CITY COUNCIL AGENDA

Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, March 10, 2020, at 6:30 p.m. The meeting will be held at Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas. The matters to be discussed and acted upon are as follows:

Opening Agenda

1. Call meeting to order.

2. Pledge of Allegiance.

3. Presentation: Athenian Leadership Society Athenian Fellow – City Secretary Teresa Valdez

4. 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 back of the Training Room of the Service Center and deliver to the City Secretary before the meeting begins. Limit comments to three (3) minutes. 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.

Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.


6. Deliberate and act on adoption of a Resolution encouraging residents of the City of Rockport to participate in the 2020 Census and to ensure that everyone in the City and Aransas County is counted.

7. Deliberate and act on 1st quarter report from the Friends of the Fulton Mansion State Historical Site for Fiscal Year 2019-2020 marketing expenditures.


9. Deliberate and act on request from Texas Maritime Museum for: 1) Closure of Chamber Street from Loop 70 to Navigation Circle on Thursday, May 21, 2020, from 2:00 p.m. to 12:00 a.m. and on Saturday, May 23, 2020 from 8:00 a.m. to 12:00 a.m.; 2) Use of Festival Site for parking and 3) Permission for beer and wine consumption on the grounds of the Texas Maritime Museum, for the 24th Annual Festival of Wines & Food.

10. Deliberate and act to accept a Certification of Unopposed Candidates by the City Secretary for the May 2, 2020, General Election.

Deliberar y actuar para aceptar una certificación de candidatos sin oposición, preparada por la secretaría municipal para las elecciones municipals generales del 2 de mayo de 2020.
11. Deliberate and act on Resolution declaring unopposed candidates in the May 2, 2020, City General Election, elected to office; cancelling the Saturday, May 2, 2020, Ward 2 and Ward 4 Elections; and finding and declaring that the meeting at which this Resolution is adopted was open to the public, that the public notice of time, place and the subject matter of the public business to be considered was posted as required by law, including this Resolution.

*Deliberar y actuar sobre una resolución declarando a candidatos sin oposición, en las elecciones municipales generals del 2 de mayo 2020, elegido para un cargo público; p anulando las elecciones del 2 de mayo, 2020 de barrio 2 y de barrio 4; averiguando y declarando que la reunión en que se adoptó esta resolución fue abierta al público, y el aviso al público de la hora, el lugar y el contenido de los negocios públicos en consideración fueron publicados como require la ley, incluyendo esta resolución.*

12. Deliberate and act on an Interlocal Cooperation Contract with the Texas Department of Public Safety and authorize the City Manager to negotiate and execute all necessary documents.

**Public Hearings**


14. Conduct a Joint Public Hearing with the Rockport Planning & Zoning Commission to consider a request to rezone property located at 1740 W. Corpus Christi Street; also known as 2.613 acres out of Tract Nos. 4 and 5, Peninsula Oaks Subdivision Unit No. 3, according to the Plat recorded in Volume 3, Page 34, Plat Records of Aransas County, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for an investment and potential shop space; currently zoned R-1 (1st Single Family Dwelling District).


16. Conduct and deliberate a Public Hearing for the purpose of receiving testimony and comments on the proposed re-establishment of a curfew order application to children under the age of 17.

**Regular Agenda**

17. 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 (1st Single Family Dwelling District) for property located at 2202 FM 3036; also known as 16.951 acres of land out of the George K. Taggart, III, Trustee, 1108.97 acre tract in the J.W. Paup Survey A-179, City of Rockport, Aransas County, Texas, and being a portion of that property deeded by E.M. Spencer to George K. Taggart, III, Trustee, of record in Volume 248, Pages 363-426, Deed Records of Aransas County, Texas; to B-1 (General Business District) for commercial development; repealing all ordinances in conflict therewith; providing for severability, and providing for an effective date.

18. 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 (1st Single Family Dwelling District) for property
located at 1385 State Highway 35 Bypass; also known as 5.87 acres out of the Paul McCombs Survey, City of Rockport, Aransas County, Texas; to I-1 (Light Industrial District) for continued use as a metal fabrication shop; repealing all ordinances in conflict therewith; providing for severability; and providing for an effective date.

19. 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 (1st Single Family Dwelling District) for property located at 1325 W. Market; also known as Lots 1-5 and 26-30, Block 3, West Terrace Unit 1; to B-1 (General Business District) for a retail location for the sale of recreational vehicles, manufactured homes, and cabins; repealing all ordinances in conflict therewith; providing for severability; and providing for an effective date.

20. Deliberate and act on first reading of an Ordinance amending the Rockport Code of Ordinances Chapter 66 (Entitled "Offenses and Miscellaneous Provisions") Article II (Entitled "Minors Curfew") by reenacting the minor curfew order; providing for repeal of Ordinances in conflict therewith; providing for severability; providing for penalty; and providing for an effective date.

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; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Rockport Cultural Arts District, 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.

22. Adjournment.

Special Accommodations
This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s office at (361) 729-2213, ext. 223 or FAX (361) 790-5966 or email citysec@cityofrockport.com for further information. Braille is not available. The City of Rockport reserves the right to convene into executive session under Government Code §§ 551.071-551.074 and 551.086.

Certification
I certify that the above notice of meeting was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas on Friday, March 6, 2020, by 5:00 p.m. and on the City’s website at www.cityofrockport.com. I further certify that the following News Media were properly notified of this meeting as stated above: The Rockport Pilot and Corpus Christi Caller Times.

Ruby Beaven, Assistant City Secretary
AGENDA ITEM: 3

Presentation: Athenian Leadership Society Athenian Fellow – City Secretary Teresa Valdez

SUBMITTED BY: Mayor Patrick R. Rios

APPROVED FOR AGENDA: TV

BACKGROUND: The Athenians were leaders who invented the idea of political democracy, philosophy, logic and rhetoric. They left the world enriched with their ideas. The choice of Athenian in the title of the Leadership Society signals the value of this culture from 2,500 years ago. To be an Athenian Fellow is to hold knowledge and the quest for knowledge in high esteem. Municipal Clerks at their best exemplify Athenian values. The Athenian Leadership Society is an international Academy for and of Municipal Clerks worldwide. The Society was established in 2005 to recognize and honor Municipal Clerks who seek personal and professional improvement as an Athenian leader in their chosen profession. The highest achievement for Society members is to be inducted as a Fellow with all rights, privileges and recognition bestowed by the International Institute of Municipal Clerks.

There are currently 26 Athenian Fellows in the State of Texas and 153 in the United States.

City Secretary Teresa Valdez has fulfilled all the requirements to become an Athenian Fellow and has been accepted as a Fellow in the Athenian Leadership Society. Ms. Valdez will be recognized for her hard work and efforts toward this accomplishment at the 2020 Annual Conference in St. Louis, Missouri during the Opening Ceremony on Monday, May 18, 2020.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Not an action item.
ATHENIAN LEADERSHIP SOCIETY

ATHENIAN FELLOW

The Athenian Leadership Society is an international Academy for and of Municipal Clerks worldwide. The Society was established in 2005 to recognize and honor Municipal Clerks who seek personal and professional improvement as an Athenian leader in their chosen profession. The highest achievement for Society members is to be inducted as a Fellow with all rights, privileges and recognition bestowed by the International Institute of Municipal Clerks. By these hands and with this seal, we welcome to the Academy extending the prestige and recognition as a Fellow of the Athenian Leadership Society to

Teresa Valdez, MMC
City of Rockport, TX
Inducted on the 10th day of January in the Year of 2020

[Signatures]

IIMC President
IIMC Director of Professional Development
January 10, 2020

Teresa Valdez, MMC
City Secretary
City of Rockport
622 E. Market Street
Rockport, TX 78382

Dear Teresa:

The Athenians were leaders who invented the idea of political democracy, philosophy, logic and rhetoric. They left the world enriched with their ideas. The choice of Athenian in the title of the Leadership Society signals the value of this culture from 2,500 years ago. To be a Athenian Fellow is to hold knowledge and the quest for knowledge in high esteem. Municipal Clerks at their best exemplify Athenian values.

The Education Department is pleased to announce that you have fulfilled all of the requirements to become an Athenian Fellow and have accepted you as a Fellow in the Athenian Leadership Society.

IIMC will recognize your hard work and efforts toward this accomplishment at the 2020 Annual Conference in St. Louis, Missouri during the Opening Ceremony on Monday, May 18, 2020. Your Fellowship certificate and pin are enclosed. We look forward to seeing you wear your pin!

If you have any questions, please contact me at Ashley@iimc.com.

Sincerely,

Ashley DiBlasi
Assistant Director of Professional Development
AGENDA ITEM: 5


SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: TV

BACKGROUND: Please see the accompanying minutes of the Regular Meeting of February 25, 2020.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council approve the Minutes, as presented.
CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING
6:30 p.m., Tuesday, February 25, 2020
Rockport Service Center, 2751 State Highway 35 Bypass

On the 25th day of February 2020, 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 Patrick R. Rios
Mayor Pro-Tem J.D. Villa, Ward 2
Council Member Michael Saski, Ward 1
Council Member Bob Cunningham, Ward 3
Council Member Barbara Gurtner, Ward 4

CITY COUNCIL MEMBER(S) ABSENT

PLANNING & ZONING COMMISSION MEMBERS PRESENT
Ric Young
Warren Hassinger
Kim Hesley
G. Maynard Green
Ruth Davis
Diana Severino-Saxon
W. Kent Howard

STAFF MEMBERS PRESENT
City Manager Kevin Carruth
Assistant to the City Manager Kimberly Henry
City Secretary Teresa Valdez
Finance Director Katie Griffin
Police Chief Greg Stevens
Information Technology Director Bob Argetsinger
Public Works Director Mike Donoho
Community Planner Amanda Torres

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 Rios at 6:31 p.m. on Tuesday, February 25, 2020, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

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

3. Presentation: Recognition of Lifeguard Awards at the National Red Cross Convention.

Mayor Rios invited Aquatics Manager Joe Riekers and Lifeguards Cory Marr and Kyle Skinner to join him at the front of the dais. Mayor Rios stated it was really exciting and an honor to recognize these Lifeguards tonight. Mayor Rios said earlier this month Mr. Riekers and Lifeguards Cory Marr, Allison Sanders, Kyle Skinner and Junior Lifeguard Brandon Riekers attended the Red Cross National Convention, in Frisco, Texas, with approximately 640 people from various locations throughout the nation. Mayor Rios stated during the summer of 2019, these guards performed lifesaving skills at the Community Aquatic Park and were invited to the National Convention to be awarded certificates for their heroism, directly from the Red Cross Chairman. Mayor Rios explained the Certificate of Merit is for Red Cross trained individuals and off-duty professional responders and is signed by the President of the United States; the Life Saving Award is for Red Cross trained professional responders and healthcare professionals acting while on duty. Mayor Rios stated Brandon Riekers, who acted in his capacity as a volunteer Junior Lifeguard, received a Certificate of Merit, along with a medal, and Lifeguards Allison Sanders, Cory Marr, and Kyle Skinner each received the Lifesaving Award.

Aquatics Pool Manager Joe Riekers stated pool staff has been striving for professionalism and they have a good team. Mr. Riekers expressed there is a family atmosphere at the pool. Mr. Riekers declared these lifeguards are a blaring example professionalism.

Mayor Rios presented Cory Marr and Kyle Skinner with Hurricane Harvey coins and congratulated them on the certificates they had received. Mayor Rios commented these are the future leaders of the community.

Mayor Rios took a point of personal privilege and asked City Manager Carruth to introduce his newly employed Assistant.

City Manager Kevin Carruth introduced Kimberly Henry as the newly hired Assistant to the City Manager. Mr. Carruth said Ms. Henry previously served as the City Secretary for the City of Ingleside for 20 years. Mr. Carruth welcomed Ms. Henry to the City team.

4. 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 back of the Training Room of the Rockport Service Center and deliver to the City Secretary before the meeting begins. 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. 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.

There were no citizen 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.


6. Deliberate and act on second & final reading of an Ordinance amending Chapter 2 of the Code of Ordinances Section 2-242 (entitled Conflict of Interest) by adding reference to State and Federal Conflict of Interest statutes; adopting a form that employees, elected and appointed officials and providers of goods and services to the City will be required to execute acknowledging the conflict of interest rules; providing for penalty for violation; providing for cumulative and conflicts and severability clauses; and providing for an effective date.

Mayor Rios read the caption of the Ordinance for second reading listed as Item 6 on the Consent Agenda. Mayor Rios stated there had been no changes in format or content to the Ordinance since Council approved the first reading on February 11, 2020.

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

**MOTION:** Mayor Pro-Tem Villa moved to approve the Consent Agenda, as presented. Council Member Gurtner seconded the motion. Motion carried unanimously.

**Public Hearings**

7. **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 6:42 p.m. on Tuesday, February 25, 2020, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Mayor Rios opened the Joint Public Hearings at 6:42 p.m.

8. **Conduct a Joint Public Hearing with the Rockport Planning & Zoning Commission to consider a request to rezone property located at 2202 FM 3036; also known as 16.951 acres of land out of the George K. Taggart, III, Trustee, 1108.97 acre tract in the J.W. Paup Survey A-179, City of Rockport, Aransas County, Texas, and being a portion of that property deeded by E.M. Spencer to George K. Taggart, III, Trustee, of record in**
Mayor Rios stated the Planning & Zoning Commission will consider the request to rezone at the Monday, February 3, 2020, meeting at 5:30 p.m.

Mark Uhr, 416 Olympic, addressed the Council. Mr. Uhr stated he lives right next to the proposed development and he would like to know what the plan is for this property. Mr. Uhr said he will attend the Planning and Zoning meeting on Monday to hear the details about the development.

9. Conduct a Joint Public Hearing with the Rockport Planning & Zoning Commission to consider a request to rezone property located at 1385 State Highway 35 Bypass; also known as 5.87 acres out of the Paul McCombs Survey, City of Rockport, Aransas County, Texas; to I-1 (Light Industrial District) for continued use as a metal fabrication shop; currently zoned R-1 (1st Single Family Dwelling District).

Mayor Rios stated the Planning & Zoning Commission will consider the request to rezone at the Monday, February 3, 2020, meeting at 5:30 p.m.

Mark Uhr, representing the owners Thomas & Deborah Edwards addressed the Council. Mr. Uhr said the Edwards have owned the property for 10 years and the metal fabrication shop has been there for 10 years. Mr. Uhr stated the Edwards are in the process of releasing the property to other people. Mr. Uhr said when the property was annexed into the City it came in as R-1 (1st Single Family Dwelling District), and they are requesting rezoning to correct the zoning to I-1 (Light Industrial District).

10. Conduct a Joint Public Hearing with the Rockport Planning & Zoning Commission to consider a request to rezone property located at 1325 W. Market; also known as Lots 1-5 and 26-30, Block 3, West Terrace Unit 1; to B-1 (General Business District) for a retail location for the sale of recreational vehicles, manufactured homes, and cabins; currently zoned R-1 (1st Single Family Dwelling District).

Mayor Rios stated the Planning & Zoning Commission will consider the request to rezone at the Monday, February 3, 2020, meeting at 5:30 p.m.

There were no public comments.

At 6:47 p.m., Mayor Rios closed the Public Hearings.


At 6:47 p.m., the Rockport Planning & Zoning Commission adjourned.

Police Chief Greg Stevens addressed the Council. Chief Stevens stated the complete 2019 Bias Based Profiling Report was included in the Agenda packet. Chief Stevens gave a presentation (below) on the Report. Chief Stevens said the Police Department had received no complaints nor is there evidence of bias based or racial profiling.
Discussion was held among Chief Steven and Council.

13. **Hear and deliberate on draft Comprehensive Plan update and completed report on downtown Rockport from the American Planning Association.**

City Manager Kevin Carruth stated this presentation initiates a month-long public comment period on which the City will take final comments and feedback to be incorporated into the final version of the Comprehensive Plan. Mr. Carruth said once these steps are completed, staff along with A&M representatives, will present the final document for adoption. Mr. Carruth added this was not the time to ask questions and the City will have “Frequently Asked Questions” on the City’s website to post questions that will be addressed by Community Planner Amanda Torres.

Council Member Cunningham asked if the Council was going to workshop the draft Comprehensive Plan.

City Manager Carruth answered it was originally going to be workshopped today, but due to the
regular agenda being light, the presentation was added to tonight’s agenda.

Community Planner Amanda Torres gave a high-level presentation (below) on the draft Comprehensive Plan and all the input that went into the development of the Plan.
19 Setting Goals

20 Managing Water

21 Legal Tools

22 Connecting with Experts

23 Connecting with Research - Scorecard

24 Integrated Impact

25 Vision Statement & Themes

26 Vision Statement & Themes

27 Vision Statement & Themes

28 Development

29 Housing

30 Development

Vision Statement & Themes
- "To build a safe, healthy, and resilient community that values diversity, promotes equity, and enhances quality of life for all residents, including those who are economically disadvantaged and historically underserved.

Recommendations:
- Family Land Use
- Air Parks
- Community Land Use
- Heritage District
- Floodplain Management
- Green Infrastructure
- New Impact Development

Top 10 Development Issues:

1. Affordable housing
2. Transportation
3. Infrastructure
4. Economic development
5. Public safety
6. Education
7. Health care
8. Environment
9. Housing affordability
10. Economic diversity

Vision Statement & Themes
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Top 10 Development Issues:

1. Affordable housing
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3. Infrastructure
4. Economic development
5. Public safety
6. Education
7. Health care
8. Environment
9. Housing affordability
10. Economic diversity
Council Member Cunningham requested the 1999 Comprehensive Plan be put on the City’s website so people could compare the documents.

Ms. Torres commented she was proud of the effort A&M put into this project. Ms. Torres stated this is more than what a consultant would have done.

Mayor Rios thanked Ms. Torres and her team for all the effort and hard work on this project.

