

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING

6:30 p.m., Tuesday, January 10, 2023

Rockport Service Center, 2751 State Highway 35 Bypass

Members of the public could view the meeting via live stream. Public participation is valued and citizens wishing to express their views on any topic or agenda item could electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code provided on the Agenda, or if attending the meeting in person register before the meeting begins. Using the same form, citizens could also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The comments were read and summarized in the minutes of the meeting.

On the 10th day of January 2023, the City Council of the City of Rockport, Aransas County, Texas, convened in a Regular Meeting 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 Tim Jayroe
Mayor Pro-Tem Andrea Hattman, Ward 4
Council Member Danielle Hale, Ward 2
Council Member Katy Jackson, Ward 1
Council Member Brad Brundrett, Ward 3

CITY COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT

City Manager Vanessa Shrauner
Assistant to City Manager Kimberly Henry
City Secretary Teresa Valdez
City Attorney Allison Bastain-Rodriguez – *Via ZOOM*
Director of Finance Katie Griffin
Director of Public Works and Building & Development Services Mike Donoho
Information Technology Desktop Support Tech/Acting Network Administrator Tommy Saucedo
Police Chief Greg Stevens
Communications Center Director Lee Brown

ELECTED OFFICIALS PRESENT

Opening Agenda

1. Call meeting to order.

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Jayroe at 6:30 p.m. on Tuesday, January 10, 2023, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

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

3. Proclamation: Year of the Woman's Club of Aransas County.

Mayor Jayroe read a Proclamation proclaiming 2023 as Year of the Woman's Club of Aransas County. Mayor Jayroe presented the Proclamation to Woman's Club of Aransas County members Colleen McTernan, President, Wanda Keller, Parliamentarian and Past President, Mary Kay Herrington, Vice President, Bette Self, Past President, Margetta Coulston, Past President, and Lane Timmins, Past Vice President. Mayor Jayroe thanked the Woman's Club and expressed they are an asset to the community.

4. Presentation: Texas Certified Public Manager -Kimberly Henry.

Mayor Jayroe stated Assistant to the City Manager Kimberly Henry is a valued and important employee. Mayor Jayroe presented Ms. Henry the certificate designating her as a Certified Public Manager.

Ms. Henry received a standing ovation.

5. Citizens to be heard.

At this time, comments limited to three (3) minutes will be taken from the audience from persons who have signed the speaker's card located on the table in the back of the Training Room of the Service Center and delivered to the City Secretary before the meeting begins, or written comments received by 4:00 p.m. on the day of the meeting, on any Agenda item or any subject matter, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited, disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

Patrick Kane, 1123 East Cedar Street: Council Member Brundrett read the comments submitted by Mr. Kane. Mr. Kane comments expressed concern regarding the City Council posting an Agenda for a Retreat in Bastrop, stating the agenda shows clear intent to shield council discussions from the public and exclude citizen participation.

Kristie Rutledge, 1411 Dana Drive, addressed the Council and commented: Pull Consent Agenda Item 7 for separate discussion; the Charter requires the Investment Policy by adopted by Ordinance; Investment Policy has RBC Capital listed as a qualified broker/dealer and Bob Henderson as Bond Counsel has passed tax notes twice since 2020; and been trying to find out the status of investment accounts and unspent bond money.

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 approval of City Council Meeting Minutes of December 13, 2022, and Charter Review Commission Meeting Minutes of December 21, 2022.**
7. **Deliberate and act on a Resolution approving and adopting an Investment Policy and Strategy for the City of Rockport, Texas.**
8. **Deliberate and act on adoption of a Resolution of the City of Rockport, Texas, authorizing Professional Service Provider(s) selection for the Texas CDBG-MIT Regional Mitigation Programs Council of Government's Method of Distribution Development (CDBG MIT-MOD) Program(s) funded and administered through the Texas General Land Office (GLO).**
9. **Deliberate and act to authorize an Interlocal Purchasing Agreement with County of Tarrant, Texas, and authorizing the City Manager to negotiate and execute all necessary documents for the Tarrant County Cooperative Purchasing Program.**

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

Council Member Brundrett requested Consent Agenda Item 7 be pulled for separate discussion.

MOTION: Mayor Pro-Tem Hattman moved to approve the Consent Agenda Items, minus Item 7, as presented. Council Member Jackson seconded the motion. Motion carried unanimously.

Consent Agenda Item 7.

Council Member Brundrett asked if there were any changes to the Investment Policy and Strategy from the policy adopted last year.

Director of Finance Katie Griffin answered there were no changes in the Policy and the only change was in Exhibit B where Hilltop Securities has been added.

