

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING

6:30 p.m., Tuesday, May 24, 2022

Rockport Service Center, 2751 State Highway 35 Bypass

Members of the public could view the meeting via live stream. Public participation is valued and citizens wishing to express their views on any topic or agenda item could 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, or if attending the meeting in person register before the meeting begins. Using the same form, citizens could also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The comments were read and summarized in the minutes of the meeting.

On the 24th day of May 2022, the City Council of the City of Rockport, Aransas County, Texas, convened in a Regular Meeting 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 Patrick R. Rios
Mayor Elect Tim Jayroe
Mayor Pro-Tem J.D. Villa, Ward 2
Council Member Elect Danielle Hale, Ward 2
Council Member Katy Jackson, Ward 1
Council Member Brad Brundrett, Ward 3
Council Member Andrea Hattman, Ward 4

CITY COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT

Interim City Manager Richard Morton
Assistant to City Manager Kimberly Henry
City Secretary Teresa Valdez
City Attorney Dan Santee
Director of Finance Katie Griffin
Parks & Leisure Services Director Rick Martinez
Parks Maintenance Superintendent George Bennett
Director of Public Works and Building & Development Services Mike Donoho
Community Planner and Assistant Director of Building & Development Services Carey Dietrich
Information Technology Director Bob Argetsinger
Chief of Police Greg Stevens
Communications Director Lee Brown

ELECTED OFFICIALS PRESENT

Aransas County Commissioner Pat Rousseau
Aransas County Sheriff Bill Mills

Opening Agenda

1. Call meeting 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, May 24, 2022, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

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

Point of Privilege - Council Member Brad Brundrett requested a Point of Privilege and asked his father Jerry Brundrett to give an invocation.

Jerry Brundrett gave an Invocation.

Point of Privilege – Mayor Rios requested a moment of silence for the City of Uvalde (Robb Elementary School shooting).

3. Presentation: Texas Municipal League Leadership Academy -Council Member Katy Jackson.

Mayor Rios stated Council Member Katy Jackson recently completed the TML Leadership Academy and received the prestigious title of “TML Leadership Fellow.”

Council Member Jackson stated the Leadership Academy teaches elected officials about City leadership and skills that can be brought back to their respective cities. Council Member Jackson expressed it was a lot of fun and she learned a lot.

4. Presentation of Certificate of Election to newly-elected official for Ward 2.
(Presentación del Certificado de Elección al funcionario recién elegido para el Distrito 2.)

Mayor Rios presented the Certificate of Election to Danielle Hale the newly-elected Council Member for Ward 2.

Ms. Hale was joined at the front of the dais with her family.

5. Administration of Oath of Office to newly-elected official for Ward 2.
(Administración del Juramento del Cargo al funcionario recién elegido para el Distrito 2.)

Mayor Rios administered the Oath of Office to Danielle Hale the newly-elected Council Member for Ward 2.

6. Presentation of Certificate of Election to re-elected official for Ward 4.
(Presentación del Certificado de Elección al funcionario reelecto del Distrito 4.)

Mayor Rios presented the Certificate of Election to Andrea Hattman the re-elected Council Member for Ward 4.

Council Member Hattman was joined at the dais with her family.

7. Administration of Oath of Office to re-elected official for Ward 4.
(Administración del Juramento del Cargo al funcionario reelegido para el Distrito 4.)

Mayor Rios administered the Oath of Office to Andrea Hattman the re-elected Council Member for Ward 4.

8. Presentation of Certificate of Election to newly-elected Mayor.
(Presentación de certificado de elección al Alcalde recién elegido.)

Mayor Rios presented the Certificate of Election to Tim Jayroe the newly-elected Mayor.

Mr. Jayroe was joined at the dais by his family.

9. Administration of Oath of Office to newly-elected Mayor.
(Administración del Juramento del Cargo del Alcalde recién electo.)

Mayor Rios administered the Oath of Office to Tim Jayroe the newly-elected Mayor.

Point of Privilege – Council Member Brundrett invited Mayor Pro-Tem Villa and Mayor Rios to give some remarks.

Mayor Pro-Tem Villa stated he has served on the City Council as representative of Ward 2 for 10 years and when he began, he never thought he would do more than 1 term. Mayor Pro-Tem Villa expressed the City is doing great things and he thanked Council, previous Council and family for their support. Mayor Pro-Tem Villa said his most memorable time serving on Council was the day his father administered the oath of office to him as a City Council Member.

Mayor Rios stated it has been a real privilege to serve on the City Council for nine years, and he apologized for the 10 declared disasters during his term as Mayor. Mayor Rios expressed he is leaving the City in good hands and he thanked the Council and staff.

