



# City of Rockport

## CITY COUNCIL REGULAR MEETING AGENDA

TUESDAY, APRIL 9, 2024 ~ 6:30 p.m.

ROCKPORT SERVICE CENTER

2751 STATE HIGHWAY 35 BYPASS

ROCKPORT, TEXAS 78382

Mayor Tim Jayroe

Mayor Pro Tem (Ward 4) Andrea Hartman

Councilmember (Ward 1) Stephanie Rangel

Councilmember (Ward 2) Danielle Haler

Councilmember (Ward 3) Brad Brundrett

Vanessa Shrauner, City Manager

Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, April 9, 2024, at 6:30 p.m. The meeting will be held in person at the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas. The live stream link to view the meeting is: <https://www.youtube.com/@rockporttxgov>.

Public participation is valued and citizens wishing to express their views on any topic or agenda item can 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 to the right, or if attending the meeting in person register before the meeting begins. Using the same form, citizens can also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The comments will be read at the meeting.



SCAN ME

**NOTE:** The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for discussion. An announcement will be made on the basis of the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for the Executive Session.

Notice is hereby given that attendance by other elected or appointed officials may attend the City Council Meeting at the date and time above in numbers that may constitute a quorum. No action or minutes will be taken by such in attendance.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation 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 email [citysecretary@rockporttx.gov](mailto:citysecretary@rockporttx.gov) 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.

### 1. CALL TO ORDER

### 2. PLEDGE OF ALLEGIANCE

### 3. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

- Proclamation proclaiming April 9, 2024, as Robert Milton Jackson Day

- B. Proclamation proclaiming the week of April 14-20, 2024, at National Telecommunicator Week
- C. Recognition of Councilmember Brad Brundrett for earning the Certificate of Recognition in 2023 from the Texas Municipal League.

#### **4. 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 at 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.

#### **5. CONSENT**

The following items may be acted upon in a single motion. No separate discussion or action on any of these items will be held unless pulled at the request of a member of the City Council.

- A. Consider the approval of the March 12, 2024, City Council Regular Meeting Minutes (Shelley Goodwin, City Secretary)
- B. Consider the approval of the Pearl Point Rockport 1, LLC (Pearl Point 1) "Owner" annual report and approval of the property tax revenue sharing reimbursement (Robbie Sorrell, Finance Director)
- C. Consider the approval of the Pearl Point Phase 2, LLC (Pearl Point 2) "Owner" annual report and approval of the property tax revenue sharing reimbursement (Robbie Sorrell, Finance Director)
- D. Consider the approval of the Gulf Coast Hardware, LLC (Ace Hardware) annual report and approval of the sales tax revenue sharing payment (Robbie Sorrell, Finance Director)
- E. Consider the approval Resolution 2024-05R authorizing the Rockport Police Department to apply for and operate an Operation Stonegarden Grant Program (OPSG) administered by the Office of the Governor, Homeland Security grants division for Fiscal Year 2023; and authorizing the Mayor to act as the Executive Officer and authorized representative in all matters pertaining to the participation in this grant program (Captain Nathan Anderson, Police Department)

#### **6. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS**

- A. Consideration and possible approval of a joint resolution of Aransas County, the Town of Fulton, the City of Aransas pass, the Aransas County Navigation District and the City of Rockport creating the Stormwater Management Technical Committee. (Vanessa Shrauner, City Manager)

## **7. OTHER ACTION ITEMS AND UPDATES**

- A.** Consider the appointment of an audit firm, P. Andrew Hall, LLC as independent auditor for the purpose of providing a certified public accounting audit and related services, including preparation of the City's annual Comprehensive Financial Report, to the City of Rockport (Robbie Sorrell, Finance Director)
- B.** Consider the request from Gypsiez Show and Rowdy Maui to close East Street from Austin to Water Street on April 27, 2024, from 8:00 a.m. until 5:00 p.m. for a Chief and Dip Skip (Kimberly Henry, Assistant to the City Manager)

## **8. CITY MANAGER'S UPDATE**

### **9. CITY COUNCIL REPORT**

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; 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.

### **10. EXECUTIVE SESSION**

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Section - (551.071 Consultations with Attorney)

- A.** Seek 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) City Hall; 2) Concho Street & General Land Office (GLO) drainage projects; and 3) Data Pros Settlement.

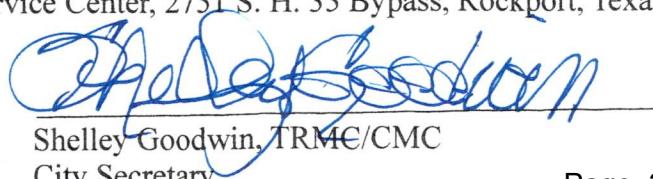
### **11. BUSINESS ITEM**

The City Council will reconvene into Regular Session upon the conclusion of the Executive Session; the City Council may take action on any item posted in the Executive Session as necessary.

### **12. ADJOURN**

#### **CERTIFICATION**

This is to certify that I, Shelley Goodwin, posted this Agenda at 12:05p.m. on April 5, 2024, on the bulletin board of the City of Rockport Service Center, 2751 S. H. 35 Bypass, Rockport, Texas 78382.



Shelley Goodwin, TRMC/CMC  
City Secretary

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, April 9, 2024**

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**AGENDA ITEM: 3**

Proclamation: Robert Milton (Bobby) Jackson Day on Tuesday, April 9, 2024

**SUBMITTED BY:** Mayor Tim Jayro

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:** Please see the accompanying Proclamation.

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**FISCAL ANALYSIS:** N/A

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**RECOMMENDATION:** N/A



## PROCLAMATION

**WHEREAS**, ROBERT MILTON (BOBBY) JACKSON has been an important member of Rockport's community throughout his life; and

**WHEREAS**, Bobby Jackson started his sharing of knowledge during his Boy Scout staff experience at Camp Karankawa in the late 1960's and early 1970's by teaching hundreds of kids from a 17 county area in South Texas how to swim with a 70-80% success rate; and

**WHEREAS**, Bobby Jackson attended Texas A&I University in Kingsville where he entered the school of Education. He later received his master's degree and began his teaching career at Aransas County ISD in 1975, almost all was teaching 7<sup>th</sup> grade Texas History; and

**WHEREAS**, his 45 years teaching career can be contributed to their family history in Rockport which goes back to 1888. His grandmother had many talents, which included detailed handwritten manuscript of their time in Rockport and through the 1919 hurricane, which he often reenacted to his class; and

**WHEREAS**, Bobby Jackson served on the Aransas County Historical Society board and was honored by the Rockport-Fulton Chamber of Commerce as Citizen of the Year;

**WHEREAS**, recently the Aransas County Historical Society recognized Bobby for his lifetime achievement in history education in a special edition of the Society quarterly newsletter. He was also honored by many former students as "the best teacher they have ever had"; and

**NOW, THEREFORE, BE IT PROCLAIMED**, that the City Council of the City of Rockport, Texas does hereby declare Tuesday, April 9, 2024, to be

## Robert Milton (Bobby) Jackson Day

in the City of Rockport and call upon all the citizens of Rockport to recognize his positive influence to the youth in and around Rockport, Texas.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the City of Rockport, Texas, to be affixed this 9<sup>th</sup> day of April, 2024.

**CITY OF ROCKPORT, TEXAS**

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Tim Jayroe, Mayor

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, April 9, 2024**

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**AGENDA ITEM: 3 B**

Proclamation: National Public Safety Telecommunicators Week – April 14 through April 20, 2024

**SUBMITTED BY:** Mayor Tim Jayro

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:** Please see the accompanying Proclamation.

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**FISCAL ANALYSIS:** N/A

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**RECOMMENDATION:** N/A



## PROCLAMATION

**WHEREAS**, Emergencies can occur at any time that require Police, Fire, or Emergency Medical Services; and

**WHEREAS**, When an emergency occurs, the prompt response of Police Officers, Fire Fighters, and Emergency Medical Services personnel is critical to the protection and preservation of life and property; and

**WHEREAS**, The safety of our Police Officers, Paramedics, and Firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Rockport Public Safety Communications; and

**WHEREAS**, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

**WHEREAS**, Public Safety Telecommunicators are the single vital link for our Police Officers, Paramedics, and Firefighters by monitoring their activities by radio, providing them information, and insuring their safety; and

**WHEREAS**, Public Safety Telecommunicators of the City of Rockport Communications Center have contributed substantially to the apprehension of criminals, suppression of fires, and treatment of patients; and

**WHEREAS**, Each Dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year making them a calm voice in the dark;

**NOW, THEREFORE BE IT RESOLVED**, that I, Tim Jayroe, Mayor of the City of Rockport, State of Texas, do hereby proclaim the week of April 14 through 20, 2024, as

### **NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK**

in Rockport, Texas, and ask that citizens honor the men and women whose diligence and professionalism help keep our City and citizens safe.

**IN WITNESS WHEREOF**, I hereunto set my hand and official seal of the City of Rockport this 9th day of April, 2024.

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Tim Jayroe  
Mayor



**STATE OF TEXAS  
OFFICE OF THE GOVERNOR**

Daily, across the nation, public safety telecommunicators are on the front lines, communicating and coordinating public safety services in the face of critical need. From car accidents and medical emergencies to threats of any kind, these highly trained professionals answer calls for help and address emergent needs with skill and speed. Dispatchers, 9-1-1 operators, and crisis communications specialists remain poised during stressful situations, reassure callers, and establish swift responses to any calamity.

Public safety telecommunicators provide essential services to their fellow Texans and remain devoted to their communities. Their ability to operate telephones, radios, and computers supports law enforcement, emergency medical services, and firefighters. Their professionalism, empathy, and commitment inspire people throughout the Lone Star State. More than 4,000 public safety telecommunicators work in 600 emergency 911 call centers, providing critical communications in the face of difficult circumstances.

The Commission on State Emergency Communications works with telecommunicators and local and state governments to ensure that Texans have reliable access to emergency telecommunications services. Each year, the commission brings awareness to public safety telecommunicators and recognizes their importance to public safety.

At this time, I encourage all Texans to learn more about the impactful role these dedicated professionals play in our lives and to extend their appreciation to public safety telecommunicators. They ensure that help arrives swiftly to those in need.

Therefore, I, Greg Abbott, Governor of Texas, do hereby proclaim April 14–20, 2024, to be

## **Public Safety Telecommunicators Week**



in Texas and urge all Texans to observe the occasion with appropriate ceremonies and activities.

In testimony whereof, I have hereunto affixed my signature this the 4th day of April, 2024.

A handwritten signature of Greg Abbott in black ink, followed by a horizontal line.

Governor of Texas

## CITY COUNCIL AGENDA

### Regular Meeting: Tuesday, April 9, 2024

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**AGENDA ITEM: 3C**

Recognition of Council Member Brad Brundrett for earning the Certificate of Recognition in 2023 from the Texas Municipal League.

**SUBMITTED BY:** Mayor, Tim Jayroe

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:** Brad Brundrett, in recognition of his commitment to continuing education, was recently honored with the Texas Municipal League Institute (TMLI) *Certificate of Recognition*. The award was bestowed after the conclusion of the TML Midyear Conference on Friday, March 15, in San Marcos. The recognition is awarded to individuals who completed 42 or more continuing education units during the 2023 calendar year. Seventeen *Certificates of Recognition* were earned statewide.

The TMLI program is designed to enhance the leadership and problem-solving capabilities of Texas' elected city officials. Participants are offered educational sessions on economic development, city revenue, ethics, governance, leadership, legislative issues, and more throughout the program year.

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**FISCAL ANALYSIS:** N/A

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**RECOMMENDATION:** Recognition of Council Member Brundrett.



THE

# TEXAS MUNICIPAL LEAGUE

*is pleased to present the designation of*

## CERTIFICATE of RECOGNITION

to

*Brad L. Brundrett*

*for fulfilling the required Continuing Education Unit Credits  
through participation in the Texas Municipal League Institute.*

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Bennett Sandlin, TML Executive Director

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2023

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Award Year

## **HOMETOWN NEWS RELEASE**

### **The Texas Municipal League Recognizes**

### **2023 TML Leadership Fellows**

**To:** News Editor / Name of Publication / Mailing Address

The Texas Municipal League recognized **Brad Brundrett, Councilmember Ward 3**, as a Leadership Fellow on Friday, May 19, at the Sheraton Hotel in Georgetown.

**Brad Brundrett** was honored by Bennett Sandlin, Texas Municipal League (TML) Executive Director, during the awards ceremony. The award recipients – elected, appointed, and other city officials from throughout Texas – voluntarily completed more than 30 hours of training, held over two months, to enhance their leadership skills.

Participants explored the principles and characteristics of ethical leadership, learned to build trust and community, discovered ways to improve team building and communication skills, and practiced negotiation for strategic influence. They discussed local issues in the broader leadership context, with the goal of applying learnings to their public service role and to benefit their cities and residents.

Created in 1913, the Texas Municipal League is a nonprofit organization that provides legal guidance, legislative advocacy, publications, training, and networking opportunities to officials from over 1,178 cities in Texas.

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, April 9, 2024**

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**AGENDA ITEM: 5A**

Deliberate and act on approval of City Council Meeting Minutes of March 12, 2024.

**SUBMITTED BY:** City Secretary Shelley Goodwin

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:** Please see the accompanying City Council meeting minutes of March 12, 2024.

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**FISCAL ANALYSIS:** N/A

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**RECOMMENDATION:** Staff recommend the Council approve the Minutes, as presented.

