

# CITY OF ROCKPORT

## MINUTES

### CITY COUNCIL & PLANNING & ZONING COMMISSION JOINT MEETING

6:30 p.m., Tuesday, November 9, 2021

Rockport Service Center, 2751 State Highway 35 Bypass

and

Via Video Conferencing Application ZOOM

Social distancing guidelines and the video conferencing application ZOOM are actions were taken to mitigate the spread of COVID-19. Video conferencing capabilities were utilized to allow individuals to address the City Council. Public participation is valued and citizens wishing to express their views on any topic or agenda item can 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 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 9<sup>th</sup> day of November 2021, the City Council and the Planning & Zoning Commission of the City of Rockport, Aransas County, Texas, convened in a Joint Meeting at 6:30 p.m., at the Training Room of the Rockport Service Center with social distancing guidelines and using the 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 Katy Jackson, Ward 1  
Council Member Brad Brundrett, Ward 3  
Council Member Andrea Hattman, Ward 4

#### CITY COUNCIL MEMBER(S) ABSENT

#### PLANNING & ZONING COMMISSION MEMBERS PRESENT

Ric Young  
Warren Hassinger  
Kim Hesley  
Tom Blazek  
Ruth Davis  
James Rester, III  
W. Kent Howard

#### STAFF MEMBERS PRESENT

City Manager Kevin Carruth  
Assistant to City Manager Kimberly Henry  
City Secretary Teresa Valdez

#### ELECTED OFFICIALS PRESENT

City Attorney Dan Santee  
Director of Finance Katie Griffin  
Parks & Leisure Services Director Rick Martinez  
Director of Public Works and Building & Development Services Mike Donoho  
Community Planner/Assistant Director of Building & Development Carey Dietrich  
Police Lieutenant Nathan Anderson  
Information Technology Director Bob Argetsinger  
Parks Maintenance Superintendent George Bennett

### **Opening Agenda**

#### **1. Call meeting to order – City Council.**

With a quorum of the Council Members present, the Joint Meeting of the Rockport City Council was called to order by Mayor Rios at 6:30 p.m. on Tuesday, November 9, 2021, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and via video conferencing application ZOOM.

#### **2. Call meeting to order – Planning and Zoning Commission.**

With a quorum of the Planning & Zoning Commission Members present, the Joint Meeting of the Planning & Zoning Commission was called to order by Chair Ruth Davis at 6:32 p.m. on Tuesday, November 9, 2021, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and via video conferencing application ZOOM.

#### **3. Pledge of Allegiance.**

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

#### **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 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.

Kristie Rutledge, 1411 Dana Drive, addressed the Council and commented: The Comprehensive Plan has come back up on the Agenda. I want to talk about transparency and citizen involvement that we need sincere improvement on; specifically, regarding the very big changes that are happening in our community through these legal documents such as the Comprehensive Plan. Within the Comprehensive Plan there are many items that will become ordinances and for 20 years the City Council will be making decisions based on that. In August I wrote to my City Council representative, I wrote to the school district, we had a lot of debates in July. I believe there was a P & Z meeting on July 13<sup>th</sup>, and I believe Mr. Donoho said there aren't any backroom deals, but

in fact, it kind of appears there are. I started to do some research and the basis of the Comprehensive Plan is a capstone study done with our high school students. They were given misleading questions, leading questions, and manipulative questions such as “does your community make you feel inclusive?” The City Planner at that time decided the answers to those questions would become the basis for making the Comprehensive Plan. This is embarrassment to the City Council and to the City. Were their parents aware that they would be making plans for them based on whether they felt included or not. Items such as inclusionary zoning in the Comprehensive Plan came out of that study. On August 26<sup>th</sup>, I asked for a revised copy of the Comprehensive Plan, and I was denied a copy of that and told it was not available. You all spent a lot of money on attorneys and sent it to the Texas Attorney General’s office. You all need to involve your taxpayers, your homeowners, your current residents that will be paying for all these objectives. You cannot use high school students, a group of insiders in the Chamber of Commerce and Economic Development Corporation to determine our future without involving the rest of the citizenry. This is wrong. You need to be transparent and give us the information more than three days in advance. Thirty days would be good.

