

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING

6:30 p.m., Tuesday, June 28, 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 28th 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

Mayor Tim Jayroe

Mayor Pro-Tem Andrea Hattman, Ward 4

Council Member Danielle Hale, Ward 2

Council Member Katy Jackson, Ward 1

Council Member Brad Brundrett, Ward 3

CITY COUNCIL MEMBER(S) ABSENT

PLANNING & ZONING COMMISSION MEMBERS PRESENT

Kim Hesley

Thomas Blazek

STAFF MEMBERS PRESENT

Interim City Manager Richard Morton

Assistant to City Manager Kimberly Henry

City Secretary Teresa Valdez

City Attorney Dan Santee – *only in Executive Session via Conference Call.*

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

Communications Director Lee Brown

ELECTED OFFICIALS PRESENT

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 28, 2022, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

Sophia Clarkson, Cobyshane Clarkson, and Karlie Griffin led the Pledge of Allegiance to the U.S. flag.

3. Proclamation: Shirley Hughes Blackman Day.

Mayor Jayroe read a Proclamation declaring July 1, 2022, as Shirley Hughes Blackman Day in Rockport, Texas. Mayor Jayroe presented the Proclamation to Ms. Blackman.

4. Proclamation: Parks and Recreation Month – July 2022.

Mayor Jayroe read a Proclamation declaring July as Parks and Recreation Month in Rockport, Texas. Mayor Jayroe presented the Proclamation to Parks and Leisure Services Director Rick Martinez.

5. 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.

Colleen McTernan, 401 Broadway, Fulton, Texas, addressed the Council and stated she was representing the Women's Club of Aransas County as their President. Ms. McTernan said women from Aransas County meet and pay a fee to play games and then the Women's Club gives scholarships. Ms. McTernan expressed frustration over the weekly water issues they have been experiencing at the Women's Club.

Interim City Manager Richard Morton provided Ms. McTernan with his business card and stated he would be glad to discuss this with her.

Mayor Jayroe stated he was moving ahead to Agenda Item 15.

15. Deliberate and act on a Resolution approving continuation of the Aransas County Alliance Local Government Corporation.

Michael Meek, Interim President of the Aransas County Partnership Economic Development Corporation, addressed the Council. Mr. Meek requested Council postpone action on this item because the requested amendments were prepared but they have not been taken to the Aransas County Alliance Local Government Corporation Board for approval.

Mayor Rios suggested the Council postpone this until the Aransas County Alliance Local Government Corporation Board has considered the amendments.

MOTION: Mayor Pro-Tem Hattman moved to postpone consideration of a Resolution approving continuation of the Aransas County Alliance Local Government Corporation, until the Aransas County Alliance Local Government Corporation Board has reviewed the proposed amendments and made a recommendation to Council. Council Member Brundrett seconded the motion. Motion carried unanimously.

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.

- 6. Deliberate and act on approval of Regular Meeting Minutes of June 14, 2022, Special Mobile Closed Session Meeting Minutes of June 20, 2022, Special Town Hall Meeting Minutes of June 20, 2022, and Special Meeting Minutes of June 21, 2022.**
- 7. Deliberate and act on a Resolution of the City of Rockport, Texas, authorizing the Rockport Police Department to apply for and operate a Motor Vehicle Crime Prevention Authority Auxiliary Grant Program (MAG) administered by the Texas Department of Motor Vehicle for Fiscal Year 2022, and authorizing the Mayor to act as the authorized official and authorized representative in all matters pertaining to the participation in this grant program.**
- 8. Deliberate and act on approval of First Amendment to the Lease and Improvement Agreement between the City of Rockport and the Rockport Art Association Incorporated.**

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

MOTION: Council Member Jackson moved to approve the Consent Agenda Items, as presented. Council Member Brundrett seconded the motion. Motion carried unanimously.

Public Hearing

- 9. Call to Order – Rockport Planning & Zoning Commission.**

There was not a quorum of the members present, so the meeting of the Rockport Planning & Zoning Commission was not called to order.

