CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING
6:30 p.m., Tuesday, April 28, 2020
Via Video Conferencing Application ZOOM

A temporary suspension of the Open Meetings Act to allow telephone or video conference public meetings was granted by Governor Greg Abbott. These actions were being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Due to the COVID-19 pandemic, the attorney general has said: “statutes that may be interpreted to require face-to-face interaction between members of the public and public officials are suspended; provided, however, that the governmental bodies must offer alternative methods of communicating with their public officials.” Public participation is valued and citizens wishing to express their views on any topic or Agenda item can either electronically submit a Citizen Participation Form or provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The Mayor will read the comments and they will be entered in the minutes of the meeting.

On the 28th day of April 2020, the City Council of the City of Rockport, Aransas County, Texas, convened in Regular Session at 6:30 p.m., via video conferencing application ZOOM 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

STAFF MEMBERS PRESENT
City Manager Kevin Carruth
City Secretary Teresa Valdez
Public Works Director Mike Donoho
Community Planner Amanda Torres
Finance Director Katie Griffin

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, April 28, 2020, via video conferencing application ZOOM.
2. Pledge of Allegiance.

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


Mayor Rios read the 51st Anniversary of Municipal Clerks Week Proclamation.

4. Citizens to be heard.

At this time, written comments received 30 minutes prior to the start of the meeting, on any subject matter that is not on the Agenda, will be read by the Mayor and entered in the minutes of the meeting. 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.

There were no citizens comments submitted.

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 the City of Rockport Code of Ordinances Chapter 102 “Utilities”, Section 102-202 “Permit to Deposit Septic Tank Waste into Wastewater System”; providing for the validity of said Ordinance, repealing all prior ordinances in conflict herewith; and providing for an effective date.

7. Deliberate and act on 2nd quarter report from the Rockport-Fulton Chamber of Commerce for Fiscal Year 2019-2020 marketing expenditures.

8. Deliberate and act on 2nd quarter report from the Fulton Mansion State Historical Site for Fiscal Year 2019-2020 marketing expenditures.

9. Deliberate and act on a Resolution of the City of Rockport, Texas, authorizing the Rockport Police Department to apply for and operate an Operation Stonegarden Grant Program administered by the Office of the Governor, Homeland Security grants division for Fiscal Year 2019; and authorizing the Mayor to act as the Executive Officer and authorized representative in all matters pertaining to the participation in this grant program.

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.

Regular Agenda
10. 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 granting a Conditional Use Permit allowing the continuation of a recreational vehicle (RV) and manufactured home (MH) park on properties located 1233 and 1301 Jim’s Smokehouse Road; also known as Lot 13-D, Block 247, Foor & Swickheimer Tracts, Charles Zenn Survey, A-226, and 22.60 acres being out of Tracts 12 & 13 out of Landblock 247 of the Foor and Swickheimer Subdivision, Volume 1, Page 28, Plat Records of Aransas County, City of Rockport, Aransas County, Texas; currently zoned R-1 (1st Single Family Dwelling District); repealing all ordinances in conflict therewith; providing for severability; and providing for an effective date.

Community Planner Amanda Torres stated the Planning & Zoning Commission heard this item on Monday, April 20, 2020, and voted to recommend approval. Ms. Torres said this is a continuation of a use that is already there. Ms. Torres informed the Council two letters in favor of the request were received.

Mayor Pro-Tem Villa asked Ms. Torres if the manufactured homes or recreational vehicles are to be a certain year model. Mayor Pro-Tem Villa added he is not a fan of recreational vehicle parks but since this park is on the outskirts of Rockport and no one spoke against the request, he could support this request.

Ms. Torres answered Mayor Pro-Tem Villa that the manufactured homes are brand new and the City has an ordinance that does not allow manufactured homes older than 10 years.

Council Member Gurtner stated this is already a manufactured home and recreational vehicle park so this is bringing it into compliance.

MOTION: Mayor Pro-Tem Villa moved to approve the first reading of an Ordinance amending the Official Zoning Map as stipulated under Article 4.1 of the City of Rockport Zoning Ordinance Number 1027 by granting a Conditional Use Permit allowing the continuation of a recreational vehicle (RV) and manufactured home (MH) park on properties located 1233 and 1301 Jim’s Smokehouse Road; also known as Lot 13-D, Block 247, Foor & Swickheimer Tracts, Charles Zenn Survey, A-226, and 22.60 acres being out of Tracts 12 & 13 out of Landblock 247 of the Foor and Swickheimer Subdivision, Volume 1, Page 28, Plat Records of Aransas County, City of Rockport, Aransas County, Texas; currently zoned R-1 (1st Single Family Dwelling District); repealing all ordinances in conflict therewith; providing for severability; and providing for an effective date. Council Member Gurtner seconded the motion.

Mayor Rios conducted a roll call vote:
FOR MOTION: Mayor Pro-Tem Villa, Council Member Sasaki, Council Member Cunningham, Council Member Gurtner and Mayor Rios.
AGAINST MOTION: None.

