

# CITY OF ROCKPORT

## MINUTES

### CITY COUNCIL REGULAR MEETING

6:30 p.m., Tuesday, June 14, 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 14<sup>th</sup> day of June 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

#### CITY COUNCIL MEMBER(S) ABSENT

Mayor Tim Jayroe

Mayor Pro-Tem Andrea Hattman, Ward 4

Council Member Danielle Hale, Ward 2 – *via ZOOM*

Council Member Katy Jackson, Ward 1

Council Member Brad Brundrett, Ward 3 – *via ZOOM*

#### STAFF MEMBERS PRESENT

#### ELECTED OFFICIALS PRESENT

Interim City Manager Richard Morton

Assistant to City Manager Kimberly Henry

City Secretary Teresa Valdez

City Attorney Allison Bastian-Rodriguez

Director of Finance Katie Griffin

Parks & Leisure Services Director Rick Martinez

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

Parks Maintenance Superintendent George Bennett

#### 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 Jayroe at 6:30 p.m. on Tuesday, June 14, 2022, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

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

Mayor Pro-Tem Hattman led the Pledge of Allegiance to the U.S. flag.

## **3. Presentation: Government Finance Officers Association – Distinguished Budget Award.**

Mayor Jayroe asked Director of Finance Katie Griffin to join him at the podium. Mayor Jayroe presented them with the Government Finance Officers Association Award and Certificate of Recognition for Budget Preparation for the budget developed by Ms. Griffin for the Fiscal Year beginning October 1, 2021. Mayor Jayroe stated this is the 20<sup>th</sup> consecutive year the City of Rockport has received this award.

Interim City Manager Richard Morton announced there were two Council Members attending the meeting via ZOOM.

## **4. 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.

Ken Barron, 402 Cascades, addressed the Council and voiced concerns regarding the lack of progress in drainage projects in the Rockport Country Club.

Dennis Parker, 203 Olympic, addressed the Council. Mr. Parker stated he was President of the Rockport Country Club Homeowners Association. Mr. Parker voiced concerns regarding the lack of progress in drainage projects in the Rockport County Club.

Robert Carrier, 122 Cedar Ridge Drive addressed the Council. Mr. Carrier stated he wanted to know how to get some activity for drainage concerns. Mr. Carrier said the reeds have grown surrounding the property and he wanted to go on record to say he is hurting, and this is devaluating the property.

### **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.

## **5. Deliberate and act on approval of Regular Meeting Minutes of May 24, 2022.**

## **6. Deliberate and act on ratification of approval of Time and Material Service Agreement with Reytec Construction Resources, Inc. for the emergency tie-ins associated with the Concho Street Drainage Project, executed by Interim City Manager.**

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

- 7. Deliberate and act on second & final 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.**

Mayor Jayroe said he had received an email asking him to read comments on this Agenda Item. Mayor Jayroe read comments received from Craig Potts thanking Interim City Manager Richard Morton, City Staff, Dawn Walker, Kim Hensley, Diane Probst, Michelle Lewis, Dean Monroe, City Council – especially Council Member Jackson, for working on the RV Ordinance and delivering a final product in two months.

Community Planner Carey Dietrich said there had been no changes in format or content since Council approved the first reading of the Ordinance on May 24, 2022.

**MOTION:** Council Member Jackson moved to approve the second & final 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. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

- 8. Deliberate and act on second & final 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 said there had been no changes in format or content since Council approved the first reading of the Ordinance on May 24, 2022.

**MOTION:** Council Member Jackson moved to approve the second & final 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. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

**9. Deliberate and act on second & final 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 at the May 24, 2022, City Council Meeting, 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”. Ms. Dietrich stated the two revisions are shown highlighted in yellow.

Council Member Jackson thanked everyone involved in this long-haul process. Council Member Jackson stated she thinks we got what everyone wanted and an equitable conclusion, for everyone, was reached.

**MOTION:** Mayor Pro-Tem Hattman moved to approve the second & final 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. Council Member Jackson seconded the motion. Motion carried unanimously.

**10. Deliberate and act on the Texas Municipal League Health Benefits Rerate Notice for active employees and Pre-65 retired employees not eligible for Medicare.**

Interim City Manager Richard Morton said the Texas Municipal League had notified the City of a 15% increase for health insurance rates and provided the City four options. Mr. Morton stated staff recommends Council select Option 4 which is the least expensive of the options and the estimated additional cost to the City is approximately \$36,000 per fiscal plan year; the 15% increase would be a cost of \$143,000. Mr. Morton explained there will still be a co-pay, the City will pay 100% for employees, the deductible will go from \$1,000 to \$1,500, and the out of pocket deductive will go from \$3,000 to \$5,000.

**MOTION:** Mayor Pro-Tem Hattman moved to approve the 2022-2023 Texas Municipal League Health Benefits rerate Option 4 for employee health, dental, and vision benefits, as presented. Council Member Jackson seconded the motion. Motion carried unanimously.

**11. Deliberate and act on reallocating funding for the purchase of a basketball full court metal shade structure, located at Memorial Park.**

Interim City Manager Richard Morton recommended Council postpone this Agenda Item until an updated proposal could be received.

**MOTION:** Mayor Pro-Tem Hattman moved to postpone Agenda Item 11 until an updated proposal was received. Council Member Jackson seconded the motion. Motion carried unanimously.

**12. 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 Hale thanked everyone for help with onboarding. Council Member Hale reminded everyone to be vigilant regarding COVID; she is isolated due to COVID.

Council Member Brundrett extended greetings from Costa Rica.

Mayor Pro-Tem Hattman said the drainage design for Hole 11 in the Rockport Country Club had been received and the Interim City Manager is waiting on the bid specs.

Mayor Jayroe stated he met with Aransas Pathways and they are looking for volunteers.

**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:

**13. 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.**

**14. 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) Burnside Services, Inc., and 2) Concho Street Drainage Project.**

At 7:02 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) Burnside Services, Inc., and 2) Concho Street Drainage Project.

**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 8:34 p.m., Mayor Jayroe reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

Council Member Brundrett did not rejoin the meeting via ZOOM.

**MOTION:** Council Member Jackson moved to announce the following three persons as the three finalists for the City Manager position: John Benson, Richard Beverlin III, and Le Ann Piatt. Mayor Pro-Tem Hattman seconded the motion. Motion carried 4:0.

**15. Adjournment.**


At 8:35 p.m., Mayor Pro-Tem Hattman moved to adjourn. Motion was seconded by Council Member Jackson. Motion carried unanimously.



**ATTEST:**

  
Teresa Valdez, City Secretary

**APPROVED:**

  
Tim Jayroe, Mayor