**CITY OF ROCKPORT**

**MINUTES**

**CITY COUNCIL REGULAR MEETING**

**6:30 p.m., Tuesday, March 12, 2024**

**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 12th day of March 2024, 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

**CITY COUNCIL MEMBER(S) ABSENT**

Council Member Stephanie Rangel, Ward 1  
Council Member Brad Brundrett, Ward 3

**STAFF MEMBERS PRESENT**

**PRESENT**

City Manager Vanessa Shrauner  
City Attorney Robin Cross (via Zoom)  
Interim City Secretary/Assistant to the City Manager Kimberly Henry  
Director of Public Works and Building & Development Services Mike Donoho  
Parks & Leisure Services Director Gene Camargo  
Director of Information Technology Bob Argetsinger  
Communications Center Director Lee Brown  
Director of Finance Robbie Sorrell  
Interim Police Chief Rusty Pancoast

**ELECTED OFFICIALS**

**Opening Agenda**

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**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, March 13, 2024, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

## **2. Pledge of Allegiance.**

Mayor Jayroe led the Pledge of Allegiance to the U.S. flag.

## **3. Proclamation: Aransas Nature Fest Week – March 16-23, 2024.**

Mayor Jayroe read the proclamation aloud and presented it to Mayor Pro-Tem Hattman as a representative of the Aransas Nature Fest event.

## **4. 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 at 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.

There were no Citizens to be hear.

## **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 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 approval of City Council Special Closed Session Meeting of February 27, 2024 and the City Council Regular Meeting Minutes of February 27, 2024.**
- 6. Deliberate and act on 1<sup>st</sup> quarter report from Rockport Little Theater for Fiscal Year 2023-2024 art performances and signage expenditures.**
- 7. Deliberate and act on single-sum payment to Christmas on the Beach for Fiscal Year 2023-2024 marketing expenditures.**

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

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

## **Regular Agenda**

- 8. Deliberate and act on a Resolution of the City of Rockport suspending the April 4, 2024 effective date of AEP Texas Inc.'s requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the cities served by AEP Texas and authorizing intervention in AEP Texas Inc.'s requested rate change**

**proceedings before the Commission; hiring Lloyd Gosselink Attorney's and Consulting Services to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of cities' rate case expense; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel.**

Director of Finance Robbie Sorrell explained the Statement of Intent was received on February 29, 2024, from AEP Texas, Inc. to increase their rates. The Resolution provided by Lloyd Gosselink Rochelle and Townsend, P.C. allows them to work on our behalf to petition the Public Utility Commission (PUC) for a rate study. As a ratemaking proceeding, we are entitled for reimbursement of legal and consulting expenses; therefore there will be no cost to the City. Staff recommends approval.

**MOTION:** Council Member Hale moved to approve the Resolution of the City of Rockport suspending the April 4, 2024 effective date of AEP Texas Inc.'s requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the cities served by AEP Texas and authorizing intervention in AEP Texas Inc.'s requested rate change proceedings before the Commission; hiring Lloyd Gosselink Attorney's and Consulting Services to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of cities' rate case expense; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

**9. Deliberate and act on second and 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 R2 (2nd Single Family Dwelling District) for property located at 202 East Cornwall; also known as East one-half of Lot 8, all of Lot 9, Block 13, Hunter Subdivision; to B-1 (General Business District); repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

Director of Public Works Mike Donoho stated there were no changes since the first reading.

**MOTION:** Council Member Hale moved to approve the second and 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 R2 (2nd Single Family Dwelling District) for property located at 202 East Cornwall; also known as East one-half of Lot 8, all of Lot 9, Block 13, Hunter Subdivision; to B-1 (General Business District); repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Mayor Pro-Tem Hattmann seconded the motion. Motion carried unanimously.

**10. Deliberate and act on second and final approval of an Ordinance of the City of Rockport declaring unopposed candidates in the May 4, 2024, City General Election, elected to office; cancelling the Saturday, May 4, 2024 Mayor At-Large, Council Member Ward 2,**

**and Council Member Ward 4 Elections; and finding and declaring that the meeting at which this Ordinance 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 Ordinance.**

**Deliberar y actuar sobre la segunda y última aprobación de una Ordenanza de la Ciudad de Rockport que declare elegidos para el cargo a los candidatos sin oposición en las Elecciones Generales de la Ciudad del 4 de mayo de 2024; cancelar las elecciones del sábado 4 de mayo de 2024 para alcalde general, miembro del consejo del distrito 2 y miembro del consejo del distrito 4; y encontrar, declarar que la reunión en la que se adopta esta Ordenanza estaba abierta al público, que el aviso público de la hora, el lugar y el tema del asunto público a considerar se publicó según lo exige la ley, incluida esta Ordenanza.**

Interim City Secretary Kimberly Henry stated there were no changes since the first reading.

Council Member Hale questioned what the budget savings was and Mrs. Henry stated it would be approximately \$25,000.

**MOTION:** Council Member Hale moved to approve the second and final approval of an Ordinance of the City of Rockport declaring unopposed candidates in the May 4, 2024, City General Election, elected to office; cancelling the Saturday, May 4, 2024 Mayor At-Large, Council Member Ward 2, and Council Member Ward 4 Elections; and finding and declaring that the meeting at which this Ordinance 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 Ordinance. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

## **11. Deliberate and act on the approval of an Emergency Change Order for repairs to the East Clarifier at the Wastewater Treatment Plant (WWTP).**

Director of Public Work Mike Donoho explained that just prior to the contract being awarded to R.P. Construction for planned improvements to the Wastewater Treatment Plant (WWTP), the East Clarifier quit working properly. Although this wasn't in the planned improvements, we were able to request a change order to include this at a much-reduced price since there would be no additional mobilization fee. The cost came in at \$40,250 and added an additional 14-days of labor. This can be primarily funded from the current balance of Unspent Bond Funds of \$39,402.00 and the remaining balance of \$848.00 coming from Utility Fund Equipment line item 02-6467016. This is within the dollar figure allowed for change orders and the Grant Administrator agrees with this process.

**MOTION:** Mayor Pro-Tem Hattman moved to approve the Emergency Change Order for repairs to the East Clarifier at the Wastewater Treatment Plant. Council Member Hale seconded the motion. Motion carried unanimously.

**12. Discussion of a draft Resolution that dissolves the current Stormwater Management Committee and creates a Stormwater Management Technical Committee.**

City Manager Vanessa Shrauner stated this is currently for discussion only, no action is required. The Stormwater Management Committee was formed several years ago, and their original purpose has been completed. Now the questions being asked of the Committee are more technical in nature. The draft Resolution is for the Council to begin having those discussions with the appropriate people to consider the shift of this Committee to be more technical and thereby consist of the equal number of technicians from each political entity within the County so they can use their collective experiences to work together. This does not take out the elected officials from the process, it just allows the technical individuals to prepare the projects to be brought forward for approval by the appropriate elected officials. Any questions or comments are appreciated.

**13. Deliberate and act on presentation and acceptance of Annual Comprehensive Financial Report for the City of Rockport for Fiscal Year 2021-2022.**

Director of Finance, Robbie Sorrell introduced Patrick Hall of Park Fowler & Co. to provide an overview of the FY 21/22 Audit.

Mr. Hall noted this is an unmodified opinion which means it is a clean audit and the best you can have. He explained the Basic Financial Statements, the Notes to the Financial Statements, the Pension Liabilities, Special Revenue Funds, and the various Single Audits for the various Federal Grants/Awards. The only true finding was the timing and amount of turnover in staff causing this Audit to be so late. With this audit behind us, we can now begin the FY 22/2023 Audit.

City Manager Vanessa Shrauner explained that with the vacancy of the Controller for several months and then the Director leaving, it caused a delay in starting the audit process. Council Member Hale thanked the staff for their due diligence.

Director Sorrell called the Council's attention to page 20 of the audit that included a reduction of the General Fund balance by \$943,671, for a total of \$3,510,999. This was about 116 days of the 180-day balance that the city tries to maintain. The staff is already working on the FY 22/23 Audit, and we have set hard internal budget checks for the departments.

Mayor Jayroe stated that it has been the policy of the City to maintain six-months reserve in case of a disaster. He is concerned that we have allowed the reserves to slip so low.

**MOTION:** Mayor Pro-Tem Hattman moved to approve the Annual Comprehensive Financial Report for the City of Rockport for Fiscal Year 2021-2022. Council Member Hale seconded the motion. Motion carried unanimously.

**14. City Manager Report.**

City Manager Vanessa Shrauner announced that she would be out of the office this Thursday and Friday.

Director of Public Works Mike Donoho announced that following the lead of the City of Corpus Christi and our water supply contract requirements through the San Patricio Municipal Water District, we have entered Stage Two Water Restrictions. This includes watering every other week instead of weekly. Full details have been posted on the City Website and Facebook Page. We have notified TCEQ and our Wholesalers as required by State regulations and contract obligations.

### **15. 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; 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 Hale recognized Matt Anderson in the audience as the next Council Member for Ward 2, to be effective following the May election date.

Mayor Pro-Tem Hattman reminded everyone to participate in the Aransas Nature Fest this weekend.

Mayor Jayroe thanked everyone for their hard work and the success for both the Whooping Crane Strut and the Fulton Oysterfest.

### **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:**

Mayor Jayroe removed the Executive Session items.

**16. 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) City Hall; 2) Concho Street & General Land Office (GLO) drainage projects; and 3) Data Pros Settlement.**

**17. Section 551.074 Personnel Matters - deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Secretary.**

### **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.**

**18. Adjournment.**

At 7:14 p.m., Mayor Pro-Tem Hattman moved to adjourn the meeting. Motion was seconded by Council Member Hale. Motion carried unanimously.

**APPROVED:**

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Tim Jayroe, Mayor

**ATTEST:**

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Kimberly Henry, Interim City Secretary

## **CITY COUNCIL AGENDA**

### **Regular Meeting: Tuesday, April 9, 2024**

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**AGENDA ITEM: 5B**

Deliberate and act on acceptance of Pearl Point Rockport 1, LLC (Pearl Point 1) "Owner" annual report and approval of property tax revenue sharing reimbursement.

**SUBMITTED BY:** Robbie Sorrell, Director of Finance

**APPROVED FOR AGENDA:** VRS

---

**BACKGROUND:**

The City entered into a 380 Agreement with Pearl Point 1 on 2/13/2019. The ten-year, property tax revenue sharing agreement is in its 5<sup>th</sup> year (@ 60%) following last year's reimbursement @ 70%. The City shares a portion of property tax revenues per year on a declining basis. Per 380 agreement, the Owner must maintain a "Viable Presence" and on or before April 1<sup>st</sup> each year certify being in compliance with each applicable term of the agreement.

The project was split into two phases, and on May 25, 2021, the City signed a Partial Assignment and Assumption Agreement wherein Pearl Point 1 acquired Phase 1 of the project.

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**FISCAL ANALYSIS:**

Per the 380 property tax revenue sharing agreement, and as illustrated on the attached spreadsheet, the City of Rockport owes Pearl Point 1 \$39,963.92 for tax year 2023.

---

**RECOMMENDED ACTION:**

Staff recommends Council accept the report and approve the property tax reimbursement of \$39,963.92.

Pearl Point Phase 1  
Final Report to City of Rockport  
April 1, 2024



On February 13, 2019, the City of Rockport, Texas (the “City”) and Rockport Harvey Housing, LLC (the “Previous Owner”) entered into a Chapter 380 Economic Development Agreement (the “Agreement”) supporting the Previous Owner’s

construction of market-rate apartments on 28.157 acres of property in the City with a street address of 2222-2498 FM 2165 (the “Property”).

On July 15, 2022 Rockport Harvey Housing, LLC sold Phase 1 of the Property to Pearl Point Rockport I, LLC (the “Owner”) Phase 1 was purchased for \$43,200,000 and no improvements have been made since the sale of the property. Agreement has been assigned to Owner. The Agreement was amended and filed as official record on July, 13<sup>th</sup> 2022 (Exhibit B).

The Previous Owner’s Annual Report to the City dated February 2, 2021, confirmed that Phase 1 was completed in February 2021.

The Agreement requires Owner’s Annual Report to provide the following:

- 1) Compliance with the Agreement. Owner certifies to the City that it is in compliance with all terms, conditions, and provisions set forth in the Agreement.
- 2) Owner shall certify that Owner has maintained a Viable Presence. “Viable Presence” is defined in Section 3(x) of the Agreement as, “... the operation of the Facility by Owner or by a third-party leasing and management company with expertise and experience with properties of the size and design as the Project, as the same may from time to time be expanded, upgraded, improved, modified and changed, remodeled, repaired, restored, reconstructed, reconfigured, and/or reengineered, over the term of this Agreement.”

The Owner is a privately-held commercial real estate firm with offices in Dallas, TX; Memphis, TN; and New York, NY. RREAF has an extensive history in the acquisition, development, asset management, ownership, repositioning, and financing of complex real estate projects throughout the United States. RREAF was formed in 2010 with specialties in developing projects with high barriers to entry. Their success comes from creating programmatic targeted acquisition platforms and providing superior service and value.

- 3) Sales Tax Sourcing. The City made no requests of the Owner regarding sales tax sourcing through the date of this report.