- 10. Conduct a Joint Public Hearing with the Planning & Zoning Commission to consider a request to rezone property located at 2922 FM 1781; also known as Spanish Woods Estates #5, Lot 3b, being 1.148 acres, City of Rockport, Aransas County, Texas, to B-1 (General Business District); currently zoned R-1 (1st Single Family Dwelling District).**

A Joint Public Hearing was not conducted.

11. Adjourn – Rockport Planning & Zoning Commission.

The meeting was not called to order so there was no adjournment.

Regular Agenda

12. Deliberate and act on presentation and acceptance of Comprehensive Annual Financial Report for the City of Rockport for Fiscal Year 2020-2021.

Andrew P. Hall, Certified Public Accountant with Park Fowler & Company, addressed the Council and presented the Comprehensive Annual Financial Report for the City of Rockport Fiscal Year 2020-2021. Mr. Hall called the Council's attention to page 84 of the Agenda packet and stated this is the opinion letter and the firm has issued an unmodified opinion. Mr. Hall said the remainder of the report list the detail of the Report. Mr. Hall then called the Council's attention to pages 205-207 of the Agenda packet and explained to Council this is a report necessary if the City receives federal and state financial assistance that exceeds \$150,000; this was primarily driven by FEMA funds received. Mr. Hall said they also issued an unmodified opinion on this. Mr. Hall added findings from the previous year's report had been corrected and it will take two more years before that is removed from the report. Mr. Hall expressed they did not encounter any difficulties in performing the audit; the majority of the adjustments were recommendations of the Finance Department and were entered properly. Mr. Hall concluded by stating a "clean opinion" had been issued.

MOTION: Council Member Jackson moved to accept the Comprehensive Annual Financial Report for the City of Rockport for Fiscal Year 2020-2021. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

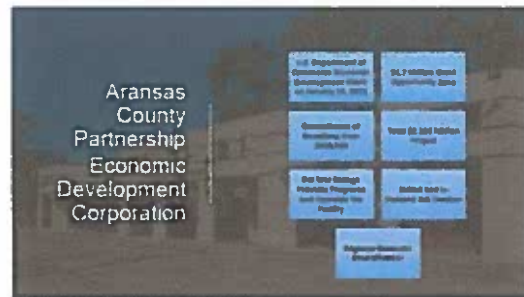
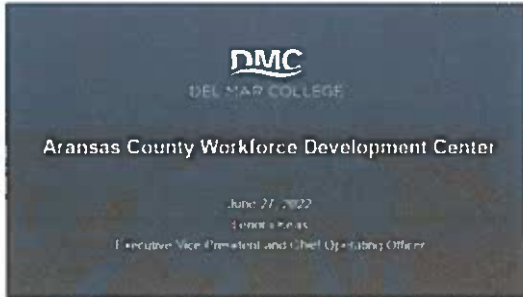
13. Hear and deliberate on presentation by Workforce Development Center.

John Jackson, 302 Olympic Drive, addressed the Council and stated an update on the Workforce Development Center was going to be given tonight. Mr. Jackson said a grant was received from the Economic Development Administration to help stimulate the economy after Hurricane Harvey and a Memorandum of Understanding with Del Mar College was executed. Mr. Jackson stated the total cost for the building was \$2.1 million and Aransas County received a \$1 million grant and also matching funds. Mr. Jackson explained the project is a true public/private partnership and the estimated cost in August 2020 was significantly lower than today's estimated cost and they are going to try and raise additional funds or scale down the project. Mr. Jackson added Del Mar is planning to start classes this Summer in another location.

John Strothman with Aransas County addressed the Council and stated the end date for this project is February 9, 2026. Mr. Strothman said the local match amounts are: \$332,883 cash and \$106,548 in-kind. Mr. Strothman stated for the last six months Aransas County has been working to develop plan specifications and budget. Mr. Strothman informed the Council there are five in-kind donors: Del Mar College, Turner Ramirez Architects, City of Rockport, Aransas County Independent School District, and Aransas County. Mr. Strothman said work lists have been developed and they are creating a list of products to get donations. Mr. Strothman stated the Economic Development Administration has to review the plans, specifications and budget,

the City issues building permits and then the project goes out to bid and the plan is to open mid-2023.