14. Deliberate and act on agreement with Allegiance Ambulance and Town of Fulton for emergency medical services.

City Manager Kevin Carruth addressed the Council. Mr. Carruth stated the initial five-year term of the agreement with Allegiance Ambulance ended December 31, 2019, and automatically renews for one-year terms for up to five times. Mr. Carruth explained Rockport, Fulton, and Aransas County were initially negotiating with Allegiance and it was going to be a four-party agreement, and the $450,000 public subsidy was allocated between the three entities on a pro rata basis as determined by the previous year’s EMS calls in each entity. Mr. Carruth said before the end of the negotiations Aransas County decided they wanted to have their own separate two-party agreement with Allegiance, the terms of which essentially match the agreement with
Mr. Carruth further explained Allegiance agreed to renewing the agreement for the automatic one-year term, and as the term of the Agreement drew near, staff evaluated the EMS call volumes again to reassess the appropriateness of the subsidy allocation. Mr. Carruth said the expectation was there would be minimal change, even with the two 2017 City annexations. Mr. Carruth informed the Council the net change in EMS runs over the previous 12 months did meet expectations with only 103 calls for service coming from the newly annexed areas; however there was a large unanticipated shift in overall EMS runs of 14.7% (most likely due to one nursing home not returning to business after Hurricane Harvey and a lower census in those that have returned to business). Mr. Carruth further explained on a pro rata basis this changes the $450,000 EMS subsidy by $66,174 less for the City and $66,174 more for the County. Mr. Carruth stated on December 10, 2019, Council approved a month-to-month extension of the Agreement while the County, Fulton, and City discussed the changes. Mr. Carruth said the Mayor and he met with County Judge Burt Mills and Allegiance Ambulance officials on February 20, 2020, and it was agreed that: 1) The $450,000 cost of the EMS service would be allocated based on the percentages shown in the table (below); 2) The pro rata allocation would be adjusted each year, effective January 1, similar to other agreements with Aransas County; 3) Aransas County will draft the changes to the Agreement; and 4) Aransas County will reimburse the City for the difference in the subsidy for January and February 2020 in the amount of $11,029).

<table>
<thead>
<tr>
<th>Entity</th>
<th>No. Calls</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aransas County</td>
<td>1,590</td>
<td>43.7%</td>
</tr>
<tr>
<td>Fulton</td>
<td>261</td>
<td>7.2%</td>
</tr>
<tr>
<td>Rockport</td>
<td>1,787</td>
<td>49.1%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3,638</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

**MOTION:** Mayor Pro-Tem Villa moved to approve the agreement with Allegiance Ambulance and Town of Fulton for emergency medical services. Council Member Saski seconded the motion. Motion carried unanimously.

**15. 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; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Rockport Cultural Arts District, 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 Saski said he attended the Southeastern Wildlife Exhibition in Charleston, South Carolina, and was impressed how they found a way to raise money for the environment without having huge tournaments. Council Member Saski stated the concept is brilliant and he thinks the City of Rockport could learn a lot from them.
Mayor Pro-Tem Villa stated he attended the Parks Board meeting yesterday and Director Rick Martinez was in Galveston at the annual TRAPS conference with several of his Parks crew competing in the TRAPS rodeo. Mayor Pro-Tem Villa said it was discussed at the meeting bids were being solicited for a covering for the Fitness Court, and also discussed the new baseball and baseball bat sculptures, and the Disc Golf tournament at Memorial Park. Mayor Pro-Tem Villa announced the Whooping Crane Strut is scheduled for March 7th, and the registration numbers have almost doubled from last year. Mayor Pro-Tem apologized for missing the last Council meeting but explained his daughter was showing lambs at the San Antonio Livestock Show. Mayor Pro-Tem Villa said he attended an event at the History Center where his father spoke about growing up in Fulton in the late 1940’s. Mayor Pro-Tem Villa expressed his father’s speech was very interesting and there were things his father spoke about that he did not know about.

Council Member Cunningham said he attended the Aransas County Navigation District meeting last Monday and they have approved the engineering contract for the Little Bay study, but the contract is hung up with the County Attorney’s office. Council Member Cunningham stated he attended the South Rockport Neighbors monthly meeting where Judge Mills spoke on the proposed steel dynamics development in Sinton. Council Member Cunningham announced on March 3rd UTSA will be doing a program at the Bay Education Center about water flow in that area. Council Member Cunningham stated he attended the Chamber of Commerce meeting on hotel numbers in the last year and it looks like we have come a long way from Hurricane Harvey and the numbers are close to the 2016 numbers. Council Member Cunningham added he attended the Commissioners’ Court meeting yesterday and there was a report that election early voting numbers were low and that may mean there will be long lines on election day.

Council Member Gurtner stated a resident had commented to her if the water coming from the steel dynamics development in Sinton is going to be so clean, then they should pump it into a lake in Sinton. Council Member Gurtner announced Rockport Little Theater’s production on Patsy Cline was sold out on Sunday, and Thursday, Friday and Saturday are the last shows so get your tickets early.

Mayor Rios announced there will be lifeguard training classes at the pool and the City float will be in the Oysterfest Parade next Saturday.

City Manager Kevin Carruth announced the Historical Society will be doing a presentation on the first five churches in Rockport at 6:30 p.m. on Thursday at the Saltwater Pavilion.

Mayor Pro-Tem Villa announced on March 8th Judge Canales will be dedicating a bench at Veterans Park at 2:00 p.m.


At 8:02 p.m., Mayor Pro-Tem Villa moved to adjourn. Motion was seconded by Council Member Cunningham. Motion carried unanimously.
APPROVED:

____________________________

Patrick R. Rios, Mayor

ATTEST:

____________________________

Teresa Valdez, City Secretary
CITY COUNCIL AGENDA
Regular Meeting: March 10, 2020

AGENDA ITEM: 6

Deliberate and act on adoption of a Resolution encouraging resident of the City of Rockport to participate in the 2020 Census and to ensure that everyone in the City and Aransas County is counted.

SUBMITTED BY: City Manager Kevin Carruth

APPROVED FOR AGENDA: PKC

BACKGROUND:

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council approve the Resolution, as presented.
RESOLUTION NO. 2020 - __

WHEREAS, every decade since 1790, the U.S. Census Bureau has conducted a constitutionally mandated census to determine the number of people living within the United States; and

WHEREAS, these data are used by our nation’s leaders to help make vital decisions on behalf of all residents, including federal funding to local governments, reapportionment and redistricting; and

WHEREAS, to help maximize our community’s participation, individuals representing local government, businesses, education, non-profits and more have come together to develop an outreach effort to publicize the importance of the 2020 Census; and

WHEREAS, this year, the Census Bureau will introduce new technology to make it easier than ever to respond. This includes responding online, by phone, or by mail, as well as offering various language options; and

WHEREAS, responses to the census are kept anonymous and are used only to produce statistics.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS THAT:

The City of Rockport encourages its residents to participate in the 2020 Census and to ensure that everyone in the City and Aransas County is counted.


__________________________________________________________
Patrick R. Rios, Mayor

ATTEST:

__________________________________________________________
Teresa Valdez, City Secretary
AGENDA ITEM: 7

Deliberate and act on 1st quarter report from the Friends of the Fulton Mansion State Historical Site for Fiscal Year 2019-2020 marketing expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: TV

BACKGROUND: The Friends of the Fulton Mansion State Historical Site has been allocated $30,000.00 in FY 2019-2020 Hotel Occupancy Tax (HOT) funds. According to our agreement with the Friends of the Fulton Mansion State Historical Site, fiscal quarterly reports are required to be submitted to the City Council for approval. See the accompanying 1st quarter HOT expenditure report for additional information.

FISCAL ANALYSIS: Charged to account 6602009. Year to date expenses are $2,632.00 out of $30,000.00 budgeted.

STAFF RECOMMENDATION: Staff recommends approval of the Friends of the Fulton Mansion State Historical Site FY 2019-2020 Hotel Occupancy Tax funds 1st quarter expenditures and authorization to disburse 2nd quarter funds in the amount of $7,500.00, as presented.
## HOT FUNDING EXPENSE REPORT FY 2019-2020

<table>
<thead>
<tr>
<th>Description of Expense</th>
<th>Approved Budget</th>
<th>1st Quarter Expenses (Oct – Dec)</th>
<th>2nd Quarter Expenses (Jan-March)</th>
<th>3rd Quarter Expenses (April-June)</th>
<th>4th Quarter Expenses (July-Sep)</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations of the Center to support visitor needs &amp; services support and tour guides in the Mansion</td>
<td>$30,000</td>
<td>$2,632.00</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL REQUESTED</td>
<td>$30,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Administrative Expenses

<table>
<thead>
<tr>
<th>Description of Administrative Expenses</th>
<th>Current Fiscal Year * Administrative Expenses Projection</th>
<th>Fiscal Year Administrative Actual Expenses</th>
<th>Percentage of Fiscal Year Projections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations of the Center to support visitor needs &amp; services support and tour guides in the Mansion</td>
<td>$35,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Our Friends of Fulton Mansion fiscal year is the calendar year.
AGENDA ITEM: 8

Deliberate and act on report from Aransas County Council on Aging for marketing expenditures made for 2020 Bountiful Bowl Pottery Fair/Rockport Clay Expo.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: TV

BACKGROUND: At the Special City Council Workshop held on June 4, 2019, a Fiscal Year 2019-2020 budget request was submitted by the Aransas County Council on Aging for Hotel Occupancy Tax funds to advertise the Bountiful Bowl/Rockport Clay Expo 2020. Budget deliberations were held through the summer to finalize the City’s Fiscal Year 2019-2020 Budget, with formal adoption at the September 24, 2019, City Council Meeting. Upon approval of the Fiscal Year 2019-2020 Budget, the City Council awarded the Aransas County Council on Aging $1,500.00 in funding for the Bountiful Bowl/Rockport Clay Expo.

FISCAL ANALYSIS: Aransas County Council on Aging submitted a reimbursement request of $1,500.00. This expenditure is charged to account 660-2043. The Fiscal Year 2019-2020 Budget includes $1,500.00 in account 660-2043 of which $1,500.00 is available.

RECOMMENDATION: Staff recommends Council approve the report, minus the expenditure to Loveless & Company Signs in the amount of $167.16, from Aransas Council on Aging for marketing expenditures made for Bountiful Bowl Pottery Fair/Rockport Clay Expo held on February 8, 2020, and authorize disbursement of funds in the amount of $1,332.34 from the Hotel Occupancy Tax Fund for the event pursuant to the contract Agreement. The expenditure to Loveless & Company does not fall within the guidelines of the contract: “…for the purpose of advertising with any media outlet that is outside 75 miles of the City of Rockport….”
February 21, 2020

Teresa Valdez, City Secretary
2751 St. Hwy 35 Bypass
Rockport, TX 78382

Dear Ms Valdez:

The Bountiful Bowl Pottery Fair was held at the High School Commons February 8, 2020. The event was very successful and I would like to account for the marketing funds allocated to us to promote the event. I am attaching the completed Schedule B along with copies of the checks and invoices paid in support of the marketing. Because we collaborate with the Rockport Center for the Arts, an invoice or check may be made out to them in repayment of a service or item that they ordered on our behalf.

Also attached is the report of Visitor Demographics For The Bountiful Bowl. The number used for the total count is the actual number of paid attendees. The number of people attending the event (volunteers, potters, etc.) is actually larger but we did not account for them in our totals.

Please realize that the Hotel/Motel Tax monies are crucial to the success of the event. Thank you for considering us when making decisions on these allocations.

Sincerely,

Mary Ellen Nies
Executive Director
# EXHIBIT "B"

<table>
<thead>
<tr>
<th>Description of Expense</th>
<th>Approved Budget</th>
<th>Amount of Expense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proskell Publicity Inc.</td>
<td>120.00</td>
<td></td>
</tr>
<tr>
<td>Winfrey Media Relations</td>
<td>120.00</td>
<td></td>
</tr>
<tr>
<td>Overnight Prints</td>
<td>390.84</td>
<td></td>
</tr>
<tr>
<td>KEDT</td>
<td>710.00</td>
<td></td>
</tr>
<tr>
<td>Loveless Singer</td>
<td>169.14</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL REIMBURSEMENT REQUEST**  
1500.00  1500.00
## Visitor Demographics for Bountiful Bowl, 2020

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visitors from within 75 miles</td>
<td>60.5%</td>
</tr>
<tr>
<td>Visitors from beyond 75 miles</td>
<td>39.5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

### Highlights for Visitors from Within 75 Miles

<table>
<thead>
<tr>
<th>Location</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Visitors</td>
<td>39.2%</td>
</tr>
<tr>
<td>Corpus Christi</td>
<td>12.5%</td>
</tr>
<tr>
<td>Rural (Victoria 0.9%)</td>
<td>8.8%</td>
</tr>
</tbody>
</table>

### Highlights for Visitors from Beyond 75 Miles

<table>
<thead>
<tr>
<th>Location</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austin</td>
<td>3%</td>
</tr>
<tr>
<td>Dallas/FT. Worth</td>
<td>0.9%</td>
</tr>
<tr>
<td>Houston</td>
<td>2.1%</td>
</tr>
<tr>
<td>San Antonio</td>
<td>4.5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>10.5%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural, Texas</td>
<td>5%</td>
</tr>
<tr>
<td>Outside of Texas</td>
<td>24%</td>
</tr>
</tbody>
</table>

**Total Visitors**: 656
Prokell Publicity, Inc.
1201 Steeplechase Court
Aledo, TX 76008

<table>
<thead>
<tr>
<th>Description</th>
<th>Qty</th>
<th>Rate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb. 2020 Art Loop/Clay Expo (TEXAS LANDSCAPE INSPIRES ROCKPORT CENTER FOR THE ARTS POTTERY EXHIBIT)</td>
<td>1</td>
<td>120.00</td>
<td>120.00</td>
</tr>
</tbody>
</table>

Total $120.00
PAY TO THE ORDER OF Prokell Publicity Inc.

$120.00

One hundred twenty and 00/100

DOLLARS

MEMO Marketing B.B.

ARANSAS COUNTY COUNCIL ON AGING

Anne R. Monday
6417 Sunrise Court, Little Elm, Texas 75068  
(972) 529-8170  winfreypr@att.net

TO: Luis Puron/Rockport Center for the Arts  
FROM: Sarona Winfrey  
RE: Invoice for Services — Rockport Art Loop/Clay Expo  
DATE: January 31, 2020

Invoice #200131-02  
Feb. 2020 Art Loop/Clay Expo—Hodgson press release

TOTAL DUE: $120

ARANSAS COUNTY COUNCIL ON AGING  
912 S CHURCH ST. (361) 729-5352  
ROCKPORT, TX 78382-2307

FIRST VICTORIA NATIONAL BANK  
68-2551131

PAY TO THE ORDER OF Sarona Winfrey / Winfrey Media Relations $120.00  
One hundred twenty and 00/100

DOLLARS

ARANSAS COUNTY COUNCIL ON AGING  
 MEDIA MARKETING

Phone #: 817-598-1556
ORDER NUMBER
694007965
ORDER DATE
January 14, 2020

PAYMENT DETAILS
INVOICE TO:
Elena Rodríguez
106 S Austin St
Rockport, TX. 78382
United States
PAID BY: Visa 7882

SHIPPING DETAILS
ORDER DATE: January 11, 2020
EST. DELIVERY DATE: January 20, 2020
SHIPPING COST: $142.37
CONTACT PHONE: 3617795519
CONTACT EMAIL: elenarodriguez@gmail.com

SHIPPING TO:
Elena Rodríguez
rockport center for the arts
638 E Market St
Rockport, TX. 78382
United States

ORDER SUMMARY
ITEM
Double Sided 8.5x11 Brochures
Product
100# Gloss Paper
Folding

QUANTITY
2500

PRICE
$350.55
$255.55
Complimentary
$25.00

SUBTOTAL
$350.55
$280.55
$25.00
$390.84

خطوط ألوان
Do you have questions concerning your order? Simply login to myAccount to view the order items associated with this invoice.

Re-pay Art Center for brochures

DOCK# 1939

ARANSAS COUNTY COUNCIL ON AGING
912 S Church St. (361) 729-5352
Rockport, TX 78382-2307

FIRST VICTORIA NATIONAL BANK
88-255/1131

2-18-2020

PAY TO THE ORDER OF Rockport Center for the Arts $390.84

Three hundred eighty four dollars

Signature

Marketing B.O.

ARANSAS COUNTY COUNCIL ON AGING

Anne A. Thompson
<table>
<thead>
<tr>
<th>ITEM</th>
<th>QUANTITY</th>
<th>PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Double Sided 8.5x11 Brochures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Product</td>
<td>2500</td>
<td>$350.55</td>
</tr>
<tr>
<td>100# Gloss Paper</td>
<td></td>
<td>$125.55</td>
</tr>
<tr>
<td>Folding</td>
<td></td>
<td>Complimentary</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$25.00</td>
</tr>
<tr>
<td>SUBTOTAL</td>
<td></td>
<td>$350.55</td>
</tr>
<tr>
<td>SHIPPING FILE REVIEW</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>DISCOUNT</td>
<td></td>
<td>-$102.08</td>
</tr>
<tr>
<td>SHIPPING</td>
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<td>$142.37</td>
</tr>
<tr>
<td>TAX</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>$390.84</td>
</tr>
</tbody>
</table>

Do you have questions concerning your order? Simply login to My Account to view the order items associated with this invoice.

Re-pay Art Center for brochures

POC# 1939
December 19, 2019
Luis Puron
Rockport Center for the Arts
902 Navigation Circle
Rockport, TX 78382

Dear Luis,

Thank you again for thinking of KEDT as one of your sources to promote your upcoming ClayExpo/Art Loop.

Please review the terms and conditions of your underwriting commitment to KEDT:

KEDT/KVRT- FM

Contract Period: Monday, January 20, 2020 to Thursday, February 6, 2020
Placement: Total of 28 spots during:
Classical Music- daily mention (1/20-1/31) – 10 spots
KEDT Arts Calendar twice daily (2/3-2/6) – 8 spots
Underwriting amount: $700
Payment Terms: Due upon receipt of invoice

South Texas Public Broadcasting System (KEDT) will provide acknowledgement credits at the times specified above. In accordance with Federal Communications Commission guidelines, STPBS reserves the right to preempt programs to broadcast programs of local and national importance. In the event that programs covered by this agreement are preempted, STPBS will notify the underwriter and extend this contract accordingly.

Luis, if the terms and conditions of this agreement are satisfactory, please sign date and return this contract. Thanks again for including KEDT as part of your marketing plans!