- 4) Capital Investment. The Owner has invested \$42,200,000 into Pearl Point:
- Phase 1. The Previous Owner certified that it invested \$30,807,345 in Phase 1, significantly exceeding the \$20,000,000 required by the Agreement for this phase.
  - Calculation of Expenditures. In compliance with Section 3(c) of the Agreement, this amount does not include (i) land acquisition costs; (ii) Sanitary Sewer Public Infrastructure; and (iii) any improvements existing on the Property prior to the City Council's authorization of execution of the Chapter 380 Agreement.
- 5) Quarterly Reports. In lieu of quarterly reports, the Owner provides the following breakdown of total Phase 1 spending and the amount spent in Aransas County and/or with Aransas County contractors, suppliers and/or vendors:

Pearl Point Phase 1 Expenses			
Quarter	Total	Local	Local %
Q1 2019	\$525,940	\$128,395	24%
Q2 2019	\$356,613	\$57,255	16%
Q3 2019	\$329,662	\$32,492	10%
Q4 2019	\$2,257,653	\$331,466	26%
Q1 2020	\$5,753,421	\$3,490,403	52%
Q2 2020	\$5,129,659	\$2,655,303	52%
Q3 2020	\$4,470,465	\$1,971,375	44%
Q4 2020	\$6,175,820	\$1,788,776	29%
Q1 2021	\$4,374,438	\$1,105,199	25%
Q2 2021	\$1,433,674	\$319,357	22%
Total	\$30,807,345	\$11,880,021	39%

- 6) Buy Local Report. Following completion of construction when individual units are leased to the public, the Agreement requires the Owner “to give preference and priority to local manufacturers, suppliers, contractors, and labor except where not reasonably possible to do so at comparable terms or would result in substantial inconvenience or a sacrifice in operating efficiency.” With Phase 1 construction complete, we offer the following report:
- a) Construction Phase. The table below details Owner’s investment for Phase 1 of the development and the amount spent with Aransas County businesses:

Amount	Phase 1	Total
Aransas County	\$12,018,908.49	\$12,018,908.49
Not Local	\$19,239,890.24	\$19,239,890.24
Total	\$43,411,890.30	\$43,411,890.30

- b) Following Completion of Construction. With construction complete, all such contracts are in the name of RREAF Holdings. RREAF Holdings is a major national company that provides a substantial number of required services through its in-house capabilities and/or through its extensive buying power. As a result, the small number of service contracts needed to operate Phase 1 have been awarded to regional or national companies where it would not be possible to do so with “local” companies at comparable terms. The exception to this is the Rockport-based alarm monitoring and cleaning companies that were awarded contracts.
- 7) Construction Timeline.
- a) Phase 1. The Agreement requires Owner to commence construction of Phase 1 within 90 days of its Effective Date (February 13, 2019) and to receive its final certificate of occupancy by “30 months” after the Effective Date (August 13, 2021). The Previous Owner certified that construction commenced on May 7, 2019, and that it received the final certificate of occupancy from the City on February 8, 2021. The Previous Owner certified that it has constructed the Phase 1 Improvements and Phase 1 Infrastructure as they are defined in the Agreement.

- 8) Operation of the Project. The Owner certifies that the project was continuously operated as a market rate apartment project through Greystar Real Estate Partners and now RREAF Holdings in full compliance with applicable state statutes and local regulations. Owner further certifies that at no time have any units been made available for rent under the U.S. Department of Housing and Urban Development's "Housing Choice" voucher program or other federal or state rent subsidy programs as required by the Agreement.
- 9) Payment of Ad Valorem Taxes. The Owner certifies that all ad valorem taxes have been timely paid.
- 10) Compliance with City Ordinances. The Owner certifies that it has complied with all City ordinances.
- 11) Local Employees. The Owner has taken commercially reasonable steps to employ, or to have employed, residents of Aransas County. 4 of the 5 staff members working directly for the Owner at this time are residents of Aransas County, and the Previous Owner had hired Aransas County companies for a range of construction related services
- 12) Local Coordinator. The Previous Owner hired Aransas County resident Russel Cole as its project manager and designated Mr. Cole as its Local Coordinator. In this capacity, Mr. Cole acted as a liaison between any individuals, businesses, and contractors residing or doing business in Aransas County who were interested in obtaining information about providing goods or services related to the project
- 13) Total Taxes Paid and Rebates Received to Date. The table on the next page details total taxes paid and total rebates received to date for Phase 1 (the retail portion of Pearl Point is not included in the Chapter 380 Agreement with the City or in the Chapter 381 Agreement with Aransas County).

Pearl Point Total (Under RREAf Ownership)									
Year	School District	County Road & Flood	Navigation District	County	City	Total	City Rebate	Developer's Rebate	Government Revenue
2022	\$128,050.75	\$7,502.85	\$5,182.27	\$38,433.29	\$48,465.88	\$227,635.04	\$33,926 (70%)	\$33,926	\$193,709.04
2023	\$143,358.03	\$9,075.40	\$6,295.84	\$57,222.79	\$66,606.55	\$282,558.61	\$39,964 (60%)	\$39,964	\$242,594.61
Total	\$271,408.78	\$16,578.25	\$11,478.11	\$95,656.08	\$115,072.43	\$510,193.65	\$73,890	\$73,890	\$436,303.65
								17%	83%

## Phase 1 Photos



Pearl Point's 80,000-gallon pool



The pool is heated in winter and cooled in summer



Outdoor Kitchen



Leasing Office



The Clubhouse is open to tenants and guests to enjoy



The 24-hour fitness center



Computers and printers are provided to our tenants



The Community Room



Pearl Point features 120 one-bedroom,  
114 two-bedroom and 6 3-bedroom units



All units feature tiled floors  
with carpet in upper-level bedrooms



All units include side-by-side washer and dryer



All bathrooms feature double sinks and full mirrors

John Davis

RREAF Holdings, LLC

[jdavis@rreaf.com](mailto:jdavis@rreaf.com)

Tony Perez

RREAF Holdings, LLC

[aperez@rreaf.com](mailto:aperez@rreaf.com)

For information about leasing and unit availability, contact:

Pearl Point, a RREAF Residential Community

[www.livepearlpoint.com](http://www.livepearlpoint.com)

361-266-4861

Thank you.

# Aransas CAD Property Search

Page 1 of 1 - Total: 5 (0.03 seconds)

2023

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1 - 5 of 5 items

<u>Property ID</u>	<u>Geo ID</u>	Type	<u>Owner Name</u>	<u>Owner ID</u>	<u>Address</u>	<u>Appraised</u>
8820352	5135-001-001-000	Real	PEARL POINT ROCKPORT I LLC	146315	2400 FM 2165 ROCKPORT, TX 78382	\$18,497,810
8819468	5375-001-003-005	Real	PEARL POINT RETAIL LLC	140364	2258 FM 2165 ROCKPORT, TX 78382	\$123,710
8820351	5135-001-002-000	Real	PEARL POINT PHASE 2 LLC	140218	3337 S H 35 BYPASS ROCKPORT, TX 78382	\$6,070,000
8822424	5375-001-003-015	Real	PEARL POINT STORAGE LLC	140219	3257 S H 35 BYPASS ROCKPORT, TX 78382	\$530,800
8822425	5375-001-003-020	Real	PEARL POINT RETAIL LLC	140364	3237 S H 35 BYPASS ROCKPORT, TX 78382	\$100,380

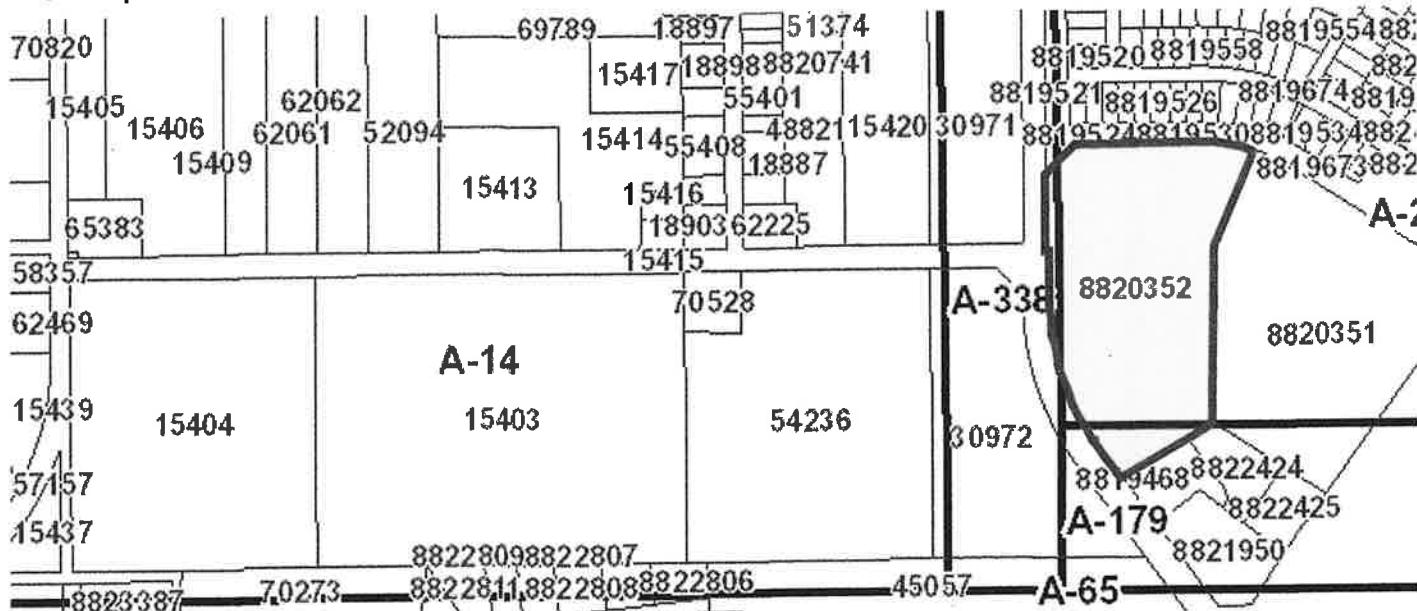
◀ ▶ 1 ▶

1 - 5 of 5 items

# Aransas CAD Property Search

Property ID: 8820352 For Year 2023

## Map



## Property Details

### Account

**Property ID:** 8820352 **Geographic ID:** 5135-001-001-000

**Type:** Real **Zoning:**

**Property Use:** R 6 HOTEL MOTEL DISTRICT **Condo:**

### Location

**Situs Address:** 2400 FM 2165 ROCKPORT, TX 78382

**Map ID:** A-7 **Mapsco:**

**Legal Description:** RCC/CHANCE J1 SUBDIVISION, BLOCK 1, LOT 1 ACRES 13.739

**Abstract/Subdivision:** S5135 - RCC/CHANCE J1 SUBDIVISION

### Neighborhood:

### Owner

**Owner ID:** 146315

**Name:** PEARL POINT ROCKPORT I LLC

**Agent:** 116751

**Mailing Address:** 1909 WOODALL RODGERS THIRD FLOOR  
DALLAS, TX 75201

**Agricultural Value Loss: ②**

\$0 (-)

**Appraised Value:** \$18,497,810 (=)**Homestead Cap Loss: ②** \$0 (-)**Assessed Value:** \$18,497,810**Ag Use Value:** \$0

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

**Property Taxing Jurisdiction****Owner:** PEARL POINT ROCKPORT I LLC %**Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	ARANSAS COUNTY APPRAISAL DISTRICT	0.000000	\$18,497,810	\$18,497,810	\$0.00	
CRO	<u>CITY OF ROCKPORT</u>	0.360078	\$18,497,810	\$18,497,810	\$66,606.54	
GAR	ARANSAS COUNTY	0.309349	\$18,497,810	\$18,497,810	\$57,222.79	
NVD	NAVIGATION DIST	0.034041	\$18,497,810	\$18,497,810	\$6,296.84	
SAR	ROCKPORT FULTON ISD	0.775000	\$18,497,810	\$18,497,810	\$143,358.03	
XSP	COUNTY ROAD & FLOOD	0.049062	\$18,497,810	\$18,497,810	\$9,075.40	

**Total Tax Rate:** 1.527530**Estimated Taxes With Exemptions:** \$282,559.60**Estimated Taxes Without Exemptions:** \$282,559.60

5th @ 60%  
0.6\*

66,606.54\*

0.6=

39,963.924\*

## **CITY COUNCIL AGENDA**

### **Regular Meeting: Tuesday, April 9, 2024**

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**AGENDA ITEM: 5C**

Deliberate and act on acceptance of Pearl Point Phase 2, LLC (Pearl Point 2) “Owner” annual report and approval of property tax revenue sharing reimbursement.

**SUBMITTED BY:** Robbie Sorrell, Director of Finance

**APPROVED FOR AGENDA:** VRS

---

**BACKGROUND:**

The City entered into a 380 Agreement with Pearl Point 2 on 2/13/2019. The ten-year, property tax revenue sharing agreement is in its 5<sup>th</sup> year (@ 60%) following last year's reimbursement @ 70%. The City shares a portion of property tax revenues per year on a declining basis. Per 380 agreement, the Owner must maintain a “Viable Presence” and on or before April 1<sup>st</sup> each year certify being in compliance with each applicable term of the agreement.

The project was split into two phases, and on May 25, 2021, the City signed a Partial Assignment and Assumption Agreement wherein Pearl Point 2 was assigned Phase 2 of the project.

---

**FISCAL ANALYSIS:**

Per the 380 property tax revenue sharing agreement, and as illustrated on the attached spreadsheet, the City of Rockport owes Pearl Point 2 \$13,114.04 for tax year 2023.

