CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING
6:30 p.m., Tuesday, February 11, 2020
Rockport Service Center, 2751 State Highway 35 Bypass

On the 11th 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
Council Member Michael Sasaki, Ward 1
Council Member Bob Cunningham, Ward 3
Council Member Barbara Gurtner, Ward 4

CITY COUNCIL MEMBER(S) ABSENT
Mayor Pro-Tem J.D. Villa, Ward 2

STAFF MEMBERS PRESENT
City Manager Kevin Carruth
City Secretary Teresa Valdez
Finance Director Katie Griffin
Police Chief Greg Stevens
Information Technology Director Bob Argetsinger
Public Works Director Mike Donoho
Parks & Leisure Services Director Rick Martinez

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 6:30 p.m. on Tuesday, February 11, 2020, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

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

3. Citizens to be heard.

At this time, comments will be taken from the audience on any subject matter that is not on the agenda. To address the Council, please sign the speaker’s card located on the table in the 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.

James Dickerson, 1130 E. Linden Street, addressed the Council. Mr. Dickerson informed the Council that he and two others will be riding bicycles, 60 miles a day, to Austin for the Rockport Warriors United Coast to Capital Bike Ride on March 20, 2020. Mr. Dickerson said there will be over 15,000 Veterans waiting for their arrival in Austin. Mr. Dickerson expressed he would love to see the people of Rockport come out and support them when they leave on March 20th from the Rockport Warriors United location on Linden Street.

Mayor Rios thanked Rockport Warriors United for their work and wished the bicyclists good luck on their ride to Austin.

**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.


5. Deliberate and act on request to close south side of Austin Street, from East Concho to North Streets, on March 7, 2020, from 7:00 a.m. to 10:00 a.m. for the 32nd Annual Whooping Crane Strut.

6. Deliberate and act on Resolution designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant – Disaster Recovery program contract number 20-065-090-C252.

7. Deliberate and act on Resolution adopting required Community Development Block Grant – Disaster Recovery program Civil Rights policies.

8. Deliberate and act on second & final reading of a proposed Ordinance amending the official zoning map as stipulated under Section 4.1, of Ordinance Number 1027, being the City of Rockport, Texas, zoning ordinance, and Ordinance No. 1714 by amending the current terms of the Planned Unit Development Overlay of property located at 3086-3098 State Highway 35 Bypass and 430 McLester, Rockport, Texas; also known as 11.348 acres out of the Joseph Fessenden Survey, and 38.111 acres embracing all of Tracts 12-14 and the northern portions of 15-21, C.H. Moore Subdivision, Joseph Fessenden Survey, City of Rockport, Aransas County, Texas; to a Planned Unit Development (PUD) subdivision consisting of single-family residential parcels with such features and amenities as indicated in Exhibit A attached hereto and with those specific conditions as outlined herein; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

9. Deliberate and act on the second & final 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 243 State Highway 35 Bypass; also known as Lot 2, Block 1, Muskopf Family Subdivision, City of Rockport, Aransas County, Texas; to B-1 (General Business District) to build a pet cemetery and crematorium; repealing all ordinances in conflict therewith; providing for severability, and providing for an effective date.

Mayor Rios read the captions of the Ordinances for second reading listed as Items 8 and 9 on the Consent Agenda. Mayor Rios stated there had been no changes in format or content to the Ordinances since Council approved the first readings on January 28, 2020.

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

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

**Regular Agenda**

10. Deliberate and act on Resolution supporting Gulf Shore Villas, Ltd.’s application to the Texas Department of Housing and Community Affairs 2020 Competitive 9% Housing Tax Credit Program, committing a minimum $250 in-kind contribution, and authorizing the Mayor and City Manager to negotiate and execute all necessary documents.

City Manager Kevin Carruth stated in November 2018, Council approved a zoning request from Realtex Development for a multifamily complex that would have been comprised of 70 percent workforce units and 30 percent market rate units on a tract of land at 1300 FM 3036, but was not funded. Mr. Carruth said the developer is now seeking to develop a 60-unit multifamily complex on 8.2 acres at 1400 FM 3036; Phase 1 will include 51 units of affordable housing and 9 units that will be at market rate.