MOTION: Council Member Jackson moved to approve Consent Agenda Item 7. Council Member Hale seconded the motion. Motion carried unanimously.

Council Member Hale noted a correction had been made to the Minutes of the December 13, 2022, City Council Meeting. Council Member Hale stated the Minutes had previously shown her making the motion and seconding it in Agenda Item 26, but it was Mayor Pro-Tem Hattman who made the motion and was seconded by Council Member Hale.

Regular Agenda

10. **Withdrew Application - Deliberate and act on second and final reading of an Ordinance granting a Conditional Use Permit for fifteen (15) RV sites along with related structures incidental to the RV Park use on the property located at 1030 Airport Road; also known as Fulton Out Lots, Lot 38, being 14.70 acres, Rockport,**

Aransas County, Texas; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

Mayor Jayroe announced Agenda Item 10 has been pulled from the Agenda because the application has withdrawn his application requesting a Conditional Use Permit.

11. Deliberate and act on second and final reading of an Ordinance revising and amending Chapter 98 of the Code of Ordinances, City of Rockport, Article I “In General” Section 98-2 “Definitions” and Article VI “Golf Carts, Neighborhood Electric Vehicles”; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.

Police Chief Stevens said there have been no changes in format or content since Council approved the first reading of the Ordinance on December 13, 2022.

Discussion was held between Council Member Brundrett and Chief Stevens regarding the limit on the number of vendors.

MOTION: Council Member Brundrett moved to approve the second and final reading of an Ordinance revising and amending Chapter 98 of the Code of Ordinances, City of Rockport, Article I “In General” Section 98-2 “Definitions” and Article VI “Golf Carts, Neighborhood Electric Vehicles”; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

12. Reports from Council.

At this time, the City Council will report/update on activities in respective Wards, and all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; YMCA Development Committee; Texas Maritime Museum, Fulton Mansion, Rockport Center for the Arts, Aransas County, Aransas County Independent School District, Aransas County Navigation District, Town of Fulton, and Texas Municipal League. No formal action can be taken on these items at this time.

Council Member Jackson said Ward 1 has been quiet and she is proud of the Woman’s Club of Aransas County. Council Member Jackson announced everyone will have an opportunity to become a member of the Friends of VFW Post 3904; looking for people to help them in various ways.

Council Member Hale said on December 26th, there was a meeting and there were a group of citizens from her Ward that had expressed interest in the Conditional Use Permit that would have been considered tonight; there were 26 residents that attended that meeting. Council Member

Hale said she attended the Stormwater Committee meeting, and it is their intent to establish a technical committee to look for alignment between the City and County. Council Member Hale stated the first meeting for the development of a Short Term Rental Ordinance was held and had 23 citizens attend. Council Member Hale announced the San Patricio and Aransas County Agriculture and Homemaking Show kicks off January 23, 2023, and she encouraged everyone to come and support the youth. Council Member Hale said she will not be present at the January 24, 2023, Council meeting because she will be with the children.

Council Member Brundrett said the Ward 3 Town Hall Meeting on the creation of a Short Term Rental Ordinance will be held on Thursday, January 12, 2023, at 5:30 p.m. in Key Allegro at the Allegro House. Council Member Brundrett stated he hoped a lot of people would attend and give feedback.

Mayor Pro-Tem Hattman said the drainage project in the Country Club is going well and is on budget.

Mayor Jayroe said he had attended the meeting of Aransas Pathways and learned they are having problems on the trails with fishing lines; if you are on the trail and see a problem, please report it. Mayor Jayroe stated he attended the Stormwater & Floodplain Management Advisory Committee Meeting. Mayor Jayroe expressed there have been concerns voiced that it does not appear Aransas County entities want to work together regarding drainage problems in the County. Mayor Jayroe stated there is evidence that the entities want to work together and as Council Member Hale said a technical committee is going to be formed. Mayor Jayroe added the General Land Office will help with policies and stated if we can get an overall Master Drainage Plan approved it would be a benefit to the community.