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**RECOMMENDED ACTION:**

Staff recommends Council accept the report and approve the property tax reimbursement of \$13,114.04.

Pearl Point Phase 2

Annual Report

To The City of Rockport

April 1, 2024



## **Introduction**

This Annual Report is submitted for Phase 2 of the Pearl Point project.

Phase 2 is owned by Pearl Point Phase 2, LLC (referred to herein as “Phase 2 Owner”) and is marketed under the name “*Tide on 35 Apartments*”. Uhr Real Estate, Inc. and Frew Development Group, LLC are the developers of the Pearl Point project, including Phases 1 and 2. When called for in this report, Uhr and Frew will be referred to as the “Developer.”

## **Background**

- February 13, 2019: The City of Rockport, Texas (the “City”) and Developer (through its entity Rockport Harvey Housing, LLC) entered into a Chapter 380 Economic Development Agreement (the “Agreement”) supporting Owner’s construction of market-rate apartments on 28.157 acres of property in the City with a street address of 2222-2498 FM2165 (the “Property”). Pursuant to the Agreement, the Project was constructed in two phases, with Phase 1 constructed on Lot 1 and Phase 2 constructed on Lot 2 as the Property was platted.
- May 7, 2019: Phase 1 Commencement of Construction.
- February 9, 2021: Phase 1 Completion Date.
- May 2021: Developer sold Lot 2 to Phase 2 Owner.
- May 26, 2021: City consented to an assignment of Developer’s rights and obligations under the Agreement as it relates to Phase 2 to Phase 2 Owner (recorded as Document #383153) in the Official Public Records of Aransas County, Texas.
- As of this point, Phase 1 and Phase 2 were owned by separate companies, including the respective rights and obligations under the Agreement for each phase.
- June 10, 2021: Phase 2 Commencement of Construction
- July 15, 2022: Developer sold its interests in Phase 1 to Pearl Point Rockport I, LLC (a Delaware limited liability company) not related to Developer.
- February 6, 2023: Phase 2 Completion Date.

## Phase 2 Annual Report

The Agreement requires the Annual Report to provide the following:

- 1) Compliance with the Agreement. Phase 2 Owner certifies to the City that it is in compliance with all terms, conditions, and provisions set forth in the Agreement.
- 2) Owner shall certify that Owner has maintained a Viable Presence. “Viable Presence” is defined in Section 3(x) of the Agreement as, “... the operation of the Facility by Phase 2 Owner or by a third-party leasing and management company with expertise and experience with properties of the size and design as the Project, as the same may from time to time be expanded, upgraded, improved, modified and changed, remodeled, repaired, restored, reconstructed, reconfigured, and/or reengineered, over the term of this Agreement.”

Phase 2 Owner maintained a Viable Presence through the date of this report through its relationship with Greystar Real Estate Partners as its leasing and management agent.

Greystar is a leading, fully integrated real estate company offering expertise in investment management, development, and property management of rental housing properties globally. Headquartered in Charleston, South Carolina, with offices throughout the United States, UK and Continental Europe, Latin America, and Asia-Pacific, Greystar operates in over 180 markets globally and is the largest operator of apartments in the United States, managing over 491,000 conventional units/beds. To learn more, visit [www.greystar.com](http://www.greystar.com).

- 3) Sales Tax Sourcing. The City made no requests of Phase 2 Owner regarding sales tax sourcing through the date of this report.
- 4) Capital Investment. Developer has invested \$69,653,518 in both phases of Pearl Point:
  - a) Phase 1. Developer certifies that it invested \$30,807,345 in Phase 1, significantly exceeding the \$20,000,000 required by the Agreement for Phase 1.
  - b) Phase 2. Developer certifies that it invested \$38,846,173 in Phase 2, significantly exceeding the \$20,000,000 required by the Agreement for Phase 2.
  - c) Calculation of Expenditures. In compliance with Section 3(c) of the Agreement, the amount of investment does not include (i) land acquisition costs; (ii) Sanitary Sewer Public Infrastructure; and (iii) any improvements existing on the Property prior to the City Council’s authorization of execution of the Agreement.

(remainder of page intentionally left blank)

- 5) Quarterly Reports. In lieu of quarterly reports, Developer provides the following breakdown of total spending in each Phase and the amount spent in Aransas County and/or with Aransas County contractors, suppliers and/or vendors:

Pearl Point Phase 1 Expenses			
Quarter	Total	Local	Local %
Q1 2019	\$525,940	\$128,395	24%
Q2 2019	\$356,613	\$57,255	16%
Q3 2019	\$329,662	\$32,492	10%
Q4 2019	\$2,257,653	\$331,466	26%
Q1 2020	\$5,753,421	\$3,490,403	52%
Q2 2020	\$5,129,659	\$2,655,303	52%
Q3 2020	\$4,470,465	\$1,971,375	44%
Q4 2020	\$6,175,820	\$1,788,776	29%
Q1 2021	\$4,374,438	\$1,105,199	25%
Q2 2021	\$1,433,674	\$319,357	22%
Total	\$30,807,345	\$11,880,021	39%

Pearl Point Phase 2 Expenses			
Quarter	Total	Local	Local %
Q2 2021	\$328,288	\$80,210	24%
Q3 2021	\$653,649	\$343,311	53%
Q4 2021	\$4,638,033	\$2,237,398	48%
Q1 2022	\$6,532,163	\$2,018,911	31%
Q2 2022	\$10,974,112	\$2,575,719	23%
Q3 2022	\$6,791,255	\$1,808,082	27%
Q4 2022	\$5,169,612	\$851,009	16%
Q1 2023	\$3,313,167	\$902,949	27%
Q2 2023	\$445,894	\$145,332	33%
Q3 2023	\$0	\$0	0%
Q4 2023	\$0	\$0	0%
Total	\$38,846,173	\$10,962,921	28%

- 6) Buy Local Report. Following completion of construction when individual units are leased to the public, the Agreement requires Phase 2 Owner “to give preference and priority to local manufacturers, suppliers, contractors, and labor except where not reasonably possible to do so at comparable terms or would result in substantial inconvenience or a sacrifice in operating efficiency.” With Phase 2 construction complete, we offer the following report:

- a) Construction Phase. The table below details Phase 2 Owner's investment for the development and the amount spent with Aransas County businesses:

Amount	Phase 1	Phase 2	Total
Aransas County	\$11,880,021	\$10,962,921	\$22,842,942
Not Local	\$18,927,324	\$27,883,252	\$46,810,576
Total	\$30,807,345	\$38,846,173	\$69,653,518

- b) Following Completion of Construction. With construction complete, all such contracts are in the name of Greystar. Greystar is a major national company that provides a substantial number of required services through its in-house capabilities and/or through its extensive buying power. As a result, the small number of service contracts needed to operate Phase 1 have been awarded to regional or national companies where it would not be possible to do so with "local" companies at comparable terms. The exception to this is alarm monitoring that was awarded to a Rockport company.
- 7) Construction Timeline. The Agreement establishes deadlines within which the Developer is obligated to commence and complete construction of each phase. Pursuant to the following table, Developer certifies that it constructed the Phase 1 Improvements and Phase 1 Infrastructure and the Phase 2 Improvements in compliance with the Agreement.
- | Phase   | Task                         | Actual  | Obligation |
|---------|------------------------------|---------|------------|
| Phase 1 | Commencement of Construction | 5/7/19  | 5/14/19    |
| Phase 1 | Completion Date              | 2/9/21  | 8/13/21    |
| Phase 2 | Commencement of Construction | 6/10/21 | 8/13/21    |
| Phase 2 | Completion Date              | 2/6/23  | 7/13/24    |
- 8) Operation of the Project. Phase 2 Owner certifies that it has continuously operated Phase 2 as a market rate apartment project through Greystar Real Estate Partners in full compliance with applicable state statutes and local regulations. Owner further certifies that at no time have any units been made available for rent under the U.S. Department of Housing and Urban Development's "Housing Choice" voucher program or other federal or state rent subsidy programs as required by the Agreement.
- 9) Payment of Ad Valorem Taxes. Phase 2 Owner certifies that all ad valorem taxes have been timely paid.
- 10) Compliance with City Ordinances. Phase 2 Owner certifies that it has complied with all City ordinances.
- 11) Local Employees. Phase 2 Owner has taken commercially reasonable steps to employ, or to have employed, residents of Aransas County. Three of the four staff members who worked

directly for Owner at the time of Phase 2 completion were residents of Aransas County, and Owner has hired Aransas County companies for a range of construction-related services.

12) Local Coordinator. Mark Uhr is the local coordinator for the Project.

Phase 2 was completed in February 2021.

Respectfully submitted by the managers of Developer and Phase 2 Owner:

Mark Uhr  
Uhr Real Estate, Inc.  
[Mark@rockportproperties.com](mailto:Mark@rockportproperties.com)

John Frew  
Frew Development Group, LLC  
[jfrew@frewdevelopment.com](mailto:jfrew@frewdevelopment.com)

Thank you.

# Aransas CAD Property Search

Page 1 of 1 - Total: 5 (0.03 seconds)

2023

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1 - 5 of 5 items

<u>Property ID</u>	<u>Geo ID</u>	<u>Type</u>	<u>Owner Name</u>	<u>Owner ID</u>	<u>Address</u>	<u>Appraised</u>
8820352	5135-001-001-000	Real	PEARL POINT ROCKPORT I LLC	146315	2400 FM 2165 ROCKPORT, TX 78382	\$18,497,810
8819468	5375-001-003-005	Real	PEARL POINT RETAIL LLC	140364	2258 FM 2165 ROCKPORT, TX 78382	\$123,710
8820351	5135-001-002-000	Real	PEARL POINT PHASE 2 LLC	140218	3337 S H 35 BYPASS ROCKPORT, TX 78382	\$6,070,000
8822424	5375-001-003-015	Real	PEARL POINT STORAGE LLC	140219	3257 S H 35 BYPASS ROCKPORT, TX 78382	\$530,800
8822425	5375-001-003-020	Real	PEARL POINT RETAIL LLC	140364	3237 S H 35 BYPASS ROCKPORT, TX 78382	\$100,380

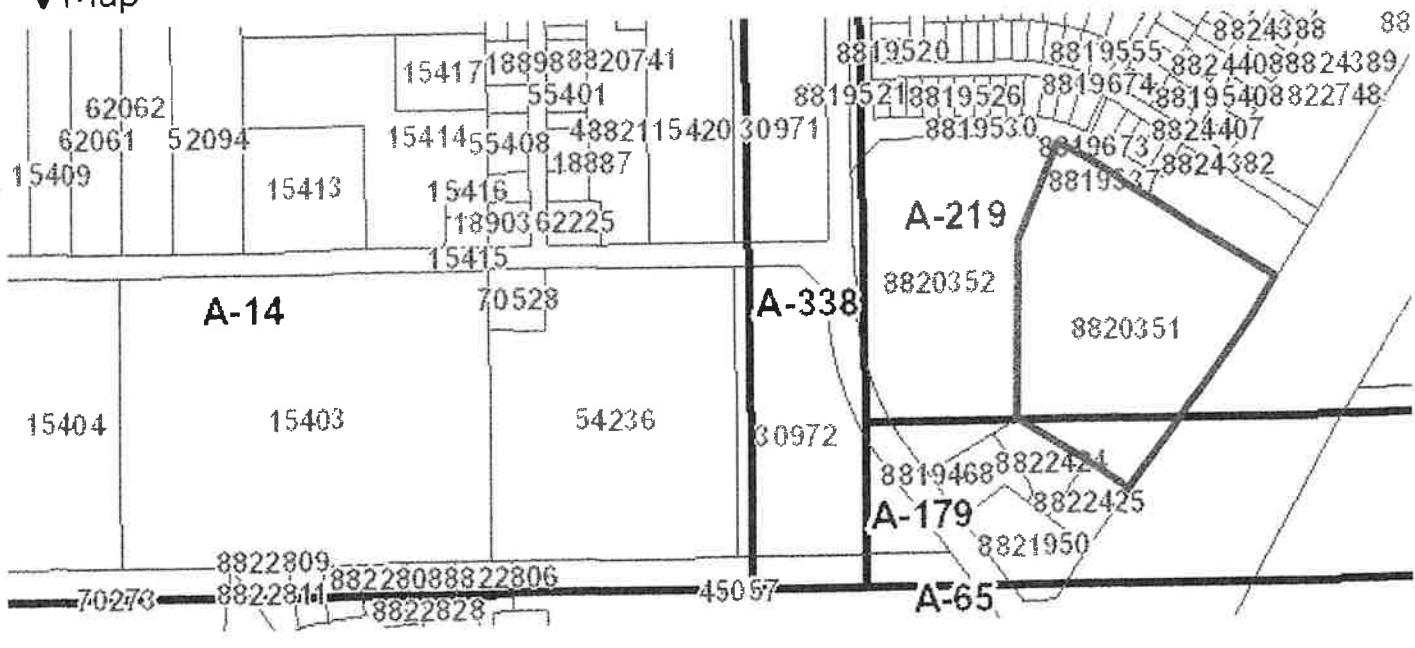
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1 - 5 of 5 items

