

# CITY OF ROCKPORT

## MINUTES

### CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, January 12, 2021 Via Video Conferencing Application ZOOM

A temporary suspension of the Open Meetings Act to allow telephone or video conference public meetings was granted by Governor Greg Abbott. These actions were 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.

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 either 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 provided on the Agenda. 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.

On the 12<sup>th</sup> day of January 2021, the City Council of the City of Rockport, Aransas County, Texas, convened in Regular Session at 6:30 p.m., via video conferencing application ZOOM 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 Patrick R. Rios  
Mayor Pro-Tem J.D. Villa, Ward 2  
Council Member Michael Saski, Ward 1  
Council Member Bob Cunningham, Ward 3  
Council Member Andrea Hattman, Ward 4

#### CITY COUNCIL MEMBER(S) ABSENT

#### PLANNING & ZONING COMMISSION MEMBERS PRESENT

Warren Hassinger  
Kim Hesley  
G. Maynard Green  
Ruth Davis  
Diana Severino-Saxon

#### STAFF MEMBERS PRESENT

City Manager Kevin Carruth  
City Secretary Teresa Valdez  
Director of Public Works & Building Services Mike Donoho  
Community Planner Amanda Torres  
Director of Finance Katie Griffin

#### ELECTED OFFICIALS PRESENT

Chief of Police Greg Stevens  
Assistant to City Manager Kimberly Henry  
Parks & Leisure Services Director Rick Martinez  
Police Commander Larry Sinclair

## **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 Rios at 6:30 p.m. on Tuesday, January 12, 2021, via video conferencing application ZOOM.

### **2. Pledge of Allegiance.**

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

*Mayor Rios announced a Joint Public Hearing had been scheduled for tonight on a request to rezone property located at 1119 & 1123 S. Austin Street and 1120 S. Magnolia, and a Public Hearing had been scheduled on the request for closure of a portion of King Street between Magnolia Street and Water Street, but the developer asked those items be pulled from the Agenda so they were not placed on the Agenda for tonight. However, the Executive Session item regarding the request for closure of a portion of King Street was inadvertently left on the Agenda and that item will not be addressed in Executive Session tonight.*

### **3. Presentation: Recognition of Gas Department's 10 consecutive years of "Excellent" performance ratings of "95" or better.**

Mayor Rios stated for the tenth year in a row, the City of Rockport received a "95% performance rating" from the Texas Municipal League's Intergovernmental Risk Pool's (TMLIRP) Gas Utility Survey. Mayor Rios explained the Gas Utility Survey program is intended to assist TMLIRP members with risk management and operations issues and to address potential risks associated with the gas distribution system prior to inspections by regulatory agencies. Mayor Rios expressed according to TMLIRP, the City's rating demonstrates its commitment to safety and efficiency and only 27 cities in Texas have received a score of 95% or more for ten or more consecutive years. Mayor Rios congratulated Director of Public Works & Building Services Mike Donoho and his staff.

City Manager Kevin Carruth said the Natural Gas Department is a small crew and this is recognition of what they do consistently. Mr. Carruth congratulated Mr. Donoho and staff.

### **4. Presentation: American Planning Association – Richard R. Lillie FAICP Planning Excellence Recognition Program Award.**

Mayor Rios stated for the second year in a row, the City of Rockport Planning Department was selected by the Texas Chapter of the American Planning Association to receive its 2020 Certificate

of Achievement for the Richard R. Lillie, FAICP Program for Planning Excellence, which recognized planning excellence in municipalities throughout the State. Mayor Rios said Rockport is one of 35 government entities to receive the recognition and the only municipality in the Coastal Bend.

Community Planner Amanda Torres stated the Rockport Planning Department was happy to receive the award again.

#### **5. Presentation: Texas Police Chiefs Association – Texas Law Enforcement Best Practices Recognition Program.**

Mayor Rios stated on December 23, 2020, the Rockport Police Department received, for the second time, the award of “Recognized Law Enforcement Agency” from the Texas Police Chiefs Association (TPCA) Law Enforcement Recognition Program. Mayor Rios said the first time it was received, Tim Jayroe was Chief, and Interim Chief Fred Fletcher continued the program. Mayor Rios thanked Chief Jayroe, Chief Fletcher and current Chief Stevens for continuing the program and working toward the re-recognition.

