

# CITY OF ROCKPORT

## MINUTES

### CITY COUNCIL REGULAR MEETING

6:30 p.m., Tuesday, April 24, 2018

Rockport Service Center, 2751 State Highway 35 Bypass

On the 24<sup>th</sup> day of April 2018, the City Council of the City of Rockport, Aransas County, Texas, convened in Regular Session 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 Charles J. Wax  
Mayor Pro-Tem Pat Rios, Ward 3  
Council Member Rusty Day, Ward 1  
Council Member J. D. Villa, Ward 2  
Council Member Barbara Gurtner, Ward 4

#### CITY COUNCIL MEMBER(S) ABSENT

#### PLANNING & ZONING COMMISSION MEMBERS PRESENT

Edward Bellion  
G. Maynard Green  
Ruth Davis  
Diana Severino-Saxon

#### STAFF MEMBERS PRESENT

City Attorney Terry Baiamonte  
City Secretary Teresa Valdez  
Community Planner Amanda Torres  
Parks & Leisure Services Director Rick Martinez  
Public Works Director Mike Donoho  
Interim Finance Director Sandy Clarkson  
Police Chief Tim Jayroe

#### ELECTED OFFICIALS PRESENT

#### Opening Agenda

##### 1. Call to Order.

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Wax at 6:35 p.m. on Tuesday, April 24, 2018, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

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

Council Member Day led the Pledge of Allegiance to the U.S. flag.

## **3. Citizens to be heard.**

At this time, comments will be taken from the audience on any subject matter that is not on the agenda. To address the Council, please sign the speaker's card located on the table in the Training Room of the Rockport Service Center and deliver to the City Secretary before the meeting begins. Please limit comments to three (3) minutes. In accordance with the Open Meetings Act, Council may not discuss or take any action on any item that has not been posted on the agenda. It is the prerogative of the Chair to limit or otherwise restrict commenters if comments are discourteous, inappropriate, repetitive, or uncivil.

Lynn Baskind, 623 N. Terry, addressed the Council. Ms. Baskind extended an invitation to the Council to participate in Sinko De Quacko, a fundraiser for Friends of the Pool, which is scheduled for May 5, 2018, 10:00 a.m. Ms. Baskind stated the funds that are raised by the Friends of the Pool go towards scholarships for swim lessons and lifeguard instruction. Ms. Baskind informed the Council there will be prizes for the first, second and third place winners of the Sinko De Quacko race, and there will be a live auction and a sale of hand painted bags and hats. Ms. Baskind stated there will also be a water balloon toss and Council Member Barbara Gurtner and Mayor Pro-Tem Rios have volunteered to be targets.

## **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.

- 4. Deliberate and act on approval of City Council Regular Meeting Minutes of April 10, 2018.**
- 5. Deliberate and act on 2<sup>nd</sup> quarter report from the Rockport-Fulton Chamber of Commerce for Fiscal Year 2017-2018 marketing expenditures.**
- 6. Deliberate and act on 1<sup>st</sup> and 2<sup>nd</sup> quarter reports from the Rockport Cultural Arts District for Fiscal Year 2017-2018 marketing expenditures.**
- 7. Deliberate and act on 2<sup>nd</sup> quarter report from the Rockport Center for the Arts for Fiscal Year 2017-2018 marketing expenditures.**
- 8. Deliberate and act on rescheduling the May 8, 2018, City Council Meeting to May 10, 2018.**
- 9. Deliberate and act on approval of Interlocal Contract with the Town of Fulton for Assistance in Law Enforcement.**
- 10. Deliberate and act on a Resolution finding that AEP Texas Inc.'s application to amend its distribution recovery factors to increase distributions rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the**

**company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the company and legal counsel.**

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

Mayor Wax stated Consent Agenda Item 4 is being withdrawn and will be on the next Council Meeting Agenda.

Mayor Wax also removed Consent Agenda Item 6 for separate discussion. Mayor Wax stated since this is the first time the Rockport Cultural Arts District is reporting to the Council he thought it important to hear directly from them.

**MOTION:** Council Member Villa moved to approve the Consent Agenda minus Items 4 and 6, as presented. Mayor Pro-Tem Rios seconded the motion. Motion carried unanimously.