## Aransas CAD Property Search

Property ID: 8820351 For Year 2023

## Map



## Property Details

## Account

**Property ID:** 8820351 **Geographic ID:** 5135-001-002-000

**Type:** Real

**Zoning:**

**Property Use:** R 6 HOTEL MOTEL DISTRICT

**Condo:**

## Location

**Situs Address:** 3337 S H 35 BYPASS ROCKPORT, TX 78382

**Map ID:** A-7 **Mapsco:**

**Legal Description:** RCC/CHANCE J1 SUBDIVISION, BLOCK 1, LOT 2 ACRES 14.418

**Abstract/Subdivision:** S5135 - RCC/CHANCE J1 SUBDIVISION

## Neighborhood:

## Owner

**Owner ID:** 140218

**Name:** PEARL POINT PHASE 2 LLC

## Agent:

**Mailing Address:** 3001 TRAYLOR BLVD  
ROCKPORT, TX 78382-6847

**% Ownership:** 100.0%

**Exemptions:** For privacy reasons not all exemptions are shown online.

## Property Values

<b>Improvement Homesite Value:</b>		\$0 (+)
<b>Improvement Non-Homesite Value:</b>		\$5,132,830 (+)
<b>Land Homesite Value:</b>		\$0 (+)
<b>Land Non-Homesite Value:</b>		\$937,170 (+)
<b>Agricultural Market Valuation:</b>		\$0 (+)
<b>Market Value:</b>		\$6,070,000 (=)
<b>Agricultural Value Loss:</b> 	0 • *	\$0 (-)
<b>Appraised Value:</b>	5th b 6th b 0.00000	\$6,070,000 (=)
<b>Homestead Cap Loss:</b> 	0.600 13 = 115 x 0.600	\$0 (-)
<b>Assessed Value:</b>	0 • *	\$6,070,000
<b>Ag Use Value:</b>		\$0

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

## Property Taxing Jurisdiction

**Owner:** PEARL POINT PHASE 2 LLC **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	ARANSAS COUNTY APPRAISAL DISTRICT	0.000000	\$6,070,000	\$6,070,000	\$0.00	
CRO	CITY OF ROCKPORT	0.360078	\$6,070,000	\$6,070,000	\$21,856.73	
GAR	ARANSAS COUNTY	0.309349	\$6,070,000	\$6,070,000	\$18,777.48	
NVD	NAVIGATION DIST	0.034041	\$6,070,000	\$6,070,000	\$2,066.29	

## **CITY COUNCIL AGENDA**

### **Regular Meeting: Tuesday, April 9, 2024**

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**AGENDA ITEM: 5D**

Deliberate and act on acceptance of Gulf Coast Hardware, LLC (Ace Hardware) annual report and approval of sales tax revenue sharing payment.

**SUBMITTED BY:** Robbie Sorrell, Director of Finance

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:**

The City entered into a 380 Agreement with Ace Hardware on 10/3/2016. The ten-year, sales tax revenue sharing agreement is in its 8<sup>th</sup> year. Fashioned similar to a TIRZ, the City shares a portion of sales tax revenues exceeding a base of \$41,281 per fiscal year. Per 380 agreement, Ace Hardware has a hurdle of 84,000 hours of annual paid time – this requirement was met and exceeded.

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**FISCAL ANALYSIS:**

Per the 380 sales tax revenue sharing agreement, and as illustrated on the attached spreadsheet, the City of Rockport owes Ace Hardware \$16,044 for fiscal year 2022-2023.

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**RECOMMENDED ACTION:**

Staff recommends Council accept the report and approve the payment of \$16,044.

**CITY COUNCIL AGENDA**  
**Regular Meeting: Tuesday, April 9, 2024**

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**AGENDA ITEM: 5E**

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 (OPSG) administered by the Office of the Governor, Homeland Security grants division for Fiscal Year 2023; and authorizing the Mayor to act as the Executive Officer and authorized representative in all matters pertaining to the participation in this grant program.

**SUBMITTED BY:** Captain Nathan Anderson

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:** The objective of the Operation Stonegarden Grant Program (OPSG) is to disrupt, deter, interdict, and dominate criminal activity associated with the northbound and southbound movement of illicit traffic through the Texas border region in order to reduce border-related crime, reduce potential acts of terror, and increase the security and quality of life of Texans. As detailed in the accompanying application, this is a reimbursement program that will primarily allow the Rockport Police Department to pay overtime to officers to increase visible patrol and engage in enhanced traffic enforcement. The Department received and successfully implemented a similar grant for FY 2021 and FY 2022. A requirement of the grant is a resolution from the City authorizing the operation of the Operation Stonegarden Grant Program (OPSG) FY 2023.

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**FISCAL ANALYSIS:** OPSG is in Fund 18 with revenue credited to account 40420 and overtime and fuel expenses charged to accounts 6181008 and 6187044, respectively. No cash or in-kind match is required.

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**STAFF RECOMMENDATION:** Staff recommends City Council approve the Resolution authorizing the Rockport Police Department to apply for and operate a FY 2023 Operation Stonegarden Grant Program administered by the Office of the Governor, as presented.

**RESOLUTION NO. 2024 - 2024-05R**

**A RESOLUTION OF THE CITY OF ROCKPORT, TEXAS, AUTHORIZING THE ROCKPORT POLICE DEPARTMENT TO APPLY FOR AND OPERATE AN OPERATION STONEGARDEN GRANT PROGRAM (OPSG) ADMINISTERED BY THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION FOR FISCAL YEAR 2023; AND AUTHORIZING THE MAYOR TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE PARTICIPATION IN THIS GRANT PROGRAM.**

**WHEREAS**, the objective of the Operation Stonegarden Grant Program (OPSG) is to disrupt, deter, interdict, and dominate criminal activity associated with the northbound and southbound movement of illicit traffic through the Texas border region in order to reduce border-related crime, reduce potential acts of terror, and increase the security and quality of life of Texans. The local and state agencies also coordinate and share information with federal agencies: and

**WHEREAS**, the City of Rockport finds it is the best interest of our citizens that the City of Rockport participate in the Operation Stonegarden Grant Program joining together with local, state and federal partners, to support the men and women of the U. S. Border Patrol, and protect our community by securing our international borders; and

**WHEREAS**, the City of Rockport agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Rockport assures that the funds will be returned to the Office of the Governor in full.

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

**Section 1.** That an Operation Stonegarden Grant Program application is hereby authorized to be filed for funding consideration.

**Section 2.** That the Mayor is designated as the Chief Executive Officer and Authorized Representative in connection with this application and participation in the Operation Stonegarden Grant Program. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the agency.

**PASSED and APPROVED** this the 9<sup>th</sup> day of April, 2024.

**CITY OF ROCKPORT, TEXAS**

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Mayor Lowell T. Jayroe

**ATTEST:**

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Shelley Goodwin, City Secretary

[Print This Page](#)

**Agency Name:** Rockport, City of  
**Grant/App:** 3171909 **Start Date:** 3/1/2024 **End Date:** 2/28/2025

**Project Title:** Aransas-2023 OPSG  
**Status:** Application Pending Submission

### Eligibility Information

**Your organization's Texas Payee/Taxpayer ID Number:**  
[REDACTED]

### Application Eligibility Certify:

Created on: 1/22/2024 1:11:14 PM By: OOG Grant Writer

### Profile Information

**Applicant Agency Name:** Rockport, City of  
**Project Title:** Aransas-2023 OPSG  
**Division or Unit to Administer the Project:** City of Rockport Police Department  
**Address Line 1:** 714 E Concho  
**Address Line 2:**  
**City/State/Zip:** Rockport Texas 78382-2530  
**Start Date:** 3/1/2024  
**End Date:** 2/28/2025

**Regional Council of Governments(COG) within the Project's Impact Area:** Coastal Bend Council of Governments

**Headquarter County:** Aransas

**Counties within Project's Impact Area:** Aransas

### Grant Officials:

#### Authorized Official

**Name:** Tim Jayroe  
**Email:** mayor@cityofrockport.com  
**Address 1:** 714 East Concho Street  
**Address 1:**  
**City:** Rockport , Texas 78382  
**Phone:** 361-729-2213 Other Phone: 361-729-1111  
**Fax:** 361-729-3461  
**Title:** Mr.  
**Salutation:** Mayor  
**Position:** Mayor

#### Financial Official

**Name:** Robbie Sorrell  
**Email:** rsorrell@rockporttx.gov  
**Address 1:** 2751 SH 35 Bypass  
**Address 1:**  
**City:** Rockport, Texas 78382  
**Phone:** 361-729-2213 Other Phone: 512-554-6953  
**Fax:** 361-729-5966  
**Title:** Mr.  
**Salutation:** Mr.  
**Position:** Finance Director

#### Project Director

**Name:** Nathan Anderson  
**Email:** nanderson@cityofrockport.com  
**Address 1:** 714 E Concho St  
**Address 1:**  
**City:** Rockport, Texas 78374  
**Phone:** 361-729-1111 Other Phone: 806-239-4022  
**Fax:** 361-729-3461  
**Title:** Mr.  
**Salutation:** Captain  
**Position:** CID Commander

#### Grant Writer

**Name:** Meredith Yarnall  
**Email:** nyarnall@cityofrockport.com  
**Address 1:** 714 E Concho  
**Address 1:**  
**City:** Rockport, Texas 78382

**Phone:** 361-790-1101 Other Phone:  
**Fax:** 361-729-3461  
**Title:** Ms.  
**Salutation:** Ms.  
**Position:** Adminstrative Assistant

### Grant Vendor Information

**Organization Type:** Unit of Local Government (City, Town, or Village)

**Organization Option:** applying to provide homeland security services

**Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI) Number or Vendor ID):** [REDACTED]

**Unique Entity Identifier (UEI):** [REDACTED]

### Narrative Information

#### Overview

The purpose of the Homeland Security Grant Program (HSGP) is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal (the Goal) of a secure and resilient Nation. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community. HSGP supports core capabilities across the five mission areas of Prevention, Protection, Mitigation, Response, and Recovery based on allowable costs.

The funding announcement, located on the [eGrants Calendar](#) page, describes the organization types, activities, and costs that are eligible under the announcement. The PSO's [eGrants User Guide to Creating an Application](#) guides applicants through the process of creating and submitting an application in eGrants. Information and guidance related to the management and use of grant funds can be found in the PSO's Guide to Grants, located on the [PSO Resource for Applicants and Grantees webpage](#).

#### Primary Mission and Purpose

**Operation Stonegarden (OPSG):** Supports enhanced cooperation and coordination among Customs and Border Protection (CBP), United States Border Patrol (USBP), and local, Tribal, territorial, state, and Federal law enforcement agencies. The OPSG Program funds investments in joint efforts to secure the United States' borders along routes of ingress from international borders to include travel corridors in states bordering Mexico and Canada, as well as states and territories with international water borders.

#### OPSG Objectives

OPSG is intended to support Border States in accomplishing the following objectives:

- Increase capability to prevent, protect against, and respond to border security issues.
- Increase coordination and collaboration among Federal, state, local, and Tribal law enforcement agencies.
- Continue the distinct capability enhancements required for border security and border protection.
- Provide intelligence based operations through USBP Sector Level experts to ensure safety and operational oversight of Federal, state, local, and Tribal enforcement agencies participating in OPSG operational activities.
- Support requests to the Governor to activate, deploy, or redeploy specialized National Guard Units/Packages and/or elements of state law enforcement to increase or augment specialized/technical law enforcement operational activities.
- Continue to increase operational, material and technological readiness of state, local, and Tribal law enforcement agencies.

#### Eligibility Requirements

### **Cybersecurity Training Requirement**

Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Government](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the [Texas Department of Information Resources Statewide Cybersecurity Awareness Training](#) page.

### **Criminal History Reporting**

Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the *Texas Code of Criminal Procedure, Chapter 66*. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

### **Uniform Crime Reporting (UCR)**

Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

### **Entities That Collect Sexual Assault/Sex Offense Evidence or Investigate/Prosecute Sexual Assault or Other Sex Offenses**

In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Visit DPS's Sexual Assault Evidence Tracking Program website for more information or to set up an account to begin participating.

### **National Incident Management System (NIMS) Implementation**

Grantees are required to implement NIMS. The NIMS uses a systematic approach to integrate the best existing processes and methods into a unified national framework for incident management across all homeland security activities including prevention, protection, response, mitigation, and recovery. Grantees must use standardized resource management concepts for resource typing, credentialing, and an inventory to facilitate the effective identification, dispatch, deployment, tracking and recovery of resources.

### **Emergency Management Plans (Intermediate Level)**

Cities and counties must have a current emergency management plan or be a legally established member of an inter-jurisdictional emergency management program with a plan on file with the Texas Division of Emergency Management (TDEM). Plans must be maintained throughout the entire grant performance period. If you have questions concerning your Emergency Management Plan (preparedness) level, contact your Emergency Management Coordinator (EMC) or your regional Council of Governments (COG). For questions concerning plan deficiencies, contact TDEM at [tdem.plans@tdem.texas.gov](mailto:tdem.plans@tdem.texas.gov).

### **Program Income**

Applicant agrees to comply with all federal and state rules and regulations for program income and agrees to report all program income that is generated as a result of the project's activities. Applicant agrees to report program income through a formal grant adjustment and to secure PSO approval prior to use of the program income. Applicant agrees to use program income for allowable costs and agrees to expend program income immediately after PSO's approval of a grant adjustment and prior to requesting reimbursement of funds.

**Deduction Method** - Program income shall be deducted from total allowable costs to determine the net allowable costs. Program income shall be used for current costs unless PSO authorizes otherwise. Program income which the grantee did not anticipate at the time of the award shall be used to reduce the PSO award and grantee match rather than to increase the funds committed to the project.

**Asset Seizures and Forfeitures** - Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of the plaintiff (e.g., law enforcement entity).