Mayor Pro-Tem Villa presented Mayor Rios with a gift (Yeti Cup with City Seal) from he and his family.

10. Recognition of Mayor Patrick R. Rios and Council Member Ward 2 J.D. Villa for their service and dedication to the citizens of Rockport.

Interim City Manager Richard Morton presented Mayor Patrick R. Rios and Mayor Pro-Tem J.D. Villa with a Hurricane Harvey wooden bowl and individual street signs – Villa Drive & Rios Way. Mr. Morton thanked them for their years of service.

Chief of Police Greg Stevens presented Mayor Rios and Mayor Pro-Tem Villa with a Police Department coin.

11. Deliberate and act on election by Council of Mayor Pro-Tem.

Council Member Jackson moved to elect Council Member Hattman to serve as Mayor Pro-Tem

for a term of May 2022 to May 2023 pursuant to the City of Rockport Home Rule Charter. Council Member Brundrett seconded the motion. Motion carried unanimously.

12. Citizens to be heard.

At this time, comments limited to three (3) minutes will be taken from the audience from persons who have signed the speaker's card located on the table in the back of the Training Room of the Service Center and delivered to the City Secretary before the meeting begins, or 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 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.

There were no citizen comments.

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.

- 13. Deliberate and act on approval of Regular Meeting Minutes of April 26, 2022.**
- 14. Deliberate and act on 2nd quarter report from Rockport Cultural Arts District for Fiscal Year 2021-2022 marketing expenditures.**
- 15. Deliberate and act on taxicab permit request from Crystal Bowder, doing business as Aransas Taxi, for a one-year period.**

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

MOTION: Mayor Pro-Tem Hattman moved to approve the Consent Agenda Items, as presented. Council Member Jackson seconded the motion. Motion carried unanimously.

Regular Agenda

- 16. Deliberate and act on first reading of an Ordinance granting a Conditional Use Permit for 14 additional RV spaces and to bring the existing RV Park into zoning compliance, for property located at 217 South Fulton Beach Road; also known as Fulton Bayview Addition, Block F, Lots 1, 2, 3 & water front east of 1, 2, 3, and undivided interest in water front east of Fulton Avenue, and Beacon RV Park and Marina Subdivision, Lot 1-R – 2-R, City of Rockport, Aransas County, Texas; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all Ordinances in Conflict therewith; providing for severability; and providing an effective date.**

Community Planner Carey Dietrich addressed the Council and stated this is a request from Beacon RV Park for a Conditional Use Permit for 14 additional RV Spaces and to bring the existing RV Park into zoning compliance. Ms. Dietrich said seven letters in favor of the request and two letters in opposition have been received.

MOTION: Council Member Brundrett moved to approve the first reading of an Ordinance granting a Conditional Use Permit for 14 additional RV spaces and to bring the existing RV Park into zoning compliance, for property located at 217 South Fulton Beach Road; also known as Fulton Bayview Addition, Block F, Lots 1, 2, 3 & water front east of 1, 2, 3, and undivided interest in water front east of Fulton Avenue, and Beacon RV Park and Marina Subdivision, Lot 1-R – 2-R, City of Rockport, Aransas County, Texas; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all Ordinances in Conflict therewith; providing for severability; and providing an effective date. Council Member Jackson seconded the motion. Motion carried unanimously.

17. Deliberate and act on first reading of an Ordinance granting a Conditional Use Permit for 78 additional RV spaces and to bring the existing RV Park into zoning compliance, located at 1222 Highway 35 South; also known as S1950 Forrest Oaks, Block 1, Lots 1 & 2, City of Rockport, Aransas County, Texas; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all Ordinances in Conflict therewith; providing for severability; and providing an effective date.

Community Planner Carey Dietrich addressed the Council and stated this is a request for a Conditional Use Permit from Ancient Oaks RV Park to add 78 additional RV spaces and to bring the existing RV Park into zoning compliance. Ms. Dietrich said there had been a request regarding a tree survey for the property and she explained that is required when the plans are submitted.

Council Member Brundrett said it was his understanding they were going to work hard to save as many of the trees as they can.

MOTION: Council Member Brundrett moved to approve the first reading of an Ordinance granting a Conditional Use Permit for 78 additional RV spaces and to bring the existing RV Park into zoning compliance, located at 1222 Highway 35 South; also known as S1950 Forrest Oaks, Block 1, Lots 1 & 2, City of Rockport, Aransas County, Texas; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all Ordinances in Conflict therewith; providing for severability; and providing an effective date. Council Member Jackson seconded the motion. Motion carried unanimously.

