

CITY OF ROCKPORT

MINUTES

CHARTER REVIEW COMMISSION

5:30 p.m., Wednesday, December 21, 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 Noon on the day of the meeting. The comments will be distributed to the Commission before the meeting and will be attached to the minutes of the meeting.

On the 21st day of December 2022, the Charter Review Commission of the City of Rockport, Aransas County, Texas, convened in a Meeting at 5:30 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.

CHARTER REVIEW COMMISSION MEMBERS PRESENT

George “Doug” Webb
J. Mark Wagnon
Donna Townsend
Thomas “Tom” J. Blazek

CHARTER REVIEW COMMISSION MEMBERS ABSENT

Diedra Amaya

CITY COUNCIL MEMBERS PRESENT

Katy Jackson, Council Member Ward 1
Brad Brundrett, Council Member Ward 3

CITY STAFF MEMBERS PRESENT

Vanessa Shrauner, City Manager
Kimberly Henry, Assistant to City Manager
Teresa Valdez, City Secretary
Legal Counsel Art Rodriguez, Jr., Messer Fort & McDonald, PLLC
Bob Argetsinger, Information Technology Director
Dennis Paine, Jr., Police Lieutenant Administration
Katie Griffin, Director of Finance

Opening Agenda

1. Call meeting to order.

Chair Blazek called the meeting to order at 5:30 p.m.

2. Roll Call.

Chair Blazek conducted roll call.

3. Discussion and possible action regarding rules on public testimony.

Commission Member Wagnon said he had asked for this to be put on the Agenda, but after reviewing the previous action taken on rules on public testimony he thinks it is sufficient.

4. Citizens to be heard.

At this time, oral comments limited to three (3) minutes per agenda item, with a maximum of nine (9) minutes per meeting per person, 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, on any Agenda item or subject matter, and will be summarized in the minutes of the meeting. Written comments received by Noon on the day of the meeting, on any Agenda item or any subject matter, will be distributed to the Commission before the meeting and will be attached to the minutes of the meeting. Persons wishing to address the Commission and who have registered using the Citizen Participation Form will have up to three minutes to speak per agenda item with a maximum of nine (9) minutes per meeting per person. The total time allotted for all citizens to be heard during the meeting shall be limited to thirty (30) minutes. In accordance with the Open Meetings Act, the Commission 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 Commission and distributed a handout to the Commission Members entitled "Rockport Voter Bill of Rights". Ms. Rutledge requested the Commission disregard the typed information she had submitted on a Citizen Participation Form. Ms. Rutledge read items 12 through 14 on the handout she had distributed which requested the City provide financial transparency with the public and listed draft and adopted budget required contents, and restrictions on the authority of the City Manager in regard to budget expenditures and transfer of funds

Jeff Hutt, 2201 Prairie Road, addressed the Commission and read items 1 through 11 of the handout Ms. Rutledge had distributed to the Commission Members which requested the City not issuing debt other than General Obligation bonds or Certificates of Obligation, tax rate over voter approval rate must be approved by voters at a called election, tax notes cannot be refunded unless approved by voters at an election, City can only grant tax exemptions if approved by voters, voters shall power to require reconsideration by Council of any adopted ordinance or resolution, City shall call an election upon verification of an initiative, referendum or recall petition, City shall promptly produce all public information electronically and without charge, City shall allow the public to address the Council before or during the Council consideration of item, an employee of City who is found to have misrepresented the facts or mislead Council or public during an open meeting will be terminated, and the installation and use of any device that reads license plates, uses facial recognition, and other methods is prohibited within the Rockport City limits. Mr. Hutt expressed these are very simple things and will give taxpayers the right to have a just government and asked the Commission to consider them and if not, there are other avenues they will pursue to get them into the Charter.

Commission Member Webb said there was something he would like to say. Commission Member Webb stated: "It was the Commission's job to suggest changes to the City's Charter and protect the citizens and their pocketbooks. The City Council can adopt, reject or amend any of these recommendations. This is required to be done every 5 years and it hasn't been done in 18 years and that is a long time for something to be in effect and in many places. We have updated to the 18 year things, but the City has not presented possible things for our consideration- they have considered to our consideration – some have been no change, some have been amended, some have been deleted. We have read and voted on each. We have had to look at complex Financial items. I doubt that any of us completely understand all that we voted on. We updated websites. We've updated some. We've clarified some, we've amended some and we've deleted some. Overall my concern is that the City records that have not been given to more. I'm sorry the City staff has been given more authority than before and they're taking these rights away from the City Council and the public. It appears that many changes take important information away from being presented to them. Every Council Member should be able to track every dollar spent by each department and transfer of funds, every dollar. Several times a fellow council member has asked me if I do not trust the City Council to make the right decision. I told him I don't trust anyone and then I asked this question to everyone in the building: "If you think that there is one honest politician in the federal government to raise your hand." Not a hand went up so nobody trusts the federal government so you can't trust everybody. Our local people are much more likely to be trustworthy, but the Charter is what gives them parameters to work in and that's very important. It needs to be updated. They need to know what they can do and what they cannot do. That is how I feel and I wish that we had gone through this whole thing again because we have voted on so many things that I know I didn't understand and I'm sure many others didn't.

5. Discussion and possible action on approval of Charter Review Commission Meeting Minutes of December 14, 2022.

MOTION: Commission Member Wagnon moved to approve the Charter Review Commission Meeting Minutes of December 14, 2022. Commission Member Townsend seconded the motion. Motion carried 3-1.

FOR MOTION: Commission Member Wagnon, Commission Member Townsend, and Chair Blazek.

AGAINST MOTION: Commission Member Webb.