### **OPSG Operational Capability**

OPSG funds must be used to provide an enhanced law enforcement presence and to increase operational capabilities of Federal, state, local, and Tribal law enforcement, promoting a layered, coordinated approach to law enforcement within the Texas Border Region.

### **Operational Overtime Costs**

OPSG funds should be used for operational overtime costs associated with law enforcement activities, in support of border law enforcement agencies for increased border security enhancement. Costs associated with overtime (OT) shall be reimbursed following the grantee's overtime policy and the requirements as stated below:

- a. OT is time actually worked that exceeds the required number of hours during an employee's designated work period.
- b. The OT rate will be no more than one-and-one-half (1.5) times the employee's regular pay rate.
- c. Exempt salaried employees may not be reimbursed for overtime unless the grantee's overtime policy specifically allows for it.
- d. HSGD will only reimburse the grantee for OT that does not exceed a total of 16-hours (regular + OT) worked during any 24-hour period.

### **Integrated Planning Team**

OPSG uses an integrated approach to address transnational criminal activity. Federal, state, local, and Tribal partners are required to establish and maintain an OPSG Integrated Planning Team (IPT) with representation from all participating law enforcement agencies.

### **Reporting Requirements**

Participation in OPSG requires accurate, consistent, and timely reporting of how funds are used and how operations have impacted border security. Each partner agency must identify a single point of contact to represent their agency as a member of the IPT and to coordinate submission of reports. Required reports include:

- **Daily Activity Report** - submit ongoing results and outputs from OPSG operations conducted. A monthly report detailing the daily activities must be submitted to the Border Patrol Sector by 10th day of the following month.
- **After Action Report** - articulates outcomes, outputs, and results for each OPSG operation conducted.

### **Cybersecurity Self-Assessment**

Grantees are strongly encouraged to complete the Nationwide Cybersecurity Review (NCSR). The NCSR is a no-cost, anonymous, annual self-assessment designed to measure gaps and capabilities of state, local, tribal and territorial governments' cybersecurity programs. For more information about the NCSR, visit: <https://www.cisecurity.org/ms-isac/services/nCSR/>

### **Coordination**

All operational plans should be crafted in cooperation and coordination among Federal, state, local, and Tribal partners. All jurisdictions must coordinate with the USBP Sector Headquarters with geographic responsibility for the jurisdiction's location in developing and submitting an Operations Order to the Governor's Office, Homeland Security Grants Division.

After awards are announced, prospective recipients will re-scope the draft Operations Order and resubmit it as a final Operations Order based on actual dollar amounts awarded. Final Operations Orders will be approved by the appropriate Sector Headquarters and forwarded to Headquarters, Office of Border Patrol, Washington, D.C., before funding is released.

Recipients may not begin operations, obligate, or expend any funds until the final Operations Order has been approved by FEMA Grants Program Directorate and USBP Headquarters.

### **Operational Cycle**

The overarching operational cycle involves three stages; application, concept of operations to formulate a Campaign Plan and one or more tactical operational periods, which are all developed by the IPT.

#### Application

Jurisdictions must develop their Operations Order in coordination with state and Federal law enforcement agencies, to include, but not limited to CBP/USBP. Operations Orders that are developed at the county level should be inclusive of city, county, Tribal, State, and other local law enforcement agencies that are eligible to participate in OPSG operational activities. Operations Order details should include the names of the agencies, points of contacts, and individual funding requests. The USBP sector office will forward the application to the Governor's Homeland Security Grants Division for final review before submission to DHS/FEMA.

**Concept of Operations to Formulate a Campaign Plan**

Participants receiving an award will create and submit an Operations Order that forms a campaign plan and captures the initial, generalized budgetary intent to their IPT. The campaign plan should articulate the participant agency's long-term border security objectives and goals designed to mitigate border security risk. The operations plan will project planned expenditures in the following categories: overtime, equipment, instruction, travel, maintenance, fuel, and administrative funds. Once the operations plan is approved, the area IPT will meet to initiate the last stage in the planning process.

**Tactical Operations Plan**

Once the participant is ready to conduct operations, the area IPT will begin planning tactical operations. Tactical operations will be conducted on a periodic basis and are composed of six critical elements:

1. A pre-planning meeting with the IPT
2. Specific beginning and end dates
3. Intelligence driven with a nexus to border security
4. Use of targeted enforcement techniques
5. Clearly stated objectives
6. After action meeting

**Program Income**

Applicant agrees to comply with all federal and state rules and regulations for program income and agrees to report all program income that is generated as a result of the project's activities. Applicant agrees to report program income through a formal grant adjustment and to secure PSO approval prior to use of the program income. Applicant agrees to use program income for allowable costs and agrees to expend program income immediately after PSO's approval of a grant adjustment and prior to requesting reimbursement of funds.

**Deduction Method** - Program income shall be deducted from total allowable costs to determine the net allowable costs. Program income shall be used for current costs unless PSO authorizes otherwise. Program income which the grantee did not anticipate at the time of the award shall be used to reduce the PSO award and grantee match rather than to increase the funds committed to the project.

**Asset Seizures and Forfeitures** - Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of the plaintiff (e.g., law enforcement entity).

**Overall Certification**

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the PSO Funding Announcement, the *Guide to Grants*, the *Grantee Conditions and Responsibilities*, any authorizing or applicable state and federal statutes and regulations to be eligible for this program.

**X I certify to all of the application content and requirements.**

**Project Summary :**

Briefly summarize the project, including proposed activities and intended impact.

Utilize sworn officers to increase visible patrol and conduct surveillance and interdiction along 15 miles of Texas Highway 35 and Texas Business Hwy 35 in an effort to confuse, disrupt, arrest and prosecute offenders of illegal human trafficking, illegal narcotic smuggling, and other border related crimes that use Texas Highway 35 for these illegal operations. Operate a marine unit for surveillance, documentation and interdiction of illegal smuggling operations in the adjacent waterways; working with Texas Game Wardens, United States Coast Guard, United States Customs, and Department of Public Safety Marine units, to ensure analytical intelligence and apprehension of suspected violators.

**Problem Statement :**

Provide a detailed account of the issues, threats or hazards that your project will target. For federal Homeland Security Grants, include specific references to the regional or state *Threat and Hazard Identification and Risk Assessment (THIRA)*, as applicable.

An identified list of threats and hazards of concern for our community include local concerns about increasing border-related crimes including home burglaries, human and drug smuggling and cross border violence from gangs and drug cartel.

**Existing Capability Levels :**

Describe the existing capability levels, including resources that are currently in place to support this project prior to the use of grant funds.

27 sworn peace officers and 18 marked, fully equipped police vehicles, 1-28ft Marine vessel equipped with radar and navigation that is capable of day and night operation in a littoral environment.

**Capability Gaps:**

Describe the capability gaps which will be addressed by the project. For federal Homeland Security Grants, include specific references to the regional or statewide State Preparedness Report (SPR).

As outlined in the State Preparedness Report our department has a gap in the equipment and personnel categories. Manpower, two fully equipped LE vehicles. The grant will provide the department with the equipment and funds to pay officers to work in an overtime capacity. This will allow officers working the grant to focus on interdiction activities on the highways and provide a regional asset that can patrol all of the waterways in our coastal area.

**Impact Statement :**

Describe the project goals/objectives and how this project will maintain capabilities or reduce capability gaps.

This project will reduce the capability gap by providing equipment and funds to put officers on the streets, highways and waterways tasked with performing interdiction and surveillance activities. The increased waterway patrol activities will make a specific impact on the community concerns and focus on curtailing human trafficking, narcotic smuggling and to prevent criminal and terrorist organizations from exploiting the borders of our state.

**Homeland Security Priority Actions:**

Identify the Texas Homeland Security Priority Action most closely aligned with this project. Each Priority Action is linked with an Objective from the Texas Homeland Security Strategic Plan (HSSP). List the Priority Action by number and text (e.g. 1.2.3 *Expand and enhance the network of human sources that can provide detailed and relevant information on known or suspected terrorist and criminal enterprises.*)

1.3.1 In conjunction with federal agencies, conduct unified state and local law enforcement operations to deny the use of the Texas border region to terrorists and criminal organizations, particularly between the ports of entry.

**Target Group :**

Identify the target group and population expected to benefit from this project.

This project will provide an immediate benefit to the citizens of Aransas County. However, through this grant the Rockport Police Department will be able to provide benefits to neighboring counties and visitors to the State of Texas by providing an information sharing process that will aide in the disruption of human trafficking and narcotics smuggling in our area. We are able to stem the tide of criminal activity before it reaches other areas throughout our state.

**Long-Term Approach:**

Describe how the applicant agency will maintain the capabilities supported by this project without additional federal or state funds. If sustainment is dependent upon federal or state grants, describe the ongoing need for future grants, as applicable.

Without funds to provide overtime for officers, it will be difficult for the department to maintain the capabilities to target human trafficking and narcotic smuggling. Officers while working regular duty will have other responsibilities that will prevent them from being able to focus on interdiction and surveillance activities.

**Project Activities Information****HSGP Instructions for Project Activity Selection**

Homeland Security Grant Program (HSGP) applicants should only select one project activity. The eGrants system will allow multiple selections, but each HSGP subrecipient project must fit into one and only one of the Investment Categories that are listed as project activities under the "Activity List".

**Selected Project Activities:**

ACTIVITY	PERCENTAGE:	DESCRIPTION
Border Security	100.00	Use officers in an overtime capacity to patrol the streets, highways and waterways to perform interdiction and surveillance activities. The increased waterway patrol activities and continued highway interdiction will impact on and focus on curtailing human trafficking, narcotic smuggling and to prevent criminal and terrorist organizations from exploiting the borders of our state.

**Measures Information****Objective Output Measures**

OUTPUT MEASURE	TARGET LEVEL
Number of gang members arrested for felony offenses.	0
Number of miles patrolled by grant-funded officers.	20000
Number of reports submitted - BIARs to a Regional DPS-JOIC (for LBSP) or DARs to US Border Patrol (for OPSG).	25
Number of traffic stops conducted by grant-funded officers supporting the border initiative.	1500
Number of weapons seized by grant-funded officers supporting the border initiative.	2

## Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
Number of adult apprehensions (transferred to USBP custody) made by grant-funded peace officers	10
Number of arrests (felony) made by grant-funded officers supporting the border initiative.	5
Number of arrests (misdemeanor) made by grant-funded officers supporting the border initiative.	20
Number of minor/juvenile apprehensions (transferred to USBP custody) made by grant-funded peace officers	1
Value of all forfeitures (cash and other assets) attributed to grant-funded officers supporting the border initiative.	500

## Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL

## Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL

**Resolution from Governing Body**

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a [resolution](#) that contains the following:

1. Authorization by your governing body for the submission of the application to the Public Safety Office (PSO) that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update the PSO should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to PSO.

Upon approval from your agency's governing body, upload the [approved](#) resolution to eGrants by going to the **Upload.Files** tab and following the instructions on Uploading eGrants Files.

**Contract Compliance**

Will PSO grant funds be used to support any contracts for professional services?

Select the appropriate response:

Yes  
 No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the subcontractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

Enter a description for monitoring contract compliance:

April 9, 2024 City Council Agenda Packet

**Lobbying**

For applicant agencies requesting grant funds in excess of \$100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan, or cooperative agreement?

Select the appropriate response:

- Yes  
 No  
 N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?

- Yes  
 No  
 N/A

**Fiscal Year**

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:

10/01/2023

Enter the End Date [mm/dd/yyyy]:

9/30/2024

**Sources of Financial Support**

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:

Enter the amount (in Whole Dollars \$) of Federal Grant Funds expended:

1197328

Enter the amount (in Whole Dollars \$) of State Grant Funds expended:

409127

**Single Audit**

Applicants who expend less than \$750,000 in federal grant funding or less than \$750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a PSO grant. However, PSO may require a limited scope audit as defined in 2 CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of \$750,000 or more, or state grant funding of \$750,000 or more during the most recently completed fiscal year?

Select the appropriate response:

- Yes  
 No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the State of Texas Single Audit Circular; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit:

2/23/2024

**Debarment**

Each applicant agency will certify that it and its principals (as defined in 2 CFR Part 180.995):

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the above bullet; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:

- I Certify  
 Unable to Certify

Enter the debarment justification:

**FFATA Certification**

**Certification of Recipient Highly Compensated Officers** – The Federal Funding Accountability and Transparency Act (FFATA) requires Prime Recipients (HSGD) to report the names and total compensation of each of the five most highly compensated officers (a.k.a. positions) of each sub recipient organization for the most recently completed fiscal year preceding the year in which the grant is awarded if the subrecipient answers **YES** to the **FIRST** statement but **NO** to the **SECOND** statement listed below.

In the sub recipient's preceding completed fiscal year, did the sub recipient receive: (1) 80 percent or more of its annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; AND (2) \$25,000,000 or more in annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements?

Yes

No

Does the public have access to information about the compensation of the senior executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986?

Yes

No

If you answered **YES** to the **FIRST** statement and **NO** to the **SECOND** statement, please provide the name and total compensation amount of each of the five most highly compensated officers (a.k.a. positions) within your agency for the current calendar year. If you answered NO to the first statement you are NOT required to provide the name and compensation amounts. NOTE: "Total compensation" means the complete pay package of each of the sub recipient's compensated officers, including all forms of money, benefits, services, and in-kind payments (see SEC Regulations: 17 CCR 229.402).