Doug Webb, 130 Lamar Drive, addressed the Council and commented: I want to make something clear that has been bothering me for a long time. We’re getting these things supposedly written by Bryce Cox. Bruce Cox is not from New Braunfels. I was born and raised in New Braunfels and have been coming to Rockport for over 70 years. Bryce Cox is from Ohio; he has never owned an RV, never pulled an RV, never drawn up a set of plans for an RV park. What he brought up here is ridiculous and he doesn’t know anything; he is getting all this from the City Manager, and I don’t think that is right; we should have some input. We’ve had no meetings with anybody. They went out and did a drive the day before yesterday and did some good things and opened their eyes some. We’ve had the original and then a set of plans on the 24<sup>th</sup> of September, then one on the 1<sup>st</sup> of November and on the 5<sup>th</sup> of November that nobody’s read. How can that possibly be voted on when it’s come out two days ago.

Russ Roberts, 201 Marion Drive, addressed the Council and commented: I’m working with a group of concerned citizens who have styled our group as the Greater Rockport Country Club Drainage Team. I’m here tonight to discuss drainage. Our group is and will be working with the Rockport Country Club Homeowners Association and other HOAs, as well as the Country Club itself. We do not represent any of these groups as such, but our goal is to coordinate our voices and make the Council aware of our concerns. As the Council is aware, 22 homes within our area were flooded most recently and 12 families had to evacuate their homes entirely for a great length of time. The major focus of the City should be to prevent this from ever happening again. We are aware and greatly appreciate that the City budget now includes something just over one million dollars for streets and drainage. However, we are also aware that this budget item could possibly be allocated to 100% streets, with no drainage, as well as moved by the City to other projects altogether. It has come to our attention that additional potential funding exists in the form of a US Treasury Department grant called the American Rescue Plan. It is our understanding that Aransas County has already made use of this funding and it is our hope and expectation that the City would do the same. We consider this to be very good news. While the overall target of the plan is COVID relief, it addresses a range of possible uses for funding including stormwater projects which improve resilience and infrastructure in severe weather events. I would submit to the Council that this directly affects the situation of the drainage system which directly serves the greater Rockport

Country Club drainage area. Therefore, we are putting together a written presentation for consideration as a recipient of funds from this grant to use whatever funds are necessary and available from the 2021 and 2022 maintenance fund so that repairs and improvements can move forward. It is our hope and expectation that this presentation will be given strong consideration because it comes forward from a large block of your citizens who are currently at risk and underserved in the area of drainage during a stormwater event.

Shirley Gardner Jackson, 2020 Champions Drive, addressed the Council and commented: I lived at 202 Champions Drive until July 8<sup>th</sup> when my family came and evacuated me. I spent the night, July 7<sup>th</sup>, in a chair in the flooded house.

Now I am looking somewhere down the line, soon I hope because I'm still not in my house, to moving back in. I'm having nightmares because no matter how much money I put in the house, the insurance company puts in the house, the problem that caused all the damage is still there and it's not going anywhere. I think that it was not my fault, it was not the house's fault, we didn't do anything. I can't fix it because it is not within my ability. The only way it can be fixed is if something is done about the drainage problem. Our Constitution begins with the words "we the people" and we is plural and I is singular alone and is a very weak spot to be in. I'd like to propose to you that we be joining forces and we become we and we go after this problem. I see that people from the Country Club have found a bond issue; okay, let's go for it. You've got a wonderful chance here and I challenge you to go after the money. Do whatever it takes. If it takes grants, if it takes bonds and look to the rest of us to support and help. That's what we're here for. Aren't we supposed to work together? At one point in time there was a gentleman here who was crying, and I stand with that gentleman and I'm begging you please help save our City.

#### **Joint Meeting Public Hearing**

- 5. Conduct a Joint Public Hearing to consider amendments to the City of Rockport Code of Ordinances Chapter 118 *Zoning*, related to Recreational Vehicle Parks including but not limited to the creation of a new zoning district and special conditions for developing Recreational Vehicle Parks.**

At 6:47 p.m., Mayor Rios opened the Joint Public Hearing.