Sincerely,

Myra A. Lombardo
Vice President
Philanthropy and Corporate Partnership

AGREED:

Luis Puron – Rockport Center for the Arts

ACCEPTED BY:

Jesenia McQueen – Business Office
December 19, 2019
Luis Puron
Rockport Center for the Arts
902 Navigation Circle
Rockport, TX 78382

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KEDT/KVRT- FM

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Placement:
Total of 28 spots during:
Classical Music- twice daily mention (1/20-1/31) – 20 spots
KEDT Arts Calendar twice daily (2/3-2/6) – 8 spots

Underwriting amount: $700

Payment Terms: Due upon receipt of invoice

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Sincerely,

Myra A. Lombardo
Vice President
Philanthropy and Corporate Partnership

AGREED:

Luis Puron – Rockport Center for the Arts

ACCEPTED BY:

Jesenia McQueen – Business Office

Date

Date
 Estimate

Loveless & Comp
1 cop
Rockport, TX
Un
 Phone: 361
Mobile: 361

Estimate Number: 101727
Estimate Date: December 3
Expires On: December 3
Grand Total (USD): $710.00

<table>
<thead>
<tr>
<th>Items</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/2&quot; Mdo Plywood / B Layout</td>
<td>1</td>
<td>$405.00</td>
</tr>
<tr>
<td>Medium Density Overlaid Plywood Painted 1 side 4x8</td>
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<td></td>
</tr>
<tr>
<td>repair and repaint</td>
<td>1</td>
<td>$305.00</td>
</tr>
<tr>
<td>repair and repaint 4x8 plywood sign</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Subtotal:
Exempt 0% (32064448288):
Total:
Grand Total (USD):

Notes
50% DEPOSIT REQUIRED TO START PROJECT. BALANCE DUE UPON COMPLETION

1/2 Dep

P & CK
1921
Pay to the order of Loveless & Company $350.00
Three hundred fifty and 00/100 DOLLARS

[Signature]

ARANSAS COUNTY COUNCIL ON AGING

MEMO B.T. Marketing
PAY TO THE ORDER OF  

Ravelers & Company

Three Hundred Fifty Dollars

12/31/19

ARANSAS COUNTY COUNCIL ON AGING

Sign: B. B. Potter, SAM

Memo: 02/03/21  11:30:25:  01/19/396

READY TO REORDER? CALL 1-800-433-8810 OR VISIT US AT www.intuitmarket.com/orderchecks

0494 (1/06)
CITY COUNCIL AGENDA
Regular Meeting: Tuesday, March 10, 2020

AGENDA ITEM: 9

Deliberate and act on request from Texas Maritime Museum for: 1) Closure of Chamber Street, from Loop 70 to Navigation Circle on Thursday, May 21, 2020, from 2:00 p.m. to 12:00 a.m., and on Saturday, May 23, 2020, from 8:00 a.m. to 12:00 a.m.; 2) Use of Festival Site for parking; and 3) Permission for beer and wine consumption on the grounds of the Texas Maritime Museum, for the 24th Annual Festival of Wines and Food.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: TV

BACKGROUND: The Texas Maritime Museum is sponsoring their 24th Annual Festival of Wines and Food. See the accompanying letter requesting street closure, use of the Festival Site for parking, and permission for beer and wine consumption on the grounds of the Texas Maritime Museum. This request is like their requests last year.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council approve the request from Texas Maritime Museum for: 1) Closure of Chamber Street, from Loop 70 to Navigation Circle on Thursday, May 21, 2020, from 2:00 p.m. to 12:00 a.m., and on Saturday, May 23, 2020, from 8:00 a.m. to 12:00 a.m.; 2) Use of Festival Site for parking; and 3) Permission for beer and wine consumption on the grounds of the Texas Maritime Museum, for the 24th Annual Festival of Wines and Food, as presented.
February 28, 2020

Dear City Council Members:

It's that time of year again. Time for the 24th Annual Wine Festival.

We would like to request the closing of Chamber Street, from Loop 70 to Navigation Circle on the following dates:

1. Thursday, May 21, 2020 from 2:00 p.m. to 12:00 a.m. for the Patron Party

2. Saturday, May 23, 2020 from 8:00 a.m. to 12:00 a.m.

In addition to the street closing, we are requesting use of the Festival Site for parking the same days, as well as the permission for beer and wine consumption on the grounds of the Texas Maritime Museum.

If you should have any questions about this request, please contact the Texas Maritime Museum office.

Sincerely,

Kathy Roberts-Douglass
Chief Executive Officer
AGENDA ITEM: 10

Deliberate and act to accept a Certification of Unopposed Candidates by the City Secretary for the May 2, 2020, General Election.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: TV

BACKGROUND: According to Texas Election Code § 2.052 & § 2.053, as soon as possible after the filing deadlines for placement on the ballot and if no candidate in the election is opposed on the ballot, the City Secretary must deliver to the City Council a certification that each candidate for office is unopposed. Upon receiving the certification, the City Council may declare the unopposed candidates elected to office, in which case the election is cancelled. Although the statute requires the City Secretary make the certification to City Council, the Council is given discretion in declaring unopposed candidates elected. City Council may hold the election regardless of the unopposed status of the candidates.

If City Council determines not to hold the election, the order declaring the unopposed candidates elected must be posted on election day at each polling place that would have been used in the election [EC §2.053(b)].

The statute provides that a certificate of election is issued to each candidate who is declared elected, “in the same manner and at the same time as provided for candidate elected at the election” [EC §2.053(c)]. Candidates elected through cancellation must also qualify for office and take the oaths of office the same as candidates elected at an election.

§ 2.052 CERTIFICATION OF UNOPPOSED STATUS.
(a) The authority responsible for having the official ballot prepared shall certify in writing that a candidate is unopposed for election to an office if, were the election held, only the votes cast for that candidate in the election for that office may be counted.

(b) The certification shall be delivered to the governing body of the political subdivision as soon as possible after the filing deadlines for placement on the ballot and list of write-in candidates.

§ 2.053 ACTION ON CERTIFICATION.
(a) On receipt of the certification, the governing body of the political subdivision by order or ordinance may declare each unopposed candidate elected to the office. If no election is to be held on election day by the political subdivision, a copy of the order or ordinance shall be posted on election day at each polling place used or that would have been used in the election.
(b) If a declaration is made under Subsection (a), the election is not held.

(c) The ballots used at a separate election held at the same time as an election that would have been held if the candidates were not declared elected under this section shall include the offices and names of the candidates declared elected under this section listed separately after the measures or contested races in the separate election under the heading “Unopposed Candidates Declared Elected.” The candidates shall be grouped in the same relative order prescribed for the ballot generally. No votes are cast in connection with the candidates.

(d) The secretary of state by rule may prescribe any additional procedures necessary to accommodate a particular voting system or ballot style and to facilitate the efficient and cost-effective implementation of this section.

(e) A certificate of election shall be issued to each candidate in the same manner and at the same time as provided for a candidate elected at the election. The candidate must qualify for the office in the same manner as provided for a candidate elected at the election.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council accept the Certification of Unopposed Candidates for the positions of Council Member Ward 2 and Council Member Ward 4 for the May 2, 2020 General Election, as presented.
CERTIFICATION OF UNOPPOSED CANDIDATES

I, Teresa Valdez, certify that I am the City Secretary of the City of Rockport, Aransas County, Texas and the authority responsible for preparing the ballot for the May 2, 2020, City General Election. I further certify that no proposition is to appear on the ballot at the election, no person has made a declaration of write-in candidacy, and all of the following candidates are unopposed:

Joe David (J.D.) Villa - Council Member Ward 2

Andrea Hattman – Council Member Ward 4

Dated this 10th day of March 2020.

Teresa Valdez, City Secretary
City of Rockport

CERTIFICACIÓN DE CANDIDATOS ÚNICOS

Yo, Teresa Valdez, certifico que soy la secretaria municipal de la Ciudad de Rockport, Condado de Aransas, Texas, y que soy la autoridad responsable de preparar la boleta de votación para las Elecciones Municipales Generales del 2 de mayo de 2020. Además, certifico que ninguna proposición aparecerá en la boleta de votación, que ninguna persona ha hecho una declaración de escriben-en candidature, y que todos los candidatos con candidatos únicos:

Joe David (J.D.) Villa – Concejal del Distrito 2

Andrea Hattmann – Concejal del Distrito 4

Fechada este día 10th de marzo de 2020.

Teresa Valdez, Secretaria Municipal
Ciudad de Rockport
AGENDA ITEM: 11

Deliberate and act on Resolution declaring unopposed candidates in the May 2, 2020, City General Election, elected to office; cancelling the Saturday, May 2, 2020 Council Member Ward 2 and Council Member Ward 4 Elections; and finding and declaring that the meeting at which this Resolution is adopted was open to the public, that the public notice of time, place and the subject matter of the public business to be considered was posted as required by law, including this Resolution.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: TV

BACKGROUND: In a city in which any of the members of the city council are elected from single member district, a general or special election may be cancelled in a single member district if:

1. Each candidate (including an at-large candidate) for an office that is to appear on the ballot in that district is unopposed; and
2. No proposition is to appear on the ballot [EC §20.051(b)].

The City Secretary has delivered to the City Council a Certification that the candidates for City Council Ward 2 and City Council Ward 4 are unopposed. Upon receiving the certification, the City Council may declare the unopposed candidates elected to office, in which case the election is cancelled. Although the statute requires the City Secretary make the certification to City Council, the Council is given discretion in declaring unopposed candidates elected. City Council may hold the election regardless of the unopposed status of the candidates.

Sec. 2.051. APPLICABILITY OF SUBCHAPTER.
   (b) In the case of an election in which any members of the political subdivision’s governing body are elected from territorial units such as single-member districts, this subchapter applies to the election in a particular territorial unit if each candidate for an office that is to appear on the ballot in that territorial unit is unopposed and no at-large proposition or opposed at-large race is to appear on the ballot. This subchapter applies to an unopposed at-large race in such an election regardless of whether an opposed race is to appear on the ballot in a particular territorial unit.

§ 2.053 ACTION ON CERTIFICATION.
   (a) On receipt of the certification, the governing body of the political subdivision by order or ordinance may declare each unopposed candidate elected to the office. If no election is to be held on election day by the political subdivision, a copy of the order
or ordinance shall be posted on election day at each polling place used or that would have been used in the election.

(b) If a declaration is made under Subsection (a), the election is not held.

**FISCAL ANALYSIS:** There will be minimum cost savings because Aransas County Election Administrator will utilize only three clerks and fewer voting machines for the Election.

**RECOMMENDATION:** Staff recommends Council adopt the Resolution, as presented.
RESOLUTION NO. 2020-__

A RESOLUTION OF THE CITY OF ROCKPORT DECLARING UNOPPOSED CANDIDATES IN THE MAY 2, 2020, GENERAL CITY ELECTION, ELECTED TO OFFICE; CANCELLING THE SATURDAY, MAY 2, 2020, WARD 2 AND WARD 4 ELECTIONS; AND FINDING AND DECLARING THAT THE MEETING AT WHICH THIS RESOLUTION IS ADOPTED WAS OPEN TO THE PUBLIC, THAT THE PUBLIC NOTICE OF TIME, PLACE, AND THE SUBJECT MATTER OF THE PUBLIC BUSINESS TO BE CONSIDERED WAS POSTED AS REQUIRED BY LAW, INCLUDING THIS RESOLUTION.

WHEREAS, the General City Election was called for Saturday, May 2, 2020 for the purpose of electing members to the City Council; and

WHEREAS, the City Secretary has certified in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy, and that the Ward 2 and Ward 4 candidates on the ballot are unopposed for election to office; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the City Council to declare the candidates elected to office and cancel the election for Council Member Ward 2 and Council Member Ward 4.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS:

Section 1: The following candidates, who are unopposed in the Saturday, May 2, 2020, General City Election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

Joe David (J.D.) Villa – Council Member Ward 2
Andrea Hattman – Council Member Ward 4

Section 2: That Saturday, May 2, 2020, Ward 2 and Ward 4 General City Election is canceled, and the City Secretary is directed to cause a copy of this Resolution to be posted on Election Day at each polling place that would have been used in the election.

Section 3: It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this resolution are severable, and if any phrase, clause, sentence, paragraph, or section of this Resolution is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Resolution since the City Council would have enacted them without the invalid portion.

Section 4: The Rockport City Council hereby finds, determines, and hereby declares that the meeting at which this Resolution is adopted was open to the public, that the public notice of
time, place, and the subject matter of the public business to be considered was posted as required by law, including this Resolution.

**PASSED** and **ADOPTED** at a regular meeting of the Rockport City Council on this the 10th day of March 2020.

CITY OF ROCKPORT, TEXAS

____________________________________
Patrick R. Rios, Mayor

ATTEST:

____________________________________
Teresa Valdez, City Secretary
CITY COUNCIL AGENDA
Regular Meeting: March 10, 2020

AGENDA ITEM: 12

Deliberate and act on an Interlocal Cooperation Contract with the Texas Department of Public Safety and authorize the City Manager to negotiate and execute all necessary documents.

SUBMITTED BY: City Manager Kevin Carruth, Municipal Court Judge Diana McGinnis

APPROVED FOR AGENDA: PKC

BACKGROUND: The Texas Department of Public Safety’s (DPS) Failure to Appear / Failure to Pay Program, allows DPS to deny the renewal of a driver license if the applicant has failed to appear for a citation at Municipal Court or failed to satisfy a judgment ordering the payment of a fine. The applicant’s driver license may be denied renewal until the reported citations or violations are cleared and reported by Municipal Court to DPS. The program is administered by the private firm Omnibase.

The City of Rockport has participated in the program since it was authorized by the Texas Legislature in 1995. The 86th Texas Legislature passed SB 346, changing the amount collected for failure to appear from $30 to $10. This legislative change requires the change in the agreement.

FISCAL ANALYSIS: In the previous three months, 639 warrants were collected or put on a payment plan. Of the $10 fee collected, $4 goes to the City and $6 goes to Omni. Omni does not get paid for those warrants on a payment plan until the account is paid in full.

RECOMMENDATION: Staff recommends Council approve an Interlocal Cooperation Contract with the Texas Department of Public Safety and authorize the City Manager to negotiate and execute all necessary documents, as presented.
Interlocal Cooperation Contract
Failure to Appear (FTA) Program

State of Texas
County of ____________________

I. PARTIES AND AUTHORITY

This Interlocal Cooperation Contract (Contract) is entered into between the Department of Public Safety of the State of Texas (DPS), an agency of the State of Texas and the ____________________ Court of the [City or County] of ____________________ (Court), a political subdivision of the State of Texas, referred to collectively in this Contract as the Parties, under the authority granted in Tex. Transp. Code Chapter 706 and Tex. Gov’t Code Chapter 791 (the Interlocal Cooperation Act).

II. BACKGROUND

As permitted under Tex. Transp. Code § 706.008, DPS contracts with a private vendor (Vendor) to provide and establish an automated FTA system that accurately stores information regarding violators subject to the provisions of Tex. Transp. Code Chapter 706. DPS uses the FTA system to properly deny renewal of a driver license to a person who is the subject of an FTA system entry.

III. PURPOSE

This Contract applies to each FTA Report submitted by the Court to DPS or its Vendor and accepted by DPS or its Vendor.

Court will supply information to DPS, through its Vendor, that is necessary to deny renewal of the driver license of a person who fails to appear for a complaint or citation or fails to pay or satisfy a judgment ordering payment of a fine and cost in the manner ordered by the Court in a matter involving any offense that Court has jurisdiction of under Tex. Code Crim. Proc. Chapter 4.

IV. PERIOD OF PERFORMANCE

This Contract will be effective on the date of execution and will automatically renew on the anniversary date of execution for up to three additional years unless terminated earlier.

V. COURT RESPONSIBILITIES

A. Written warnings

A peace officer authorized to issue citations within the jurisdiction of the Court must issue a written warning to each person to whom the officer issues a citation for a traffic law violation. This warning must be provided in addition to any other warnings required by law. The warning must state in substance that if the person fails to appear in court for the prosecution of the offense or if the person fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner ordered by the Court, the person may be denied
renewal of the person’s driver license. The written warning may be printed on the citation or on a separate instrument.

B. FTA Report

An FTA Report is a notice sent by Court requesting a person be denied renewal in accordance with this Contract. The Court may submit an FTA Report to Vendor if a person fails to appear or fails to pay or satisfy a judgment as required by law. There is no requirement that a criminal warrant be issued in response to the person’s failure to appear. The Court must make reasonable efforts to ensure that all FTA Reports are accurate, complete, and non-duplicative. The FTA Report must include the following information:

1. the jurisdiction in which the alleged offense occurred;
2. the name of the court submitting the report;
3. the name, date of birth, and Texas driver license number of the person who failed to appear or failed to pay or satisfy a judgment;
4. the date of the alleged violation;
5. a brief description of the alleged violation;
6. a statement that the person failed to appear or failed to pay or satisfy a judgment as required by law;
7. the date that the person failed to appear or failed to pay or satisfy a judgment; and
8. any other information required by DPS.

C. Clearance Reports

The Court that files the FTA Report has a continuing obligation to review the FTA Report and promptly submit appropriate additional information or reports to the Vendor. The clearance report must identify the person, state whether or not a fee was required, and advise DPS to lift the denial of renewal and state the grounds for the action. All clearance reports must be submitted immediately, but no later than two business days, from the time and date that the Court receives appropriate payment or other information that satisfies the person’s obligation to that Court.

To the extent that a Court uses the FTA system by submitting an FTA Report, the Court must collect the statutorily required $10.00 reimbursement fee. If the person is acquitted of the underlying offense for which the original FTA Report was filed, the Court will not require payment of the reimbursement fee.

Court must submit a clearance report for the following circumstances:

1. the perfection of an appeal of the case for which the warrant of arrest was issued or judgment arose;
2. the dismissal of the charge for which the warrant of arrest was issued or judgment arose;
3. the posting of a bond or the giving of other security to reinstate the charge for which the warrant was issued;
4. the payment or discharge of the fine and cost owed on an outstanding judgment of the Court; or
5. other suitable arrangement to pay the fine and cost within the Court's discretion.

DPS will not continue to deny renewal of the person's driver license after receiving notice from the Court that the FTA Report was submitted in error or has been destroyed in accordance with the Court's record retention policy.

D. Quarterly Reports and Audits

Court must submit quarterly reports to DPS in a format established by DPS.

