



City of Rockport

CITY COUNCIL REGULAR MEETING AGENDA

FRIDAY, JULY 12, 2024 ~ 10:00 A.M.
ROCKPORT SERVICE CENTER
2751 STATE HIGHWAY 35 BYPASS
ROCKPORT, TEXAS 78382

Mayor Tim Jayroe

Mayor Pro Tem (Ward 4) Andrea Hattman
Councilmember (Ward 1) Stephanie Rangel

Councilmember (Ward 2) Matt Anderson
Councilmember (Ward 3) Brad Brundrett
Vanessa Shrauner, City Manager

Notice is hereby given that Rockport City Council will hold a regular meeting on the above-mentioned date, time, and location. The meeting will be held in person at the location mentioned above. The live stream link to view the meeting is <https://www.youtube.com/@rockporttxgov>.

The City Council welcomes citizen participation and comments at all City Council Meetings on any Agenda item or any subject matter.



Written comments submitted by 8:30 a.m. on the day of the meeting.

- i. Complete the Speaker Card – locate the card by scanning the QR Code or online at <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation>
- ii. Written Comments received by the deadline will be read.

Sign up in person.

- i. Speaker's cards are located at the entrance of the meeting room and must be delivered to the City Secretary before the meeting begins.
- ii. Any citizen with handouts should provide them to the City Secretary before the meeting. If you wish the City Council to receive your handouts for the meeting, please provide 8 copies; if not, the City Council will receive your handouts the following day.

Rules for Citizen Participation

- i. Speakers will be limited to three minutes.
- ii. 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.

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 based on 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 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 before this meeting. Please get in touch with the City Secretary's office at (361) 729-2213, ext. 225, or FAX (361) 790-5966 or email sgoodwin@rockporttx.gov for further information. Braille is not available.

I. CALL TO ORDER**II. PLEDGE OF ALLEGIANCE****III. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION****IV. CITIZENS TO BE HEARD**

Speaker participation instructions are provided in writing at the beginning of the agenda. **NOTE:** The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting, and any response to a question posed to the City Council is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042 has not been posted on the agenda.

V. 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.

1. Consider the approval of the City Council Minutes for the June 25, 2024, City Council Regular Meeting (Shelley Goodwin, City Secretary)
2. Consider the approval of the City Council Minutes for the June 205, 2024, City Council Workshop (Shelley Goodwin, City Secretary)
3. Consider the approval of cancelling the following three City Council Regular Meetings due to conflicts (Shelley Goodwin, City Secretary)
 - October 8, 2024, Regular Meeting
 - November 26, 2024, Regular Meeting
 - December 24, 2024, Regular Meeting

VI. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

4. Consider the approval on the second and final readings of Ordinance 1937 of the City of Rockport, Texas, amending the Code of Ordinances to provide a process for petitions for release from the City's Extraterritorial Jurisdiction; providing a savings clause; providing that this Ordinance is cumulative of all ordinances; amending appendix A, "Fee Schedule." Article 5.500, "Application Fees, "to add a fee to process for a petition for the Release of Extraterritorial Jurisdiction, and amend Article A severability clause; providing for publication; and providing an effective date (Shelley Goodwin, City Secretary)
5. Consider the approval on the second and final readings of Ordinance 1938 of the City of Rockport, Texas, amending Ordinance No. 1911 which adopted the 2023-2024 Budget beginning October 1, 2023, and ending September 30, 2024; repealing all prior Ordinances in conflict herewith; providing for publication; and providing for an effective date (Budget amendment #5) (Robbie Sorrell, Finance Director).
6. Consider the approval on the second and final readings of Ordinance 1939 granting a Conditional Use Permit for the purpose of building an accessory use structure prior to the residential dwelling on the property located at 125 Lamar Dr; also known as Lot 3, ayres acres,

being 19.2809 acres, City of Rockport, Aransas County, Texas; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City Of Rockport Code of Ordinances; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date (Carey Dietrich- Asst. Director Building & Development/ Community Planner)