Director of Public Works and Building & Development Services Mike Donoho addressed the Council and the Planning and Zoning Commission and said he would like to provide background on where we are at and how we got here. In the Summer of 2018, the City approved a Moratorium on RV park development because of increasing requests. The Moratorium was intended to pause the development of RV parks while the City evaluated appropriate locations for RV parks and adopt adequate regulations for safety and orderly development. The primary goal of this Ordinance is intended to develop standards specific to RV parks with the focus on life safety and community facing aesthetics. Since that time, we have had multiple meetings with RV park managers and owners, up to and including last Wednesday. We continue to take recommendations for changes to the proposed Ordinance. As Mr. Webb indicated earlier, this is an ongoing issue, and we are going to hear additional comments tonight and we appreciate that. Everything that is on the table tonight is proposed recommendations that were made to staff, Council Members, and members of the Planning & Zoning Commission on our tour of local RV parks last Wednesday. We took those recommendations and immediately put them into the proposed Ordinance that is on

the Agenda tonight. We will listen to further comments tonight and if necessary, make additional proposed changes to the Ordinance to ensure we are capturing the wants and needs of our community. Thank you to the group that participated in putting on the tour last week: Debra at Circle W, Dean Monroe, Michelle at Enchanted Oaks, Craig Potts, Doug Webb, Tiffany Hoover and Dawn Walker. The RV Counsel engaged Ms. Hoover who is well versed in RV park operations and the industry. We appreciate the input and feel like we have had an open line of communication. I sincerely hope no one feels like they have been left out of the process. I want to point out that when we went on the tour it was recommended to us to do a drive by of the Reel Chill RV Park just to see what cement, concrete and no foliage does when developers build mega park projects. I want everyone to understand that the Reel Chill RV Park was developed under the current standards. Under the new standards, that park would be developed just like it is except the new proposed Ordinance would require them to have a set-back requirement and a vegetative buffer between the park and the Bypass.

Doug Webb, 130 Lamar Drive, addressed the Planning & Zoning Commission and commented: I did not know there was a citizens committee that was on the Planning & Zoning Commission. I think there are a lot of things the Planning & Zoning Commission need to know. They keep trying to push something through, they change, and they change it. The first thing is that they had a grandfather clause, second one it had something and the third to last one had something it wouldn't change as long as it did something. I can't find anything in the first one that relates to the grandfather clause, and I haven't seen the fifth. I think this is not the time to do it; we have a new City Council coming and a new City Manager coming. I would hope that you would not put your blessing on this proposal.

Tiffany Hoover, 1130 East Linden, addressed the Council and the Planning & Zoning Commission and commented: We have RV parks in Aransas County. I brought some statistical surveys in the RV industry. Texas is the largest growing RV market in the nation. I also have some statistical surveys for brand new units shift for dealers and we are up over 50% from last year. The RV industry is growing. The pandemic helped the RV industry. It allowed the millennials to get in. I am in support of an RV ordinance, I'm just not in support of this one; it is not written correctly, and it is not financially feasible for any landowner in Aransas County to build a profitable business. You will never get the return on your investment on the way the ordinance is written today. You can't take the land requirement, specifically the width requirement; it is such a wide piece of property you can't put enough slips to make it financially feasible when you take all the infrastructure. You have to put sewer, water, parking spots – it's so wide it doesn't work and is not financially feasible. This is not a good ordinance for landowners in Aransas County.

Ms. Hoover left the statistical information with the City Secretary to be given to the City Council.

Jeff Hutt, 2201 Prairie Road, addressed the Council and the Planning & Zoning Commission and commented: It seems kind of strange that this moratorium has been going on for about two years but really a couple of weeks ago was the only interaction between the City and any group of RV park owners. Before that there was one meeting where Mr. Cox spoke. I would like to echo the sentiment of the gentleman. We are entering a time period right now where we are going to have a change in the City Manager, we're having elections coming in May where we are going to see three spots open. We will have a new mayor and a new council member because of term limits.

Why are we trying to push this through? I've got a better idea. Why don't we just go ahead and let the moratorium expire and we open it up and we see what projects and what RV parks are trying to come into our community. Anything coming into the City still has to have P & Z approval and City Council approval. You guys can squash anything you see as too big or this and that. But let's end the moratorium, let's see where we are at, and let's wait to make these major decisions on comprehensive plans and RV park moratoriums. Let's wait until after the election. Let the people of your community vote and send a direction to you guys on which way to go.