Court is subject to audit and inspection at any time during normal business hours and at a mutually agreed upon location by the state auditor, DPS, and any other department or agency, responsible for determining that the Parties have complied with the applicable laws. Court must provide all reasonable facilities and assistance for the safe and convenient performance of any audit or inspection.

Court must correct any non-conforming transactions performed by the Court, at its own cost, until acceptable to DPS.

Court must keep all records and documents regarding this Contract for the term of this Contract and for seven years after the termination of this Contract.

E. Accounting Procedures

Court must keep separate, accurate, and complete records of the funds collected and disbursed and must deposit the funds in the appropriate municipal or county treasury. Court may deposit such fees in an interest-bearing account and retain the interest earned on such accounts for the Court.

Court will allocate $6.00 of each $10.00 reimbursement fee received for payment to the Vendor and $4.00 for credit to the general fund of the municipal or county treasury.

F. Non-Waiver of Fees

Court will not waive the $10.00 reimbursement fee for any person that has been submitted on an FTA Report, unless the person is deemed to be indigent, or the person is acquitted of the charges for which the person failed to appear.

Failure to comply with this section will result in: (i) termination of this Contract for cause; and (ii) the removal of all outstanding entries of the Court in the FTA Report, resulting in the lifting of any denied driver license renewal status from DPS.
G. Litigation Notice

The Court must make a good-faith attempt to immediately notify DPS in the event that the Court becomes aware of litigation in which this Contract or Tex. Transp. Code Chapter 706 is subject to constitutional, statutory, or common-law challenge, or is struck down by judicial decision.

VI. PAYMENTS TO VENDOR

Court must pay the Vendor a fee of $6.00 per person for each violation which has been reported to the Vendor and for which the Court has subsequently collected the statutorily required $10.00 reimbursement fee. In the event that the person has been acquitted of the underlying charge or is indigent, no payment will be made to the Vendor or required of the Court.

Court agrees that payment will be made to the Vendor no later than the last day of the month following the close of the calendar quarter in which the payment was received by the Court.

DPS will not pay Vendor for any fees collected by Court.

VII. GENERAL TERMS AND CONDITIONS

A. Compliance with Law. The Court understands and agrees that it will comply with all local, state, and federal laws in the performance of this Contract, including administrative rules adopted by DPS.

B. Contract Amendment. DPS and Court may amend this Contract through a written amendment signed by an authorized signatory on behalf of the respective party.

C. Notice. The respective party will send the other party notice as noted in this section.

<table>
<thead>
<tr>
<th>Court</th>
<th>Department of Public Safety</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attn.:</td>
<td>Enforcement &amp; Compliance Service</td>
</tr>
<tr>
<td></td>
<td>5805 North Lamar Blvd.</td>
</tr>
<tr>
<td>Address:</td>
<td>Austin, Texas 78752-0001</td>
</tr>
<tr>
<td>Address:</td>
<td>(512) 424-5311 [fax]</td>
</tr>
<tr>
<td>Fax:</td>
<td><a href="mailto:Driver.Improvement@dps.texas.gov">Driver.Improvement@dps.texas.gov</a></td>
</tr>
<tr>
<td>Email:</td>
<td>(512) 424-7172</td>
</tr>
<tr>
<td>Phone:</td>
<td></td>
</tr>
</tbody>
</table>

D. Termination. Either party may terminate this Contract with 30 days’ written notice. DPS may also terminate this Contract for cause if Court doesn’t comply with Section V.F., Non-Waiver of Fees. After termination, the Court has a continuing obligation to report dispositions and collect fees for all violators in the FTA system at the time of termination. Failure to comply with the continuing obligation to report will result in the removal of all
outstanding entries of the Court in the FTA Report, resulting in the lifting of any denied driver license renewal status from DPS.

VIII. CERTIFICATIONS

The Parties certify that (1) the Contract is authorized by the governing body of each party; (2) the purpose, terms, rights, and duties of the Parties are stated within the Contract; and (3) each party will make payments for the performance of governmental functions or services from current revenues available to the paying party.

The undersigned signatories have full authority to enter into this Contract on behalf of the respective Parties.

Court*

______________________________
Authorized Signature

______________________________
Title

______________________________
Date

Department of Public Safety

______________________________
Driver License Division Chief or Designee

______________________________
Date

*An additional page may be attached if more than one signature is required to execute this Contract on behalf of the Court. Each signature block must contain the person's title and date.
January 10, 2020

Dear Court Administrator:

Enclosed please find the revised contract offered by the Texas Department of Public Safety to accommodate Chapter 706 of the Texas Transportation Code. Please complete all of the appropriate entries on the contract and arrange for the approval and signature of the presiding official authorized to sign contractual documents in your jurisdiction (mayor, city manager, county judge, etc.).

Only one (1) original signed contract should be submitted for each political subdivision; if you require a final copy for the court, please indicate so when you return the document. Signed contracts should be returned to:

Texas Department of Public Safety
Attn: Enforcement and Compliance Service
5805 North Lamar Blvd.
Austin, Texas 78752-0001

After the contract has been returned to the Department it will be processed for the appropriate signatures.

Any questions regarding the contract should be forwarded to Enforcement and Compliance Service; Tijuana Pendergrass at (512) 424-5431.

Sincerely yours,

Frances Gomez, Manager
Enforcement and Compliance Service
AGENDA ITEM: 14

Conduct a Joint Public Hearing with the Planning & Zoning Commission to consider a request to rezone property located at 1740 W. Corpus Christi Street; also known as 2.613 acres out of Tract Nos. 4 and 5, Peninsula Oaks Subdivision Unit No. 3, according to the Plat recorded in Volume 3, Page 34, Plat Records of Aransas County, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for an investment and potential shop space; currently zoned R-1 (1st Single Family Dwelling District).

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA: TV

BACKGROUND: Property owners James & Jill Farnsworth have submitted an application seeking a request to rezone property located at 1740 W. Corpus Christi Street; also known as 2.613 acres out of Tract Nos. 4 and 5, Peninsula Oaks Subdivision Unit No. 3, according to the Plat recorded in Volume 3, Page 34, Plat Records of Aransas County, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for an investment and potential shop space; currently zoned R-1 (1st Single Family Dwelling District).

A public notice regarding this item was published in The Rockport Pilot in the Saturday, February 15, 2020 edition and mailed out to six property owners within a 200-foot radius of the property. Two letters for the request and one letter against the request were received.

Please see the accompanying zoning change request application and Section 118-15 of Code of Ordinances for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: No action required. Public hearing only.
STAFF REPORT
Building & Development Services | Amanda Torres, Community Planner
2751 SH 35 Bypass, Rockport, TX 78362
Phone: (361) 790-1125, x. 226 | Email: communityplanner@cityofrockport.com

PROPERTY ADDRESS/LOCATION
1740 W. Corpus Christi Street

APPLICANT/PROPERTY OWNER
James & Jill Farnsworth

PUBLIC HEARING DATE
Tuesday, March 10, 2020

P&Z DATE
Monday, March 16, 2020

CITY COUNCIL DATE(S)
1st Reading - Tuesday, March 24, 2020
2nd Reading – Tuesday, April 14, 2020

BRIEF SUMMARY OF REQUEST
Applicant would like to develop the property for an investment and potential shop space. It is currently zoned R-1 1st Single Family Dwelling District.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, February 15, 2020 edition and mailed out to six property owners within a 200-foot radius of the property. Two letters for the request and one letter against the request were received.

EXISTING ZONING
R-1 1st Single Family Dwelling District

EXISTING LAND USE
Undeveloped

SURROUNDING ZONING & LAND USE
North: R-1 1st Single-Family Dwelling, residential and B-1 General Business, vacant
East: inside city limits, residences
South: R-1 1st Single-Family Dwelling, vacant
West: Highway

SIZE OF PROPERTY
2.613 acres

STAFF RECOMMENDATION
APPROVE APPROVE WITH CONDITIONS DENY

COMPARABILITY with the ZONING ORDINANCE & FUTURE LAND USE MAP
Any future development will meet all setback requirements of the B-1 General Business District if approved.

PROPERTY HISTORY
Compatibility with the planned development (or other controlling documents); traffic/parking; public works/utilities; engineering/flood plain/soil; building code/fire or design

The property is not within the Special Flood Hazard Area. Applicant will work with the City to either extend infrastructure or comply with County regulations for well and/or septic systems. City drainage standards will apply.

ATTACHMENTS (CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING PETITION/ APPLICATION FORM

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

OTHER (DESCRIBE)

15.1 Use Regulations. The purpose of this district is to provide suitable locations for a wide variety of business and mercantile uses. In addition to the previous listed uses in R-1 through R-7 districts, land and premises may be used for:

1. Restaurants, cafes, food catering services.
2. Offices, banks, libraries, museums, etc.
3. Service stations, car washes, laundromats.
4. Malls, shopping centers, retail stores.
5. Shops (butcher shops, shoe shops, shell shops, etc., including pawn shops that have been licensed to transact business by the Consumer Credit Commissioner under Chapter 371, Finance Code).
6. Grocery stores, convenience stores, markets.
7. Retail markets (seafood/meat) and bait stands.
8. Entertainment facilities (theaters, bowling alleys, pool halls, clubs and lounges, etc.
9. Sales, service and repair shops (radio, television, shoe repair, tool repair and rental, lawn mower repair, auto and boat repair shops, etc).
10. Personal service shops (beauty salons, barber shops, tailoring and dressmaking shops, etc).
11. Storage buildings, auto storage yards.
12. Animal hospitals, boarding kennels and grooming shops.
13. Mortuaries and funeral homes.
14. Agricultural services, greenhouses and landscaping services.
15. Outdoor welding, fabricating operations, by CUP.
16. Permanent or long term (more than 30 days) public entertainment facilities or uses, by CUP. Such uses may include, but not be limited to, amusement parks, carnivals, circuses, marine life shows, dance/theatrical productions and natatoriums.
17. Fish houses, seafood processing plants, by CUP.
18. Adult entertainment, by CUP.

15.2 Area and Yard Regulations.

15.2.1 Area of the Lot. None required for non-dwelling uses. For dwelling uses, See [section 118-20] Table 20.
15.2.2 *Width of the Lot.* The minimum width of the lot shall be fifty (50) feet. See [section 118-20] Table 20.

15.2.3 *Area of the Building.* For a primary use structure, the minimum floor area shall be five hundred (500) square feet. See [section 118-20] Table 20.

15.2.4 *Yard Area and Building Setbacks.* See [section 118-20] Table 20.

15.3 *Height of the Building.* No building shall exceed forty five (45) feet in height. See Article 3 [section 118-3] Definitions and Article 20 [section 118-20].

15.4 *Parking Regulations.* Parking regulations for permitted uses as contained in Article 21 [section 118-21].

15.5 *Accessory Use Regulations.* Accessory uses, which are auxiliary or incidental to the primary use of a building or premises, as contained in Article 22 [section 118-22].

(Ord. No. 1027, art. 15, 4-9-96)
CITY OF ROCKPORT
ZONING AND LAND DEVELOPMENT APPLICATION

INSTRUCTION: Please fill out completely. If more space is needed, attach additional pages. Please print or use typewriter.

A. REQUESTING: Rezoning [✓] Conditional Permit [ ]

Planned Unit Development (P.U.D.) by Conditional Permit [ ]

B. ADDRESS AND LOCATION OF PROPERTY: 1740 W. Corpus Christi St., Rockport, TX 78382 Tract 4 & 5 Peninsula Outlook Subdivision, Unit #3

C. CURRENT ZONING OF PROPERTY: Residential

D. PRESENT USE OF PROPERTY: Vacant

E. ZONING DISTRICT REQUESTED: B1

F. CONDITIONAL USE REQUESTED: __________________________

G. LEGAL DESCRIPTION: (Fill in the one that applies)

• Lot or Tract 4 & 5 Block 1

• Tract ____________________ of the __________
  Survey as per metes and bounds (field notes attached)

• If other, attach copy of survey or legal description from the Records of Aransas County or Appraisal District.

H. NAME OF PROPOSED DEVELOPMENT (if applicable)

Farnsworth & Associates (General Contractor Shop)

I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): __________________________

J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT:
   (Please be specific)

Construction company with shop and office on the corner of Hwy 35 and Corpus Christi St.
K. OWNER'S NAME: (Please print) James Farnsworth
ADDRESS: 852 Hickory Ave
CITY, STATE, ZIP CODE: Rockport, TX. 78382
PHONE NO 830-279-4102

L. REPRESENTATIVE: (If Other Than Owner) Matt Farnsworth
ADDRESS: 852 Hickory Ave.
CITY, STATE, ZIP CODE: Rockport, TX. 78382
PHONE NO 361-386-0295

NOTE: Do you have property owner's permission for this request?
YES ☑ NO

M. FILING FEE:
REZONING $150.00 + $10.00 PER ACRE
PLANNED UNIT DEVELOPMENT $200.00 + $10.00 PER ACRE
P.U.D. REVISION $200.00 + $10.00 PER ACRE
CONDITIONAL PERMIT $150.00 + $10.00 PER ACRE

(Make check payable to the City of Rockport)

Submit application and filing fee to the Department of Building &
Development, City of Rockport; 2781 S.H. 35 Bypass, Rockport, Texas
78382.

Signed: [Signature]
(Owner or Representative)

(FOR CITY USE)

Received by: ___________ Date: __________ Fees Paid: $ __________
Submitted Information (_____ accepted) (_____ rejected) by: ___________
If rejected, reasons why: ____________________________________________________________________

Receipt: No. ______________
JOINT PUBLIC HEARING
Rockport City Council
and
Planning & Zoning Commission

NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, March 10, 2020, at 6:30 p.m., at the City of Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request to rezone property located at 1740 W. Corpus Christi Street; also known as 2.613 acres out of Tract Nos. 4 and 5, Peninsula Oaks Subdivision Unit No. 3, according to the Plat recorded in Volume 3, Page 34, Plat Records of Aransas County, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for an investment and potential shop space; currently zoned R-1 (1st Single Family Dwelling District).

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s office at (361) 729-2213 ext. 225 or fax (361) 790-5966 or e-mail citysec@cityofrockport.com for further information. Braille is no: available.

POSTED the 6th day of February 2020, at 10:45 a.m., on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and on the website www.cityofrockport.com.


CITY OF ROCKPORT, TEXAS

Teresa Valdez, City Secretary
<table>
<thead>
<tr>
<th>Property ID</th>
<th>Property Owner</th>
<th>Situs Address</th>
<th>Mailing Address</th>
<th>City</th>
<th>State</th>
<th>ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>30715</td>
<td>James &amp; Jill Farnsworth</td>
<td>1740 W Corpus Christi St</td>
<td>852 Hickory Avenue</td>
<td>Rockport</td>
<td>TX</td>
<td>78382</td>
</tr>
<tr>
<td>58467</td>
<td>Jingqiu Chen</td>
<td>1739 W Corpus Christi St</td>
<td>7948 Greenhollow Ln</td>
<td>Dallas</td>
<td>TX</td>
<td>75240-3708</td>
</tr>
<tr>
<td>30720</td>
<td>Merle &amp; Patricia Lindsey</td>
<td>1803 W Corpus Christi St</td>
<td>P O Box 123</td>
<td>Sutherland Spring</td>
<td>TX</td>
<td>78161-0123</td>
</tr>
<tr>
<td>57851</td>
<td>Floyd &amp; Brenda Clark</td>
<td>760 Sunset Drive</td>
<td>760 Sunset Drive</td>
<td>Rockport</td>
<td>TX</td>
<td>78382-7024</td>
</tr>
<tr>
<td>57856</td>
<td>Connie Miller &amp; Donna Barnes</td>
<td>800 Sunset Drive</td>
<td>P O Box 236</td>
<td>Fulton</td>
<td>TX</td>
<td>78358-0236</td>
</tr>
<tr>
<td>63911</td>
<td>Randall &amp; Mary Bellinger</td>
<td>2035-2053 S H 35 Bypass</td>
<td>P O Box 1392</td>
<td>Rockport</td>
<td>TX</td>
<td>78381-1392</td>
</tr>
</tbody>
</table>
NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, March 10, 2020 at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request to rezone property located at 1740 W. Corpus Christi Street; also known as 2.613 acres out of Tract Nos. 4 and 5, Peninsula Oaks Subdivision Unit No. 3, according to the Plat recorded in Volume 3, Page 34, Plat Records of Aransas County, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for an investment and potential shop space; currently zoned R-1 (1st Single Family Dwelling District).

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CITY OF ROCKPORT, TEXAS
/s/ Teresa Valdez, City Secretary

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: Randy Bellinges
Address: Laske Sunset Dr.
City/State: Rockport, TX
Phone: 361.727.7009

( ) IN FAVOR ( ) IN OPPOSITION

REASON:

Signature

See map on reverse side.
JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, March 10, 2020 at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request to rezone property located at 1740 W. Corpus Christi Street; also known as 2.613 acres out of Tract Nos. 4 and 5, Peninsula Oaks Subdivision Unit No. 3, according to the Plat recorded in Volume 3, Page 34, Plat Records of Aransas County, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for an investment and potential shop space; currently zoned R-1 (1st Single Family Dwelling District).

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213 ext. 225 or fax (361) 790-5966 or e-mail citysec@cityofrockport.com for further information. Braille is not available.

CITY OF ROCKPORT, TEXAS
/s/ Teresa Valdez, City Secretary

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: JING QIU CHEN
Address: 7948 Greenbellow Lane
City/State: Dollar 781

(IN FAVOR ) IN OPPOSITION
Phone: 214-500-9228

REASON: bypass need business.

Signature:

See map on reverse side.
NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on **Tuesday, January 14, 2020 at 6:30 p.m.** at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request to rezone property located at 1740 W. Corpus Christi Street; also known as Lot 4 & Part of 5, Peninsula Oaks Unit 3, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for an investment and potential shop space; currently zoned R-1 (1st Single Family Dwelling District).

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s office at (361) 729-2213 ext. 225 or fax (361) 790-5966 or e-mail citysec@cityofrockport.com for further information. Braille is not available.

CITY OF ROCKPORT, TEXAS

/s/ Teresa Valdez, City Secretary

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TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: GARY MADER
Address: 120 N. PASQUETTO ST. City/State: ROCKPORT, TX

( ) IN FAVOR ( ) IN OPPOSITION Phone: 361-215-2211

REASON: IS ZONED RESIDENTIAL, THE WAY THE ROADS ARE SET UP THERE CAN BE NO SAFE WAY TO ACCESS PROPERTY BY THE HIGHWAY IS NOT PROPER TO ACCESS PROPERTY ON A RESIDENTIAL STREET WHERE THERE ARE RESIDENTIAL HOUSES.