### **Consent Agenda Item 6**

Beverly Trifonidis, Executive Director of the Rockport Cultural Arts District, addressed the Council. Ms. Trifonidis informed the Council there are approximately 30 Cultural Arts Districts in the State of Texas, which enhance the culture of the communities. Ms. Trifonidis said the Rockport Cultural Arts District is a resourceful downtown community dedicated to strengthening Rockport's culture & economy through marketing and communication, partnerships and activities. Ms. Trifonidis added the Rockport Cultural Arts District is establishing and communicating a cohesive identity for the cultural center of Rockport that will be a catalyst to link flagship organizations, creative entrepreneurs, downtown businesses, government entities, and students and families in cultural activities and economic development. Ms. Trifonidis said the Rockport Cultural Arts District has created a new logo, hired someone to work with every downtown business that wants to create a Facebook page, will be introducing more sculptural arts downtown, and focusing on what visitors think of Rockport twelve months of the year – there is something here in Rockport for experiences. Ms. Trifonidis invited everyone to attend the Kite Fun Fly event this weekend that is being co-hosted by the Rockport Cultural Arts District.

**MOTION:** Mayor Wax moved to approve Consent Agenda Item 6. Council Member Gurtner seconded the motion. Motion carried unanimously.

### **Public Hearings:**

#### **11. Call to Order – Rockport Planning & Zoning Commission.**

With a quorum of the members present, the meeting of the Rockport Planning & Zoning Commission was called to order at 6:52 p.m. on Tuesday, April 24, 2018, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Mayor Wax opened the Joint Public Hearings at 6:52 p.m.

Mayor Wax stated both of the Joint Public Hearing items will be considered by the Planning & Zoning Commission on Monday, April 30, 2018, at 5:30 p.m.

- 12. Conduct and deliberate a Joint Public Hearing with the Planning & Zoning Commission to consider a request to rezone property located at 3404 Highway 35 South; also known as the northerly portion of Lot 1, Bays of Rockport, 10 acres, Rockport, Aransas County, Texas; currently zoned R-6 (Hotel/Motel District).**

Brad Coleman, 3404 Highway 35 South, addressed the Council. Mr. Coleman said he did not know if it was necessary to change the zoning because he wants to establish a restaurant at this location.

Community Planner Amanda Torres stated that if the restaurant is built first, before a hotel/motel, then the zoning should be changed to B-1 (General Business District).

Mayor Wax asked if Mr. Coleman will have to then rezone to R-6 (Hotel/Motel District) when he is ready to proceed with the building of a hotel/motel.

Ms. Torres answered that Mr. Coleman would not have to request rezoning again because a hotel/motel is allowed in a B-1 (General Business District); if the restaurant is built first.

- 13. Conduct and deliberate a Joint Public Hearing with the Planning & Zoning Commission to consider a request for a Conditional Use Permit to allow for a bed and breakfast facility on properties located at 3422-3462 Loop 1781; also known as Lots 13-A, 13-B, 14-A and 14-B, Spanish Woods Estates #5, 12715 acres, Rockport, Aransas County, Texas; currently zoned R-1 (1<sup>st</sup> Single Family Swelling District).**

There were no public comments.

Mayor Wax closed the Joint Public Hearings at 6:55 p.m.

- 14. Adjourn – Rockport Planning & Zoning Commission.**

At 6:55 p.m., the Rockport Planning & Zoning Commission adjourned.

#### **Regular Agenda**

- 15. Deliberate and act on acceptance of Fiscal Year 2016-2017 City of Rockport Comprehensive Annual Financial Report.**

Mayor Wax stated the auditor could not attend the meeting tonight.

**MOTION:** Mayor Wax moved to table this Agenda item until May 10, 2018, City Council Meeting. Mayor Pro-Tem Rios seconded the motion. Motion carried unanimously.

**16. Deliberate and act on approval to award a contract to construct a new influent structure and complete other improvements to the City of Rockport Wastewater Treatment Plant located at 1401 N. Pearl Street, Rockport, Texas.**

Public Works Director Mike Donoho addressed the Council. Mr. Donoho informed the Council in the 2007 Bond Fund \$2.5 million was allocated for upgrades and improvements to the City of Rockport Wastewater Treatment Plant. Mr. Donoho said the project will touch about every piece of equipment at the Plant. Mr. Donoho stated on March 29, 2018, three bids were received and reviewed with Associated Construction Partners LTD being the low bidder at \$1,232,550.00. Mr. Donoho said Urban Engineering reviewed the bid package and recommended the award of contract to Associated Construction Partners LTD. Mr. Donoho stated staff concurs with Urban Engineering recommendation.

