otero expressed his concerns regarding Republic Services and the second dumping fees being charged to him for residents filling up his commercial dumpster with post Hurricane Harvey debris.

City Manager Kevin Carruth explained that Republic Services was trying to get back to regular scheduled pickup. Mr. Carruth explained that Republic was allowing for three additional dumps and then commercial customers would be billed for any additional dumps.

Mr. Otero inquired about what can be done about citizens using commercial dumpsters to dispose trash. Mayor Wax recommended Mr. Otero contact Mr. Carruth after the meeting to discuss the issue.

Public Works Director Mike Donoho addressed the Council. Mr. Donoho explained that Republic Services was trying to get back to regular routes. With all the extra trash being picked up, Republic is not completing their routes because of the multiple dumps. Republic will start back-up trucks this week on commercial routes.

Mr. Donoho gave an update on Public Works: The employees have been working and will continue to work 24 hours up to Sunday night. There are currently two employees on call after hours. Water and Wastewater are operational. The City is still under a boil water requirement. Water samples have been taken and if the test results come back approved, the water boil will be lifted. There were 22 lift stations that took major/minor storm impact. There is still an overload on the sanitary sewer system. There are multiple water and gas leaks in the City. Natural gas has been on the entire time since the event. Citizens can call to have utilities shut off. Mr. Donoho explained that contractors are required to register with the City. The City will maintain a record of the contractors with liability insurance. The City has asked a few contractors to leave Rockport.

To ensure that the citizens are getting a City registered contractor, they will be issued window decals.

City Manager Kevin Carruth stated that 562 contractors were registered in the first five days.

An unidentified citizen inquired how to disconnect services. Director Donoho informed citizens they could call or email to request a disconnect.

Mr. Donoho mentioned that search and rescue placed an "X" on homes that had been checked after the hurricane. Homes have stickers with yellow indicating moderate damage and red indicating heavy damage and not livable. FEMA is here to help and state resources are available.

Matthew Otero, citizen, commended the City for the disaster response.

An unidentified citizen inquired whom to call about unregistered contractors.

Mr. Donoho advised to call the non-emergency numbers 361-729-1111 or 361-729-2222.

Mayor Wax recommended taking a picture of vehicle and license plate.

Chief Jayroe gave an update on the Police Department: The Police Department started preparing a few days before the storm. Officers spent a lot of time patrolling residential areas to prevent looting after the hurricane. Officers caught people in neighborhoods where they did not belong. Corpus Christi Police Department has been sending officers to assist with two-man units. The assistance will continue as long as needed. There should be seven to eight units on the streets and the officers will begin 12-hour shifts with two days off. The Rockport Police Department has had tremendous assistance from Portland, Kingsville, Sinton, Attorney General's Office, National Guard, and State Guard.

Parks & Leisure Services Director Rick Martinez gave an update on the Parks Department: The parks in Rockport took a massive hit. The Department is concentrating first on the popular areas to clear the debris. They have had help from Dallas/Ft. Worth Fire Rescue. Currently the crew is cleaning the Aquatic Park. The neighborhood parks sustained damage and are currently in the assessment stage. The Corpus Christi Parks Department sent 18 men to help clean Memorial Park. Parks are an important aspect to our community. Mr. Martinez stated Tropical Christmas is still scheduled for December and the event may not be what it has been in the past, but we need a fun event. Mr. Martinez took a moment to recognize Parks Superintendent George Bennett and Pool Manager Joe Riekers for all the cleanup efforts.

Mayor Wax stated he was in support of the Tropical Christmas event.

Payroll/Accounting Specialist Judi Yarnall gave an update on the Finance Department: Utility billing is trying to get back on track; at this time, the phones have been set up in Finance and Utilities; Finance is trying to pay invoices; there has been an issue with the old service center location on Laurel Street so utility billing is currently set up at the Rockport Service Center.

Information Technology Director Brian Jacobs gave an update on information technology: "Working on it"! Mr. Jacobs stated AT&T cut one of their fiber optic wires and service has been

temporarily interrupted until the repair can be made. Mr. Jacobs added that IT is working as fast as possible to get everyone set up.

Mayor Wax stated City Hall sent employees to set up a temporary Bastrop satellite office to answer phone calls before and following the hurricane and they received 10,700 calls in the first week.

City Attorney Terry Baiamonte gave an update on Municipal Court: Currently, Municipal Court is displaced and they are trying to operate out of Dr. Maroney's office on F.M. 3036; two dockets are to be rescheduled since there is no place to hold court; and tickets are still being issued. The City Attorney is also working out of office.

Assistant City Secretary Ruby Beaven had no update on City Secretary's Department.

City Manager Kevin Carruth gave update on the state of the City. Mr. Carruth said 94 employees were on active duty during the event and lived for two weeks at the Rockport Service Center. Staff has done a great job and he commended the employees for a job well done. Mr. Carruth stated City Hall had severe damage with the loss of the roof. Preliminary status looks like the building will need to be gutted. City Hall employees are working out of temporary locations for possibly 18 to 24 months. Mr. Carruth said the City has been blessed with phone calls and emails from peers across the state and country with words of encouragement, monetary support, and sister city support. Mr. Carruth expressed that Mayor Wax and Mayor Pro-Tem Pat Rios were great support and never took a day off. Mr. Carruth indicated the City will need to stay on top of the FEMA 214 forms.