Lenora Keas, Executive Vice President and Chief Operating Officer with Del Mar College addressed the Council and gave a PowerPoint presentation (below) on the Aransas County Workforce Development Center.



Texas Workforce Solutions Top Targeted Occupations 2019-2021

Business	Health Services	Professional Fields & Other Occupations	Public Service
1. Account & Auditor	1. Clinical Laboratory Scientist & Technician	1. Aircraft Mechanic & Service Technician	1. Correctional Officer & Aide
2. Architectural & Drafting	2. Emergency Medical Technician & Paramedic	2. Automotive Body & Paint Technician	2. Elementary School Teacher
3. Building, Accounting & Building Trade	3. Licensed Practical Nurse	3. Automotive Service Technician and Mechanic	3. Flight Attendant
4. Computer User Support Specialist	4. Medical Assistant	4. Bus & Truck Mechanic and Diesel Engine Specialist	4. Middle School Teacher
5. Executive Assistant & Executive Administrative Assistant	5. Medical Receptionist	5. Electric, Motor, & Film of Visual Media	5. Police & Sheriff's Patrol Officer



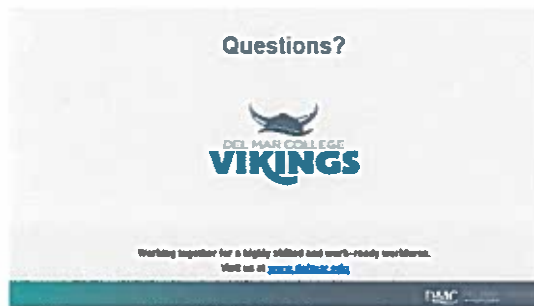
Impact of Inflation Construction and Budget

- Increased cost of materials due to inflation
- Over budget – to be determined
- Actively seeking private and public funds
- Estimated date to open: Summer 2023
- Final plans and specifications complete

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Accreditation

SACSCOC is the body for the administration of degree-granting higher education institutions in Southern states. An institution must comply with the standards established by the Association of Accreditation, Procedures for Quality Enhancement and with policies and procedures of the Commission.

- Del Mar College to submit request for DR-Campus Site Substantive Change (Sub-C2) Requirements by July 1, 2022 (changes to be implemented January 1 through June 30 of subsequent year)
- Compliance includes initial review of substantive change – expansion of programs at Aransas County Workforce Development Center.
- Endorsement covers taught credits, transferability and student eligibility for financial aid assistance.



Mayor Jayroe thanked Ms. Keas for the presentation and thanked Del Mar College for staying with us during this long-haul. Mayor Jayroe expressed this will be a blessing godsend for young people trying to stay in the community and raise their families here.

MOTION: Council Member Brundrett moved to accept the presentation. Council Member Jackson seconded the motion. Motion carried unanimously.

14. Deliberate and act on first reading of an Ordinance amending Chapter 50 Division 4 “Flood Hazard Reduction” of the Code of Ordinances, City of Rockport, Texas, in order to be compliant with Community Rating System requirements; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.

Community Planner and Assistant Director of Building & Development Services Carey Dietrich said these are simple revisions to meet required requirements by FEMA to stay in compliance with the Community Rating System.

MOTION: Mayor Pro-Tem Hattman moved to approve the first reading of an Ordinance amending Chapter 50 Division 4 “Flood Hazard Reduction” of the Code of Ordinances, City of Rockport, Texas, in order to be compliant with Community Rating System requirements; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date. Council Member Hale seconded the motion. Motion carried unanimously.

16. Hear and deliberate on proposal to revise or amend Rockport Code of Ordinances Chapter 98, Article VI “Golf Carts, Neighborhood Electric Vehicles”.