Chief of Police Greg Stevens stated Max Westbrook, Director of the Texas Police Chiefs Association Program is attending the Council meeting tonight via ZOOM. Chief Stevens explained there are industry standards, and this is the gold standard. Chief Stevens said on-site visits are made and 168 standards are looked at; two new standards were added this year. Chief Stevens added there is less than 10% throughout the State that are meeting these standards. Chief Stevens stated Lieutenant Nathan Garcia is the Director of this program for the City of Rockport.

Director of the Texas Police Chiefs Association Texas Law Enforcement Best Practices Recognition Program Max Westbrook addressed the Council. Mr. Westbrook said there are 2786 law enforcement agencies in the State and 170 of those meet these standards; only 95 have been able to obtain re-recognition status. Mr. Westbrook congratulated Chief Stevens and his team.

#### **6. Citizens to be heard.**

At this time, written comments received by 4:00 p.m. on the day of the meeting, on any subject matter that is not on the agenda, will be read by the Mayor and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. 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. While civil public criticism is not prohibited, disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender’s time to speak.

Mayor Rios said he had received one Citizen Participation Form from Sheryl Matlock to address the Council during the Citizens to be heard Agenda item. Mayor Rios asked three times for Ms. Matlock to address the Council.

Ms. Matlock did not respond to the Mayor.

Council Member Saski stated Ms. Matlock may have wanted to address the Council regarding the King Street items and when she heard the Mayor announce they were not on the Agenda she left the meeting.

### **Consent Agenda**

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

- 7. Deliberate and act on approval of Regular Meeting Minutes of December 8, 2020, and Special Meeting Minutes of December 15, 2020.**
- 8. Deliberate and act on an interlocal agreement with Purchasing Cooperative of America for cooperative purchasing services and authorizing the City Manager to negotiate and execute all necessary documents.**
- 9. Deliberate and act on approval of Memorandum of Understanding with Aransas County Independent School District for law enforcement mutual assistance.**

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

**MOTION:** Mayor Pro-Tem Villa moved to approve the Consent Agenda, as presented. Council Member Saski seconded the motion. Motion carried unanimously.

### **Public Hearings**

#### **10. Call to Order – Rockport Planning & Zoning Commission.**

With a quorum of the members present, the meeting of the Rockport Planning & Zoning Commission was called to order at 6:49 p.m. on Tuesday, January 12, 2021, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, via video conferencing application ZOOM.

Mayor Rios opened the Public Hearing at 6:49 p.m.

#### **11. Conduct a Joint Public Hearing with the Rockport Planning & Zoning Commission to consider a request to rezone property located at 309 West Market Street; also known as East 90 feet of Lots 9, 10, and 11, Block 153, Doughty and Mathis Division, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for retail and office space, currently zoned R-1 (1<sup>st</sup> Single Family Dwelling District).**

Mayor Rios stated he had received two Citizen Participation Forms to address Agenda Item 11. Mayor Rios read the statements received.

- 1) Alan Holland, 316 W. Bay: Mr. Holland voiced concern about the rezoning application and opposed the rezoning request. His concerns are noise, devaluation of property and security.
- 2) Keith Allen, 129 South Verne Street: Mr. Allen opposes the rezoning request and said it does not fit the size of the land and is not a fitting option for rezoning at this time. Mr. Allen said rezoning would bring additional noise and increase potential hazards.

At 6:57 p.m., Mayor Rios closed the Public Hearing.

## **12. Adjourn – Rockport Planning & Zoning Commission.**

At 6:57 p.m., the Rockport Planning & Zoning Commission adjourned.

### **Regular Agenda**

- 13. Deliberate and act on first reading of an Ordinance amending the official zoning map as stipulated under Article 4.1 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from B-1 (General Business District) to R-2 (2<sup>nd</sup> Single Family Dwelling District) for property located at located at 607 South Church Street; also known as the south 35 feet of Lot 2, all of Lot 3, and the north half of Lot 4, Block 61, Mathis Subdivision, City of Rockport, Aransas County, Texas, to preserve residential feel of neighborhood; repealing all Ordinances in conflict therewith; providing for severability; and providing an effective date.**

Community Planner Amanda Torres stated the Planning and Zoning Commission heard this request on December 14, 2020 and they recommend approval. Ms. Torres said this is an uncommon request because they are requesting down-zoning; it would be the same zoning as the Mathis House.

Council Member Cunningham said he drove through that neighborhood and the rezoning would seem to fit in better with the neighborhood and protect the integrity of the Mathis House.