Mayor Wax commented on the range of bids as shown on the bid tabulation sheet.

Council Member Day asked if the upgrades and improvements will increase the capacity of the Plant and is the current ability of the plant being reduced or is it just time for improvements.

Mr. Donoho answered it was just time to replace things; the improvements will make the plant more efficient.

Council Member Gurtner asked when the upgrades and improvements will begin.

Mr. Donoho stated he has not yet received a schedule.

Mayor Pro-Tem Rios commented this is a long project – 310 days.

**MOTION:** Council Member Villa moved to award a contract to construct a new influent structure and complete other improvements to the City of Rockport Wastewater Treatment Plant located at 1401 N. Pearl Street, Rockport, Texas. Council Member Day seconded the motion. Motion carried unanimously.

**17. Deliberate and act on 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-6 (Hotel/Motel District) to B-1 (General Business District) for property located at 609 S. Magnolia; also known as the south 40 feet of Lot 2 and all of Lot 3, Block 16, Doughty & Mathis Subdivision, Rockport, Aransas County, Texas; for the purpose of using the property as art studios; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

Mayor Wax announced Council Member Day has filed an Affidavit for Conflict of Interest with the City Secretary and has recused himself from voting on any decision involving this request.

Mayor Wax stated the Planning & Zoning Commission recommend this request be denied without prejudice.

**MOTION:** Council Member Villa moved to deny without prejudice the request to change the zoning of land from R-6 (Hotel/Motel District) to B-1 (General Business District) for property located at 609 S. Magnolia; also known as the south 40 feet of Lot 2 and all of Lot 3, Block 16, Doughty & Mathis Subdivision, Rockport, Aransas County, Texas; for the purpose of using the property as art studios. Mayor Pro-Tem Rios seconded the motion. Motion carried 4:0.

FOR MOTION: Mayor Wax, Mayor Pro-Tem Rios, Council Member Villa and Council Member Gurtner.

ABSTAIN: Council Member Day

**18. Deliberate and act on 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) to R-2M (Manufactured Housing District) for property located at 1301 & 1415 Sixteenth Street, 2501, 2512, 2522, 2610 & 2620 San Antonio Street, and 2502, 2503, 2512, 2513 & 2522 Monkey Road; also known as Lots 310 of 71, Lot 72 & Lot 73, Block 250, Swickheimer Subdivision, Rockport, Aransas County, Texas; for the purpose of allowing the placement of manufactured housing; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

Pat Rousseau, 187 Heron Oaks, addressed the Council. Ms. Rousseau provided the following remarks: "My name is Pat Rousseau, my address is 187 Heron Oaks in Whistler's Cove, Rockport, TX. For the past several years, I have served as the Human Resources Director for Aransas County. As such I am very familiar with the difficulties many employees have in finding affordable housing in our area. Last September, many of our employees had to relocate to Taft, Sinton, Corpus Christi, or beyond. Some continued to work for the County but others were not able to return. The past eight months have seen drastic and dynamic changes within our community. Many thousands of people and dollars have flooded our town and our county with love, labor, and resources to help us rebuild following the destruction wrought by Hurricane Harvey. As sitting members of City Council, you now have the opportunity and obligation to assist us in reconstruction and improvement. Several items on tonight's agenda focus on housing changes; i.e. items 18 - 23. Hopefully you will be proactive in your thinking and voting. I am asking each of you to vote your support in favor of these items. Working together is our best option for the future! We need families to return to or move to our town, we need them to work and volunteer in our community, and we need their children to enroll in our schools. Thank you for your consideration and your time."

Amelia Saltarelli, 103 Lee Circle, addressed the Council. Ms. Saltarelli stated she served as the Legislative and Government Relations Chair of the Rockport Area Association of Realtors. Ms. Saltarelli said the Rockport Area Association of Realtors has received some calls from realtors and land owners they represent asking if City services, water, sewer, natural gas and electricity will be provided to these areas, if they are not already provided. Ms. Saltarelli stated at the last City Council Meeting, a question was asked about affordable housing and what that really means. Ms. Saltarelli called the Council's attention to a document she had delivered tonight (below) which provides data on reasonably priced housing, rentals and owned.