18. Deliberate and act on first reading of an Ordinance amending Chapter 118 of the Code of Ordinances, City of Rockport, Texas, separating RV park regulations from manufactured home park regulations, revising non-conforming use regulations, and providing regulations for recreational vehicle parks; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.

Community Planner Carey Dietrich said two minor revisions had been added to the Ordinance and a copy of the Exhibit with the revisions had been given to each Council Member: 1) Section 24.2.14, Item #12 – addition of “or permitted water well and an approved on-site wastewater system if city services are not available”; and 2) Section 24.2.14, Item #21 – addition of “current registered and ready”.

Council Member Brundrett asked if the RV Council supports the proposed Ordinance.

Ms. Dietrich answered: "Yes."

Doug Webb, owner of Fishers of Men RV Park, addressed the Council and commented he hoped this would be the last time they meet on this. Mr. Webb said he strongly supported this Ordinance.

Council Member Jackson commented this has been a long process and she had been intimately involved because there are lots of RV parks in Ward 1. Council Member Jackson added that if someone does not like how an RV Park looks, get Code Enforcement involved – most of the time those parks are not in the City.

MOTION: Council Member Jackson moved to approve the first reading of an Ordinance amending Chapter 118 of the Code of Ordinances, City of Rockport, Texas, separating RV park regulations from manufactured home park regulations, revising non-conforming use regulations, and providing regulations for recreational vehicle parks; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

19. Hear and deliberate with the Communications Board on a back-up Communications Center to be located at the Rockport Service Center.

Communications Director Lee Brown addressed the Council and said staff has been working on this for about one year and the amounts involved have increased. Ms. Brown stated the last time Council met and discussed this it was suggested it be narrowed down to two positions. Ms. Brown said the Communications Board met today for the third time and some members have asked for planning for a mobile trailer, however, the task she had received was to put together a plan and cost for a back-up Communications Center to be located at the Rockport Service Center.

Chief of Police Greg Stevens stated the question has come up whether we look at mobile versus hardened and from his prospective those are two very different platforms. Chief Stevens said we are looking at redundancy versus a command center.

Aransas County Sheriff Bill Mills addressed the Council and said the Communications Board did meet this afternoon and his understanding was that they would come to this meeting and look at options. Sheriff Mills said he believed the Commissioner's Court would look at funding and they would also want to see what the Town of Fulton's position is on this.

Fire Chief Carl Stubbs said the Communications Board does believe we need a back-up communication center, not a command center and the question is can a communication center be put in a trailer. Chief Stubbs stated he looks at cost and is it worth \$700,000-\$800,000?

Mayor Pro-Tem Hattman asked about the compared costs.

Ms. Brown said for a mobile trailer you are looking at approximately \$750,000 - \$1,200,000, however the backup-up communications center with two positions is approximately \$775,000. Ms. Brown stated she is waiting to meet with the State to see if they would fund two mobile 911 positions.

Chief Stevens stated everyone agrees we need redundancy, but the longer we wait the price for construction to build will go up.

Council Member Jackson said at the April 26, 2022, City Council meeting the motion was made to have a Workshop and bring back to Council.

Interim City Manager Richard Morton stated that was on him; the Council asked for a group meeting with the Communications Board and that is what is happening tonight, it's just part of the regular Council Agenda and not titled a workshop. Mr. Morton said staff has been out of City Hall for five years and a mobile dispatch would not last five years. Mr. Morton expressed Council wisely identified the money for this back-up communications center.

Council Member Hale thanked staff for bringing this to Council for consideration; however this cost is a lot and thinks other options should be looked at. Council Member Hale said she does not want a trailer, that is not what the communication center needs; it's not good use of this money.

Public Works Director and Building & Development Services Director Mike Donoho addressed the Council and stated a back-up communications center would be beneficial to this facility and explained when the Rockport Service Center was build it was supposed to be a backup emergency operations center, however cables and such were never planed in the facility. Mr. Donoho said by adding the necessary electrical wiring and such this facility could be used as a back-up emergency operation center.

Council Member Brundrett asked the representations from the Commissioners Court and Town of Fulton that were present at the meeting tonight if they felt they would be participating in this. Council Member Brundrett added the City has paid for this through tax notes and it is going to benefit the County and Fulton. Council Member Brundrett commented that obviously the meeting this afternoon was not the best use of time and he wished Council had more direction from them.

Mayor Jayroe stated it appeared to him that a significant portion of the Communications Board believe a mobile unit is the solution and then some feel a back-up center at the Service Center is the solution. Mayor Jayroe asked if a mobile unit would satisfy the communications center needs and if not, then would a back-up unit at the Service Center satisfy those needs.