**MOTION:** Council Member Saski moved to approve the first reading of an Ordinance amending the official zoning map as stipulated under Article 4.1 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from B-1 (General Business District) to R-2 (2<sup>nd</sup> Single Family Dwelling District) for property located at located at 607 South Church Street; also known as the south 35 feet of Lot 2, all of Lot 3, and the north half of Lot 4, Block 61, Mathis Subdivision, City of Rockport, Aransas County, Texas, to preserve residential feel of neighborhood; repealing all Ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Hattman seconded the motion. Motion carried unanimously.

- 14. Deliberate and act on first reading of an Ordinance amending the official zoning map as stipulated under Article 4.1 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from R-1 (1<sup>st</sup> Single Family Dwelling District) to B-1 (General Business District) for property located at 1711-1715 Sixteenth Street; also known as 10.57 acres embracing a portion of Tract 8, lying west of Texas State Highway 35 relief route, and the east one-half of Tract 84, Block 250, Foor and Swickheimer Subdivision, City of Rockport, Aransas County, Texas, to prepare property for commercial use; repealing all Ordinances in conflict therewith; providing for severability; and providing an effective date.**

Community Planner Amanda Torres stated the Planning and Zoning Commission heard this request on December 14, 2020, and recommend approval. Ms. Torres said the 2011 Future Land Use Map indicates this area as commercial. Ms. Torres explained this property was annexed into

the City in 2016, and when annexed property comes in as R-1 (1<sup>st</sup> Single Family Dwelling District). Ms. Torres added the property owner and realtor request the property be rezoned to prepare it for commercial use.

**MOTION:** Mayor Pro-Tem Villa moved to approve the first reading of an Ordinance amending the official zoning map as stipulated under Article 4.1 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from R-1 (1<sup>st</sup> Single Family Dwelling District) to B-1 (General Business District) for property located at 1711-1715 Sixteenth Street; also known as 10.57 acres embracing a portion of Tract 8, lying west of Texas State Highway 35 relief route, and the east one-half of Tract 84, Block 250, Foor and Swickheimer Subdivision, City of Rockport, Aransas County, Texas, to prepare property for commercial use; repealing all Ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Saski seconded the motion. Motion carried unanimously.

- 15. Deliberate and act on first reading of an Ordinance amending the official zoning map as stipulated under Article 4.1 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from R-1 (1<sup>st</sup> Single Family Dwelling District) to B-1 (General Business District) for property located at 1123 West Market Street; also known as Lot 7 and Lots 16-20, Block 4, West Terrace Subdivision Unit 1, City of Rockport, Aransas County, Texas, to bring land use into a conforming zoning district; repealing all Ordinances in conflict therewith; providing for severability; and providing an effective date.**

Community Planner Amanda Torres stated the Planning and Zoning Commission heard this rezoning request on December 14, 2020. Ms. Torres said the Planning and Zoning Commission and staff recommend approval. Ms. Torres informed Council that property owners Floyd & Brenda Clark have utilized this property as commercial for decades and when it was annexed into the City it came in as non-conforming, but they want to rezone to the property zoning.

Council Member Saski asked if there were any plans to change the type of commercial business from what is there now.

Floyd Clark answered they are not anticipating doing anything different from what they have been doing the last 30 years.

**MOTION:** Mayor Pro-Tem Villa moved to approve the first reading of an Ordinance amending the official zoning map as stipulated under Article 4.1 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from R-1 (1<sup>st</sup> Single Family Dwelling District) to B-1 (General Business District) for property located at 1123 West Market Street; also known as Lot 7 and Lots 16-20, Block 4, West Terrace Subdivision Unit 1, City of Rockport, Aransas County, Texas, to bring land use into a conforming zoning district; repealing all Ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Saski seconded the motion. Motion carried unanimously.

- 16. Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 98 “Traffic and Vehicles”, Article II. “Traffic Control” amending Section 98.31 “All-way Stop Signs”, Appendix T-50 by adding All-**

