

# CITY OF ROCKPORT

## MINUTES

### CITY COUNCIL WORKSHOP

1:30 p.m., Tuesday, July 20, 2021

Rockport Service Center, 2751 State Highway 35 Bypass  
and

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." Video conferencing capabilities were utilized to allow individuals to address the City Council. Members of the public could participate in the meeting remotely via ZOOM by utilizing the web link provided on the Agenda or if attending the meeting in person registered at the meeting.

On the 20<sup>th</sup> day of July 2021, the City Council of the City of Rockport, Aransas County, Texas, convened in Workshop at 1:30 p.m., at the Training Room of the Rockport Service Center and 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 Pat Rios  
Mayor Pro-Tem J.D. Villa, 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

City Manager Kevin Carruth  
Assistant to City Manager Kimberly Henry  
City Secretary Teresa Valdez  
Parks & Leisure Services Director Rick Martinez  
Director of Public Works & Building & Development Services Mike Donoho  
Police Chief Greg Stevens

#### ELECTED OFFICIALS

#### 1. Call to Order.

With a quorum of the Council Members present, the Workshop Session of the Rockport City Council was called to order at 1:30 p.m. on Tuesday, July 20, 2021, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Mayor Rios announced he had received some “request to address Council cards” that stated they wanted to address Council during “Citizen Comments”. Mayor Rios stated this is a Council Workshop and there is not a “Citizen Comments” Agenda item, but he will entertain comments on the specific Workshop Agenda items.

### Workshop Agenda

Mayor Rios said he had received Citizen Participation Forms and emails from the following and he read the comments:

1) Joe & Stevie Myers, 220 Inverrary: While reviewing possible causes of flooding recently, ask that Council look into any connection with Whistlers Cove Subdivision and the Rockport Country Club and M & M Acres areas. Our home backs up to Whistlers Cove and we have incurred more flooding/ponding in our backyard since the development of Whistlers Cove. Preparations were underway for building homes behind us and we noticed it was built up so high that someone walking behind our fence was head and shoulders above it (6’ fence) and could look over into our yard. It should warrant a look from an engineer.

2) Bruce Hood, 474 Augusta Drive: Strongly request the City comply with the existing Storm Water Drainage Easement and Operation Agreement (City agrees to be responsible for the maintenance of all areas directly affecting drainage). Maintenance needs that I am aware of: the drainage retention lakes in subdivision are in dire need of dredging – retention capacity has decreased over time – periodic dredging should be part of the regular maintenance plan; the drainage system of the retention lakes into Tule Drainageway has been compromised over time – there are multiple cases of clogged and broken pipes that clearly require maintenance and there is a need to enlarge some of this system to properly handle large inflows; and there are multiple cases of failing bulkheads in the retention lake system.

3) Edward Sullivan, 203 Champions Drive: City ran out of barricades to be used on closed streets during the recent flood. Four of my immediate neighbors received water into their homes due to vehicles coming down the street pushing water into their homes. We need to work together and stop this inconsiderate nonsense.

4) Rose Rau, 702 E. Orleans Street: Consider maintaining the already dug drainage ditches. Then planning to spend funds on drainage, the annual maintenance of existing ditches should be budgeted in and immediately implemented.

Jeanne Hooker, 210 Oak Bay Street, addressed the Council. Ms. Hooker commented: The Rockport Country Club Drainage Basin is part of the City’s Drainage Master Plan; City has entered into a number of agreements with the Rockport Country Club and the City is clearly responsible for maintaining those lakes properly; we have repeatedly asked for help over the last several years; Lake #15 causing flooding on Champions and onto Oak Bay; Easement #7 causing flooding into streets and caused sink hole; other signs of deterioration of bulk heads. Please come out and assess and help us take action on top priorities.

Jon Heffron, 210 Champions Drive, addressed the Council. Mr. Heffron distributed a handout to Council and commented on the Rockport Country Club drainage system: Pathways 2 & 3 – there are big problems; Failure at #8 green. Please do something as you work on Master Plan.

Ed Sullivan, 203 Champions Drive, addressed the Council and commented: Mayor Rios did read my comments but we do have a bund of idiots and sightseers who drove through floodwaters and that pushed water to houses; upset the City was out of barricades, maybe put some at Golf Club; understand this has been an ongoing issue for 20 years, think that is long enough; I know money is an issue, can obtain grants; appreciate everything you all do.