April 24, 2018

Mayor Wax, Mayor Pro Tem Rice and Councilmembers  
City of Rockport  
Rockport, Texas

Re: Agenda Item 20<sup>th</sup> 2018 **8-18-18**  
Responsibly Paid Housing, Rental and Owner

Dear honorable Mayor Wax, Mayor Pro Tem Rice and Councilmembers,

As the City Council meeting on April 23<sup>rd</sup>, the question was asked on the affordable housing ordinance. In response and for your information, we decided to share the following as a brief overview of data presented in the Housing Study Report meeting (the past December 2017).

The information is based on households by HUD, and determined based on the size of the household and the gross earned income level. If the applicant qualifies for affordable housing rates for rent or purchase of a home, they would have to fall under the one of the tables below.

As a result, the rent of rent or mortgage payments amount would need to be at or below 30% of the gross earned income per household.

The information below was provided by: TheCityHub Community Development Portal  
All Income Based - [CommunityDevelopment@TheCityHub.org](mailto:CommunityDevelopment@TheCityHub.org)

**Annual Cost of the Income Limits**

The graph below shows the 2018 income limit for Aransas County (2017) Average Median Family Income, as established by HUD.

**Overview for "Area Community Income Support" in 2018**

Annual Income	2018 Income Limit
\$20,000/yr	\$200 / mo / 24
\$30,000/yr	\$300 / mo / \$3,600
\$40,000/yr	\$400 / mo / \$4,800

2 person hh	3 person / hh
\$43,000 / yr	\$500 / mo / \$6,000

We hope this will help in planning for the future development of Rockport, and we are available to provide assistance for our community on this issue in Rockport and future attempts to rebuild.

Thank you for your attention.

Audita Salazar  
Legislative and Public Relations Chair  
Rockport Area Association of Realtors

### Income Qualifications

HUD 80% of MFI Limits for Housing Assistance (Aransas County, 2018)

Income Limit	1 person	2 person	3 person	4 person	5 person	6 person	7 person	8 person
2018 Low Income Median	\$16,400	\$20,000	\$26,700	\$41,700	\$47,300	\$54,300	\$57,700	

To qualify for HUD funding, housing NEEDS to be for those making less than 80% of the Median Family Income.

### Households Making <80% MFI (Pre-Hurricane)

Owners & Renters Spending >30% of their Income on Housing

Income	Households	Total # of Households	%
Less than \$20,000	665	8025	8.3%
\$20,000-\$25,000	257	2514	10%
Total	922	2009	46%

Income	Households	Total # of Households	%
Less than \$30,000	740	700	106%
\$30,000-\$45,000	229	447	51%
Total	969	1147	84%

Low income of the South (24%) and South (20%), and both are in and above the 80% of the South (24%) and South (20%), and both are in and above the 80% of the South (24%) and South (20%).

Mayor Wax answered that newly annexed properties are provided exactly the same level of services as other areas in the City. Mayor Wax stated it would have been useful to have this information included in the Agenda Packet. Mayor Wax informed Ms. Saltarelli if she wished to provide information to the City Council in the future, she should give the information to the City Secretary prior to distribution of the Agenda Packet. Mayor Wax said the information provided tonight will be included in the Minutes of this meeting.

Lily Jackson, 1413 South Fuqua, addressed the Council. Ms. Jackson stated she had just been reading an article in a newspaper about General Land Office projects. Ms. Jackson asked if the sewer plant

that was discussed tonight is big enough for Rockport's growth. Ms. Jackson stated she thought infrastructure and installation of street lights was very important to Rockport.

Mayor Wax stated the capacity of the Wastewater Treatment Plant is 3.5 million gallons per day. Mayor Wax added there has been discussion of placement of a Wastewater Treatment Plant on the south side of Rockport.