Motion carried unanimously.

11. Deliberate and act on an Ordinance of the City Council of the City of Rockport, Texas, extending a Declaration of Local Disaster for the period of May 4 – May 12, 2020;
establishing rules and regulations for the duration of the disaster; restricting certain activities; and establishing penalties for violations.

Mayor Rios stated this Ordinance is an extension of the Disaster Declaration for the period of May 4-May 12, 2020. Mayor Rios said this is the third extension, to ensure the City stays in compliance and is eligible to receive FEMA monies for disaster related expenses.

**MOTION:** Mayor Pro-Tem Villa moved to approve an Ordinance of the City Council of the City of Rockport, Texas, extending a Declaration of Local Disaster for the period of May 4 – May 12, 2020; establishing rules and regulations for the duration of the disaster; restricting certain activities; and establishing penalties for violations. Council Member Saski seconded the motion. Motion carried unanimously.

12. **Hear and deliberate on status of COVID-19 and response efforts.**

Mayor Rios said it has been non-stop telephone calls with the Department of State Health Services, the State, Federal Government COVID-19 Task Force, Senator Kolkhorst and Representative Morrison. Mayor Rios stated through their help Aransas County was able to get a mobile testing unit. Mayor Rios informed everyone 187 individuals were tested in two days and we should be getting results if positive in the next couple of days.

Mayor Rios stated an announcement will be made tomorrow morning that the Stay at Home Order will be amended and effective as of 12:00 a.m. on May 1, 2020, and will open public beaches and boat ramps; will allow hotels and recreational vehicle parks to take short-term rentals; some businesses and restaurants can open at 50% capacity. Mayor Rios said the City is not going to open their public facilities and lobbies to protect the safety of residents and employees, but expect to be opening them in the near future.

13. **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 stated he was glad to see more and more people respecting others in town, but there are still people bringing their entire family into retail. Council Member Saski said he is looking forward to seeing the outcome of the COVID-19 testing in Aransas County. Council Member Saski commented he misses everyone, he is ready to get back to normalcy and everyone should stay safe. Council Member Saski expressed it is sad to see Downtown Rockport and he knows those businesses are ready to get back to work.

Mayor Pro-Tem Villa asked if the beach park opens will they allow everyone to go in. Mayor Pro-Tem Villa stated he has a feeling there will be a lot of people going to the beach and boat ramp. Mayor Pro-Tem Villa thanked Mayor Rios for everything he is doing on behalf of the City.
Mayor Rios answered Mayor Pro-Tem Villa the beach falls under the purview of the Navigation District and people should still practice social distancing. Mayor Rios stated the Rockport Police Department will respond if there is an issue at the beach.

Council Member Cunningham stated he attended, via ZOOM, the Navigation District Meeting, and they approved the agreement with Aransas County regarding the Little Bay circulation study. Council Member Cunningham said he also watched the County Commissioners’ meeting yesterday that was streamed on YouTube. Council Member Cunningham informed the Council the Commissioners’ approved the Community Development Block Grant contract for possible future sewer expansion for Oakdale/Hills Village Colonia. Council Member Cunningham said the Commissioners’ received a report from the Chamber who expressed they felt like they were just about to make a comeback from the hurricane and now a halt put on marketing because of COVID-19.

Council Member Cunningham said he had read in the paper the Chamber had formed a Task Force for re-opening and said they would be working with the Mayor. Council Member Cunningham asked what the relationship between the Chamber and City on this is.

Mayor Rios answered the first meeting was held today between the hoteliers and recreational park owners; 26 people were on the call discussing the industry, recommending ways to keep the public safe, and asking for best practices. Mayor Rios stated he was asked to attend in order to answer questions. Mayor Rios said there are 8-10 different groups that will be having discussions the next couple of days and then reporting to government officials.

Council Member Cunningham stated the Governor’s orders states if there were less than 5 confirmed cases in a county, then businesses could open at 50% capacity. Council Member Cunningham asked if a decision had been made for Aransas County.

Mayor Rios answered right now it is 50% and Aransas County Judge Mills has to do an attestation to the Governor and all other Governor orders will hold.

Council Member Gurtner said she is winding things down since she did not seek re-election. Council Member Gurtner asked when the administration of oath to Ms. Hattman will take place.

City Manager Kevin Carruth stated Ms. Hattman will take the Oath of Office on May 28, 2020.

**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:

14. Section 551.071(1)(A) Consultation with Attorney: Pending or contemplated litigation – ITRON.

No Executive Session was held.
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.

15. Adjournment.

At 7:02 p.m., Mayor Pro-Tem Villa moved to adjourn. Motion was seconded by Council Member Saksi. Motion carried unanimously.

APPROVED:

[Signature]

Patrick R. Rios, Mayor

ATTEST:

[Signature]

Teresa Valdez, City Secretary