Craig Potts, 606 West Market Street, addressed the Council and Planning & Zoning Commission and commented: I want to explain one thing that I was the one that recommended the tour drive by the Reel Chill RV Park and my comment was about the cement at the RV park. It was a drainage issue with the detention pond. All that concrete and cement caused additional flooding. That was the reason I wanted you to go by the park.

Carl Randall Smith, 495 North Walker Road & 429 North Walker Road, addressed the Council and Planning & Zoning Commission. I have some property that was annexed in the last annexation. I had a plan to have a mobile home park. Those plans have changed. I'm hopping to put in an RV park. I have a gentleman who is interested in developing the property. I was planning on developing it myself, but after the hurricane my finances kind of went sideways. I had talked to the City Council before it was annexed and I had plans to do everything, everything was in place. I had talked to David at the County. We had all this lined up. Everything was going great and then I got annexed. I'm hoping that this will work. I think it will bring in more revenue for the City and hoping everybody will be copasetic. Everything looks good except for the sewage system, and I think we have that figured out. I hope you guys vote in favor of allowing some properties, especially some further outside the new structure.

At 7:04 p.m., Mayor Rios closed the Joint Public Hearing.

#### **Joint Meeting Regular Agenda Item**

- 6. Planning & Zoning Commission – Deliberate and act on amendments to the City of Rockport Code of Ordinances Chapter 118 *Zoning*, related to Recreational Vehicle Parks including but not limited to the creation of a new zoning district and special conditions for developing Recreational Vehicle Parks.**

Public Works and Building & Development Services Director Mike Donoho addressed the Planning & Zoning Commission. Mr. Donoho stated the Planning & Zoning Commission Members had received the proposed Ordinance in their Agenda packets. Mr. Donoho said as a Point of Order that the RV Park Moratorium did expire on October 31, 2021, and we currently have at least two developers who have been in to discuss proposed RV parks and a park looking to expand and working with the staff on what is necessary to expand. Mr. Donoho explained those plans will be reviewed using the current Ordinance and not the proposed one.

Planning & Zoning Commission Member Kim Hesley said she went on the RV tour; it was really good and helpful, and she is glad to see changes to the Ordinance. Ms. Hesley stated the RV Counsel has a presentation that is included in the Agenda packet but given the comments that are

in the packet and some of the comments heard tonight, she would not be in favor of moving forward with this.

**MOTION:** Planning & Zoning Commission Member Kim Hesley moved to postpone deliberation and vote on this item until a date and time where a workshop can be scheduled between the RV Park Counsel members, Planning & Zoning Commission, and development staff. Planning & Zoning Commission Member James Rester seconded the motion. Motion carried: 6:1.

**FOR MOTION:** Planning & Zoning Commission Members - Kim Hesley, James Rester, Tom Blazek, Warren Hassinger and Ric Young.

**AGAINST MOTION:** Planning & Zoning Commission Chair Ruth Davis.

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

**MOTION:** Planning & Zoning Commission Chair Davis moved the Planning & Zoning Commission adjourn. Planning & Zoning Commission Member Young seconded the motion. Motion carried unanimously.

At 7:09 p.m., the Rockport Planning & Zoning Commission adjourned.

Mayor Rios stated since the Planning & Zoning Commission did not take any action so Agenda Item 12 is cancelled and there is no reason for 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.

- 8. Deliberate and act on approval of Regular Meeting Minutes of October 26, 2021, and Special Meeting Minutes of November 3, 2021.**
- 9. Deliberate and act on 4<sup>th</sup> quarter report from the Mission-Aransas National Estuarine Research Reserve & The University of Texas Marine Science Institute for Fiscal Year 2020-2021 Bay Education marketing expenditures.**
- 10. Deliberate and act on 4<sup>th</sup> quarter report from the Texas Maritime Museum for Fiscal Year 2020-2021 marketing expenditures.**
- 11. Deliberate and act on a Resolution authorizing the filing of a grant application with the Coastal Bend Council of Government for a regional solid waste grants program grant; authorizing the City Manager to act on behalf of the City of Rockport in all matters related to the application; and pledging that if a grant is received the City of Rockport will comply with the grant requirements of the Coastal Bend Council of Government, the Texas Commission on Environmental Quality and the State of Texas.**

Mayor Rios called for requests to remove any item from the Consent Agenda for separate discussion. There were none.

