
CITY COUNCIL SPECIAL MEETING AGENDA

Notice is hereby given that the Rockport City Council will hold a special meeting on Tuesday, August 31, 2021, at 6:30 p.m. The meeting will be held in person at the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas with social distancing guidelines and using the video conferencing application ZOOM. A temporary suspension of the Open Meetings Act to allow telephone or video conference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Video conferencing capabilities will be utilized to allow individuals to address the City Council. Members of the public can participate in the meeting remotely via Zoom at <https://us02web.zoom.us/j/86509015645> or scan the QR code to the right.



Due to the COVID-19 pandemic, the attorney general has said: “statutes that may be interpreted to require face-to-face interaction between members of the public and public officials are suspended; provided, however, that the governmental bodies must offer alternative methods of communicating with their public officials.” Public participation is valued and citizens wishing to express their views on any topic or agenda item can electronically submit a citizen participation form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code to the right, or if attending the meeting in person register at the meeting. Using the same form, citizens can also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The Mayor will read the comments and they will be summarized in the minutes of the meeting.



The matters to be discussed and acted upon are as follows:

Opening Agenda

1. Call meeting to order.

Special Agenda

2. Deliberate and act on second and final reading of an Ordinance extending a Moratorium for 60 days, on the submission, acceptance, processing, and approval necessary for the creation of development plats, construction or facilities related to recreational vehicle (RV) parks or manufactured housing parks for land within the City of Rockport; providing a savings clause; providing a severability clause; finding and determining that the meetings at which the Ordinance was passed were open to the public as required by law; and providing an effective date.
3. Deliberate on Section 2-28(c) of the Code of Ordinances.
4. Deliberate on the proposed Fiscal Year 2021-2022 Budget.
5. 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 the Rockport Service Center on Friday, August 27, 2021, at 1:30 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* and *Corpus Christi Caller Times*.



Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Special Meeting: Tuesday, August 31, 2021

AGENDA ITEM: 2

Deliberate and act on second and final reading of an Ordinance extending a moratorium, for 60 days, on the submission, acceptance, processing, and approval necessary for the creation of development plats, construction or facilities related to recreational vehicle (RV) parks for land within the City of Rockport; providing a savings clause; providing a severability clause; finding and determining that the meeting at which the Ordinance was passed was open to the public as required by law; and providing an effective date.

SUBMITTED BY: Mike Donoho, Director of Public Works and Building & Development

APPROVED FOR AGENDA: PKC

BACKGROUND: The Building and Development Department continues to receive a large volume of development applications for recreational vehicle (RV) parks, primarily along the Highway 35 Bypass corridor. In the January 2018 planning retreat, there was discussion about land use planning and the balance of certain uses. As the City is working on an update of its comprehensive land use plan (with the assistance of Texas A&M University), the implementation of a temporary moratorium to allow for the completion of the update has been prudent, given the volume of development requests for RV parks. Staff has been working with a planning consultant to revise the RV park regulations, and the revised ordinance was presented at the April 13, 2021 council meeting for review and discussion. After the April 13, 2021 council meeting, staff was instructed to meet with the local RV Park Owners (RV Park Council) to solicit input on the revised ordinance. Staff has met with and received recommendations from the RV council and other concerned citizens. Staff is in the process of reviewing the recommendations to revise the proposed ordinance.

The moratorium was reviewed and deliberated on in July and August 2018. It was officially adopted on August 14, 2018, extended on January 8, April 23, August 13, 2019, January 8, 2020, May 26, 2020, December 15, 2020, and April 2021. It is staff's recommendation to extend the moratorium another 60 days to allow for consideration of the completed update of the comprehensive land use plan and to complete the review of comments from the RV park council.

There have been no changes to form or substance since first reading.

Please see the accompanying draft ordinance and Chapter 212 Subchapter E of the Texas Local Government Code for more information.

FISCAL ANALYSIS: N/A.

RECOMMENDATION: Staff recommends the City Council approve the second and final reading of an Ordinance extending the temporary moratorium for 60 days on the submission, acceptance, processing, and approval necessary for the creation of development plats, construction or facilities related to recreational vehicle (RV) parks for land within the City of Rockport, as presented.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROCKPORT, TEXAS EXTENDING A MORATORIUM, FOR 60 DAYS, ON THE SUBMISSION, ACCEPTANCE, PROCESSING, AND APPROVAL NECESSARY FOR THE CREATION OF DEVELOPMENT PLATS, CONSTRUCTION OR FACILITIES RELATED TO RECREATIONAL VEHICLE (RV) PARKS OR MANUFACTURED HOUSING PARKS FOR LAND WITHIN THE CITY OF ROCKPORT; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE ORDINANCE WAS PASSED WERE OPEN TO THE PUBLIC AS REQUIRED AS LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Texas Local Government Code Section 211.003, the governing body of a municipality may regulate the location and use of buildings, other structures, and land for business, industrial, residential or other purposes; and