7. Consider the approval on first of two readings of Ordinance 1940 amending Code of Ordinances Chapter 86, Streets, Sidewalks and other public places, by deleting Article V, Parades and replacing said Article V As Special Events in the attached form, and as may be modified in the future by Ordinances; adopting penalties for violation of this Ordinance in an amount not to exceed \$500.00 per violation; repealing all other Ordinances in conflict therewith; providing for severability, effective date, and publication (Shelley Goodwin, City Secretary)

VII. OTHER ACTION ITEMS AND UPDATES

8. Consider approval of Order 2024-01-O Renewing the Disaster Declaration of Local Disaster of the Mayor of the City of Rockport (Vanessa Shrauner, City Manager).
9. Consider the approval of a Construction Change Directive #2 related to the new City Hall project in the amount currently estimated to be a credit of \$1,561.10 (Kimberly Henry, Assistant to the City Manager).
10. Consider the approval to award a bid to Raw Demo for an amount not to exceed \$9,850.00 for the demolition and removal of the existing concrete and asphalt located at the Main Street Visitors Kiosk and Art Installation site, not to exceed \$9,850.00 (Kimberly Henry, Assistant to the City Manager).

VIII. CITY MANAGER'S UPDATE

IX. 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.

X. 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) and (551.074 Personnel Matters

11. Seek the advice of an 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 3) General Land Office (GLO) drainage projects; and 4) Data Pros Settlement.

12. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee; (City Manager)

XI. 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.

13. Consider the approval of Resolution 2024-14R finding and reaffirming that a public necessity exists to acquire a Drainage Easement and/or fee simple for municipal purposes to upgrade and install drainage facilities for the purpose of drainage collection, disposal, emptying, and such appurtenant facilities as may be necessary, and other public uses in real property on portions or whole of tracts of land crossing Veteran's Memorial Park and continuing through a possible street or right-of-way to the waterfront east of Austin/Broadway Streets and Veteran's Memorial Park with said street or right-of way known as Veterans Memorial Drive, in the Smith and Wood Addition bordering on Rockport Harbor, to the City of Rockport, according to the map recorded in Volume "E", pages 272-273, Deed Records of Aransas County, Texas, and generally described as a portion of the approximately 102.5 acre tract conveyed to the Aransas County Navigation District No. 1, now known as Aransas County Navigation District, by deed dated October 15, 1936, and recorded in Volume Q-2, page 270, Deed Records of Aransas County, Texas, and revised and amended on August 15, 1953, and recorded in Volume M-3, page 499, Deed Records of Aransas County, Texas, said property owned wholly or partially by Aransas County Navigation District, formerly known as Aransas County Navigation District No. 1; providing and reaffirming notice of an official determination to acquire real property for a Drainage Easement and/or fee simple for municipal purposes; providing and reaffirming authorization for the City Manager to obtain the necessary Appraisal Report and the making of bona fide offers of just compensation for the easement and/or fee simple; ratifying prior documents and acts made for acquisition of the easement and/or fee simple; authorizing and/or reaffirming the authority of Legal Counsel to Institute Eminent Domain proceedings on behalf of the City for the acquisition of the easements and/or fee simple on said tracts if negotiations are unsuccessful; authorizing and reaffirming seeking all legal means necessary to enter upon said property for work necessary to effectuate the need or ability to seek Eminent Domain proceedings and studies incident thereto; authorizing and reaffirming appropriation of funds from a lawful source; and providing for an effective date (Art Rodriguez, City Attorney)

XII. ADJOURN

CERTIFICATION

This is to certify that I, Kimberly Henry, posted this Agenda at 8:30 a.m. on July 9, 2024, on the bulletin board of the City of Rockport Service Center, 2751 S. H. 35 Bypass, Rockport, Texas 78382.



Kimberly Henry, Assistant to the City Manager