Signature

See map on reverse side.

We went thru this a few years ago! Now you are trying to do this again.
AGENDA ITEM: 16

Conduct and deliberate a Public Hearing for the purpose of receiving testimony and comments on the proposed re-establishment of a curfew order applicable to children under the age of 17.

SUBMITTED BY: Police Chief Greg Stevens

APPROVED FOR AGENDA: PKC

BACKGROUND: Local Government Code § 370.002 “Review of Juvenile Curfew Order or Ordinance” requires the following:

(a) Before the third anniversary of the date of adoption of a juvenile curfew ordinance by a general-law municipality or a home-rule municipality or an order of a county commissioners court, and every third year thereafter, the governing body of the general-law municipality or home-rule municipality or the commissioners court of the county shall:

1. review the ordinance or order’s effects on the community and on problems the ordinance or order was intended to remedy;
2. conduct public hearings on the need to continue the ordinance or order; and
3. abolish, continue, or modify the ordinance or order.

(b) Failure to act in accordance with Subsections (a)(1)-(3) shall cause the ordinance or order to expire.

The juvenile curfew Ordinance was first adopted by Ordinance No. 1181 in 2001 and subsequently amended by Ordinance No. 1282 in 2004, Ordinance No. 1603 in 2013, and Ordinance No. 1660 in 2016. Reviews was conducted in 2007 and 2010. A review was not conducted in 2019, thus it is being conducted at this time.

This is the first of the two required public hearings to be conducted. The second public hearing will be held at the March 24, 2020, City Council meeting. Public hearing notice was posted on the bulletin board at the Rockport Service Center, on the City’s website, published in The Rockport Pilot on Saturday, February 29, 2020, and will also be published in The Rockport Pilot on Saturday, March 7, 2020.

Since 2013 there were 29 people ticketed, but there were only 16 calls for service where an officer was dispatched. Some calls for service resulted in multiple tickets.

The only change from the previous ordinance is the daytime hours have been adjusted to match Aransas County Independent School District’s current school day hours.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Public hearing only; not an action item.
PUBLIC HEARING
Rockport City Council

NOTICE is hereby given that the Rockport City Council will hold Public Hearings on Tuesday, March 10, 2020, and on March 24, 2020, at 6:30 p.m., the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, for the purpose of receiving testimony and comments on the proposed re-establishment of a curfew order applicable to children under the age of 17. The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request please contact the City Secretary at (361) 729-2213. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s office at (361) 729-2213 ext. 225 or FAX (361) 790-5966 or e-mail citysec@cityofrockport.com for further information. Braille is not available.

POSTED the 25th day of February at 9:00 a.m. on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and on the website www.cityofrockport.com.


CITY OF ROCKPORT, TEXAS

[Signature]
Teresa Valdez, City Secretary
ORDINANCE NO. ______

AN ORDINANCE AMENDING THE ROCKPORT CODE OF ORDINANCES CHAPTER 66 (ENTITLED “OFFENSES AND MISCELLANEOUS PROVISIONS”) ARTICLE II (ENTITLED “MINORS CURFEW”) BY REENACTING THE MINOR CURFEW ORDER; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Council enacted Ordinance Number 1181 on April 10, 2001, ordering a curfew for minor children; and

WHEREAS, in accordance with Texas Local Government Code Section 370.002, City Council reviewed and re-established the curfew order pursuant to Ordinance Number 1660 on March 22, 2016; and

WHEREAS, pursuant to Texas Local Government Code Section 370.002, the curfew order expired on March 22, 2016; and

WHEREAS, City Council on March 10, 2020 and March 24, 2020, conducted a hearing to receive testimony and comments from members of the public on the merits of re-establishing the curfew order; and

WHEREAS, City Council, after considering public testimony on the matter and deliberating the effectiveness of the prior curfew order deems it in the best interest of public health, safety and welfare to re-enact the curfew order.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS, THAT:

Section 1. The City Code of Ordinances is hereby amended by amending Chapter 66 (entitled “offenses and miscellaneous provisions”) Article II (entitled “minors curfew”) by replacing the existing language with the language in italics (italics) that follows:

ARTICLE II. MINORS CURFEW

Sec. 66-36. Definitions.
For the purposes of this Article, words and terms shall have the meaning respectively ascribed as follows:

Emergency means an unforeseen combination of circumstances or the resulting state that calls for immediate action; including, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.
Establishment means any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian means:
(1) A person who, under court order, is the guardian of the person of a minor; or
(2) A public or private agency with whom a minor has been placed by a court.

Minor means any person under 17 years of age.

Operator means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent means a person who is:
(1) A natural parent, adoptive parent, or step-parent of another person; or
(2) At least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

Public place means any place to which the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

Remain means to:
(1) Linger or stay; or
(2) Fail to leave premises when requested to do so by a police officer or the owner, operator or other person in control of the premises.

Serious bodily injury means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Sec. 66-37.  Curfew hours.

There is hereby established curfew hours, which include both evening curfew hours and school session curfew hours, as shown on Table 1 (entitled “Curfew Hours”) and which are as follows:

(a) Evening Curfew hours are as follows:

(1) Sunday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(2) Monday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(3) Tuesday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(4) Wednesday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(5) Thursday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(6) Friday - Midnight to 6:00 a.m.
(7) Saturday - Midnight to 6:00 a.m.

(b) School session curfew hours are as follows: Aransas County Independent School District regular sessions Monday through Friday – 8:30 a.m. until 4:00 p.m.

Sec. 66-38.  Offenses.

(a) A minor commits an offense if he remains in any public place or on the premises of any establishment within the city during curfew hours.

(b) A parent or guardian of a minor commits an offense if he knowingly permits, or by
insufficient control allows, the minor to remain in any public place or on the
premises of any establishment within the city during curfew hours.
(c) The owner, operator, or any employee of an establishment commits an offense if he
knowingly allows a minor to remain upon the premises of the establishment during
curfew hours.

Sec. 66-38. Defenses.
(a) It is a defense to prosecution under section 66-37(b) that the minor was:
(1) Accompanied by the minor’s parent or guardian;
(2) On an errand at the direction of the minor’s parent or guardian, without any
detour or stop;
(3) In a motor vehicle involved in interstate travel;
(4) Reserved;
(5) Engaged in an employment activity, or going to or returning home from an
employment activity, without any detour;
(6) Involved in an emergency;
(7) Attending an official school, religious, or other recreational activity supervised
by adults and sponsored by the city, a civic organization or another similar entity
that takes responsibility for the minor, or going to or returning home from,
without any detour or stop, an official school, religious, or other recreational
activity supervised by adults and sponsored by the city, a civic organization, or
another similar entity that takes responsibility for the minor;
(8) Exercising First Amendment rights protected by the United States Constitution,
such as the free exercise of religion, freedom of speech, and the right assembly;
(9) During the scheduled vacation of or on a holiday observed by the school in which
the minor is enrolled; or that the minor had graduated from high school or
received a high school equivalency certificate; or that the minor had permission
to be absent from school or to be in the public place from an authorized school
official (suspension or expulsion shall not constitute permission). In the case of a
child being educated in a home school, a parent shall be deemed a school official;
or
(10) Married or had been married or had disabilities of minority removed in accordance
with Chapter 31 of the Texas Family Code.

(b) It is a defense to prosecution under section 66-37(c) that the owner, operator, or
employee of an establishment promptly notified the police department that a minor
was present on the premises of the establishment during curfew hours and refused to
leave.

Sec. 66-39. Enforcement.

Before taking any enforcement action under this section, a police officer shall ask the apparent
offender’s age and reason for being in the public place. The officer shall not issue a citation or make
an arrest under this section unless the officer reasonably believes that an offense has occurred and
that, based on any response and other circumstances, no defense in section 66-38 is present.

Sec. 66-40. Penalties.
(a) A person who violates a provision of this chapter is guilty of a separate offense for
each day or part of a day during which the violation is committed, continued or
permitted. Each offense, upon conviction, is punishable by a fine not to exceed
$500.00.
(b) When required by section 51-08 of the Texas Family Code, as amended, the
municipal court shall waive original jurisdiction over a minor who violates section
66-37(a) and shall refer the minor to juvenile court.

Secs. 66-41—66-59. Reserved.
Section 2. The City Code of Ordinances is hereby further amended by amending Chapter 66 (entitled “offenses and miscellaneous provisions”) Article II (entitled “minors curfew”) by the inclusion of the table entitled “Table 1 – Curfew Hours” attached hereto as Exhibit “A”.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

Section 8. The City Secretary is hereby directed to publish notice of this Ordinance, in substantial form as Exhibit “B”, as required by Section 12.02 of the City Charter and the laws of the State of Texas.

Section 9. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.
Table 1 – Curfew Hours

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<th>Time</th>
<th>Sunday</th>
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In effect only when Aransas County Independent School District is in session.
EXHIBIT “B”

PUBLIC NOTICE

ON THE 24th DAY OF MARCH 2020, THE ROCKPORT, TEXAS CITY COUNCIL ADOPTED AN ORDINANCE ADOPTING A CURFEW ORDER FOR CHILDREN UNDER THE AGE OF 17. THE CURFEW IS EFFECTIVE DURING THE PERIODS THAT FOLLOW:

(a) Evening Curfew hours are as follows:

(1) Sunday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(2) Monday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(3) Tuesday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(4) Wednesday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(5) Thursday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(6) Friday - Midnight to 6:00 a.m.
(7) Saturday - Midnight to 6:00 a.m.

(b) School session curfew hours are as follows: Aransas County Independent School District regular sessions Monday through Friday - 8:30 a.m. until 4:00 p.m.

IT IS A CLASS C MISDEMEANOR FOR A CHILD TO VIOLATE THE CURFEW LAW OR FOR A PARENT OR A BUSINESS OPERATOR TO ABET A CHILD VIOLATING THE CURFEW ORDINANCE; AND, UNLESS THE ACCUSED RAISES A DEFENSE, AS PROVIDED IN THE ORDINANCE VIOLATION OF THE ORDER IS SUBJECT TO A CRIMINAL PENALTY NOT TO EXCEED $500.00
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AGENDA ITEM: 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-1 (1st Single Family Dwelling District) for property located at 2202 FM 3036; also known as 16.951 acres of land out of the George K. Taggart, III, Trustee, 1108.97 acre tract in the J.W. Paup Survey A-179, City of Rockport, Aransas County, Texas, and being a portion of that property deeded by E.M. Spencer to George K. Taggart, III, Trustee, of record in Volume 248, Pages 363-426, Deed Records of Aransas County, Texas; to B-1 (General Business District) for Commercial Development; repealing all ordinances in conflict therewith; providing for severability, and providing an effective date.

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA: TV

BACKGROUND: Property owners Staudt Investment Properties have submitted an application seeking a request to rezone property located at 2202 FM 3036; also known as 16.951 acres of land out of the George K. Taggart, III, Trustee, 1108.97 acre tract in the J.W. Paup Survey A-179, City of Rockport, Aransas County, Texas, and being a portion of that property deeded by E.M. Spencer to George K. Taggart, III, Trustee, of record in Volume 248, Pages 363-426, Deed Records of Aransas County, Texas; to B-1 (General Business District) for commercial development; currently zoned R-1 (1st Single Family Dwelling District.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, February 8, 2020 edition and mailed out to thirteen property owners within a 200-foot radius of the property. One letter in favor of and two letters against the request were received. A Joint Public Hearing was held on Tuesday, February 25th. One comment was made.

The Planning & Zoning Commission met on Monday, March 3. The developer said his intention was to develop higher-end retail, such as a bank or a gas station on the property and divide it up into smaller parcels. The area behind the proposed rezoning will remain single-family residential. Property owners from the Country Club commented that they were concerned that this would negatively affect their property values and asked if there would be any buffer shielding them from the commercial development. The developer responded that he intends to put a road with a 60-foot right-of-way width. The Commission recommended approval of this request.

Please see the accompanying zoning change request application and Section 118-15 of Code of Ordinances for detail information.

RECOMMENDATION: Staff concurs with the Planning & Zoning Commission to recommend approval of 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 (1st Single Family Dwelling District) for property located at 2202 FM 3036; also known as 16.951 acres of land out of the George K. Taggart, III, Trustee, 1108.97 acre tract in the J.W. Paup Survey A-179, City of Rockport, Aransas County, Texas, and being a portion of that property deeded by E.M. Spencer to George K. Taggart, III, Trustee, of Record in Volume 248, Pages 363-426, Deed Records of Aransas County, Texas; to B-1 (General Business District) for Commercial Development; repealing all ordinances in conflict therewith; providing for severability, and providing an effective date.
PROPERTY ADDRESS/LOCATION
2202 FM 3036

APPLICANT/PROPERTY OWNER
Staudt Investment Properties

PUBLIC HEARING DATE
Tuesday, February 25, 2020

P&Z DATE
Monday, March 2, 2020

CITY COUNCIL DATE(S)
1st Reading - Tuesday, March 10, 2020
2nd Reading – Tuesday, March 24, 2020

BRIEF SUMMARY OF REQUEST
Applicant would like to develop property into commercial development. It is currently zoned R-1 1st Single Family Dwelling District.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, February 8, 2020 edition and mailed out to thirteen property owners within a 200-foot radius of the property. One letter in favor of and two letters against the request were received. A Joint Public Hearing was held on Tuesday, February 25th. One comment was made.

EXISTING ZONING
R-1 1st Single Family Dwelling District

EXISTING LAND USE
Undeveloped

SURROUNDING ZONING & LAND USE
North: B-1 General Business, businesses, MH park
South: R-1 1st Single-Family Dwelling, residences
East: B-1 General Business, church and nursing home; R-1 1st Single-Family Dwelling, residences
West: B-1 General Business, vacant

SITE IMPROVEMENTS
None

SIZE OF PROPERTY
16.951 acres

STAFF RECOMMENDATION
APPROVE

PROPERTY HISTORY
Compatibility with the planned development (or other controlling documents); traffic/parking; public works/utilities; engineering/flood plain/soil; building code/fire or design

The property is not within the Special Flood Hazard Area. Commercial plans including parking, drainage, building design, etc. will need to be conform to the approved zoning district, if zoning is approved.

ATTACHMENTS
PUBLIC HEARING PETITION APPLICATION FORM
LEGAL NOTICE
LEGAL DESCRIPTION
PUBLIC COMMENTS
AGENCY COMMENTS
RESPONSE TO STANDARDS
OTHER
ORDINANCE NO. ____

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 (1ST SINGLE FAMILY DWELLING DISTRICT) FOR PROPERTY LOCATED AT 2202 FM 3036; ALSO KNOWN AS 16.951 ACRES OF LAND OUT OF THE GEORGE K. TAGGART, III, TRUSTEE, 1108.97 ACRE TRACT IN THE J.W. PAUP SURVEY A-179, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, AND BEING A PORTION OF THAT PROPERTY DEEDED BY E.M. SPENCER TO GEORGE K. TAGGART, III, TRUSTEE, OF RECORD IN VOLUME 248, PAGES 363-426, DEED RECORDS OF ARANSAS COUNTY, TEXAS; TO B-1 (GENERAL BUSINESS DISTRICT) FOR COMMERCIAL DEVELOPMENT; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a request to re-zone property was received in the office of the Building Department, Rockport, Texas; and

WHEREAS, On January 28, 2020, notice was posted on the bulletin boards at the City of Rockport Service Center, 2751 State Highway 35 Bypass, and on the City’s webpage www.cityofrockport.com; and

WHEREAS, on January 30, 2020, notice was mailed to affected property owners within 200’ of subject property; and

WHEREAS, on February 8, 2020, the City caused to be published “Notice of Joint Public Hearing” in the official newspaper of the City notifying area residents and the public in general to participate and make their views known regarding this request; and

WHEREAS, on February 25, 2020, at 6:30 p.m., the Rockport City Council and the Planning & Zoning Commission did hold a Joint Public Hearing; and

WHEREAS, on March 2, 2020, the Planning & Zoning Commission did meet and said Commission voted to approve changing the zoning district from R-1 (1st Single Family Dwelling District), to B-1 (General Business District) for a retail location for the sale of recreational vehicles, manufactured homes, and cabins.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT TEXAS:
SECTION 1 – AMENDMENT

That, pursuant to Article 4 of the City of Rockport Zoning Ordinance Number 1027, the current zoning of land located at 1325 W. Market; also known as Lots 1-5 and 26-30, Block 3, West Terrace Unit 1; be changed from R-1 (1st Single Family Dwelling District), to B-1 (General Business District) for a retail location for the sale of recreational vehicles, manufactured homes, and cabins.

SECTION 2 - REPEALER

Any previously adopted ordinances, and any subsequent amendments to them, which conflict with this ordinance, are hereby repealed.

SECTION 3 - SEVERABILITY

It is the intention of the City Council of the City of Rockport that if any phrase, sentence, section or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

SECTION 4 - EFFECTIVE DATE

This ordinance shall become effective immediately upon adoption by second and final reading.

APPROVED on first reading the 10th day of March 2020.

CITY OF ROCKPORT, TEXAS

________________________________________
Patrick R. Rios, Mayor

ATTEST:

________________________________________
Teresa Valdez, City Secretary

APPROVED, PASSED and ADOPTED on second and final reading the ___ day of _________ 2020.