WHEREAS, pursuant to Texas Local Government Code Section 211.004, zoning regulations must be adopted in accordance with a comprehensive plan; and

WHEREAS, pursuant to Section 118-24.2.13 of the City of Rockport Code of Ordinances, general provisions regarding the development and regulation of recreational vehicle/manufactured housing parks are outlined; and

WHEREAS, the City has received a large number of Conditional Use Permit requests for the development of recreational vehicle parks within the city limits in the past two years and anticipates more requests in the future; and

WHEREAS, the City is currently updating its Comprehensive Land Use Plan to evaluate the future growth and development of various land uses within the city limits; and

WHEREAS, the existing provisions of the City Code are inadequate and antiquated given the health, safety, and welfare concerns of the public and time is needed to review, study, and revise the City Code to fully consider the impacts related to the location and regulations dictating the development of recreational vehicle and manufactured housing parks; and

WHEREAS, multiple recreational vehicle or manufactured home park developments would create a significant shortage of current essential public facilities; and

WHEREAS, the City requires additional time to prepare, evaluate and update regulations regarding the development and construction of recreational vehicle and manufactured housing parks; and

WHEREAS, the absence of this ordinance would impair the orderly and effective implementation of contemplated amendments to the Rockport City Code and/or Comprehensive Land Use Plan, and any further authorization to construct recreational vehicle or manufactured housing parks within the City limits during the period of this moratorium may be in conflict with or may frustrate the contemplated updates and revisions to the Rockport City Code and/or Comprehensive Land Use Plan; and

WHEREAS, without the enactment of this ordinance, multiple recreational vehicle or manufactured housing parks could quickly receive permits to develop recreational vehicle or manufactured housing parks that pose a threat to the public health, safety, and welfare. For example, without this ordinance, recreational vehicle or manufactured housing parks could:

- i. Create land use conflicts and incompatibilities with adjacent current and future land uses;
- ii. Create visual and aesthetic blights and potential safety concerns arising from excessive size, layout, noise, or lack of appropriate screening of recreational vehicle or manufactured housing parks;
- iii. Create traffic and pedestrian safety hazards due to inadequate and antiquated regulations regarding the current allowances for the size and layout of ingress/egress easements;
- iv. Negatively impact the predominately residential quality and character of the City; and
- v. Due to the nature of this type of development, it will create such a shortage of essential public facilities that it is a detriment to the health, safety and welfare of the community

WHEREAS, the City Council further finds that this moratorium is a matter of local and City-wide importance and is not directed towards any particular developer or property owner that currently seeks to establish a recreational vehicle or manufactured housing park but is necessary to ensure that the provision of such services and facilities are addressed in a uniform and non-discriminatory manner; and

WHEREAS, the City Council finds that there is a current and immediate threat to the public health, safety, and welfare based on the above findings, and upon that basis has determined that an urgency ordinance prohibiting the issuance of new permits or

approvals for recreational vehicle or manufactured housing parks within the City is warranted; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Rockport to implement a Temporary Moratorium on the submission, acceptance, processing, and approval of any new applications for a Conditional Use Permit that would allow the development of recreational vehicle or manufactured housing parks within the City of Rockport; and

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

SECTION 1.

The findings and recitations set out in the recitals to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2.

The City Council of the City of Rockport hereby places a moratorium on the submission, acceptance, processing and approval of any new applications for Conditional Use Permits that would allow the development of recreational vehicle or manufactured housing parks, effective immediately upon passage of this Ordinance, for a period of sixty (60) days or as maybe extended by action of City Council, until the adoption and implementation of regulations as described in the above recitals, whichever may occur earlier.

SECTION 3.

This Moratorium applies to all property located within the City of Rockport.

SECTION 4.

Waivers for relief of hardship caused by this Temporary Moratorium may be made in writing to the City Council. Waivers may be granted by the City Council when the City Council in its discretion determines the application shall suffer undue hardship if the moratorium is not waived, that being something beyond or in addition to financial hardship and that it is in the public interest to allow a limited exception to the moratorium.

SECTION 5.

In the case of any conflict between the provisions of this ordinance and any existing ordinances of the City the provision of this ordinance will control during the moratorium period.

SECTION 6.

If any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby and to this end the provisions of this ordinance are declared to be severable.

SECTION 7.

It is hereby found and determined that the meetings at which this ordinance was passed were open to the public, as required by Section 551.001, et seq., of the Texas Government Code, and that advance public notice of the time, place and purpose of said meetings was given, pursuant to all applicable law.

SECTION 8.

That this ordinance shall take effect immediately upon second and final reading.

PRESENTED AND APPROVED on first reading on the 24th day of August 2021, at a meeting of the City Council of the City of Rockport, Texas; and given second reading.

CITY OF ROCKPORT:

Patrick R. Rios, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED, PASSED, and ADOPTED on the _____ day of ~~X~~W 2021, by a vote of _____ ayes and ___ nays at a regular meeting of the City Council of the City of Rockport, Texas.