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

### **Regular Agenda**

- 12. City Council – Deliberate and act on first reading of an Ordinance amending Chapter 118 of the Code of Ordinances, City of Rockport, Texas, establishing the R-8 Recreational Vehicle Park Zoning District, revising non-conforming use regulations, providing regulations for recreational vehicle parks, and providing for other associated changes to the zoning regulations; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.**

Council did not address this item since the Planning & Zoning Commission did not take any action to make a recommendation to Council (Agenda Item 6).

- 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 R-1 (1<sup>st</sup> Single Family Dwelling District) for property located at 1130 West Market Street; also known as Oak Terrace, Lot 531, City of Rockport, Aransas County, Texas, to B-1 (General Business District) to develop office and retail space; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

Community Planner/Assistant Director of Building & Development Carey Dietrich addressed the Council. Ms. Dietrich stated this is the first reading of an Ordinance. Ms. Dietrich said property owner Chris Crowley's intent is to put in a commercial retail and office strip center. Ms. Dietrich stated the Planning & Zoning Commission and staff recommend Council approve and no opposition to the rezone request was received.

**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) for property located at 1130 West Market Street; also known as Oak Terrace, Lot 531, City of Rockport, Aransas County, Texas, to B-1 (General Business District) to develop office and retail space; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Brundrett seconded the motion. Motion carried unanimously.

- 14. Deliberate and act on second and final reading of an Ordinance of the City of Rockport, Texas, adopting an amended Comprehensive Plan for the City; providing that the adopted Comprehensive Plan shall supersede and replace any Comprehensive Plan previously adopted; providing a repealer clause; providing a severability clause; and providing an effective date.**

Public Works and Building & Development Services Director Mike Donoho addressed the Council. Mr. Donoho said staff, and he believed Council, has received numerous emails citing legal questions associated with adopting the Comprehensive Plan and he would like to make a



recommendation that Council recess into Executive Session to seek the advice of Counsel on how to address those concerns that have been brought to us over the last couple of days.

**MOTION:** Council Member Brundrett moved for Council to recess into Executive Session. Mayor Pro-Tem Villa seconded the motion. Motion carried unanimously.

### **Executive Session.**

At 7:14 p.m., City Council convened into closed/Executive Session pursuant to the Texas Government Code, Chapter 551, Section 551.071 Consultation with Attorney – on matters in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551: Agenda Item 14 – Deliberate and act on second and final reading of an Ordinance of the City of Rockport, Texas, adopting an amended Comprehensive Plan for the City; providing that the adopted Comprehensive Plan shall supersede and replace any Comprehensive Plan previously adopted; providing a repealer clause; providing a severability clause; and providing an effective date.

### **Open Session**

At 7:52 p.m., Mayor Rios 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 postpone any action on Agenda Item 14 until the regularly scheduled City Council meeting on November 23<sup>rd</sup> so that City staff can provide a clean copy of the Comprehensive Plan with respect to the changes that have not yet been made - the statement on the Future Use Map and a small clerical/typographical error. Mayor Pro-Tem Villa seconded the motion. Motion carried unanimously.

Mayor Rios said there were people signed up to speak on Agenda Item 14 but Council will not be addressing Item 14 since Council has voted to postpone the item.

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

City Manager Kevin Carruth said on October 26<sup>th</sup> Aransas County had 1997 confirmed cases, 28 active cases, 66 fatalities and 593 probable cases. Mr. Carruth stated today we have 100 additional cases, 16 active cases, no new fatalities and 596 probable cases.

Mayor Rios said the numbers have come down significantly.

Mr. Carruth stated the State Department of Health Services release their report today and said that unvaccinated people have a 40 times greater chance of hospitalized and fatal cases and 40 times greater chance of contracting COVID.

### **16. 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; 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 announced there will be a Veterans ceremony at Veterans Park on November 11<sup>th</sup> at 11:00 a.m. and directly afterwards there will be refreshments at the American Legion at 1701 South Church Street. Council Member Jackson said Rocktober Fest went over well and the next big event in the District is the Small Shop Saturday which will include a shopping tournament. Council Member Jackson stated Rockport Depot has been painted so drive by and take a look and make sure you let the RCAD folks know they are doing a good job.