Chief Stevens stated it boils down to the Communications Board disagreeing as to the way it should go. Chief Stevens expressed the better solution is to have a permanent back-up solution.

Sheriff Mills said there have only been two options presented and they haven't looked at and discussed any other options.

Council Member Hale stated she has sat through all the meetings regarding this, and the City was not asking for funding or cost-sharing. Council Member Hale expressed the City does not need approval from the Communications Board to do this. Council Member Hale said she was willing to postpone this until further conversations and options could be researched.

Mayor Jayroe suggested, by the next Council meeting in June, the Communications Board met and bring back a firm recommendation to Council for consideration.

Council Member Jackson commented Ms. Brown had said the State would not meet until July and she asked Ms. Brown if she could get an answer before then.

Ms. Brown said the State's next meeting is July 16th and the item regarding funding for 911 positions is on that agenda. Ms. Brown stated if funding was received from the State that would be a cost saving of approximately \$40,000 for 911 stations.

20. Deliberate and act on approval to purchase equipment and implementation services for the back-up Communications Center from Motorola (DIR Contract DIR-TSO-4101) and Intrado 911 Life and Safety Solutions (HGAC Contract EC07-20), authorizing the Interim City Manager to negotiate and execute all necessary documents.

MOTION: Council Member Jackson moved to postpone this item until after the July Communications Board meeting. Council Member Hale seconded the motion.

Aransas County Commissioner Pat Rousseau, 187 Heron Oaks, addressed the Council. Ms. Rousseau said she was please with the overall discussion on this, and she thought postponing this was a great idea. Ms. Rousseau added she thought it was important that the Communications Board communicate, and they seen one choice and it would be good to see some other options.

Motion carried unanimously.

21. Hear and deliberate on hurricane season preparedness.

Public Works Director and Building & Development Services Director Mike Donoho addressed the Council and encouraged everyone to think about personal and professional preparedness for hurricane season. Mr. Donoho said the City has been preparing for hurricane season.

Council Member Hale said it was great to see a lot of City staff at the regional hurricane conference. Council Member Hale asked staff to look at it's Facebook page and how that can be utilized to provide information to citizens.

22. Reports from Council.

At this time, the City Council will report/update on activities in respective Wards, and 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; 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 Jackson said next week is a big week for Veterans, Memorial Day event at 10:00 a.m. at Veterans Park. Council Member Jackson stated if anyone wanted to help with putting flags at the cemeteries, to meet at the Rockport Cemetery at 8:00 a.m. on Monday.

Council Member Hale thanked everyone for their support and she is looking forward to the new way to guide and participate in service to the citizens of Rockport.

Council Member Brundrett stated there are a lot of projects going on in Ward 3 and during the Summer it is going to get more populated. Council Member Brundrett asked everyone to pray with him for Uvalde.

Mayor Pro-Tem Hattman stated she also asked everyone to pray for Uvalde. Council Member Hattman said the annual Chamber Hurricane Breakfast is scheduled for June 1st. Council Member Hattman thanked everyone for their vote of confidence in her as she was re-elected as Ward 4 Council Member.

Mayor Jayroe thanked everyone for attending the meeting tonight and if the City can interest people to attend these meetings that would assist the Council in being more productive – we can see you. Mayor Jayroe expressed he is looking forward to serving the citizens of Rockport and he appreciates the support.

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:

- 23. Section 551.074 Personnel Matters – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: Review of City Manager applications.**
- 24. Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and 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: 1) Legal questions related to the applicability of certain development regulations within the Extraterritorial Jurisdiction; 2) Burnside Services, Inc.**

At 7:58 p.m., Mayor Jayroe convened the Rockport City Council into an executive session pursuant to Government Code Sections 551.074 Personnel Matters to deliberate the to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: Review of City Manager applications; and Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and 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: 1) Legal questions related to the applicability of

certain development regulations within the Extraterritorial Jurisdiction; 2) Burnside Services, Inc.

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.

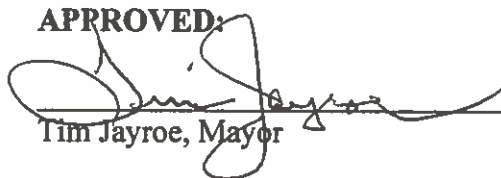
At 9:32 p.m., Mayor Jayroe reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

No action was taken.

25. Adjournment.

At 9:32 p.m., Council Member Jackson moved to adjourn. Motion was seconded by Mayor Pro-Tem Hattman. Motion carried unanimously.



APPROVED:

Tim Jayroe, Mayor

ATTEST:


Teresa Valdez, City Secretary