CITY OF ROCKPORT:

Patrick R. Rios, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Special Meeting: August 31, 2021

AGENDA ITEM: 3

Deliberate on Section 2-28(c) of the Code of Ordinances.

SUBMITTED BY: Mayor Pat Rios

APPROVED FOR AGENDA: PKC

BACKGROUND: Council Member Jackson brought to the Council's attention the Code of Conduct at the August 19 meeting. A review of Section 2-28(c) of the Code of Ordinances has highlighted the need to reestablish decorum according to Section 2-28(c). The Mayor plans to reestablish the rules prescribed by the Code of Ordinances. Please see the accompanying copy of Section 2-28(c) of the Code of Ordinances.

FISCAL ANALYSIS:

RECOMMENDATION: Not an action item.

Section 2-28(c) Citizens. Citizens are welcome and invited to attend all meetings of the city council (Charter, [§ 3.08\(2\)](#)).

1. All citizens will refrain from private conversations in the chamber while the council is in session.
2. Citizens attending council meetings shall observe the same rules of propriety, decorum and good conduct applicable to the administrative staff. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous while addressing the council or while attending the council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and such person shall be barred from further audience before the council during that session of the council.
3. Inappropriate remarks from the audience, stamping of feet, applauding, whistles, yells, and similar demonstrations shall not be permitted by the presiding officer, who shall direct the sergeant-at-arms to remove such offenders from the room. In case the presiding officer shall fail to act, any member of the council may move to require him or her to act to enforce the rules, and the affirmative vote of three members of the council shall require the presiding officer to act.
4. No placards, banners, or signs of any kind will be permitted in the council chamber except exhibits, displays, and visual aids used in connection with presentations to the council, provided that such exhibits, displays, and visual aids do not disrupt the meeting.
5. *Enforcement.* The city manager, in the absence of a designated law enforcement officer, shall act as sergeant-at-arms for the council, and shall furnish whatever assistance is needed to enforce the rules of decorum herein established.
6. *Seating arrangement.* The city manager, city attorney and city secretary shall occupy respective seats in the council chamber assigned to them by the mayor. The mayor shall be seated in the middle of the council members who shall be in equal numbers on either side of him or her, arranged numerically by ward. (Ord. No. 1186, § 1, 1-8-2002).

CITY COUNCIL AGENDA
Special Meeting: August 31, 2021

AGENDA ITEM: 4

Deliberate on proposed Fiscal Year 2021-2022 Budget.

SUBMITTED BY: City Manager Kevin Carruth

APPROVED FOR AGENDA: PKC

BACKGROUND: Lacking a consensus of Council, there has not been a change to the proposed budget since it was presented to Council on August 10, 2021. The changes to the budget requests shown on the following page are suggested, with any deficit between the new no revenue rate and total expenditures bridged by the Community Disaster Loan. Any additional feedback needs to be provided by Council at this meeting so it can be incorporated into the final document.

Please bring your budget materials to the meeting.

FISCAL ANALYSIS:

RECOMMENDATION: Not an action item.

FY 2021-2022
Budget Requests

Department	✓/X	Line Item Description	Expense Impact	Revenue Offset	Savings Other	SUBTOTAL	Overall Increase(Decrease)	Comments
GENERAL FUND								
Street Department	✓	Drainage Maintenance	200,000			200,000	(200,000)	Addition of \$200k for Drainage repairs & maintenance
Parks & Recreation	X	Canopy Cover for FitCourt	20,000			(20,000)	(20,000)	Canopy cover for new Fit Court - provides shade for patrons increase usage
Parks & Recreation	X	Shade Structure for Basketball Court at Memorial Park	30,000			(30,000)	(30,000)	Shade structure over existing basketball court area at Memorial Park
Police Department	X	Mobile Surveillance Cameras (2)	45,000			(45,000)	(45,000)	Addition of two mobile surveillance cameras
GENERAL FUND GRAND TOTAL						TOTAL OVERALL INCREASE (DECREASE)		105,000
UTILITY SYSTEM FUND								
Water Distribution	X	Receptionist for RSC	44,605			(44,605)	(44,605)	Addition of Receptions for Rockport Service Center starting 11/1/21
UTILITY SYSTEM FUND GRAND TOTAL						TOTAL OVERALL INCREASE (DECREASE)		(\$44,605)
HOTEL OCCUPANCY TAX FUND								
Hotel Occupancy Tax								
Hotel Occupancy Tax	✓	Shoreline Stabilization	25,000			25,000	25,000	Increase funding for shoreline stabilization
HOTEL OCCUPANCY TAX FUND GRAND TOTAL						TOTAL OVERALL INCREASE (DECREASE)		25,000.00
						TOTAL OVERALL COMBINED INCREASE (DECREASE)		85,395

Revised Requested Based off 8/16/21 Budget Workshop