**MOTION:** Council Member 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) to R-2M (Manufactured Housing District) for property located at 1301 & 1415 Sixteenth Street, 2501, 2512, 2522, 2610 & 2620 San Antonio Street, and 2502, 2503, 2512, 2513 & 2522 Monkey Road; also known as Lots 310 of 71, Lot 72 & Lot 73, Block 250, Swickheimer Subdivision, Rockport, Aransas County, Texas; for the purpose of allowing the placement of manufactured housing; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Day seconded the motion. Motion carried unanimously.

**19. Deliberate and act on 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) to R-2M (Manufactured Housing District) for property located at 106-136 Steward Lane, 1403 & 1415 Eighteenth Street, and 1320 Jim's Smokehouse Road; also known as Lots 5-14, Oak Bay Subdivision; Part of Lot 112, Block 249, Swickheimer Subdivision, and 13.304 acres out of the C.S. Zenn Survey, A226, Rockport, Aransas County, Texas; for the purpose of allowing the placement of manufactured housing; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

Robert Jackson, 114 Steward Lane, addressed the Council. Mr. Jackson said his property was annexed four years ago and he still has no City water or sewer. Mr. Jackson stated he has been in home building and real estate for 40 years. Mr. Jackson expressed he had stayed in Rockport during the hurricane. Mr. Jackson commented he understood the need for affordable homes, but manufactured housing does not mean affordable home. Mr. Jackson said there is no difference between mobile homes and manufactured homes. Mr. Jackson stated manufactured homes are personal property and lenders will not make a deal on land with a manufactured home. Mr. Jackson added manufactured housing is a predatory thing. Mr. Jackson commented the only people who will make money on all these lots are the people who will purchase the lots, place a manufactured home on them, and then rent them. Mr. Jackson said there will be turnover of renters, no garage, no storage and temporary buildings everywhere. Mr. Jackson expressed he had seen this happen in San Marcos; it's a blight for the community. Mr. Jackson declared: "It's a bad idea for him, and a bad idea for the City."

Council Member Gurtner asked how many manufactured homes are along on a lot.

Community Planner Amanda Torres answered in R-2M (Manufactured Housing District) zoning one manufactured home is allowed on a lot and other City code requirements must be met such as setbacks



and minimum square footage. Ms. Torres stated if the lot does not have City services there must be enough acreage for a water well and sewer system.

Mayor Wax commented there are people in these areas who cannot afford to build a home.

Council Member Villa stated he understood everyone's concerns. Council Member Villa said the hurricane caused a lot of people who have lived here all their lives to leave Rockport and they do not have the means to build a home and return to Rockport. Council Member Villa expressed he is a native of Rockport and he would love to see those people return to Rockport.

**MOTION:** Council Member 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) to R-2M (Manufactured Housing District) for property located at 106-136 Steward Lane, 1403 & 1415 Eighteenth Street, and 1320 Jim's Smokehouse Road; also known as Lots 5-14, Oak Bay Subdivision; Part of Lot 112, Block 249, Swickheimer Subdivision, and 13.304 acres out of the C.S. Zenn Survey, A226, Rockport, Aransas County, Texas; for the purpose of allowing the placement of manufactured housing; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Day seconded the motion. Motion carried unanimously.

**20. Deliberate and act on 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) to R-2M (Manufactured Housing District) for property located at 1302, 1306, 1322, 1330, 1412 & 1422 South Verne, 1305, 1307, 1309, 1311, 1315, 1401, 1403, 1409, 1411, 1413 & 1501 South Fuqua, 201 West Fourth, 223 West Fifth and 224 West Sixth; also known as Lots 1-6, Block 137; Lots 1-16, Block 138; and Lots 1-16, Block 139, Manning Addition, Rockport, Aransas County, Texas; for the purpose of allowing the placement of Manufactured Housing; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

**MOTION:** Mayor Pro-Tem Rios 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) to R-2M (Manufactured Housing District) for property located at 1302, 1306, 1322, 1330, 1412 & 1422 South Verne, 1305, 1307, 1309, 1311, 1315, 1401, 1403, 1409, 1411, 1413 & 1501 South Fuqua, 201 West Fourth, 223 West Fifth and 224 West Sixth; also known as Lots 1-6, Block 137; Lots 1-16, Block 138; and Lots 1-16, Block 139, Manning Addition, Rockport, Aransas County, Texas; for the purpose of allowing the placement of Manufactured Housing; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Gurtner seconded the motion. Motion carried unanimously.

