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 Sasaki, 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
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).

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.
Regular Agenda


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.
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
Rockport. 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>FY 2018-2019</th>
<th>EMS Call Volume Per Entity</th>
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<tbody>
<tr>
<td>Entity</td>
<td>No. Calls</td>
</tr>
<tr>
<td>Aransas County</td>
<td>1,590</td>
</tr>
<tr>
<td>Fulton</td>
<td>261</td>
</tr>
<tr>
<td>Rockport</td>
<td>1,787</td>
</tr>
<tr>
<td>Total</td>
<td>3,638</td>
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</tbody>
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**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.