Mayor Pro-Tem Villa said Thursday is Veterans Day and thanked veterans for their service. Mayor Pro-Tem Villa stated there was a corn hole tournament at the Festival grounds this past weekend and all the proceeds went toward Project Graduation; there were 17 teams, and the corn hole boards were made by the Middle School and were donated. Mayor Pro-Tem Villa thanked everyone for coming out and supporting it.

Council Member Brundrett thanked Veterans, staff and citizens who have served. Council Member Brundrett said he attended the tree giveaway, and the Parks Department did a fantastic job, and the event was well attended.

Council Member Hattman said on Saturday night the Rockport Country Club held Paint The Town Red benefiting the Education Foundation. Council Member Hattman stated everyone should start looking out for Christmas lights being put up by the non-profits; give them support. Council Member Hattman thanked the Veterans.

Mayor Rios said on Friday night he and his wife attended the Rockport Little Theater opening of the play Nonsense; there is incredible talent in this town. Mayor Rios stated yesterday he took part in the dedication of the southern trail which culminates at the Connie Hager park down south. Mayor Rios said Senator Kolkhorst was in town yesterday and I spent a lot of the day with her; she attended the Connie Hager event, then met at the Chamber of Commerce to talk about the state of the City and County in general, then came over to the City last night, and then attended a social event last night. Mayor Rios expressed Senator Kolkhorst emphasized we are staying in her District; she fought to keep us. Mayor Rios said we are now in Representative Todd Hunter's District. Mayor Rios stated he thinks we should do something for Representative Geanie Morrison; she has been a tremendous help for several years, especially during Hurricane Harvey. Mayor Rios said on Sunday evening he was in Corpus Christi and spent some time with Governor Abbott at an event with elected officials from San Patricio County, down south and Kingsville area.

Mayor Pro-Tem Villa said Senator Kolkhorst was impressed with the Rockport Service Center building.

### **Executive Session**

- 17. The City Council will meet in closed session, if necessary, pursuant to Government Code Sections 551.071 (Consultation with Attorney) on matters 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 Chapter 551; to wit: 1) legal issues related to the final terms of the separation agreement between the City and City Manager Carruth and other matters in connection therewith; 2) Concho Street Drainage Project.**

At 8:02 p.m., Mayor Rios convened the Rockport City Council into an executive session pursuant to Government Code Sections 551.071 (Consultation with Attorney) on matters 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 Chapter 551; to wit: 1) legal issues related to the final terms of the separation agreement between the City and City Manager Carruth and other matters in connection therewith; 2) Concho Street Drainage Project.

**Open Session**

At 9:17 p.m., Mayor Rios reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

- 18. Following the closed session, the City Council will convene in open session for consideration and possible approval of a separation agreement between the City and City Manager Kevin Carruth.**

**MOTION:** Council Member Hattman moved to accept the separation agreement between the City and City Manager Kevin Carruth and authorize the Mayor, on behalf of the City, to execute agreement. Council Member Brundrett seconded the motion. Motion carried 3:2.

**FOR MOTION:** Council Member Hattman, Council Member Brundrett and Council Member Jackson.

**AGAINST MOTION:** Mayor Pro-Tem Villa and Mayor Rios.

- 19. Discussion and possible action to seek proposals for services related to the provision of interim city manager services and the conducting of a search for a city manager.**

**MOTION:** Council Member Jackson moved to authorize the Mayor to seek proposals for services related to the provision of interim city manager services and the conducting of a search for a city manager. Council Member Brundrett seconded the motion. Motion carried 3:2.

**FOR MOTION:** Council Member Jackson, Council Member Brundrett and Council Member Hattman.

**AGAINST MOTION:** Mayor Pro-Tem Villa and Mayor Rios.

**MOTION:** Council Member Brundrett moved to authorize the City Attorney and staff to negotiate an Interlocal Agreement with Aransas County Navigation District for the Concho Street Drainage Project. Council Member Hattman seconded the motion. Motion carried unanimously.

**20. Adjournment.**

At 9:20 p.m., Mayor Pro-Tem Villa moved to adjourn. Motion was seconded by Council Member Jackson. Motion carried unanimously.



**APPROVED:**

  
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Patrick R. Rios, Mayor

**ATTEST:**

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