**21. Deliberate and act on the first reading of an Ordinance amending the official zoning map as stipulated under Section 4.1 of the City of Rockport Zoning Ordinance Number 1027, by overlaying the current zoning of property R-1 (1<sup>st</sup> Single-Family**

**Dwelling District) located at 3086-3098 State Highway 35 Bypass and 420 McLester; also known as 11.348 acres out of the Joseph Fessenden Survey, and 38.111 acres embracing all of Tracts 12-14 and the northern portion of Tracts 15-21, C.H. Moore Subdivision, Joseph Fessenden Survey, City of Rockport, Aransas County, Texas; to Planned Unit Development (PUD) Mixed-Use Subdivision consisting of single-family residential, condominiums, and commercial parcels with such features and amenities as indicated in Exhibit A attached hereto and with those specific conditions as outlined herein; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

**MOTION:** Council Member Villa moved to approve the first reading of an Ordinance amending the official zoning map as stipulated under Section 4.1 of the City of Rockport Zoning Ordinance Number 1027, by overlaying the current zoning of property R-1 (1<sup>st</sup> Single-Family Dwelling District) located at 3086-3098 State Highway 35 Bypass and 420 McLester; also known as 11.348 acres out of the Joseph Fessenden Survey, and 38.111 acres embracing all of Tracts 12-14 and the northern portion of Tracts 15-21, C.H. Moore Subdivision, Joseph Fessenden Survey, City of Rockport, Aransas County, Texas; to Planned Unit Development (PUD) Mixed-Use Subdivision consisting of single-family residential, condominiums, and commercial parcels with such features and amenities as indicated in Exhibit A attached hereto and with those specific conditions as outlined herein; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Gurtner seconded the motion. Motion carried unanimously.

Mayor Pro-Tem Rios asked developer Kevin Jamison when the project will start.

Mr. Jamison responded he hoped to start the project this Summer.

**22. Deliberate and act on the first reading of an Ordinance amending Article 4 *Districts and General Provisions* and Article 9 *R-2M Manufactured Housing District*, Rockport Zoning Ordinance No. 1027, by establishing an age limit on manufactured homes being moved into the City of Rockport; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

Community Planner Amanda Torres stated this change was discussed as part of Council discussion on manufactured housing at the Strategic Planning Meeting in February. Ms. Torres said the proposed amendment would create an age limit on manufactured homes being moved into the City of Rockport. Ms. Torres said the Planning & Zoning Commission recommend approval of the proposed amendment.

Council Member Day commented there are recreational vehicle parks which require the same thing. Council Member Day stated this is a good amendment.

Council Member Villa asked if someone has a travel trailer on property and only use it to travel are they allowed to do that.

Ms. Torres said there a certain codes and rules that are applicable to a situation such as that.

Mayor Wax commented that the assumption is that you have a permanent home on the property and then there is an older recreational vehicle.

**MOTION:** Mayor Pro-Tem Rios moved to approve the first reading of an Ordinance amending Article 4 *Districts and General Provisions* and Article 9 *R-2M Manufactured Housing District*, Rockport Zoning Ordinance No. 1027, by establishing an age limit on manufactured homes being moved into the City of Rockport; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Villa seconded the motion. Motion carried unanimously.

**23. Deliberate and act on first reading of an Ordinance amending Article 24 *Special Conditions*, Rockport Zoning Ordinance No. 1027, by establishing an age limit on manufactured homes being placed in manufactured housing/recreational vehicle parks within the City Limits; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date**

Community Planner Amanda Torres informed the Council the Planning & Zoning Commission had requested clarification on whether “park models” were considered manufactured housing so this item was tabled at their meeting on Monday night.

**MOTION:** Mayor Wax moved to table the first reading of an Ordinance amending Article 24 *Special Conditions*, Rockport Zoning Ordinance No. 1027, by establishing an age limit on manufactured homes being placed in manufactured housing/recreational vehicle parks within the City Limits; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date, until the Planning & Zoning Commission reviews and makes a recommendation to Council. Council Member Villa seconded the motion. Motion carried unanimously.