Position 1 - Name:

Position 1 - Total Compensation (\$):

0

Position 2 - Name:

Position 2 - Total Compensation (\$):

0

Position 3 - Name:

Position 3 - Total Compensation (\$):

0

Position 4 - Name:

Position 4 - Total Compensation (\$):

0

Position 5 - Name:

Position 5 - Total Compensation (\$):

0

## Homeland Security Information

### FUND SOURCE INFORMATION AND REQUIREMENTS

**DHS Project Type:** Enhance capability to support international border and waterway security

#### Capabilities

**Core Capability:** Intelligence and Information Sharing

**Identify if this investment focuses on building new capabilities or sustaining existing capabilities.** : Existing Capabilities (Sustain)

**Are the assets or activities Deployable or Shareable:** Shareable

Check if this Investment requires new construction or renovation, retrofitting, or modification of existing structures

Check if these funds will support a project that was previously funded with HSGP funding

#### Project Management Step Involved:

Check the step that most closely resembles the phase of the project activities to be completed during the grant period.

**Step:** Execute

**Description:** The period within the project lifecycle during which the actual work of creating the project's deliverables is carried out.

**Process:** Involves directing, accomplishing, managing, and completing all phases and aspects of work for a given project.

#### Milestones

April 9, 2024 City Council Agenda Packet

<https://egrants.texas.gov/app/project/GrantPrintableSummary.aspx?PrintCode=0&gh=75-E1-87-18-63-5A-18-E4-E9-71-24-85-39-37-BC-05&Prin...> 9/12

**Milestone:** Begin Tactical Operations Activities; **Completion Date:** 03-31-2024

**Milestone:** Conclude Tactical Operations Activities; **Completion Date:** 02-28-2025

**Milestone:** Complete Final Progress Report; **Completion Date:** 03-15-2025

### **NIMS Resources**

Check if this project supports a NIMS typed resource

**Enter the name of the typed resources from the Resource Type Library Tool:**

**Enter the ID of the typed resources from the Resource Type Library Tool:**

### **Fiscal Capability Information**

#### **Section 1: Organizational Information**

\*\*\* FOR PROFIT CORPORATIONS ONLY \*\*\*

Enter the following values in order to submit the application

Enter the Year in which the Corporation was Founded: 0

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status: 01/01/1900

Enter the Employer Identification Number Assigned by the IRS: 0

Enter the Charter Number assigned by the Texas Secretary of State: 0

Enter the Year in which the Corporation was Founded:

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status:

Enter the Employer Identification Number Assigned by the IRS:

Enter the Charter Number assigned by the Texas Secretary of State:

#### **Section 2: Accounting System**

The grantee organization must incorporate an accounting system that will track direct and indirect costs for the organization (general ledger) as well as direct and indirect costs by project (project ledger). The grantee must establish a time and effort system to track personnel costs by project. This should be reported on an hourly basis, or in increments of an hour.

Is there a list of your organization's accounts identified by a specific number (i.e., a general ledger of accounts)?

Select the appropriate response:

- Yes
- No

Does the accounting system include a project ledger to record expenditures for each Program by required budget cost categories?

Select the appropriate response:

- Yes
- No

Is there a timekeeping system that allows for grant personnel to identify activity and requires signatures by the employee and his or her supervisor?

Select the appropriate response:

- Yes
- No

If you answered 'No' to any question above in the Accounting System section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

#### **Section 3: Financial Capability**

Grant agencies should prepare annual financial statements. At a minimum, current internal balance sheet and income statements are required. A balance sheet is a statement of financial position for a grant agency disclosing assets, liabilities, and retained earnings at a given point in time. An income statement is a summary of revenue and expenses for a grant agency during a fiscal year.

Has the grant agency undergone an independent audit?

Select the appropriate response:

- Yes
- No

Does the organization prepare financial statements at least annually?

Select the appropriate response:

April 9, 2024 City Council Agenda Packet

- Yes
- No

According to the organization's most recent Audit or Balance Sheet, are the current total assets greater than the liabilities?

Select the appropriate response:

- Yes
- No

If you selected 'No' to any question above under the Financial Capability section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

#### **Section 4: Budgetary Controls**

Grant agencies should establish a system to track expenditures against budget and / or funded amounts. Are there budgetary controls in effect (e.g., comparison of budget with actual expenditures on a monthly basis) to include drawing down grant funds in excess of:

a) Total funds authorized on the Statement of Grant Award?

- Yes
- No

b) Total funds available for any budget category as stipulated on the Statement of Grant Award?

- Yes
- No

If you selected 'No' to any question above under the Budgetary Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

#### **Section 5: Internal Controls**

Grant agencies must safeguard cash receipts, disbursements, and ensure a segregation of duties exist. For example, one person should not have authorization to sign checks and make deposits. Are accounting entries supported by appropriate documentation (e.g., purchase orders, vouchers, receipts, invoices)?

Select the appropriate response:

- Yes
- No

Is there separation of responsibility in the receipt, payment, and recording of costs?

Select the appropriate response:

- Yes
- No

If you selected 'No' to any question above under the Internal Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

#### **Budget Details Information**

##### **Budget Information by Budget Line Item:**

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
Personnel	Operational Overtime for Law Enforcement (Organization)	Enhanced Border Security Operations – Rockport PD (Officers) - Overtime according to local OT policy - With an estimated fringe rate of 30% up to a total of \$130,000.	\$130,000.00	\$0.00	\$0.00	\$0.00	\$130,000.00	100
Supplies and Direct Operating Expenses	Equipment Maintenance Costs (Organization)	Rockport PD-- (Oil Changes, Tires, Etc.) up to \$1,500.	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00	0
Supplies and Direct	Vehicle Operating Cost (e.g., fuel,	Rockport PD – Actual fuel costs pro-rated for the hours	\$9,005.00	\$0.00	\$0.00	\$0.00	\$9,005.00	0

Operating Expenses	lubricants, maintenance, storage) (Organization)	deputies work on grant paid overtime for an estimated total up to \$9,005.					
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### Source of Match Information

#### Detail Source of Match/GPI:

DESCRIPTION	MATCH TYPE	AMOUNT
-------------	------------	--------

#### Summary Source of Match/GPI:

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

### Budget Summary Information

#### Budget Summary Information by Budget Category:

CATEGORY	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
Personnel	\$130,000.00	\$0.00	\$0.00	\$0.00	\$130,000.00
Supplies and Direct Operating Expenses	\$10,505.00	\$0.00	\$0.00	\$0.00	\$10,505.00

#### Budget Grand Total Information:

OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
\$140,505.00	\$0.00	\$0.00	\$0.00	\$140,505.00

### Condition Of Fundings Information

Condition of Funding / Project Requirement	Date Created	Date Met	Hold Funds	Hold Line Item Funds
Other Condition of Funding. The OOG has placed a fund hold on this grant pending an HS/FEMA approved Operations Order.	1/25/2024 2:31:01 PM		Yes	No

You are logged in as **User Name:** nikki44y

**CITY COUNCIL AGENDA**  
**Regular Meeting: May 23, 2023**

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**AGENDA ITEM: 6A**

Discussion of an ordinance that dissolves the current Stormwater Management Committee and creates a Stormwater Management Technical Committee

**SUBMITTED BY:** Vanessa Shrauner

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:** The Stormwater Management Committee has been meeting for several years and was apparently created to manage a debt taken out for improvements. The projects and money are complete and the committee has gone to hearing problems from citizens, pitches from sales men and cogitating possibilities.

In order to become more solutions oriented, this group is proposing a Technical Committee made of the experts in the fields that will have the ability to guide the peninsula wide stormwater master plan, and then implement it regardless of jurisdictional lines.

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**FISCAL ANALYSIS:** none

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**RECOMMENDATION:** Approval

## RESOLUTION NO 2024-06R

**A JOINT RESOLUTION OF ARANSAS COUNTY, TEXAS, THE TOWN OF FULTON, TEXAS, THE CITY OF ARANSAS PASS, TEXAS, THE ARANSAS COUNTY NAVIGATION DISTRICT AND THE CITY OF ROCKPORT, TEXAS, CREATING THE STORMWATER MANAGEMENT TECHNICAL COMMITTEE; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, upon the adoption of this resolution to establish a Stormwater Management Technical Committee, the existing Stormwater and Floodplain Management Advisory Committee shall be dissolved; and

**WHEREAS**, all entities will be authorized to appoint, as may be required by the laws of the State of Texas, or deemed desirable by each entity, such boards, commissions, and committees as deemed necessary to carry out the functions and obligations of the entities; and

**WHEREAS**, by fostering unity and cooperation, the citizens of Aransas County may benefit from collaborative efforts maximizing resources, expertise and knowledge to better serve the community for reduced flood risks and overall enhanced community flood resilience.

**BE IT FURTHER RESOLVED AS FOLLOWS** by the Aransas County Commissioners Court, the Town Council of the Town of Fulton, the City Council of the City of Aransas Pass, the Aransas County Navigation District Commissioners, and the City Council of the City of Rockport that the Stormwater Management Technical Committee (SMTC) is hereby established as follows:

### **Section 1: Core Values**

The core values of the Stormwater Management Technical Committee are as follows:

1. Strive for technical excellence,
2. Maintain transparency between entities and with the public,
3. Seek optimal balance between drainage needs and water quality needs, and
4. Promote respect for the sovereignty of participating entities.

### **Section 2: Appointments**

1. The Stormwater Management Technical Committee shall consist of five (5) voting members, who shall elect among themselves a chairman and provide a staff administrator as secretary.

2. The Chairman shall be appointed annually at the first meeting of the calendar year and shall preside over the meetings and call for votes as necessary.
3. The SMTC Secretary shall record and distribute meeting agendas and minutes to members of the committee.
4. Aransas County, the Town of Fulton, the City of Aransas Pass, The Navigation District, and the City of Rockport shall each appoint one (1) voting member and one (1) alternate each calendar year. Members may be reappointed annually until the need arises for a new member/alternate to be identified.
5. Appointees shall serve until replaced by their respective entities
6. Appointees and alternates shall have such technical knowledge so as to make specialized and complex storm water management decisions in the best interest of the community without regard for political boundaries.
7. Appointees shall provide, at minimum, quarterly reports to their respective political entities to ensure the work of the committee is consistent with each entity's goals and planning.

### **Section 3: Charge**

1. The SMTC shall conduct, at minimum, monthly meetings to discuss relevant stormwater issues.
2. Establish a concise storm water management criteria document which will be adopted by all governmental entities and applied to all drainage projects in Aransas County.
3. Monitor progress and implementation of the county wide drainage plan including construction oversight and management.
4. Establish a prioritized list of Capital Improvement Projects (CIPs) based on scientific data to be adopted by all entities.
5. Develop a plan for the funding of CIPs in conjunction with the political entities.
6. Seek qualified, professional services as needed for design, construction, and consultation.
7. The SMTC shall develop a criteria to determine which drainage plans will require full committee review and which may remain under existing processes for informal/staff reviews in each jurisdiction.

## **CITY COUNCIL AGENDA**

### **Regular Meeting: Tuesday, April 9, 2024**

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#### **AGENDA ITEM: 7A**

Deliberate and act to appoint the audit firm P. Andrew Hall, LLC as independent auditor. This firm will provide certified public accounting audit and related services, including preparation of the Annual Comprehensive Financial Report, for the City of Rockport.

**SUBMITTED BY:** Robbie Sorrell, Director of Finance

**APPROVED FOR AGENDA:** VRS

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#### **BACKGROUND:**

Patrick Hall was the in-charge auditor who oversaw and personally performed the last two Rockport audits as an associate of the currently appointed firm, Park Fowler & Company. Mr. Hall is now the owner of newly created P. Andrew Hall, LLC.

Per attached firm profile, P. Andrew Hall, LLC is a certified public accounting firm located in Corpus Christi. His office consists of one partner, an Audit Senior Manager, and other professionals. His staff is knowledgeable in areas including payroll, financial statement preparation, tax, and audit. When undertaking audit engagements, his audit team members are actively involved to ensure audits are completed in a timely manner.

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#### **FISCAL ANALYSIS:**

None, per Texas Municipal League (TML) certified public accounting services are precluded from competitive bidding (attached).

Once appointed, then a contract will be negotiated.

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#### **RECOMMENDED ACTION:**

Staff recommends Council appoint P. Andrew Hall, LLC independent auditor. This firm will provide certified public accounting audit and related services, including preparation of the City's Annual Comprehensive Financial Report, to the City of Rockport.

## FIRM PROFILE

P. Andrew Hall, LLC is a local certified public accounting firm with an office in Corpus Christi, Texas. Our office consists of 1 partner, an Audit Senior Manager, and other professionals. Our staff is knowledgeable in many accounting aspects including payroll, financial statement preparation, tax, and audit. When undertaking an audit engagement, the audit team members are actively involved in one way or another to ensure audits are done effectively and in a timely manner.

Key factors that distinguish our firm from other providers of government audit services include:

- We are committed to customer service and developing client relationships. We offer support throughout the year as part of this engagement and will not charge additional fees for those informal consultations;
- Our proposed service team for the City consists of experienced professionals who have supervised and worked on multiple government engagements;
- We have assisted, as needed, numerous clients in obtaining their GFOA certificate. We bring the high level of experience and expertise of a larger accounting firms, but with the personal service and attention of a local firm.