12. Deliberate and act on Hurricane Harvey recovery action plan.

City Manager Kevin Carruth stated there is debris on meters and technicians are unable to read meters at this time. The options being considered: average bill; bill minimum usage. There is a lot of lost revenue and FEMA may reimburse the City if documentation is correct. He added that it is possible there will be base rate utility billing for two billing cycles.

Public Works Director Mike Donoho stated normal billing rate for water/gas will begin once we can get situated. Citizens are not responsible for spinning meters and the City will seek FEMA reimbursement. New meter installation is moving forward.

An unidentified citizen inquired about placing a temporary RV on residential property while repairing home.

Mayor Wax stated staff recommends registering with the City for a one year option and possible six-month extension. Mayor Wax said the City wants to make it easy for the citizen and this should be applied to residential and commercial.

Council Member Villa asked whether a destroyed manufactured home can be replaced with another one.

Mr. Donoho explained that owners will be required to adhere to City regulations and the owners can call or stop by the Rockport Service Center for more details. All structures being built must

meet the Flood Plain Standards. Director Mike Donoho stated that a lot of structures must be demolished and rebuilding must go through the proper channels.

Mayor Wax stated the Mayor from the City of Belmont recently visited. The City survived Hurricane Sandy five years ago. Belmont just closed the last FEMA case.

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; 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.

Mayor Wax stated every employee who works for the City deserves eternal gratitude. The Council is very proud of everyone. The Hummingbird Festival has been cancelled but the birds did not get the message. Please try to hang feeders for the hummingbirds. The Birds in Art exhibit downtown has been cancelled. The Art Center sustained damage. The Art Museum of South Texas has offered to hold the show. Mayor Wax asked Luis Purón to address the Council on the details.

Luis Purón, Executive Director of Rockport Center for the Arts, addressed the Council. Mr. Purón explained the exhibit will be held at the Art Museum of South Texas and opening date will be September 28th. There will be free admittance for Rockport Center for the Arts active members.

Mayor Wax stated it was announced today SeaFair will go as scheduled. The Film Festival will be held in November. Tropical Christmas will be held in December. The City is trying to get back to normal.

Council Member Villa stated the word of the day is patience... for a long time. Expect long lines in Ingleside when picking up the re-routed mail.

Mayor Pro-Tem Rios commended the public for all the help. Some of the out of town contractors have been dumping on the side of the road. Please report if you spot this type of activity. Mayor Pro-Tem Rios commended City Manager Kevin Carruth and staff. He stated he had the privilege to live with these guys for two weeks. He personally saw how dedicated the staff was to the recovery process.

Council Member Gurtner stated she has been working with hundreds of volunteers. She introduced 12 special volunteers from San Diego, California. All of these volunteers are United States Marines who took time off to come to Rockport, Texas, to volunteer and assist in the relief efforts.

The 12 Marines introduced themselves.

City Manager Kevin Carruth said there are 129 full-time employees and 28 are currently displaced. Attempts are being made to find some form of housing for these employees.

Mayor Wax expressed a Happy Birthday wish to Council Member Villa.

Mayor Wax stated the Texas Municipal League (TML) Annual Conference is coming up in October in Houston and currently there are refugees in the convention center. The refugees are being relocated. TML will have the annual conference as planned. Mayor Wax stated he is the Chair of the TML Nominating Committee so he intends to drive to Houston on Monday night to attend a meeting and return on Tuesday. Mayor Wax asked the Council to contact City Secretary Teresa Valdez or Assistant City Secretary Ruby Beaven if they plan to cancel their attendance of the conference. Mayor Wax informed the Council that TML is allowing for full refund to anyone directly affected by Hurricane Harvey.

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 551.072 Deliberations about Real Property: Purchase, exchange, lease, or value of real property.**
- 15. Section 551.071(1)(A) and Section 551.071(2) Consultation with Attorney: Pending or contemplated litigation: (A) Bay Education Center and (B) SB 1004.**
- 16. 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 7:39 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 551.072 Deliberations about Real Property: Purchase, exchange, lease, or value of real property; Section 551.071(1)(A) and Section 551.071(2) Consultation with Attorney: Pending or contemplated litigation: (A) Bay Education Center and (B) SB 1004; 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

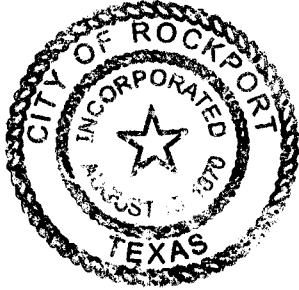
City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

At 8:12 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 8:13 p.m., Council Member Villa moved to adjourn. Motion was seconded by Mayor Pro-Tem Rios. Motion carried unanimously.



APPROVED:

A handwritten signature in black ink, which appears to be "Charles J. Wax", is written over a horizontal line.

Charles J. Wax, Mayor

ATTEST:

A handwritten signature in black ink, which appears to be "Teresa Valdez", is written over a horizontal line.

Teresa Valdez, City Secretary