Scott Hime, 611 N. Fulton Beach Road, addressed the Council and commented: I live in Fulton, but own a house in Rockport which has flooded twice; found out that TxDOT does not have a gradall and I am asking if we can add voices from all Aransas County entities to ask TxDOT to get a gradall so they can properly maintain ditches. Thank you, people are working on roads and working hard; it is humbling.

Mayor Rios said he had received an email from Velia Moya, 181 Heron Oaks. Mayor Rios read the email that expressed concern with the proposed retail center on Enterprise and Live Oak, an area that is already prone to flooding; what kind of drainage will the developer be required to provide to prevent flooding to Whistler's Cove and other surrounding areas.

Adelaide Marlatt, 456 Augusta Drive, addressed the Council and commented: I sat at the table when the agreement with the Rockport Country Club was developed; every time we come to you, you say you have no money – why can't we have some of the \$2.3 million that was just financed for the area around the new City Hall; it is time to step-up; you have money somewhere.

Jerry Brundrett, 409 S. Pearl, addressed the Council and commented: I have lived in Rockport 73 years and I have seen lots of rain events; I am not here to criticize and complain; We have good people working, but we know no one can design a system to handle the type of rain we had; we have to collectively work together to figure out how to get rid of this water; there is not enough money; have to consider other design systems; do know from 1926 photos we did not have a drainage problem in Little Bay until when the swimming beach was created and TxDOT built Highway 35; need to get TxDOT involved. I want to be a cheerleader; work as a team and solve this problem.

Matt Fischer, 108 Treasure Street addressed the Council and commented: Had a big flood in 2018 and again in 2021; you guys did a lot of good work on Chapparral cleaning ditches; I get a lot of drainage, everything on south side overflows to us; don't know if 18" culverts can swallow, take a look at codes and see if we can make it better; five houses flooded; we need help.

Christopher Schubert, 105 Treasure Street addressed the Council and commented: I live in Captain's Bay Addition; in 2018 only one house got flooded; this time five houses – my house was spared by 1". I previously had provided you all 15 pictures and you did clean ditches, and it made a big difference; our HOA paid someone to keep ditches cleaned, also got a backhoe to clean out that end of Chapparral Street; again three men and three shovels dug out. Be happy to work with anybody.

Katrina Brown, 205 Forest Hills, addressed the Council and commented: We live on the coast and there are certain inherent things and I think we understand those risks; it is hard for people to understand deferred maintenance; in 1997 meetings maintenance was talked about; doing maintenance on time and scheduling it would prevent problems; this is not just about golfers, it is about 650 homes – some flooded, some impassible. Thank you for all you do.

Jeff Steckler, 3352 Loop 1781, addressed the Council and commented: My problem is going to be handled – County is going put in bigger culvert; culverts and ditches are too small; TxDOT owns ditch that goes all the way to Copano Bay and no one is maintaining it – water builds up and can't go anywhere – needs to be mowed, cleared to make better ditch.

Jeff Hutt, 2201 Priarie Road, addressed the Council and commented: Don't have lack of funding – haven't put money towards drainage – increased size of City but not staff – on Friday they were not cleaning streets but putting up flags for RCAD; real issue drainage plan – small culvers seem to be the real idea – we need to clean ditches; the idea of slowly letting water drain out is not working; we have to have a drainage system that will sustain a hurricane.

Drue Foradory, Jr., 1402 Lone Star Road, addressed the Council and commented: Thank you Mayor Rios for coming to look at my property; started this battle four years ago; water in my house for over 15 months after the hurricane; behind Woody Acres; big lakes being backfilled without permits; Boat Inn built without detention pond to catch water; have to plan for infrastructure; needs to be addressed on Lone Star Road.

Mayor Rios thanked everyone for attending todays Workshop. Mayor Rios stated the City has had one perfect storm after another – this last rain event (25-30 inches in some areas) was the City's ninth disaster.

## **2. Hear and deliberate on presentation on City of Rockport Master Drainage Plan.**

City Manager Kevin Carruth stated City Engineer Jim Urban will review the Rockport Master Drainage Plan adopted in 2017.

City Engineer Jim Urban stated the last rain event was a big event and it is an engineer's solution to drain almost anything, but it can be expensive or too onerous. Mr. Urban said the City's Master Drainage Plan adopts a 5-year storm and why not a 25-50-year storm, because it all has to do with costs and the primary thing is to prevent loss of life. Mr. Urban expressed if you had all improvements implemented and no new development, you still would have had flooding. Mr. Urban commented he believes the issue is that the City does not have a constant funding source and a Drainage Utility District could be set up. Mr. Urban stated the Master Drainage Plan shows a bunch of stuff that needs to be built and there is \$8 million to be bid post Harvey.