CITY OF ROCKPORT, TEXAS
ATTEST:

Teresa Valdez, City Secretary
Sec. 118-15. **B-1 General Business District.**

15.1 *Use Regulations.* The purpose of this district is to provide suitable locations for a wide variety of business and mercantile uses. In addition to the previous listed uses in R-1 through R-7 districts, land and premises may be used for:

1. Restaurants, cafes, food catering services.
2. Offices, banks, libraries, museums, etc.
3. Service stations, car washes, laundromats.
4. Malls, shopping centers, retail stores.
5. Shops (butcher shops, shoe shops, shell shops, etc., including pawn shops that have been licensed to transact business by the Consumer Credit Commissioner under Chapter 371, Finance Code).
6. Grocery stores, convenience stores, markets.
7. Retail markets (seafood/meat) and bait stands.
8. Entertainment facilities (theaters, bowling alleys, pool halls, clubs and lounges, etc).
9. Sales, service and repair shops (radio, television, shoe repair, tool repair and rental, lawn mower repair, auto and boat repair shops, etc).
10. Personal service shops (beauty salons, barber shops, tailoring and dressmaking shops, etc).
11. Storage buildings, auto storage yards.
12. Animal hospitals, boarding kennels and grooming shops.
13. Mortuaries and funeral homes.
14. Agricultural services, greenhouses and landscaping services.
15. Outdoor welding, fabricating operations, by CUP.
16. Permanent or long term (more than 30 days) public entertainment facilities or uses, by CUP. Such uses may include, but not be limited to, amusement parks, carnivals, circuses, marine life shows, dance/theatrical productions and natatoriums.
17. Fish houses, seafood processing plants, by CUP.
18. Adult entertainment, by CUP.

15.2 *Area and Yard Regulations.*

15.2.1 *Area of the Lot.* None required for non-dwelling uses. For dwelling uses, See [section 118-20] Table 20.
15.2.2  **Width of the Lot.** The minimum width of the lot shall be fifty (50) feet. See [section 118-20] Table 20.

15.2.3  **Area of the Building.** For a primary use structure, the minimum floor area shall be five hundred (500) square feet. See [section 118-20] Table 20.

15.2.4  **Yard Area and Building Setbacks.** See [section 118-20] Table 20

15.3  **Height of the Building.** No building shall exceed forty five (45) feet in height. See Article 3 [section 118-3] Definitions and Article 20 [section 118-20].

15.4  **Parking Regulations.** Parking regulations for permitted uses as contained in Article 21 [section 118-21].

15.5  **Accessory Use Regulations.** Accessory uses, which are auxiliary or incidental to the primary use of a building or premises, as contained in Article 22 [section 118-22].

(Ord. No. 1027, art. 15, 4-9-96)
CITY OF ROCKPORT
ZONING AND LAND DEVELOPMENT APPLICATION

INSTRUCTION: Please fill out completely. If more space is needed, attach additional pages. Please print or use typewriter.

A. REQUESTING: Rezoning [ ] Conditional Permit [ ]

Planned Unit Development (P.U.D.) by Conditional Permit [ ]

B. ADDRESS AND LOCATION OF PROPERTY 2202 FM 3036, ROCKPORT, TX 78382

C. CURRENT ZONING OF PROPERTY: R-1 (1ST SINGLE FAMILY)

D. PRESENT USE OF PROPERTY: UNIMPROVED/RAW

E. ZONING DISTRICT REQUESTED: B-1 (GENERAL BUSINESS)

F. CONDITIONAL USE REQUESTED: ________________________________

G. LEGAL DESCRIPTION: (Fill in the one that applies)

- Lot or Tract SEE ATTACHED LEGAL Block _________
- Tract __________________________ of the _________ Survey as per metes and bounds (field notes attached)

- If other, attach copy of survey or legal description from the Records of Aransas County or Appraisal District.

H. NAME OF PROPOSED DEVELOPMENT (if applicable) KOKOMO SUBDIVISION

I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): THE ENTIRE DEVELOPMENT CONSISTS OF 62.86 ACRES, HOWEVER, THE PORTION BEING REZONED IS 16.95 ACRES.

J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT:
(please be specific)

WE ARE PROPOSING A MIXED USE DEVELOPMENT HAVING BOTH COMMERCIAL DEVELOPMENT ALONG THE HIGHWAY FRONTAGE, AND SINGLE-FAMILY RESIDENTIAL IN THE BACK. THE HIGHWAY FRONTAGE IN THE SURROUNDING AREA IS CURRENTLY ZONED B-1, MAKING PROPOSED PLANS CONSISTENT WITH THE IMMEDIATE AREA.
K. OWNER’S NAME: (Please print) STAUDT INVESTMENT PROPERTIES, LLC  
ADDRESS: 14830 FM 1346, ST. HEDWIG, TX 78152  
CITY, STATE, ZIP CODE: ST. HEDWIG, TX 78152  
PHONE NO: 713-573-6615

L. REPRESENTATIVE: (If Other Than Owner) SAME  
ADDRESS:  
CITY, STATE, ZIP CODE:  
PHONE NO:  

NOTE: Do you have property owner’s permission for this request?  
YES ☑ NO ___

M. FILING FEE:  
REZONING $150.00 + $10.00 PER ACRE (§319.50)  
PLANNED UNIT DEVELOPMENT $200.00 + $10.00 PER ACRE  
P.U.D. REVISION $200.00 + $10.00 PER ACRE  
CONDITIONAL PERMIT $150.00 + $10.00 PER ACRE

(Make check payable to the City of Rockport)

• Submit application and filing fee to the Department of Building &  
  Development, City of Rockport; 2751 S.H. 35 Bypass, Rockport, Texas  
  78382.

Signed:  
(Owner or Representative)

(FOR CITY USE)

Received by: A. Torres  
Date: 1/22/20  
Fees Paid: $319.50

Submitted Information (accepted) (rejected) by:  
If rejected, reasons why:  

Receipt No.  

FIELD NOTE EXHIBIT

16.951 ACRES
738,372 SQ. FT.

Lot 1, Blk 1
Coastal Oaks
Subdivision
Vol. 6, Pg. 101
P.R.A.C.T.

45.968 Acres
1,999,745 Sq. Ft.
Remaining out of
62.86 Acres
J.W. Paup Survey A-179

Rockport Country
Club Estates Unit 3
Vol. 4, Pg. 37
P.R.A.C.T.

Rockport Country
Club Estates Unit 4
Vol. 4, Pg. 69
P.R.A.C.T.

FILENAME: 200116dfl


SCALE 1" = 20'
JANUARY 16, 2020
(FM 3036)

1" = 300'

PHASELINE

PRIVATE AREA

(C) COMMERCIAL

(Hwy 35 Bypass)

PHASE 3 (PRIVATE WETLAND)

ROCKPORT COUNTRY CLUB ESTATES (UNIT IV)
FIELD NOTES
JANUARY 16, 2020


BEGIN at a 5/8" steel rebar at the intersection of the Easterly cut-back line of Texas State Highway No. 35 Relief Route with the Southerly R.O.W. line of Texas State F.M. Road No. 3036 for the NORTHWEST corner and PLACE OF BEGINNING of this description;

THENCE, South 57°50'45" West along and with the Easterly cut-back line of Texas State Highway No. 35 Relief Route a distance of 149.72 feet to a concrete monument for and EXTERIOR corner of this description;

THENCE, in a Southerly direction along and with the Easterly R.O.W. line of said Texas State Highway No. 35 Relief Route as follows: South 18°49'30" West a distance of 427.78 feet to a concrete monument for and INTERIOR corner of this description; THENCE, South 29°44'23" West a distance of 1028.21 feet to a point for the SOUTHWEST corner of this description;

THENCE, South 60°15'37" East a distance of 300.0 feet for the SOUTHEAST corner of this description;

THENCE, North 29°44'23" East along a line parallel and 300.0 feet Southeast of said Texas State Highway 35 Relief Route R.O.W. a distance of 1172.84 feet to a point for an INTERIOR corner of this description;

THENCE, South 85°59'57" East a distance of 581.40 feet to a point for the Southwest corner of Lot No. 1, Block No. 1, Coastal Oaks Subdivision, according to the Plat Recorded in Volume 6, Page 101, Plat Records of Aransas County, Texas and being an EXTERIOR corner of this description;

THENCE, North 05°22'22" East along and with the West line of said Coastal Oaks Subdivision a distance of 435.62 feet to a 5/8" steel rebar in the South R.O.W. of Texas F.M. Road No. 3036 and being the Northwest corner of said Coastal Oaks Subdivision and being the NORTHEAST corner of this description;

THENCE, North 86°37'38" West along and with the South R.O.W. of said Texas State FM Road No. 3036 a distance of 728.09 feet to the PLACE OF BEGINNING and containing 16.951 acres or 738,372 square feet of land more or less.

SEE ACCOMPANYING FIELD NOTE EXHIBIT DATED JANUARY 16, 2020
FILENAME: 200116d6

200116d1fn
JOINT PUBLIC HEARING
Rockport City Council
and
Planning & Zoning Commission

NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, February 25, 2020, at 6:30 p.m., at the City of Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request to rezone property located at 2202 FM 3036; also known as 16.951 acres of land out of the George K. Taggart, III, Trustee, 1108.97 acre tract in the J.W. Paup Survey A-179, City of Rockport, Aransas County, Texas, and being a portion of that property deeded by E.M. Spencer to George K. Taggart, III, Trustee, of record in Volume 248, Pages 363-426, Deed Records of Aransas County, Texas; to B-1 (General Business District) for commercial development; currently zoned R-1 (1st Single Family Dwelling District).

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213 ext. 225 or fax (361) 790-5966 or e-mail citysec@cityofrockport.com for further information. Braille is not available.

POSTED the 28th day of January at 8:00 a.m., on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and on the website www.cityofrockport.com.


CITY OF ROCKPORT, TEXAS

[Signature]
Teresa Valdez, City Secretary
<table>
<thead>
<tr>
<th>Property ID</th>
<th>Property Owner</th>
<th>Situs Address</th>
<th>Mailing Address</th>
<th>City</th>
<th>State</th>
<th>ZIP</th>
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<tr>
<td>*51907</td>
<td>Staudt Investment Properties LLC</td>
<td>2202 FM 3036</td>
<td>14830 FM 1346</td>
<td>Saint Hedwig</td>
<td>TX</td>
<td>78152-9639</td>
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<td>44136</td>
<td>Donald &amp; Amy Garcia</td>
<td>419 Olympic Dr.</td>
<td>419 Olympic Dr.</td>
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<td>78382-6813</td>
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<td>Rockport</td>
<td>TX</td>
<td>78382-6813</td>
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<td>Mary W. Bernal</td>
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<td>2002 Glass Avenue</td>
<td>Rockport</td>
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<td>BA Griego LLC</td>
<td>2121 FM 3036</td>
<td>P.O. Box 238</td>
<td>Fulton</td>
<td>TX</td>
<td>78358-0238</td>
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<td>49219</td>
<td>Sea Mist Ltd</td>
<td>2211 FM 3036</td>
<td>2905 Northwest Blvd., Ste. 1</td>
<td>Plymouth</td>
<td>MN</td>
<td>55441-2644</td>
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<td>54147</td>
<td>David &amp; Carol Van Dyne</td>
<td>2301 FM 3036 Lot A</td>
<td>P.O. Box 1417</td>
<td>Rockport</td>
<td>TX</td>
<td>78381-1417</td>
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<td>42416</td>
<td>Audrey Thomison</td>
<td>2309 FM 3036</td>
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<td>65284-9543</td>
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<tr>
<td>19808</td>
<td>James &amp; Samantha McCrary</td>
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<td>19805</td>
<td>James &amp; Samantha McCrary</td>
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<td>2321 FM 3036</td>
<td>Rockport</td>
<td>TX</td>
<td>78382-7628</td>
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</tbody>
</table>
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CITY OF ROCKPORT, TEXAS
/s/ Teresa Valdez, City Secretary

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: Donald Enrique
Address: 419 Olympic Drive
City/State: Rockport, TX 78382
Phone: (32) 2801-420

( ) IN FAVOR X IN OPPOSITION

REASON:

Signature

See map on reverse side.
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**CITY OF ROCKPORT, TEXAS**

/s/ Teresa Valdez, City Secretary

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**Printed Name:** Eugene H. Gunder

**Address:** 2311 FM 3036, Rockport

City/State: Rockport TX

☑ **IN FAVOR** ( ) **IN OPPOSITION**

Phone: 512-680-3599

**REASON:**

---

Signature

See map on reverse side.
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**CITY OF ROCKPORT, TEXAS**

/s/ Teresa Valdez, City Secretary

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**TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.**

**NOTE:** In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: **DAVID VAN DUSE**
Address: **203A TRAVELER BLVD**
City/State: **ROCKPORT, TX 78381**
Phone: **361 729-5881**

( ) IN FAVOR    ( ) IN OPPOSITION

**REASON:**  
**DO NOT WANT COMMERCIAL DEVELOPMENT, NEXT TO MY MOBIL HOME PARK.**

Signature: **DAVID VAN DUSE**

See map on reverse side.
1. **Mark Uhr, 416 Olympic** – Mr. Uhr said he lived in the Country Club Estates section and wanted to know what the plan was for that development. He said his neighbors were asking.
AGENDA ITEM: 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 (1st Single Family Dwelling District) for property located at 1385 State Highway 35 Bypass; also known as 5.87 acres out of the Paul McCombs Survey, City of Rockport, Aransas County, Texas; to I-1 (Light Industrial District) for continued use as a metal fabrication shop; repealing all ordinances in conflict therewith; providing for severability, and providing an effective date.

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA: TV

BACKGROUND: Property owners Thomas & Deborah Edwards have submitted an application seeking a request to rezone property located at 1385 State Highway 35 Bypass; also known as 5.87 acres out of the Paul McCombs Survey, City of Rockport, Aransas County, Texas; to I-1 (Light Industrial District) for continued use as a metal fabrication shop; currently zoned R-1 (1st Single Family Dwelling District).

A public notice regarding this item was published in The Rockport Pilot in the Saturday, February 8, 2020 edition and mailed out to eleven property owners within a 200-foot radius of the property. Two letters in favor of the request were received. A Joint Public Hearing was held on Tuesday, February 25th. One comment was made by the owner’s representative, Mark Uhr.

The Planning & Zoning Commission met on Monday, March 3 and recommended approval of this request.

Please see the accompanying zoning change request application and Section 118-17 of Code of Ordinances for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff concurs with the Planning & Zoning Commission to recommend approval of 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 (1st Single Family Dwelling District) for property located at 1385 State Highway 35 Bypass; also known as 5.87 acres out of the Paul McCombs Survey, City of Rockport, Aransas County, Texas; to I-1 (Light Industrial District) for continued use as a metal fabrication shop; repealing all ordinances in conflict therewith; providing for severability, and providing an effective date.
**STAFF REPORT**

Building & Development Services | Amanda Torres, Community Planner  
2751 SH 35 Bypass, Rockport, TX 78362  
Phone: (361) 790-1125, x. 226 | Email: communityplanner@cityofrockport.com

### PROPERTY ADDRESS/LOCATION
1385 SH 35 Bypass  

### APPLICANT/PROPERTY OWNER
Thomas and Deborah Edwards

### PUBLIC HEARING DATE
Tuesday, February 25, 2020

### P&Z DATE
Monday, March 2, 2020

### CITY COUNCIL DATE(S)
1st Reading - Tuesday, March 10, 2020  
2nd Reading – Tuesday, March 24, 2020

### BRIEF SUMMARY OF REQUEST
Applicant would like to maintain the property’s current use as a metal fabrication shop. It is currently zoned R-1 1st Single Family Dwelling District. The property was annexed and therefore currently zoned R-1 (1st Single Family Residential District) due to annexation that was previously done.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, February 8, 2020 edition and mailed out to eleven property owners within a 200-foot radius of the property. Two letters in favor of the request were received. A Joint Public Hearing was held on Tuesday, February 25th. One comment was made.

### EXISTING ZONING & LAND USE

<table>
<thead>
<tr>
<th>EXISTING ZONING</th>
<th>EXISTING LAND USE</th>
<th>SURROUNDING ZONING &amp; LAND USE</th>
<th>SITE IMPROVEMENTS</th>
<th>SIZE OF PROPERTY</th>
</tr>
</thead>
</table>
| R-1 1st Single Family Dwelling District | Undeveloped | North: R-1 1st Single-Family Dwelling, residences, RV park  
South: R-1 1st Single-Family Dwelling, residences  
East: CUP – RV Park  
West: R-1 1st Single-Family Dwelling, residences | None | 5.87 acres |

### STAFF RECOMMENDATION
APPROVE WITH CONDITIONS

### COMPATIBILITY with the ZONING ORDINANCE & FUTURE LAND USE MAP
Any future development will meet all setback requirements of the I-1 Light Industrial District if approved.

The Future Land Use Map (FLUM) shows small areas of industrial use along the Bypass and therefore this land use is compatible with the land use associated with this area as indicated in the FLUM.

### PROPERTY HISTORY
Compatibility with the planned development (or other controlling documents); traffic/parking; public works/utilities; engineering/flood plain/soil; building code/fire or design

The property is not within the Special Flood Hazard Area. Commercial plans including parking, drainage, building design, etc. will need to be conform to the approved zoning district, if zoning is approved.

The property in question was annexed by the City of Rockport in 2016. Because this property was incorporated into the city as part of an annexation, this and surrounding properties were designated as R-1 (1st Single Family Dwelling District) in accordance to the City’s zoning policy for newly annexed territory (City of Rockport Code of Ordinances, Chapter 119 Zoning, Article 5 Newly Annexed Territory).

### ATTACHMENTS (CIRCLE)

<table>
<thead>
<tr>
<th>SUBMITTED PLANS</th>
<th>PUBLIC HEARING PETITION/ APPLICATION FORM</th>
<th>LEGAL NOTICE</th>
<th>LEGAL DESCRIPTION</th>
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<tr>
<td>PUBLIC COMMENTS</td>
<td>AGENCY COMMENTS</td>
<td>RESPONSE TO STANDARDS</td>
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<td>OTHER (DESCRIBE)</td>
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</table>
ORDINANCE NO. ____

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 (1ST SINGLE FAMILY DWELLING DISTRICT) FOR PROPERTY LOCATED AT 1385 STATE HIGHWAY 35 BYPASS; ALSO KNOWN AS 5.87 ACRES OUT OF THE PAUL MCCOMBS SURVEY, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS; TO I-1 (LIGHT INDUSTRIAL DISTRICT) FOR CONTINUED USE AS A METAL FABRICATION SHOP; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a request to re-zone property was received in the office of the Building Department, Rockport, Texas; and

WHEREAS, On February 3, 2020, notice was posted on the bulletin boards at the City of Rockport Service Center, 2751 State Highway 35 Bypass, and on the City’s webpage www.cityofrockport.com; and

WHEREAS, on February 5, 2020, notice was mailed to affected property owners within 200’ of subject property; and

WHEREAS, on February 8, 2020, the City caused to be published “Notice of Joint Public Hearing” in the official newspaper of the City notifying area residents and the public in general to participate and make their views known regarding this request; and

WHEREAS, on February 25, 2020, at 6:30 p.m., the Rockport City Council and the Planning & Zoning Commission did hold a Joint Public Hearing; and

WHEREAS, on March 2, 2020, the Planning & Zoning Commission did meet and said Commission voted to approve changing the zoning district from R-1 (1st Single Family Dwelling District), to I-1 (Light Industrial District) for continued use as a metal fabrication shop.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT TEXAS:

SECTION 1 – AMENDMENT

That, pursuant to Article 4 of the City of Rockport Zoning Ordinance Number 1027, the current zoning of land located at 1325 W. Market; also known 1385 State Highway 35 Bypass; also known as 5.87 acres out of the Paul McCombs Survey, City of Rockport,
Aransas County, Texas; be changed from R-1 (1st Single Family Dwelling District), to B-
1 (General Business District) to I-1 (Light Industrial District) for continued use as a metal
fabrication shop.