Chief of Police Greg Stevens addressed the Council and stated the Police Department is proposing the amendments to the “Golf Carts, Neighborhood Electric Vehicles” Ordinance. Chief Stevens said State law allows golf carts and neighborhood electric vehicles and the City’s Ordinance allows these vehicles to be operated within the City limits beyond golf courses and master planned communities. Chief Stevens explained the City Ordinance also requires such vehicles to be inspected by the Police Department and then permitted. Chief Stevens expressed this inspection and permitting process had become burdensome and he is proposing the City outsource this, much like auto inspections; rather than picking anyone to do that, we would have a list of those who can do those inspections and he is proposing splitting some of this fee. Chief Stevens said the second aspect is whether the City wants to allow “off highway vehicles” (OHVs); these vehicles have grown in popularity throughout the State, especially in Rockport and several of our citizens have begun operating them throughout town. Chief Stevens

expressed he believes it prudent for the City Council to adopt an Ordinance either allowing or prohibiting the operation of OHVs in accordance with State law in the same manner the City has under Chapter 98 with golf carts and neighborhood electric vehicles and to require them to be likewise inspected. Chief Stevens stated his recommendation is to allow the OHVs.

Brief discussion was held among Council and Chief Stevens regarding the number of permits issued each year.

Mayor Jayroe said he had received on Citizen Participation Form on this Agenda item and Mayor Jayroe read the comments:

John Berlet, 1315 South Church Street – he will be opening a electric bike, golf car and scooter business as part of the Blue Zone Resort development on South Church (Loop 70) and he would like to discuss: the current ordinance that requires the carts be off the roads by dusk; establishing a local charging station near Downtown & near Fulton; according to Captain Garcia with the Rockport Police Department he is not aware of significant golf cart accidents; according to his conversation with City employee at Fulton they do not enforce after dark driving; and cities of Port Aransas, Galveston & Bolivar allow after dark driving.

Council Member Jackson stated she already sees golf carts that are not inspected, and now we are going to allow other things on the streets that we are not enforcing already, why?

Chief Stevens said the only thing added would be the OHVs and they need to do a better job of policing, but they get tied up doing other things. Chief Stevens stated they are trying to streamline things to be out and address other issues; patrol and enforce.

Council Member Jackson stated she supported the idea of outsourcing the inspections.

Chief Stevens stated if the Ordinance amendment is adopted the Police Department would do a large public relations campaign, especially with OHVs – grace periods and then warnings.

17. 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 said she met with Communication Director Lee Brown and the Communication Board, and she thanked Ms. Brown for the invite. Council Member Hale said there has been positive progress and she looks forward to that. Council Member Hale stated she is working with the Spanish Woods Subdivision regarding the Joint Public Hearing that was to be held tonight and they are working through the legalities and it is always a good idea to look at how they do business.

Council Member Brundrett stated Memorial Park hosted the Little League All Stars and he thanked the Parks Department for all the maintenance at keeping the Park looking beautiful. Council Member Brundrett said he has received a lot of positive comments about the Park.

Mayor Pro-Tem Hattman said the drainage project in the Rockport County Club will go out for bid in July and hope to have this in front of Council in August. Mayor Pro-Tem Hattman wished everyone a happy Fourth of July and reminded everyone to be safe.

Mayor Jayroe stated he will be addressing the citizens in the Rockport Country Club on August 9th. Mayor Jayroe said it has been a busy week. Mayor Jayroe expressed he learned a lot at the Parliamentary Procedure training conducted on June 21, 2022.

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: City Manager position.**
- 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.**
- 20. Section 551.072 Deliberations about Real Property – to deliberate the purchase, exchange, lease, or value of real property: Natural Gas System.**

At 7:39 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; 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; and Section 551.072 Deliberations about Real Property – to deliberate the purchase, exchange, lease, or value of real property: Natural Gas System.

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 9:13 p.m., Mayor Jayroe reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

MOTION: Council Member Jackson moved to appoint Vanessa Shrauner as the next City Manager with the beginning employment date of August 1, 2022. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

15. Adjournment.

At 9:13 p.m., Council Member Jackson moved to adjourn. Motion was seconded by Mayor Pro-Tem Hattman. Motion carried unanimously.



APPROVED:



Andrea Hattman, Mayor Pro-Tem

ATTEST:



Teresa Valdez, City Secretary

MOTION: Council Member Jackson moved to appoint Vanessa Shrauner as the next City Manager with the beginning employment date of August 1, 2022. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

15. Adjournment.

At 9:13 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