## AUDIT STAFF QUALIFICATIONS

Our proposed engagement team has thorough knowledge of government auditing and extensive experience auditing a variety of entities comparable to the size of the City. The team brings a wealth of experience in auditing and as such is well versed in Generally Accepted Government Auditing Standards, the OMB Circular A-133 and the Uniform Guidance. If awarded the engagement, P. Andrew Hall and a team of experienced professionals will perform the City's audit. Our team consists of the following:

**P. Andrew Hall, CPA - Engagement Partner**

**Cindy Carrera, CFE - Audit Senior Manager**

**Staff Auditors with local government audit experience**

To maintain the highest quality of technical understanding, each member of our government audit team attends at least 40 hours of technical training directly related to auditing and accounting for governmental entities. Our audit professionals have extensive auditing experience with governmental entities. The following pages summarize the proposed engagement team members' resumes.

## AUDIT STAFF QUALIFICATIONS AND EXPERIENCE

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### P. Andrew Hall, CPA, Engagement Partner

P. Andrew Hall will supervise our services to the City. He will work to ensure appropriate staffing, performance, and timely completion of the engagement. He has primary responsibility for the audit division of P. Andrew Hall, LLC. This includes the oversight of planning and controlling engagements, reviewing results and conclusions, and directing the presentation of the report to management and those charged with governance. He received his BS in accounting from the University of Colorado at Denver. Andrew has over 25 years of auditing/accounting experience, both in public accounting and in industry. Prior to P. Andrew Hall, LLC, his public accounting career includes managing a firm that specialized in audits of nonprofit and governmental organizations. Andrew has extensive experience in single audit (A-133) including Counties, Municipalities, School Districts, Special Districts and non-profit entities. He has worked directly with Federal Agencies to ensure proper reporting and auditing of programs. Also, has assisted numerous governmental entities in receiving the annual GFOA certificate of financial reporting excellence. Mr. Hall has also participated as a reviewer for the GFOA certificate program.



May 1996 Bachelor of Science Business Administration area of emphasis accounting - University of Colorado



July 2000 CPA Certificate—Colorado State Board of Public Accountancy  
Certificate Number 20449  
CPA Certificate—Texas State Board of Public Accountancy  
Certificate Number 119949

### Continuing Professional Education

Below is a sample of some his continuing education:

- Annual Accounting and Auditing Updates
- GASB Statement Audit and Accounting
- Detection and Prevention of Fraud
- Government Accounting: Principles and Financial Reporting
- Governmental Auditing: Yellow Book
- GAQC Annual Update
- Understanding Changes to Yellowbook

## AUDIT STAFF QUALIFICATIONS AND EXPERIENCE

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### Cindy Carrera, CFE, Audit Senior Manager

Cindy Carrera will be responsible for completing the detail audit work. She received her master's in professional accountancy from Texas A&M International University. Cindy has thirteen years of auditing/accounting experience. Prior to working in Public Accounting, her auditing career consisted of working in a state government agency conducting compliance audits/reviews of nonprofit organizations and governmental entities participating in federally funded programs; including audits performed under A-133 and Uniform Guidance.



Bachelor of Arts - Psychology | Texas A&M International University  
Master of Professional Accountancy | Texas A&M International University

### Professional Organizations

*Certified Fraud Examiner, Association of Certified Fraud Examiners (ACFE)*

Member, American Institute of Certified Public Accountants (AICPA)

Member, Texas Society of Certified Public Accountants (TSCP)

Member, Association of Government Accountants (AGA)

Member, Institute of Internal Auditors (IIA)

### Continuing Professional Education

Below is a sample of some her continuing education:

- Fundamentals for Performing a Single Audit Under the Uniform Guidance
- Risk Assessment Deep Dive: How to Avoid Common Missteps
- Applying Uniform Guidance
- Fundamentals of Governmental Accounting and Reporting
- Governmental and Not-for-Profit Annual Update
- Top Governmental Accounting and Auditing Issues
- Advanced Topics in a Single Audit
- Comprehending Single Audits, Federal Awards



# Texas State Board of Public Accountancy

William Treacy, Executive Director

## Office - P.ANDREW HALL, LLC

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**Firm License ID**

C11588

**Firm name**

P.ANDREW HALL, LLC

**Resident manager**

Mr. HALL

**Location**

5866 S STAPLES ST  
STE 102  
CORPUS CHRISTI TX 78413

**Date registered**

08/01/2023

**License expiration date**

08/31/2024

**Status**

**Issued (Current)**

**History of disciplinary actions**

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an insurance contract,<sup>204</sup> a contract to operate container terminal facilities in a port,<sup>205</sup> and a contract for janitorial services that did not specify the particular person who was to perform the janitorial services.<sup>206</sup> Thus, these contracts were all subject to the competitive bidding requirements of Chapter 252 of the Local Government Code.

## 76. Can a city forego bidding for contracts for professional services?

Texas law specifically exempts contracts for professional services from the competitive bidding requirements.<sup>207</sup> Professional services have been described as those services which are mainly mental or intellectual rather than physical or manual. That is, professional services are those disciplines requiring special knowledge or attainment and a high order of learning, skill, and intelligence.<sup>208</sup> For example, cities have used this exception to justify not taking bids for the services of an attorney. Some cities have also used this exception to justify employing outside consultants, such as insurance consultants, without competitively bidding those services. However, these practices have not been reviewed by the Texas courts or the attorney general's office. Thus, a city should consult with its legal counsel before relying on this exception to avoid the application of competitive bidding requirements.

Additionally, it should be noted that a city is specifically prohibited under state law from obtaining certain professional services through competitive bidding. The Professional Services Procurement Act states that a city may not use traditional competitive bidding procedures to obtain the services of architects, engineers, certified public accountants, land surveyors, physicians, optometrists or state-certified real estate appraisers.<sup>209</sup> If the professional services desired by the city do not fall under the Professional Services Procurement Act, they may generally be obtained with or without the use of competitive bidding, as the city desires.<sup>210</sup>

## 77. How may a city obtain the services of architects, engineers, certified public accountants, land surveyors, physicians, optometrists, landscape architects, geoscientists or state certified real estate appraisers?

Cities are prohibited from using competitive bidding procedures to obtain the services of architects, engineers, certified public accountants, land surveyors, physicians, optometrists, landscape architects, geoscientists or state-certified real estate appraisers.<sup>211</sup> Instead, for contracts involving architectural, engineering or land surveying services, a city must first select the most highly qualified provider and then attempt to negotiate a fair and reasonable price.<sup>212</sup> If the city is unable to negotiate a contract with

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<sup>202</sup> *Van Zandt v. Fort Worth Press*, 359 S.W.2d 893, 896 (Tex. 1962).

<sup>203</sup> Op. Tex. Att'y Gen. No. JM-890 (1988).

<sup>204</sup> Op. Tex. Att'y Gen. No. MW-494 (1982).

<sup>205</sup> Op. Tex. Att'y Gen. No. MW-344 (1981).

<sup>206</sup> Op. Tex. Att'y Gen. No. JM-486 (1986).

<sup>207</sup> TEX. LOC. GOV'T CODE § 252.022(a)(4).

<sup>208</sup> Op. Tex. Att'y Gen. Nos. JM-1038 (1989), JM-940 (1988), MW-344 (1981) (Quoting with approval the definition of "profession" from Black's Law Dictionary 1089-90 (5<sup>th</sup> ed. 1979)).

<sup>209</sup> TEX. GOV'T CODE § 2254.003.

<sup>210</sup> Op. Tex. Att'y Gen. No. DM-106 (1992).

<sup>211</sup> TEX. GOV'T CODE §§ 2254.002(2), 2254.003.

<sup>212</sup> *Id.* § 2254.004.

## **CITY COUNCIL AGENDA**

### **Regular Meeting: Tuesday, April 9, 2024**

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**AGENDA ITEM: 7B**

Deliberate and act on request from Gypsiez Show and Rowdy Maui to close East Street from Austin to Water Street on April 27, 2024, from 8:00 a.m. until 5:00 p.m. for a Chief and Dip Skip.

**SUBMITTED BY:** Kimberly Henry, Assistant to the City Manager

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:**

Attached is the request made by Gypsiez Show and Rowdy Maui. Additional information has been requested to forward to Council upon receipt.

This is a new, first-time event. It is expected to be small, and no alcohol will be sold at the event itself; thereby, additional security is not expected to be necessary.

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**FISCAL ANALYSIS:** N/A

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**RECOMMENDATION:** Pending the additional information requested, Staff recommends approval.

Christy Ogle & Kacie Stanford  
Gypsiez Show & Rowdy Maui  
PO Box 2417  
Fulton, TX 78358  
gypsiezshow@gmail.com  
361-488-6967  
March 5, 2024

City Manager  
2751 St. Hwy 35 Bypass  
Rockport, TX 78382

Subject: Proposal to Close East Main Street from Austin to Water Street on April 27, 2024 for Chip Dip Skip

Dear Mayor & City Council,

I am writing to propose the temporary closure of East Main Street from Austin to Water Street for one block on April 27, 2024, between the hours of 8:00 a.m. and 5:00 p.m. This closure is intended to facilitate a community event that will benefit our city and its residents.

The event that we are planning to host on April 27th is a street fair aimed at promoting local businesses, fostering community engagement, and providing a fun and enjoyable experience for residents and visitors alike. By closing this section of East Main Street for the day, we aim to create a safe and pedestrian-friendly environment where attendees can browse vendors, enjoy entertainment, and participate in various activities.

Here are some key points in support of the proposed street closure:

1. Promote Local Businesses: The street fair will provide local businesses with an opportunity to showcase their products and services, attract new customers, and boost sales.
2. Community Engagement: The event will bring together residents from all walks of life, fostering a sense of community spirit and unity.
3. Public Safety: Closing the street to vehicular traffic will enhance the safety of event attendees, allowing them to freely explore the offerings without concerns about traffic.

Dip Chip Skip

4. Economic Benefits: Events like these have been shown to stimulate economic activity in the area, benefiting local businesses and the overall economy.

We understand that closing a section of East Main Street may cause some inconvenience, but we believe that the benefits of hosting this event outweigh the temporary disruption. We will work closely with the city authorities to ensure that all necessary arrangements are made to minimize any inconvenience to residents and businesses in the affected area.

The only two businesses that this closure will effect is the Rowdy Maui, and the Beach House and both owners have agreed to have the street shut down and are excited about participating in the event.

We kindly request your approval and support for the temporary closure of East Main Street from Austin to Water Street on April 27, 2024, between 8:00 a.m. and 5:00 p.m. We are confident that this event will be a valuable addition to our city's calendar and will contribute to the vibrancy and vitality of our community.

Thank you for your consideration. We look forward to your support and cooperation in making this event a success.

Smiles,

Christy Ogle & Kacie Stanford  
[gypsiez.com](http://gypsiez.com)   [rowdymaui.com](http://rowdymaui.com)  
Gypsiez Show Rowdy Maui  
Downtown Rockport Chip & Dip Skip Organizing Committee

## Dip Chip Skip

Road Closure



**BUSINESS OWNERS AGREE TO CLOSE THE STREET**

1. \_\_\_\_\_

2. \_\_\_\_\_

## Dip Chip Skip

### Safety, Parking, Sanitation and Traffic Plan for Dip Chip Skip Event in Downtown Rockport on 4/27/24

Event Name: Dip Chip Skip

Date: April 27, 2024

Location: Downtown Rockport

#### Safety Plan:

##### 1. Emergency Response:

- Designate a first aid station with trained personnel on-site.
- Have a communication plan in place to quickly contact emergency services if needed.
- Ensure all vendors are aware of emergency procedures.

##### 2. Crowd Control:

- Have designated entry and exit points to manage crowd flow.

##### 3. Sanitation:

- Provide an adequate number of trash bins, and port a potties. It is recommended to have 1 port-a-potty per 300 people but we will have 2, along with local shops offering restrooms to patrons.
- Arrange for regular cleaning and waste removal during the event. It is recommended to have 1 waste station per 300 people, but we will have 2 with multiple trash cans throughout the event. The trash will be thrown away and cleaned up at the end of the event.

#### Parking Plan:

##### 1. Parking Locations:

- Parking will be available behind the Rowdy Maui and on side streets.
- Coordinate with local businesses to ensure their parking areas are available for event attendees.

##### 2. Parking Attendants:

- Assign parking attendants to guide attendees to available parking spaces.
- Ensure clear signage directing attendees to designated parking areas.

##### 3. Overflow Parking:

- Identify additional parking areas in case the designated parking fills up and email to participants prior to the event.
- Provide shuttle services from overflow parking areas to the event location if necessary.

#### Traffic Plan:

**1. Traffic Flow:**

- Ensure that traffic flows normally, with the exception of East Main Street being blocked off.
- Place barricades or signage to redirect traffic away from the closed section of the street by our volunteers. We have 10 volunteers to help set up barricades on the day of the event.

**Volunteers for Barricades:**

Robby Parker  
Shanda Derrick  
Kacie Stanford  
Edward Kretch  
Christy Ogle  
Max Ogle  
Natalie Ogle  
Bruce Ogle

**2. Traffic Monitoring:**

- Have volunteers or staff members monitor traffic flow and address any congestion or issues promptly.
- Coordinate with local law enforcement to assist with traffic management if needed.

**3. Communication:**

- Inform the community in advance about the event and the road closure on East Main Street.
- Provide regular updates on traffic conditions and parking availability through social media, signage, and local announcements.

Given the expected attendance of around 300 patrons, primarily locals to Rockport, with an additional 100-150 cars over a 6-hour period, these safety, parking, and traffic plans are designed to ensure a smooth and enjoyable experience for all attendees. Thank you for your attention to these important aspects of event planning.