Discussion was held among Council, Mr. Urban, and Public Works Director Mike Donoho.

Mayor Rios stated it sounds like a multi-faceted solution but money is an issue and nobody wants to raise taxes.

An unidentified woman commented the retail center that is being developed behind Whistlers Cove is a perfect example. They are going to flood Whistlers Cove without having to pay for it.

Craig Bohn, 2104 Crescent Drive, addressed the Council. Mr. Bohn stated the only thing the Rockport Country Club is asking the City to do is maintain existing structures; honor the agreement – we pay a lot of taxes.

Jon Heffron commented if the ponds were dredged there would not be that much water being pushed into Tule Ditch. Mr. Heffron expressed this is not new news; they have been talking to the City for over four years.

Vickey Leech, 210 Oak Bay, addressed the Council. Ms. Leech asked if the City was opposed to looking at FEMA funding because it was available for flood prevention and flood mitigation. Ms. Leech stated that is what her company does.

Keith Allen, 129 South Verne, addressed the Council. Mr. Allen asked if the City knew how much it would cost to do dredging and can you use General Obligation bonds to fund the project. Mr. Allen asked Mr. Urban if he knew how much the City needs to spend.

Mr. Urban stated he does a lot of cost estimates every year for budgets and every year grants are received but they have strings attached. Mr. Urban said you need to have a pocket of money for maintenance; we have been living the last 20 years on grants and it is not working. Mr. Urban answered Mr. Allen that there are over \$100 million in projects.

Three unidentified persons commented about drainage issues due to the rain event.

Charlie Belaire, 1802 Baywood Drive, addressed the Council. Mr. Belaire asked if the existing Master Drainage Plan includes diversion from Tule Ditch down to Henderson.

Mr. Urban commented with money you can do anything, but as we know the Navigation District has pushed to divert water from Little Bay. Mr. Urban said Tule Ditch is a natural water course and the City has spent several million dollars reducing nutrients that flow into Little Bay.

Dennis Parker, 203 Champions Drive, addressed the Council. Mr. Parker asked if big diesel pumps could be utilized to get us by if a big storm hit.

Mr. Urban stated that would take enormous pumps.

An unidentified person stated they lived on Lago Vista and after every rain all the backflow comes through their property. Commented the City has been out to look at it and told them that the money is there they just don't have the equipment – can we get the ditches cleaned.

Jeff Hutt asked if it was true that the department responsible for cleaning ditches has five employees and do they have other responsibilities like hanging flags and such. Mr. Hutt asked if it was possible to transfer those duties to the Parks Department.

Public Works Director Mike Donoho answered Mr. Hutt and said there are five employees in the Streets Department and transferring duties is a managerial decision. Mr. Donoho expressed City departments do assist each other.

An unidentified woman commented she had reviewed City budgets for the last 10 years or so and the Public Works has gone from seven employees to five employees. The City should look at boosting that back up.

Shelley Steckler, 335 Loop 1781, addressed the Council and asked what could be done; residents of RV parks pay \$5 towards a drainage fund.

Mayor Rios stated the RV Counsel lobbied the Legislature and things like that are prevented.

Rosanne Elliott, 539 Club Lake Drive, addressed the Council. Ms. Elliott said she is not in the City limits, but she is concerned about Little Bay and we need to find other ways to take water out.

Jerry Brundrett, 409 South Pearl, addressed the Council and commented that no one loves Rockport more than him, but we live on a Peninsula and all drainage solutions have to get water to the Bay – the most direct way. Mr. Brundrett said in 1958 when the swimming beach was built it choked off the natural inflow and therein lies the problem. Mr. Brundrett expressed we need to work together; the Navigation District needs to be a partner – they want to block all the water coming into Little Bay-are we going to tell people they will flood? Mr. Brundrett declared we cannot let any governmental entity put a stop to that – he will not be silent.

Mayor Rios thanked Mr. Urban for the update and education on issues. Mayor Rios thanked everyone for attending the Workshop.

**3. Hear and deliberate on presentation on drainage utility districts.**

No presentation was given on drainage utility districts, but was discussed in above Agenda item.

**4. Adjournment**

At 3:54 p.m., the Workshop adjourned.



**CITY OF ROCKPORT, TEXAS**

  
Patrick R. Rios, Mayor

ATTEST:

  
Teresa Valdez, City Secretary