SECTION 2 - REPEALER

Any previously adopted ordinances, and any subsequent amendments to them, which
conflict with this ordinance, are hereby repealed.

SECTION 3 - SEVERABILITY

It is the intention of the City Council of the City of Rockport that if any phrase, sentence,
section or paragraph of this ordinance shall be declared unconstitutional or otherwise
invalid by final judgment of a court of competent jurisdiction such unconstitutionality or
invalidity shall not affect any of the remainder of this ordinance since the same would
have been enacted by the City Council without the incorporation of the unconstitutional
or invalid phrase, sentence, section or paragraph.

SECTION 4 - EFFECTIVE DATE

This ordinance shall become effective immediately upon adoption by second and final
reading.

APPROVED on first reading the 10th day of March 2020.

CITY OF ROCKPORT, TEXAS

________________________________________
Patrick R. Rios, Mayor

ATTEST:

________________________________________
Teresa Valdez, City Secretary

APPROVED, PASSED and ADOPTED on second and final reading the ___ day of
______________ 2020.

CITY OF ROCKPORT, TEXAS

________________________________________
Patrick R. Rios, Mayor

ATTEST:
Teresa Valdez, City Secretary
Article I. Zoning Ordinance

Sec. 118-17. I-1 Light Industrial District.

17.1 Use Regulations. The purpose of this district is to provide suitable areas for storage and distribution uses. In this district land and premises may be used for any purpose except that no building may be used for any dwelling or residential use; however, dwellings or manufactured housing for resident watchmen or caretakers employed on the premises are permitted; and excepting those uses enumerated in Article 22 [section 118-22] thereof, for which a special permit is required. Land and premises may be used for:

1. All non-dwelling uses listed in a B-1 or B-2 district.
2. Food products and beverage products, storage and distribution thereof.
3. General storage and distribution of products, goods and services.
4. Apparel and other finished clothing products.
5. Transportation equipment, boat, trailer, and R.V. repair and service.
6. Unclassified uses, but not limited to such products and usages as: Animal stables and commercial animal raising; building materials, recycling collection centers, storage and sales thereof; circus grounds; laboratories, research and experimental.

17.2 Area and Yard Regulations.

17.2.1 Area of the Lot. None required for this district. See [section 118-20] Table 20.
17.2.2 Width of the Lot. None required for this district. See [section 118-20] Table 20.
17.2.3 Area of the Dwelling. For resident watchmen or caretaker's quarters. See [section 118-20] Table 20.
17.2.4 Yard Areas and Building Setback. See [section 118-20] Table 20.

17.3 Height of the Building. No building shall exceed forty five (45) feet in height. See Article 3 [section 118-3] Definitions and Article 20 [section 118-20].

17.4 Parking Regulations. Parking regulations for permitted uses as contained in Article 21 [section 118-21].

17.5 Accessory use Regulations. Accessory uses, which are auxiliary or incidental to the Primary use of a building or premises, as contained in Article 22 [section 118-22].

(Ord. No. 1027, art. 17, 4-9-96)
CITY OF ROCKPORT
ZONING AND LAND DEVELOPMENT APPLICATION

INSTRUCTION: Please fill out completely. If more space is needed, attach additional pages. Please print or use typewriter.

A. REQUESTING: Rezoning [ ] Conditional Permit [ ]
   Planned Unit Development (P.U.D.) by Conditional Permit [ ]

B. ADDRESS AND LOCATION OF PROPERTY
   1385 S H 35
   Bypass Rockport, TX 78382

C. CURRENT ZONING OF PROPERTY: R-1

D. PRESENT USE OF PROPERTY: commercial fabrication

E. ZONING DISTRICT REQUESTED: Light Industrial (LI)

F. CONDITIONAL USE REQUESTED: ____________________________

G. LEGAL DESCRIPTION: (Fill in the one that applies)
   • Lot or Tract ____________________________ Block ____________
   • Tract ____________________________ of the ____________________________ Survey as per metes and bounds (field notes attached)
   • If other, attach copy of survey or legal description from the Records of Aransas County or Appraisal District.

H. NAME OF PROPOSED DEVELOPMENT (if applicable) ________________

I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): 5.87 acres

J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT:
   (Please be specific)
   Property was a metal fabrication shop for 10 years before annexation into city limits. Requesting change in zoning for future lease purposes.
K. OWNER’S NAME: (Please print) Thomas and Deborah Edwards
ADDRESS: 1402 Poinciana Street
CITY, STATE, ZIP CODE: Rockport, TX 78382
PHONE NO

L. REPRESENTATIVE: (If Other Than Owner) Mark Uhr
ADDRESS: 3001 Traynor Blvd
CITY, STATE, ZIP CODE: Rockport, TX 78382
PHONE NO 361-729-7474

NOTE: Do you have property owner’s permission for this request?
YES ☑ NO

M. FILING FEE:

<table>
<thead>
<tr>
<th>REASON</th>
<th>FEE</th>
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<tr>
<td>REZONING</td>
<td>$150.00 + $10.00 PER ACRE</td>
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<tr>
<td>PLANNED UNIT DEVELOPMENT</td>
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</tr>
<tr>
<td>P.U.D. REVISION</td>
<td>$200.00 + $10.00 PER ACRE</td>
</tr>
<tr>
<td>CONDITIONAL PERMIT</td>
<td>$150.00 + $10.00 PER ACRE</td>
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</tbody>
</table>

(Make check payable to the City of Rockport)

Submit application and filing fee to the Department of Building & Development, City of Rockport; 2751 S.H. 35 Bypass, Rockport, Texas 78382.

Signed: ________________
(Owner or Representative)

(FOR CITY USE)

Received by: ________________ Date: __________ Fees Paid: $ ________________

Submitted Information (____ accepted) (____ rejected) by: ________________
If rejected, reasons why: ________________________________________________

Receipt No. ________________
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<tr>
<td>Situs: 1385 S H 35 BYPASS ROCKPORT, TX</td>
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<tr>
<td>Address: 78382</td>
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<tr>
<td>Property Type: Real</td>
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<tr>
<td>Stats Code: F1</td>
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<tr>
<td>Property Information 2020</td>
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<tr>
<td>Legal: A317 PAUL McCOMBS SURVEY,</td>
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<tr>
<td>Description: ACRES 5.87</td>
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<td>Abstract: A317</td>
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<td>Neighborhood: HWY-BP-186-N1</td>
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<td>Appraised Value: N/A</td>
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<tr>
<td>Jurisdictions: CAD, CRO, GAR, NVD, SAR, XSP</td>
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<tr>
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<tbody>
<tr>
<td>Name: EDWARDS THOMAS F ETUX</td>
</tr>
<tr>
<td>Exemptions: DEBORAH M</td>
</tr>
<tr>
<td>DBA: EDWARDS FABRICATION</td>
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This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Aransas Appraisal District expressly disclaims any and all liability in connection herewith.
JOINT PUBLIC HEARING
Rockport City Council
and
Planning & Zoning Commission

NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, February 25, 2020, at 6:30 p.m., at the City of Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request to rezone property located at 1385 State Highway 35 Bypass; also known as 5.87 acres out of the Paul McCombs Survey, City of Rockport, Aransas County, Texas; to I-1 (Light Industrial District) for continued use as a metal fabrication shop; currently zoned R-1 (1st Single Family Dwelling District).

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s office at (361) 729-2213 ext. 225 or fax (361) 790-5966 or e-mail citysec@cityofrockport.com for further information. Braille is not available.

POSTED the 3rd day of February 2020, at 3:45 p.m., on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass. Rockport, Texas, and on the website www.cityofrockport.com.


CITY OF ROCKPORT, TEXAS

Teresa Valdez, City Secretary

Joint Public Hearing – 1385 SH 35 Bypass
<table>
<thead>
<tr>
<th>Property ID</th>
<th>Property Owner</th>
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<th>Mailing Address</th>
<th>City</th>
<th>State</th>
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<tr>
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<td>Thomas &amp; Deborah Edwards</td>
<td>1385 SH 35 Bypass</td>
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<td>Rockport</td>
<td>TX</td>
<td>78382-7101</td>
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<tr>
<td>61755</td>
<td>Harry A Reeves</td>
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<td>1602 Poinciana</td>
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<tr>
<td>28397</td>
<td>Richard Michael Zarowny</td>
<td>1001 Holly Road</td>
<td>P.O. Box 264 Stn. Main</td>
<td>St. Albert, Alberta, Canada</td>
<td>T8N 1N3</td>
<td></td>
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<tr>
<td>28396</td>
<td>David G. Brandenstein etal</td>
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<td>66121</td>
<td>Dennis A Jones</td>
<td>955 Holly Road</td>
<td>699 County Road 1126</td>
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<td>75433-5144</td>
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<td>Julie B Gimesky</td>
<td>1461 S H 35 Bypass</td>
<td>2622 Quail Knoll</td>
<td>San Antonio</td>
<td>TX</td>
<td>78231</td>
</tr>
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</table>
NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, February 25, 2020 at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request to rezone property located at 1385 State Highway 35 Bypass; also known as 5.87 acres out of the Paul McCombs Survey, City of Rockport, Aransas County, Texas; to I-1 (Light Industrial District) for continued use as a metal fabrication shop; currently zoned R-1 (1st Single Family Dwelling District).

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CITY OF ROCKPORT, TEXAS

/s/ Teresa Valdez, City Secretary

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: Deborah M. Edwards
Address: 1402 Poinciana
City/State: Rockport, TX
Phone: (361) 729-6577

X IN FAVOR ( ) IN OPPOSITION

REASON: As one of the owners of the property known as 1385 State Highway 35 Bypass (5.87 acres out of Paul McCombs Survey), I am in favor of changing the zoning to I-1. We have operated a metal fabrication business at this location since 2001, many years prior to annexation. Changing the zoning to I-1 would reflect its actual usage. I also own an adjacent property.

Signature

Deborah M. Edwards

See map on reverse side.
NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on **Tuesday, February 25, 2020 at 6:30 p.m.**, at the **Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas**, to consider a request to rezone property located at 1385 State Highway 35 Bypass; also known as 5.87 acres out of the Paul McCombs Survey, City of Rockport, Aransas County, Texas; to I-1 (Light Industrial District) for continued use as a metal fabrication shop; currently zoned R-1 (1st Single Family Dwelling District).

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**CITY OF ROCKPORT, TEXAS**
/s/ Teresa Valdez, City Secretary

---

**TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.**

**NOTE:** In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

**Printed Name:** Thomas F. Edwards
**Address:** 140 Z. Pointews

City/State: Rockport, Texas 78382
Phone: 361-729-6577
Cell 361-438-1897

( ) IN FAVOR ( ) IN OPPOSITION

**REASON:** I am one of the owners of 1385 State Hwy. 35 Bypass and have operated a metal fabrication shop at this location since 2001. Changing the zoning to I-1 would be a correct reflection of the property's usage. I also own adjacent property.

Signature

See map on reverse side.
1. **Mark Uhr, 416 Olympic** – Mr. Uhr said he represented the owners, who have had a metal fabrication shop there prior to annexation by the City. It does fabrication for Kiewit and other local industries. It is at present zoned R-1, and they want to make sure it is zoned properly to continue its land use. There is already a tenant lined up to take over the property.
AGENDA ITEM: 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 (1st Single Family Dwelling District) for property located at 1325 W. Market; also known as Lots 1-5 and 26-30, Block 3, West Terrace Unit 1; to B-1 (General Business District) for a retail location for the sale of recreational vehicles, manufactured homes, and cabins; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA: TV

BACKGROUND: Property owners Ruchir & Jatin Patel have submitted an application seeking a request to rezone property located at 1325 W. Market; also known as Lots 1-5 and 26-30, Block 3, West Terrace Unit 1; to B-1 (General Business District) for a retail location for the sale of recreational vehicles, manufactured homes, and cabins; currently zoned R-1 (1st Single Family Dwelling District).

A public notice regarding this item was published in The Rockport Pilot in the Saturday, February 8, 2020 edition and mailed out to thirteen property owners within a 200-foot radius of the property. One letter against the request was received. A Joint Public Hearing was held on Tuesday, February 25th. No comments were made.

The Planning & Zoning Commission met on Monday, March 3 and recommended approval of this request.

Please see the accompanying zoning change request application and Section 118-15 of Code of Ordinances for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff concurs with the Planning & Zoning Commission to recommend approval of 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 (1st Single Family Dwelling District) for property located at 1325 W. Market; also known as Lots 1-5 and 26-30, Block 3, West Terrace Unit 1; to B-1 (General Business District) for a retail location for the sale of recreational vehicles, manufactured homes, and cabins; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.
STAFF REPORT
Building & Development Services | Amanda Torres, Community Planner
2751 SH 35 Bypass, Rockport, TX  78362
Phone: (361) 790-1125, x. 226 | Email: communityplanner@cityofrockport.com

PROPERTY ADDRESS/LOCATION
1325 W Market

APPLICANT/PROPERTY OWNER
Ruchir & Jatin Patel

PUBLIC HEARING DATE
Tuesday, February 25, 2020

P&Z DATE
Monday, March 2, 2020

CITY COUNCIL DATE(S)
1st Reading - Tuesday, March 10, 2020
2nd Reading – Tuesday, March 24, 2020

BRIEF SUMMARY OF REQUEST
Applicant would like to develop the property for retail space for the sale of recreational vehicles, manufactured homes, and cabins. It is currently zoned R-1 1st Single Family Dwelling District. The property is currently vacant and has businesses on both sides. The property was annexed and therefore currently zoned R-1 (1st Single Family Residential District) due to annexation that was previously done. There are businesses next door and across the street.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, February 8, 2020 edition and mailed out to thirteen property owners within a 200-foot radius of the property. One letter against the request was received. A Joint Public Hearing was held on Tuesday, February 25th. No comments were made.

EXISTING ZONING
R-1 1st Single Family Dwelling District

EXISTING LAND USE
Undeveloped

SURROUNDING ZONING & LAND USE
North: R-1 1st Single-Family Dwelling, businesses, church
South: outside city limits, single family residences
East: R-1 1st Single-Family Dwelling, businesses
West: R-1 1st Single-Family Dwelling, gas station

SITE IMPROVEMENTS
None

SIZE OF PROPERTY
1.3906 acres

STAFF RECOMMENDATION
APPROVE

PROPERTY HISTORY
Compatibility with the planned development (or other controlling documents); traffic/parking; public works/utilities; engineering/flood plain/soil; building code/fire or design

The property is not within the Special Flood Hazard Area. Commercial plans including parking, drainage, building design, etc. will need to be conform to the approved zoning district, if zoning is approved.

The property in question was annexed by the City of Rockport in 2016. Because this property was incorporated into the city as part of an annexation, this and surrounding properties were designated as R-1 (1st Single Family Dwelling District) in accordance to the City’s zoning policy for newly annexed territory (City of Rockport Code of Ordinances, Chapter 118 Zoning, Article 5 Newly Annexed Territory).

COMPATIBILITY with the ZONING ORDINANCE & FUTURE LAND USE MAP
Any future development will meet all setback requirements of the B-1 General Business District if approved.

This land use is compatible with the land use associated with this area as indicated in the Future Land Use Map.

ATTACHMENTS
( circle)

SUBMITTED PLANS
PUBLIC HEARING PETITION/ APPLICATION FORM
LEGAL NOTICE
LEGAL DESCRIPTION

PUBLIC COMMENTS
AGENCY COMMENTS
RESPONSE TO STANDARDS

OTHER (describe)
ORDINANCE NO. _____

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 (1ST SINGLE FAMILY DWELLING DISTRICT) FOR PROPERTY LOCATED AT 1325 W. MARKET; ALSO KNOWN AS LOTS 1-5 AND 26-30, BLOCK 3, WEST TERRACE UNIT 1; TO B-1 (GENERAL BUSINESS DISTRICT) FOR A RETAIL LOCATION FOR THE SALE OF RECREATIONAL VEHICLES, MANUFACTURED HOMES, AND CABINS; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a request to re-zone property was received in the office of the Building Department, Rockport, Texas; and

WHEREAS, On January 28, 2020, notice was posted on the bulletin boards at the City of Rockport Service Center, 2751 State Highway 35 Bypass, and on the City’s webpage www.cityofrockport.com; and

WHEREAS, on January 30, 2020, notice was mailed to affected property owners within 200’ of subject property; and

WHEREAS, on February 8, 2020, the City caused to be published “Notice of Joint Public Hearing” in the official newspaper of the City notifying area residents and the public in general to participate and make their views known regarding this request; and

WHEREAS, on February 25, 2020, at 6:30 p.m., the Rockport City Council and the Planning & Zoning Commission did hold a Joint Public Hearing; and

WHEREAS, on March 2, 2020, the Planning & Zoning Commission did meet and said Commission voted to approve changing the zoning district from R-1 (1st Single Family Dwelling District), to B-1 (General Business District) for a retail location for the sale of recreational vehicles, manufactured homes, and cabins.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT TEXAS:

SECTION 1 – AMENDMENT

That, pursuant to Article 4 of the City of Rockport Zoning Ordinance Number 1027, the current zoning of land located at 1325 W. Market; also known as Lots 1-5 and 26-30, Block 3, West Terrace Unit 1; be changed from R-1 (1st Single Family Dwelling District), to B-1 (General
Business District) for a retail location for the sale of recreational vehicles, manufactured homes, and cabins.