Executive Session

City Council will hold an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

- 13. Section 551.072 Deliberation Regarding Real Property - To deliberate the purchase, exchange, lease, or value of real property: A) 20-foot wide alleyway lying between Lots 1-3 and Lots 9-11, Block 108, Manning Addition, City of Rockport, Aransas County, Texas; B) 40-foot wide platted, unimproved right-of-way located between Blocks 21 and 22, T.P. McCampbell Subdivision; being 0.893 acre, City of Rockport, Aransas County, Texas; and C) 40-foot wide platted, unimproved right-of-way located between Blocks 20 and 21, T.P. McCampbell Subdivision; being 2.277 acres, City of Rockport, Aransas County, Texas.**

- 14. Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) Burnside Services, Inc., 2) Concho Street Drainage Project, and 3) Bharkat Kumar Patel and Kokilakumari Patel vs. City of Rockport.**

At 7:03 p.m., Mayor Jayroe convened the City Council into executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in: Section 551.072 Deliberation Regarding Real Property - To deliberate the purchase, exchange, lease, or value of real property: A) 20-foot wide alleyway lying between Lots 1-3 and Lots 9-11, Block 108, Manning Addition, City of Rockport, Aransas County, Texas; B) 40-foot wide platted, unimproved right-of-way located between Blocks 21 and 22, T.P. McCampbell Subdivision; being 0.893 acre, City of Rockport, Aransas County, Texas; and C) 40-foot wide platted, unimproved right-of-way located between Blocks 20 and 21, T.P. McCampbell Subdivision; being 2.277 acres, City of Rockport, Aransas County, Texas; and Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) Burnside Services, Inc., 2) Concho Street Drainage Project, and 3) Bharatkumar Patel and Kokilakumari Patel vs. City of Rockport.

Open Session

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

At 7:38 p.m., Mayor Jayroe reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

- 15. Postponed – December 13, 2022: Deliberate and act on the first reading of an Ordinance authorizing the closing, vacating and abandonment of a 20-foot alleyway lying between Lots 1-3 and Lots 9-11, Block 108, Manning Addition, City of Rockport, Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment; authorizing the Mayor to execute a Quitclaim Deed for the 20-foot wide alleyway to be closed, vacated and abandoned; and providing for an effective date.**

MOTION: Council Member Brundrett moved to approve the first reading of an Ordinance authorizing the closing, vacating and abandonment of a 20-foot alleyway lying between Lots 1-3 and Lots 9-11, Block 108, Manning Addition, City of Rockport, Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment; authorizing the Mayor to execute a Quitclaim Deed for the 20-foot wide alleyway to be closed, vacated and abandoned; and providing for an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

- 16. Postponed – December 13, 2022: Deliberate and act on first reading of an Ordinance authorizing the closing, vacating and abandonment of a 40-foot wide platted, unimproved right-of-way located between Blocks 21 and 22, T.P. McCampbell Subdivision; being 0.893 acre, City of Rockport, Aransas County, Texas; providing for**

the terms and conditions of such vacation and abandonment; authorizing the Mayor to execute a Quitclaim Deed for the 40-foot wide platted, unimproved right-of-way to be closed, vacated and abandoned; and providing for an effective date.

MOTION: Council Member Jackson moved to approve the first reading of an Ordinance authorizing the closing, vacating and abandonment of a 40-foot wide platted, unimproved right-of-way located between Blocks 21 and 22, T.P. McCampbell Subdivision; being 0.893 acre, City of Rockport, Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment; authorizing the Mayor to execute a Quitclaim Deed for the 40-foot wide platted, unimproved right-of-way to be closed, vacated and abandoned; and providing for an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

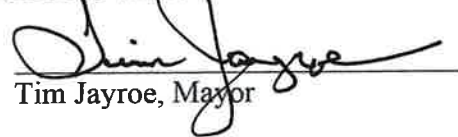
17. Postponed – December 13, 2022: Deliberate and act on first reading of an Ordinance authorizing the closing, vacating and abandonment of a 40-foot wide platted, unimproved right-of-way located between Blocks 20 and 21, T.P. McCampbell Subdivision; being 2.277 acres, City of Rockport, Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment; authorizing the Mayor to execute a Quitclaim Deed for the 40-foot wide platted, unimproved right-of-way to be closed, vacated and abandoned; and providing for an effective date.

MOTION: Council Member Brundrett moved to approve the first reading of an Ordinance authorizing the closing, vacating and abandonment of a 40-foot wide platted, unimproved right-of-way located between Blocks 20 and 21, T.P. McCampbell Subdivision; being 2.277 acres, City of Rockport, Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment; authorizing the Mayor to execute a Quitclaim Deed for the 40-foot wide platted, unimproved right-of-way to be closed, vacated and abandoned; and providing for an effective date. Council Member Jackson seconded the motion. Motion carried unanimously.

18. Adjournment.


At 7:41 p.m., Council Member Jackson moved to adjourn. Motion was seconded by Council Member Brundrett. Motion carried unanimously.

APPROVED:


Tim Jayroe, Mayor



ATTEST:


Teresa Valdez, City Secretary