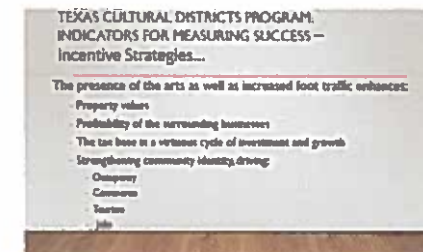
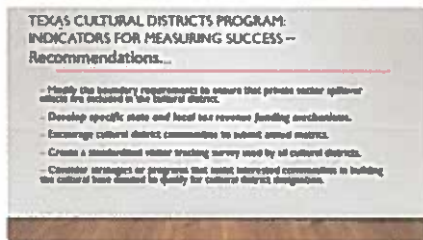
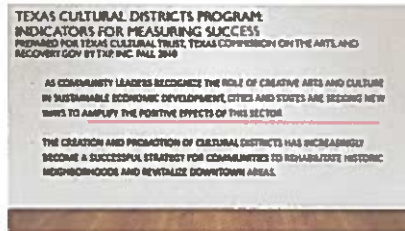
way Stop Sign at Palmetto Avenue and South 12<sup>th</sup> Street and at Palmetto Avenue and South 11<sup>th</sup> Street; repealing all prior ordinances in conflict herewith; providing for severability; and providing for an effective date.

Mayor Rios said there had been no changes in format or content of the Ordinance since Council approved the first reading on December 8, 2020.

**MOTION:** Mayor Pro-Tem Villa moved to approve the second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 98 “Traffic and Vehicles”, Article II. “Traffic Control” amending Section 98.31 “All-way Stop Signs”, Appendix T-50 by adding All-way Stop Sign at Palmetto Avenue and South 12<sup>th</sup> Street and at Palmetto Avenue and South 11<sup>th</sup> Street; repealing all prior ordinances in conflict herewith; providing for severability; and providing for an effective date. Council Member Hattman seconded the motion. Motion carried unanimously.

**17. Deliberate and act on Rockport Cultural Arts District proposal for a legislative initiative to exempt from sales tax original works of art sold in the District.**

Rockport Cultural Arts District Executive Director Jennifer Day addressed the Council. Ms. Day stated this initiative is driven by the desire to attract artists and collectors to purchase art within the Cultural Arts District. Ms. Day gave a PowerPoint presentation (below) on the initiative seeking a bracketed bill in the 86<sup>th</sup> Texas Legislature that would exempt from sales tax all original, one-of-a-kind works of art.



**LOUISIANA CULTURAL DISTRICT PROGRAM – SALES TAX EXEMPTION INSTRUCTIONS**

All sales, within the boundaries of a certified Cultural District, or original, one-of-a-kind works of art that meet the definitions below as set forth in the law are exempt from local sales tax. Due to legislative action, there is no state sales tax exemption until July 2025.

**LOUISIANA CULTURAL DISTRICT PROGRAM – SALES TAX EXEMPTION INSTRUCTIONS**

Art sellers must verify the authenticity of original works of art and document each tax-exempt sale of qualifying art by using the Sales Tax Exemption Certificates provided by the Louisiana Dept. of Revenue.

**LOUISIANA CULTURAL DISTRICT PROGRAM – SALES TAX EXEMPTION INSTRUCTIONS**

The Sales Tax Exemption Certification includes the following:

- Name and address of Purchaser
- The title, description of the artwork including its medium, dimensions, name of the artist, predominant color, its date of creation (if known), the sale date and price of the artwork.
- Name and address of Seller, name and location of the Cultural District.
- Signature of the Seller certifying that to the best of their knowledge the work of art meets the definition of a tax-exempt work of art.

**ROCKPORT CULTURAL ARTS DISTRICT – ORIGINAL ART RCA SALES TAX COLLECTED 2016 & 2019**

	Sales by Seller's County for the Arts			
	TOTAL	STATE	CITY	COUNTY*
Cultural 2016	\$ 6,000.00	\$ 2,237.51	\$ 694.43	\$ 3,068.06
Cultural 2019	\$ 4,365.00	\$ 2,344.00	\$ 439.75	\$ 1,581.25
<b>TOTAL</b>	<b>\$10,365.00</b>	<b>\$4,581.51</b>	<b>\$1,134.18</b>	<b>\$4,649.31</b>

\*P&G – health care sales tax, 25.9% County

**RCAD INITIATIVE – WORKING SUPPORT**

- Gary Gibbs, Executive Director, Texas Commission on the Arts
- City of Rockport – Mayor, City Manager, City Council
- Aransas County Support – County Judge and County Commissioners
- Local Businesses – Galleries, Retail, Hotels, Restaurants
- Local Artists

**RCAD INITIATIVE – WORKING SUPPORT**

- George Morrison – Champion in the House
- Shane Sauts – Chief of Staff
- Senators Local Support
- They are available to write the bill for the 87<sup>th</sup> Legislative Session
- Lois Kallherst – Champion in the Senate

**STATE LEGISLATIVE SESSION**

- 87<sup>th</sup> Regular Legislative Session
- Starts January 12, 2021
- Ends May 11, 2021

**DISASTER RECOVERY**

Aransas County, City of Rockport, Town of Fulton continue to require opportunities in stimulate recovery efforts and area growth as a result of Hurricane Harvey and the Pandemic.