SECTION 2 - REPEALER

Any previously adopted ordinances, and any subsequent amendments to them, which conflict with this ordinance, are hereby repealed.

SECTION 3 - SEVERABILITY

It is the intention of the City Council of the City of Rockport that if any phrase, sentence, section or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

SECTION 4 - EFFECTIVE DATE

This ordinance shall become effective immediately upon adoption by second and final reading.

APPROVED on first reading this the 10th day of March 2020.

CITY OF ROCKPORT, TEXAS

__________________________________________
Patrick R. Rios, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED, PASSED and ADOPTED on second and final reading, this ___ day of ___________ 2020.

CITY OF ROCKPORT, TEXAS

__________________________________________
Patrick R. Rios, Mayor

ATTEST:

Teresa Valdez, City Secretary
City of Rockport, Texas
Future Land Use Plan w/ ETJ
Article I. Zoning Ordinance*


15.1 Use Regulations. The purpose of this district is to provide suitable locations for a wide variety of business and mercantile uses. In addition to the previous listed uses in R-1 through R-7 districts, land and premises may be used for:

1. Restaurants, cafes, food catering services.
2. Offices, banks, libraries, museums, etc.
3. Service stations, car washes, laundromats.
4. Malls, shopping centers, retail stores.
5. Shops (butcher shops, shoe shops, shell shops, etc., including pawn shops that have been licensed to transact business by the Consumer Credit Commissioner under Chapter 371, Finance Code).
6. Grocery stores, convenience stores, markets.
7. Retail markets (seafood/meat) and bait stands.
8. Entertainment facilities (theaters, bowling alleys, pool halls, clubs and lounges, etc).
9. Sales, service and repair shops (radio, television, shoe repair, tool repair and rental, lawn mower repair, auto and boat repair shops, etc).
10. Personal service shops (beauty salons, barber shops, tailoring and dressmaking shops, etc).
11. Storage buildings, auto storage yards.
12. Animal hospitals, boarding kennels and grooming shops.
13. Mortuaries and funeral homes.
14. Agricultural services, greenhouses and landscaping services.
15. Outdoor welding, fabricating operations, by CUP.
16. Permanent or long term (more than 30 days) public entertainment facilities or uses, by CUP. Such uses may include, but not be limited to, amusement parks, carnivals, circuses, marine life shows, dance/theatrical productions and natatoriums.
17. Fish houses, seafood processing plants, by CUP.
18. Adult entertainment, by CUP.

15.2 Area and Yard Regulations.

15.2.1 Area of the Lot. None required for non-dwelling uses. For dwelling uses, See [section 118-20] Table 20.
15.2.2 **Width of the Lot.** The minimum width of the lot shall be fifty (50) feet. See [section 118-20] Table 20.

15.2.3 **Area of the Building.** For a primary use structure, the minimum floor area shall be five hundred (500) square feet. See [section 118-20] Table 20.

15.2.4 **Yard Area and Building Setbacks.** See [section 118-20] Table 20

15.3 **Height of the Building.** No building shall exceed forty five (45) feet in height. See Article 3 [section 118-3] Definitions and Article 20 [section 118-20].

15.4 **Parking Regulations.** Parking regulations for permitted uses as contained in Article 21 [section 118-21].

15.5 **Accessory Use Regulations.** Accessory uses, which are auxiliary or incidental to the primary use of a building or premises, as contained in Article 22 [section 118-22].

(Ord. No. 1027, art. 15, 4-9-96)
CITY OF ROCKPORT
ZONING AND LAND DEVELOPMENT APPLICATION

INSTRUCTION: Please fill out completely. If more space is needed, attach additional pages. Please print or use typewriter.

A. REQUESTING: Rezoning [ ] Conditional Permit [ ]
   Planned Unit Development (P.U.D.) by Conditional Permit [ ]

B. ADDRESS AND LOCATION OF PROPERTY
   1325 W MARKET ST.
   ROCKPORT, TX 78382

C. CURRENT ZONING OF PROPERTY: R1

D. PRESENT USE OF PROPERTY: N/A

E. ZONING DISTRICT REQUESTED: G-3

F. CONDITIONAL USE REQUESTED: __________________________

G. LEGAL DESCRIPTION: (Fill in the one that applies)
   • Lot or Tract _______________________________ Block ______
   • Tract _______________________________ of the ____________
     Survey as per meters and bounds (field notes attached)
   • If other, attach copy of survey or legal description from the Records of
     Aransas County or Appraisal District.

H. NAME OF PROPOSED DEVELOPMENT (if applicable) TEXAS MH

I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): 1.4 acres

J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT:
   (Please be specific)
   Retail for RV & MANUFACTURE HOMES & CABINS
K. OWNER'S NAME: (Please print) RUCHIP PATEL
ADDRESS: 409 PALMER DR.
CITY, STATE, ZIP CODE: ROCKPORT, TX 78384.
PHONE NO 361-249-5594

L. REPRESENTATIVE: (If Other Than Owner) JAFIN PATEL
ADDRESS: 409 PALMER DR.
CITY, STATE, ZIP CODE: PORTLAND, TX 78374.
PHONE NO 361-249-5594.

NOTE: Do you have property owner's permission for this request? YES [ ] NO [ ]

M. FILING FEE:

REZONING $150.00 + $10.00 PER ACRE
PLANNED UNIT DEVELOPMENT $200.00 + $10.00 PER ACRE
P.U.D. REVISION $200.00 + $10.00 PER ACRE
CONDITIONAL PERMIT $150.00 + $10.00 PER ACRE

(Make check payable to the City of Rockport)

- Submit application and filing fee to the Department of Building & Development, City of Rockport; 2751 S.H. 35 Bypass, Rockport, Texas 78382.

Signed: [Signature]
(Owner or Representative)

(FOR CITY USE)

Received by: A. Torres Date: 1/27/20 Fees Paid: $ 170.00
Submitted Information ( [ ] accepted) ( [ ] rejected) by: 
If rejected, reasons why:

Receipt No. ______________________
STATE OF TEXAS
MANUFACTURED HOUSING LICENSE
RETAILER/BROKER/INSTALLER
LICENSE NUMBER: MHDRET00037513

LEAF LLC
DBA TEXAS MH

1325 W MARKET ST
ROCKPORT, TX 78382

Issued by the
Texas Department of Housing and Community Affairs
P.O. Box 12489
Austin, Texas 78711-2489

DATE ISSUED: 2/7/2020
DATE EXPIRES: 2/7/2022

** PROVISIONAL LICENSE **
The endorsement on this license to install manufactured homes is PROVISIONAL until the Department inspects a minimum of five (5) manufactured home installations and found not to have any identified installation violations.

Joe A. Garcia, Executive Director
JOINT PUBLIC HEARING
Rockport City Council
and
Planning & Zoning Commission

NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, February 25, 2020, at 6:30 p.m., at the City of Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request to rezone property located at 1325 W. Market; also known as Lots 1-5 and 26-30, Block 3, West Terrace Unit 1; to B-1 (General Business District) for a retail location for the sale of recreational vehicles, manufactured homes, and cabins; currently zoned R-1 (1st Single Family Dwelling District).

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s office at (361) 729-2213 ext. 225 or fax (361) 790-5966 or e-mail citysec@cityofrockport.com for further information. Braille is not available.

POSTED the 28th day of January at 8:00 a.m. on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and on the website www.cityofrockport.com.


CITY OF ROCKPORT, TEXAS

[Signature]
Teresa Valdez, City Secretary
<table>
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<tr>
<th>Property ID</th>
<th>Property Owner</th>
<th>Situs Address</th>
<th>Mailing Address</th>
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<td>*52925</td>
<td>Ruchir Patel</td>
<td>1325 W Market St</td>
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JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, February 25, 2020 at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request to rezone property located at 1325 W. Market; also known as Lots 1-5 and 26-30, Block 3, West Terrace Unit 1; to B-1 (General Business District) for a retail location for the sale of recreational vehicles, manufactured homes, and cabins; currently zoned R-1 (1st Single Family Dwelling District).

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CITY OF ROCKPORT, TEXAS
/is/ Teresa Valdez, City Secretary

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: Donald L. Eddings
Address: 1229 W. Terrace
City/State: Rockport, TX 78382
Phone: 361-305-9439

( ) IN FAVOR  (X) IN OPPOSITION

REASON: I realize that this is near other RV sales businesses however General Business would allow the same or other parties to open dumpster & portable toilet operations which was attempted previously. I still object to such an endeavor.

Signature: Donald L. Eddings

See map on reverse side.
No comments were made.
Deliberate and act on first reading of an Ordinance amending the Rockport Code of Ordinances Chapter 66  (Entitled “Offenses and Miscellaneous Provisions”) Article II (Entitled “Minors Curfew”) by reenacting the minor curfew order; providing for repeal of Ordinances in conflict therewith; providing for severability; providing for penalty; and providing for an effective date.

SUBMITTED BY:  Police Chief Greg Stevens

APPROVED FOR AGENDA:  PKC

BACKGROUND:  Local Government Code § 370.002 “Review of Juvenile Curfew Order or Ordinance” requires the following:

(a) Before the third anniversary of the date of adoption of a juvenile curfew ordinance by a general-law municipality or a home-rule municipality or an order of a county commissioners court, and every third year thereafter, the governing body of the general-law municipality or home-rule municipality or the commissioners court of the county shall:

(1) review the ordinance or order’s effects on the community and on problems the ordinance or order was intended to remedy;

(2) conduct public hearings on the need to continue the ordinance or order; and

(3) abolish, continue, or modify the ordinance or order.

(b) Failure to act in accordance with Subsections (a)(1)-(3) shall cause the ordinance or order to expire.

The juvenile curfew Ordinance was first adopted by Ordinance No. 1181 in 2001 and subsequently amended by Ordinance No. 1282 in 2004, Ordinance No. 1603 in 2013, and Ordinance No. 1660 in 2016. Reviews was conducted in 2007 and 2010. A review was not conducted in 2019, thus it is being conducted at this time.

This is the first of the two required public hearings to be conducted. The second public hearing will be held at the March 24, 2020, City Council meeting. The public hearing notice was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Texas, on the City’s website at www.cityofrockport.com, and published in The Rockport Pilot on Saturday, February 29, 2020, and will be published in The Rockport Pilot on Saturday, March 7, 2020.

Since 2013 there were 29 people ticketed, but there were only 16 calls for service where an officer was dispatched. Some calls for service resulted in multiple tickets.

The only change from the previous ordinance is the daytime hours have been adjusted to match Aransas County Independent School District’s current school day hours. Please see the accompanying draft ordinance for detailed information.
FISCAL ANALYSIS: N/A

RECOMMENDATION:  Staff recommends Council approve on first reading an Ordinance amending the Rockport Code of Ordinances Chapter 66 (Entitled “Offenses and Miscellaneous Provisions”) Article II (Entitled “Minors Curfew”) by reenacting the minor curfew order; providing for repeal of Ordinances in conflict therewith; providing for severability; providing for penalty; and providing for an effective date, as presented.
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ROCKPORT CODE OF
ORDINANCES CHAPTER 66 (ENTITLED “OFFENSES AND
MISCELLANEOUS PROVISIONS”) ARTICLE II (ENTITLED “MINORS
CURFEW”) BY REENACTING THE MINOR CURFEW ORDER;
PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT
THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR
PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Council enacted Ordinance Number 1181 on April 10, 2001, ordering a curfew
for minor children; and

WHEREAS, in accordance with Texas Local Government Code Section 370.002, City Council
reviewed and re-established the curfew order pursuant to Ordinance Number 1660 on March 22,
2016; and

WHEREAS, pursuant to Texas Local Government Code Section 370.002, the curfew order
expired on March 22, 2016; and

WHEREAS, City Council on March 10, 2020 and March 24, 2020, conducted a hearing to receive
testimony and comments from members of the public on the merits of re-establishing the curfew
order; and

WHEREAS, City Council, after considering public testimony on the matter and deliberating the
effectiveness of the prior curfew order deems it in the best interest of public health, safety and
welfare to re-enact the curfew order.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
ROCKPORT, TEXAS, THAT:

Section 1. The City Code of Ordinances is hereby amended by amending Chapter 66 (entitled
“offenses and miscellaneous provisions”) Article II (entitled “minors curfew”) by replacing the
existing language with the language in italics (italics) that follows:

ARTICLE II. MINORS CURFEW

Sec. 66-36. Definitions.
For the purposes of this Article, words and terms shall have the meaning respectively ascribed as
follows:

Emergency means an unforeseen combination of circumstances or the resulting state that calls for
immediate action; including, but is not limited to, a fire, a natural disaster, an automobile accident,
or any situation requiring immediate action to prevent serious bodily injury or loss of life.
Establishment means any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian means:
(1) A person who, under court order, is the guardian of the person of a minor; or
(2) A public or private agency with whom a minor has been placed by a court.

Minor means any person under 17 years of age.

Operator means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent means a person who is:
(1) A natural parent, adoptive parent, or step-parent of another person; or
(2) At least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

Public place means any place to which the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

Remain means to:
(1) Linger or stay; or
(2) Fail to leave premises when requested to do so by a police officer or the owner, operator or other person in control of the premises.

Serious bodily injury means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Sec. 66-37. Curfew hours.

There is hereby established curfew hours, which include both evening curfew hours and school session curfew hours, as shown on Table 1 (entitled “Curfew Hours”) and which are as follows:

(a) Evening Curfew hours are as follows:

(1) Sunday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(2) Monday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(3) Tuesday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(4) Wednesday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(5) Thursday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(6) Friday - Midnight to 6:00 a.m.
(7) Saturday - Midnight to 6:00 a.m.

(b) School session curfew hours are as follows: Aransas County Independent School District regular sessions Monday through Friday – 8:30 a.m. until 4:00 p.m.

Sec. 66-38. Offenses.

(a) A minor commits an offense if he remains in any public place or on the premises of any establishment within the city during curfew hours.
(b) A parent or guardian of a minor commits an offense if he knowingly permits, or by
insufficient control allows, the minor to remain in any public place or on the
premises of any establishment within the city during curfew hours.

(c) The owner, operator, or any employee of an establishment commits an offense if he
knowingly allows a minor to remain upon the premises of the establishment during
curfew hours.

Sec. 66-38. Defenses.
(a) It is a defense to prosecution under section 66-37(b) that the minor was:

(1) Accompanied by the minor's parent or guardian;

(2) On an errand at the direction of the minor's parent or guardian, without any
detour or stop;

(3) In a motor vehicle involved in interstate travel;

(4) Reserved;

(5) Engaged in an employment activity, or going to or returning home from an
employment activity, without any detour;

(6) Involved in an emergency;

(7) Attending an official school, religious, or other recreational activity supervised
by adults and sponsored by the city, a civic organization or another similar entity
that takes responsibility for the minor, or going to or returning home from,
without any detour or stop, an official school, religious, or other recreational
activity supervised by adults and sponsored by the city, a civic organization, or
another similar entity that takes responsibility for the minor;

(8) Exercising First Amendment rights protected by the United States Constitution,
such as the free exercise of religion, freedom of speech, and the right assembly;

(9) During the scheduled vacation of or on a holiday observed by the school in which
the minor is enrolled; or that the minor had graduated from high school or
received a high school equivalency certificate; or that the minor had permission
to be absent from school or to be in the public place from an authorized school
official (suspension or expulsion shall not constitute permission). In the case of a
child being educated in a home school, a parent shall be deemed a school official;

(10) Married or had been married or had disabilities of minority removed in accordance
with Chapter 31 of the Texas Family Code.

(b) It is a defense to prosecution under section 66-37(c) that the owner, operator, or
employee of an establishment promptly notified the police department that a minor
was present on the premises of the establishment during curfew hours and refused to
leave.

Sec. 66-39. Enforcement.

Before taking any enforcement action under this section, a police officer shall ask the apparent
offender's age and reason for being in the public place. The officer shall not issue a citation or make
an arrest under this section unless the officer reasonably believes that an offense has occurred and
that, based on any response and other circumstances, no defense in section 66-38 is present.

Sec. 66-40. Penalties.
(a) A person who violates a provision of this chapter is guilty of a separate offense for
each day or part of a day during which the violation is committed, continued or
permitted. Each offense, upon conviction, is punishable by a fine not to exceed
$500.00.

(b) When required by section 51-08 of the Texas Family Code, as amended, the
municipal court shall waive original jurisdiction over a minor who violates section
66-37(a) and shall refer the minor to juvenile court.

Secs. 66-41—66-59. Reserved.
Section 2. The City Code of Ordinances is hereby further amended by amending Chapter 66 (entitled “offenses and miscellaneous provisions”) Article II (entitled “minors curfew”) by the inclusion of the table entitled “Table 1 – Curfew Hours” attached hereto as Exhibit “A”.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

Section 8. The City Secretary is hereby directed to publish notice of this Ordinance, in substantial form as Exhibit “B”, as required by Section 12.02 of the City Charter and the laws of the State of Texas.

Section 9. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.
### Table 1 – Curfew Hours

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<th>Time</th>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
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In effect only when Aransas County Independent School District is in session.
EXHIBIT “B”

PUBLIC NOTICE

ON THE 24th DAY OF MARCH 2020, THE ROCKPORT, TEXAS CITY COUNCIL ADOPTED AN ORDINANCE ADOPTING A CURFEW ORDER FOR CHILDREN UNDER THE AGE OF 17. THE CURFEW IS EFFECTIVE DURING THE PERIODS THAT FOLLOW:

(a) Evening Curfew hours are as follows:

(1) Sunday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(2) Monday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(3) Tuesday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(4) Wednesday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(5) Thursday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(6) Friday - Midnight to 6:00 a.m.
(7) Saturday - Midnight to 6:00 a.m.

(b) School session curfew hours are as follows: Aransas County Independent School District regular sessions Monday through Friday - 8:30 a.m. until 4:00 p.m.

IT IS A CLASS C MISDEMEANOR FOR A CHILD TO VIOLATE THE CURFEW LAW OR FOR A PARENT OR A BUSINESS OPERATOR TO ABET A CHILD VIOLATING THE CURFEW ORDINANCE; AND, UNLESS THE ACCUSED RAISES A DEFENSE, AS PROVIDED IN THE ORDINANCE VIOLATION OF THE ORDER IS SUBJECT TO A CRIMINAL PENALTY NOT TO EXCEED $500.00