6. PUBLIC HEARING: To consider the Charter Review Commission's draft final report regarding proposed Charter amendments to the City Council.

Chair Blazek opened the Public Hearing at 5:43 p.m.

Kristie Rutledge addressed the Commission and stated: Regarding the Public Hearing, I want to make sure that all Commissioners understand that Agenda Item #7 is your opportunity to take the recommendations, one at a time from the Rockport Voter Bill of Rights and make motions on those to amend your recommendations to City Council on the City Charter regarding each one of these 14 items; they are in here for a reason. They are in here because we have had experiences over the last two and one-half years. I became involved in city government when on August 31, 2020, the Rockport City Council voted to throw out a citizen's petition that 350 people signed against certificates of obligation; they wanted a right to vote on that debt. On August 31, 202, the Rockport City Council passed 14.7 million dollars in tax notes without consent of the voters; they bypassed

that petition. Currently in your City Charter Section 6 there is an option in here that City Council can just ignore initiative, referendum or recall petitions; that is unheard of. I looked at other city charters and that is not there. Please adopt Item 6 from the Rockport Voter Bill of Rights. Protect us from a city council or city government that will issue debt and then refund that debt a year or two years later at higher interest rates saddling us. Right now we have 55 million dollars in debt. It took me months and months to find out what kind of debt we had, what the bonds were. I had to pay \$225 to get a copy of the bond agreements or the bond packages from the City. Every one of these items are there because we have had experiences where we need a protection, and this is our constitution. This is your opportunity to protect us. The charters I have looked at offer much more detail than what has been proposed by the City of Rockport with all of these deletions. All of Planning and Zoning is deleted, almost all of the financial transparency has been deleted. You don't have any idea, as Mr. Webb said, what kind of budget will be adopted. The City of Rockport adopted a one-page budget at the end of the budget cycle, and it was a fund balance. The way I read the amendments the city manager will have the authority, if these are approved, to just transfer money wherever and never come back to city council.

Jeff Hutt addressed the Commission and stated: I lived in Romania and it was the only country in Eastern Europe to have a bloody revolution but they were also the only country in Romania not to change government. What they did, they were smart, they looked around and they said hey all these other governments are falling; we need to take action so they took Chaucesco and they took his wife Elena and they executed them. This is what seems to have happened in the Rockport City government. Over the last two years we've had found out that the City government has been lying to us about bonds. We've had city managers lie about how the tax rate is calculated. We've had a petition that was submitted and verified by the citizens that was just ignored. So what it seems like now is instead of having this come to Jesus moment that says like oh we need to do things, we need to do things correctly. What is seems like has happened here is that the City has come to you guys and it seems like the EDC members on the board also have decided what we're going to do is we are going to take the lessons we learned and we're gong to make sure that we cover up, and we make sure that these things won't come out again. The not allowing the citizens to speak on agenda items is completely ridiculous. There's never been a problem before. None of these folks in City Council or the City staff can ever tell you a problem when we went too long, or we had too much time. Because we were able to have access to the budgets, we found ended up finding four point something million dollars and we believe it might even be up into the six millions of dollars. We were hoping that this would be a time when the City and y'all would come to us and say like all right we've learned from our mistakes in our past, we want to do better. We want to have a more functionable government but instead all we have is less citizen participation which is crazy because two years ago that's all City Council complained about – we don't have enough City participation; so remove City participation from the citizens which is unheard of, cover up the budget so we can't see the budget and if y'all actually, if the City or the City Council actually does something that the majority of percentage of the citizens don't want then the City Council is now saying or the City government is saying now that we can just ignore that petition and you have to go to court. We can't afford it. There was a guy who won a court case against the city and cost him \$351,000.00 in lawyers fees. Do you think us regular folks can come up with \$351,000.00 to combat the City? Give us protections underneath this contract please, thanks.

7. Discussion and possible action on draft final report regarding proposed Charter amendments to the City Council.

MOTION: Commission Member Wagon moved that the Draft Final Report that the Commission has proposed be submitted to the City Council for their consideration and amendment. Commission Member Townsend seconded the motion.

Commission Member Webb said he thinks we should look at these items more carefully and he really feels like his job was to protect the citizens and give them their rights. Commission Member Webb stated he does not feel like he has done his job well and he thinks we all should look at this again. Commission Member Webb added that some of us think we have to run through this like it was a race; it's not a race, it's something that we need to do right. Commission Member Webb expressed he would prefer we have more meetings to make sure we are doing the proper thing.

Motion carried 3:1.

FOR MOTION: Commission Member Wagon, Commission Member Townsend, and Chair Blazek.

AGAINST MOTION: Commission Member Webb.

8. Discussion and possible action regarding whether there should be another Charter Review Commission Meeting.

Chair Blazek said based on the last motion, he was not sure if this item was necessary.

MOTION: Commission Member Webb moved to have more meetings, and get more input from the citizens, and get a better understanding of what we've done. Commission Member Webb expressed he guaranteed that none of us, maybe one of us, has understood the financial parts that we went through.

Art Rodriguez, Legal Counsel explained there was a motion on the floor, and a second was required before the Commission could debate. Mr. Rodriguez stated if the motion is not seconded, it dies.

Motion died for lack of second.

9. Adjournment.

At 5:56 p.m., Commission Member Wagon moved to adjourn the meeting. Commission Member Townsend seconded the motion. Motion carried 3:1.

FOR MOTION: Commission Member Wagon, Commission Member Townsend and Chair Blazek.

AGAINST MOTION: Commission Member Webb.

APPROVED:


Tim Jayroe, Mayor

ATTEST:


Teresa Valdez, City Secretary