**ADDITIONAL BENEFITS**

Provides an opportunity for the State to collect sales tax on the sale of original art.

**RCAD SEEKS IMMEDIATE SUPPORT FOR PROPOSED STATE INITIATIVE**

- From City of Rockport
- From Aransas County
- Maximize The Opportunity Now





Ms. Day requested Council support the initiative seeking a bracketed bill in the 86<sup>th</sup> Texas Legislature that would exempt from sales tax all original, one-of-a-kind works of art. Ms. Day stated she has spoken with Representative Geanie Morrison's Chief of Staff and was told if there is support for this initiative there is plenty of time to write a bill. Ms. Day said she has not yet spoken with Senator Lois Kolkhorst.

Council Member Saski thanked Ms. Day for the time and research put into this and he wishes we could come up with 100 more ideas like this to showcase Rockport. Council Member Saski stated he supports this initiative 100 percent.

Council Member Cunningham said he had sent Ms. Day some questions and she had touched on some of them in the presentation. Council Member Cunningham stated it is not really the amount of money the City would be foregoing but what about administrative review on the back end; would this be an additional expense on the City. Council Member Cunningham asked what sort of parallels could be drawn from to show this would increase sales tax elsewhere within the City. Council Member Cunningham asked if the Legislation include some type of sunset provision.

Ms. Day answered she must file an annual report with the Texas Commission on Arts and explained how Louisiana handles the reporting. Ms. Day said the Rockport Cultural Arts District would be responsible for the reporting. Ms. Day stated she has requested numbers from the State Comptroller, and she does not have a baseline put together yet. Ms. Day said a sunset provision is something that could be looked at.

Council Member Cunningham stated since the Legislation has not been drafted, he would appreciate it if Ms. Day could come back to Council with it so they can have time to look at it and understand what is proposed and can register concerns if they have any.

Ms. Day stated she need to make sure the County Commissioners support this initiative, or she will not take it forward.

Council Member Cunningham said he joins Council Member Saski in thanking you for your hard work on this.

Council Member Hattman stated Ms. Day had answered all her questions in the presentation.

Mayor Rios thanked Ms. Day for her hard work and wished her good luck with the County. Mayor Rios stated these kinds of things is how the City grows.

**MOTION:** Mayor Pro-Tem Villa moved to support Rockport Cultural Arts District's proposal for a legislative initiative to exempt from sales tax original works of art sold in the District. Council Member Saski seconded the motion. Motion carried unanimously.

**18. Deliberate and act on a Resolution of the City of Rockport, Texas authorizing the City Manager to survey, divide, and then prepare, post, and publish for auction the remaining portion of the 0.3444 acres of land consisting of Lots 4 and 5, Block 115, Doughty & Mathis Subdivision, City of Rockport, Aransas County, Texas, also known**

as 1017 Young St.

Assistant to the City Manager Kimberly Henry stated this property was purchased in 1970 for the purpose of wastewater lift station, however the City only utilizes a small section on the North East side of the lot. Ms. Henry said portions of the lot are often utilized by neighboring property owners which could be a liability should an accident occur on the City owned property. Ms. Henry said staff is requesting the property be surveyed, divided and then auction the larger portion not utilized by the City.

Council Member Cunningham asked if this is one of the City properties that is getting fencing.

Director of Public Works and Building Services Mike Donoho answered this property was one of the City properties being fenced.

**MOTION:** Council Member Saski moved to adopt a Resolution of the City of Rockport, Texas authorizing the City Manager to survey, divide, and then prepare, post, and publish for auction the remaining portion of the 0.3444 acres of land consisting of Lots 4 and 5, Block 115, Doughty & Mathis Subdivision, City of Rockport, Aransas County, Texas, also known as 1017 Young Street. Mayor Pro-Tem Villa seconded the motion. Motion carried unanimously.

#### **19. Hear and deliberate on status of COVID-19 and response efforts.**

City Manager Kevin Carruth called the Council's attention to the statistics beginning page 148 of the Agenda packet. Mr. Carruth said our situation is not improving. Mr. Carruth added it was unfortunate the distribution is not being managed very well; handled by pharmacies and the City and County are not being notified.