**24. Deliberate on department long-term recovery reports.**

Public Works Director Mike Donoho provided the following long-term recovery report:

- Anticipating multiple zoning and building requests.
- City is actively seeking any type of grant funds to help our community.
- Moving forward with energy conservation project – Amersco.
- City staff are volunteering to work on weekends on some cosmetic types of things – replacing street signs and such.
- Working with AEP on repairing street lights.
- Employees have a great attitude. They are excited about affordable housing opportunities.

Parks & Leisure Services Director Rick Martinez provided the following long-term recovery report:

- Having fun in the parks – more and more people are in the parks enjoying the beautiful days we have seen.
- Texas Roots came to Rockport last Tuesday and brought 3,000 plants. After the event there were approximately 800-1000 plants left and they donated them to the City. They want to come back and assist us in planting them.

- Pool has been having heater issues. Received quotes and it did not look good. We talked to Ameresco to ask if they can include this in the energy project.
- Parks Board met last night and discussed the Sports Complex and the Bent Oaks Rookery. The amount of birds has actually doubled since last year, even though we lost about half of the trees. Also have some birds nesting in the back of Memorial Park.
- Reminders: Sinko De Quacko event on May 5<sup>th</sup>; Dog event at Dog Park on May 4<sup>th</sup> and Doggie Dunk also on May 4<sup>th</sup> at pool.

Mayor Wax commented there were a lot of people along the fence at the Bent Oaks property watching the birds.

Police Chief Tim Jayroe provided the following long-term recovery report:

- Calls for service related to storm have gone to none.
- Pretty much normal.
- Full staff starting this weekend.

Interim Finance Director Sandy Clarkson provided the following long-term recovery report:

- In the budget process – budget calendars will be disturbed by the end of this week.
- Auditor will be at May 10<sup>th</sup> meeting to present audit.

City Secretary Teresa Valdez provided the following long-term recovery report:

- First day of early voting was Monday, April 23, 2018. Last day of early voting is on May 1, 2018.
- Continuing work on sending out Hotel Occupancy Tax applications for consideration in the 2018-2019 Budget.

Public Works Director Mike Talbot reminded everyone tomorrow is Administrative Professionals Day. Mike asked that everyone thank the City's Administrative Professionals and let them know they are appreciated.

## **25. Reports from Council.**

At this time, the City Council will report/update on all committee assignments, which may include the following: Aransas Pathways Steering Committee, Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Parks & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport Heritage Board; 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 Day asked everyone to “find your inner child” and come fly your kite at the event this weekend.

Council Member Villa thanked staff for their work and believes everyone else thanks them also.

Mayor Pro-Tem Rios stated he had attended the Texas Municipal League Small Cities Workshop in

Uvalde last week. Mayor Pro-Tem Rios said it was good meeting a different group of people; people from areas different from the Coastal Bend.

Council Member Gurtner invited everyone to attend Sinko De Quacko.

Mayor Wax thanked the Rockport Cultural Arts District for their report.

### **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:**

- 26. Section 551.071(1)(A) and Section 551.071(2) Consultation with Attorney: Pending or contemplated litigation: (A) Bay Education Center; (B) SB 1004; and (C) Police Agreement with Aransas County Independent School District).**
- 27. Section 551.071(2) Consultation with Attorney 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.**

At 7:49 p.m., Mayor Wax convened the Rockport City Council into an executive session pursuant to provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in Section 551.071(1)(A) and Section 551.071(2) Consultation with Attorney: Pending or contemplated litigation: (A) Bay Education Center; (B) SB 1004; and (C) Police Agreement with Aransas County Independent School District; and Section 551.071(2) Consultation with Attorney 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.

### **Open Session**

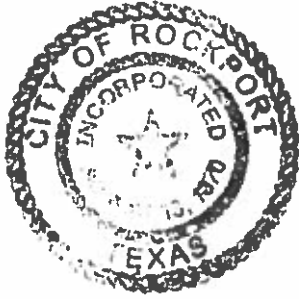
**City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.**

At 8:18 p.m., Mayor Wax reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any necessary actions related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

No action was taken.

### **28. Adjournment**

At 8:18 p.m., Council Member Gurtner moved to adjourn. Motion was seconded by Council Member Villa. Motion carried unanimously.



**APPROVED:**

  
\_\_\_\_\_  
Patrick Rios, Mayor

**ATTEST:**

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