Realtex Development Corporation President Rick Deyoe, 1114 Lost Creek Boulevard, Austin, Texas, addressed the Council. Mr. Deyoe stated the application to the General Land Office was not funded for the first proposed development, so they are going to apply for assistance through the Texas Department of Housing and Community Affairs 9% Housing Tax Credit Program for $8,884,998 in housing tax credits. Mr. Deyoe explained in order to maximize points for their application, Realtex needs a resolution of support from the City. Mr. Deyoe said all units are targeted towards those working families and the amount of rent paid is dependent on the tenant’s income limits: 1 bedroom/1bathroom – rent from $299 a month to $800 a month; 2 bedrooms/2 bathrooms – rent from $357 a month to $930 a month; 3 bedrooms/2 bathrooms – rent from $408 a month to $1,150 a month.

Council Member Gurtner stated she is very excited about this development. Council Member Gurtner said it will be a good addition to the community.

Council Member Cunningham asked how long the stated rents stay in place.
Mr. Deyroe answered the application is for a 15-year tax credit with another 15-year extension possible. Mr. Deyroe said at the end of either one of those periods it can then be decided if the rents stay at affordable housing rates or move to market value.

**MOTION:** Council Member Gurtner moved to adopt a Resolution supporting Gulf Shore Villas, Ltd.’s application to the Texas Department of Housing and Community Affairs 2020 Competitive 9% Housing Tax Credit Program, committing a minimum $250 in-kind contribution, and authorizing the Mayor and City Manager to negotiate and execute all necessary documents. Council Member Saksi seconded the motion. Motion carried unanimously.

11. **Deliberate and act on first 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.**

Public Works Director Mike Donoho addressed the Council. Mr. Donoho stated the City’s existing conflict of interest ordinance does not include reference to state and federal statutes, as is now required for state and federal grant programs. Mr. Donoho explained for the City to continue to be eligible for state and federal grants, the City’s policy must include the proposed changes to the Ordinance. Mr. Donoho added the City Attorney drafted the proposed Ordinance and has developed an acknowledgement form that all City employees, vendors, and elected officials will be asked to sign to protect them and the City.

**MOTION:** Council Member Gurtner moved to approve the first 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. Council Member Cunningham seconded the motion. Motion carried unanimously.

12. **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 Saksi said it was a pleasure attending the Boy Scout fundraiser as a guest of Council Member Gurtner. Council Member Saksi stated the event was very well attended and he was glad to see the community support.
Council Member Cunningham said he attended the Rockport-Fulton Chamber of Commerce Windshield Tour, the Aransas County Navigation District meeting and the Aransas County Commissioners Court meeting. Council Member Cunningham stated he went by the Bent Oak property and the birds are they as well as a slew of people with cameras; the property is being utilized exactly as the Council had intended when the City purchased it. Council Member Cunningham said he attended a meeting last night of Aransas First.

Council Member Gurtner announced Rockport Little Theater will be presenting “Always Patsy Cline” beginning February 20, 2020. Council Member Gurner stated if you volunteer you can see the show for free; please see her if you are interested in volunteering – she needs six to eight volunteers each evening.

Mayor Rios announced the following: Friday, Valentines Special at the pool – two for the price of 1; Saturday is Doggie Dunk at the pool at $5 per dog – small dogs 9:00 a.m. to 10:30 a.m. and large dogs 10:30 a.m. to Noon. Mayor Rios said a portion of the proceeds will go to Another Chance Rescue. Mayor Rios stated our neighbors to the north have LaMardi Gras this weekend.

Council Member Cunningham stated in the absence of Mayor Pro-Tem Villa he would take the opportunity to announce Mayor Pro-Tem Villa had won the oyster eating contest at the Oysterfest Press Party on Saturday.

Mayor Rios stated Mayor Pro-Tem Villa was absent tonight because his daughter was showing lambs at the San Antonio stock show.

20. Adjournment.

At 7:00 p.m., Council Member Gurtner moved to adjourn. Motion was seconded by Council Member Cunningham. Motion carried unanimously.

APPROVED:

[Signature]
Patrick R. Rios, Mayor

ATTEST:

[Signature]
Teresa Valdez, City Secretary