Mayor Rios said we are having difficulty getting enough vaccines. Mayor Rios stated we are prepared for administering vaccines. Mayor Rios expressed we are pushing daily to receive vaccines, and this is a priority on our agenda. Mayor Rios stated this is a concentrated effort along with Aransas County.

Mayor Pro-Tem Villa commented that he hoped we would get vaccines soon.

Council Member Hattman stated the only thing she has heard is that people should keep checking with the HEB and WalMart pharmacies.

Council Member Saski said it is important to remember to continue to be safe; time will come to be vaccinated. Council Member Saski expressed we need to take care of each other.

#### **20. Reports from Council.**

At this time, the City Council will report/update on all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton

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

Council Member Saski wished everyone a Happy New Year and hoped everyone had holidays filled with joy and love and had an opportunity to visit with family members in some manner. Council Member Saski said he prays everyone will have a better 2021 than 2020. Council Member Saski expressed that everyone in the City and County has done a good job at keeping things under control.

Mayor Pro-Tem Villa said he and the Mayor attended the Grand Opening of the new medical center; they did a walk through and there is a CT scan machine and they can do video calls with doctors.

Council Member Cunningham said at the last meeting he mentioned Texas Windstorm Insurance Association had decided to raise premiums by five percent. Council Member Cunningham stated the Texas Department of Insurance has revoked that; we are not sure what is going to happen – keeping a close eye on that. Council Member Cunningham gave a “shout out” to Parks and Leisure Services Director Rick Martinez and his staff regarding the Bent Oaks Rookery. Council Member Cunningham said the Herons are already arriving and the Parks staff is doing a good job finishing mowing and laying out nesting materials. Council Member Cunningham announced the Friends of Little Bay are meeting next week on January 20, 2020, at the Saltwater Pavilion at 6:00 p.m. Council Member Cunningham informed everyone the Key Allegro utility relocation is under way could be completed as early as the end of the month. Council Member Cunningham added TxDOT may be able to step up the schedule; may be able to put out for bids in early Summer.

Council Member Hattman said she also attended the Grand Opening of the new emergency room. Council Member Hattman stated Council Member Cunningham had informed everyone about the Texas Windstorm Insurance premium being revoked. Council Member Hattman wished everyone a Happy New Year and thanked everyone for their service.

Mayor Rios declared it was important for everyone to be careful regarding COVID. Mayor Rios said a City employee has been diagnosed with COVID and is recovering. Mayor Rios expressed he hoped there will be more survival rates.

### **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:**

- 21. Section 551.071 (2) – the City Council will meet in closed session with its 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 to discuss the status and legal issues associated with a performance based services agreement.**

- 22. Section 551.072 Deliberation Regarding Real Property - To deliberate the purchase, exchange, lease, or value of real property: 0.142 acre of land embracing that 25.0 foot wide portion of King Street adjacent to the south boundary of Lot Nos. 8 and 16, Block No. 27, along and with the south boundary of the east 48.34 feet of Block No. 42, Doughty and Mathis Division, City of Rockport, Aransas County, Texas, according to the map or plat recorded in Volume "E", Pages 272 and 273, Deed Records of Aransas County, Texas.**
- 23. Section 551.074 Personnel Matters – deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: (a) City Manager evaluation and (b) City Secretary Evaluation.**

At 7:54 p.m., Mayor Rios 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(2) – the City Council will meet in closed session with its 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 to discuss the status and legal issues associated with a performance based services agreement; and Section 551.074 Personnel Matters - deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: (a) City Manager evaluation and (b) City Secretary evaluation.

Mayor Rios announced as stated at the beginning of the meeting Agenda Item 22 will not be addressed in Executive Session.

### **Open Session**

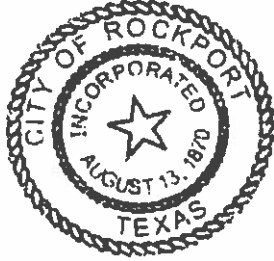
**City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.**

At 9:00 p.m., Mayor Rios 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.

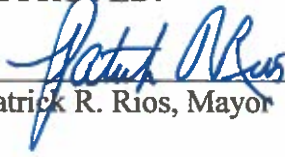
No action was taken.

### **24. Adjournment.**

At 9:00 p.m., Council Member Saski moved to adjourn. Motion was seconded by Council Member Hattman. Motion carried unanimously.



APPROVED:

  
\_\_\_\_\_  
Patrick R. Rios, Mayor

ATTEST:

  
\_\_\_\_\_  
Teresa Valdez, City Secretary