



City of Rockport
CITY COUNCIL REGULAR MEETING AGENDA
TUESDAY, AUGUST 27, 2024 ~ 6:30 P.M.
ROCKPORT SERVICE CENTER
2751 STATE HIGHWAY 35 BYPASS
ROCKPORT, TEXAS 78382

City Councilmembers Present:

Mayor Tim Jayroe
Mayor Pro Tem (Ward 4) Andrea Hattman
Councilmember (Ward 1) Stephanie Rangel
Councilmember (Ward 2) Matt Anderson via Zoom
Councilmember (Ward 3) Brad Brundrett

City Councilmembers Absent:

None

City Staff Present:

Vanessa Shrauner, City Manager
Art Rodriguez, City Attorney
Nathan Anderson, Police Chief
Bob Argetsinger Director of Information Technology
Lee Brown, Director of Communications Center
Mike Donoho, Director of Public Works and Building & Development Services
Kimberly Henry, Assistant to the City Manager
Robbie Sorrell, Director of Finance
Shelley Goodwin, City Secretary

I. CALL TO ORDER

Mayor Jayroe called the August 27, 2024, Regular Meeting to order at 6:30 p.m. and announced that a quorum had been met.

II. PLEDGE OF ALLEGIANCE

Mayor Jayroe led the Pledge of Allegiance to the United States flag.

III. CEREMONIAL MATTERS/EMPLOYEE RECOGNITION

Mayor Jayroe introduced the Rockport Fulton Little League Minor Softball Team. He presented the Certificate of Excellence to the team and thanked them for their representative of the City.

IV. CITIZENS TO BE HEARD

Patrick Kane spoke in opposition to the utility fee and tax rate increases. He encouraged the City Council to cut the proposed budget.

Kate Putz spoke regarding Agenda Item #7 the Davis CUP. She stated she is opposed to the request, since they knew the Tiny Home was a violation before they bought it. She also noted other issues they have had regarding with their trees being cut down and not replaced.

Patricia Olenick spoke in support of the pool. She also stated the pool is also a necessary health supporter and needs some repairs.

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 July 24, 2024, City Council Workshop Meeting**
- 2. Consider the approval of the City Council Minutes for the August 13, 2024, City Council Regular Meeting**

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Rangel to approve Consent Agenda Items V. 1-2. The City Council voted by roll call:

Councilmember (Ward 1) Rangel aye
Councilmember (Ward 2) Anderson aye
Councilmember (Ward 3) Brundrett aye
Mayor Pro Tem (Ward 4) Hattman aye
Mayor Jayroe aye

The motion to approve passed unanimously; five (5) for and none (0) against.

VI. BUDGET AND TAX RATE-RELATED ITEMS

- 3. Consider the approval of the second and final reading of Ordinance 1941 amending the City of Rockport Code of Ordinances, Chapter 82 “Solid Waste” Article II. “Refuse Collection”, Section 82.39 “Fee Schedule” repealing all prior ordinances in conflict herewith: and providing for publication and an effective date**

Robbie Sorrell, Director of Finance, stated there has been no changes since the last meeting.

Motion: Upon a motion made by Councilmember Brundrett and a second by Councilmember Rangel to approve Ordinance 1941 on the second and final reading amending the City of Rockport Code of Ordinances, Chapter 82 “Solid Waste” Article II. “Refuse Collection”, Section 82.39 “Fee Schedule” repealing all prior ordinances in conflict herewith: and providing for publication and an effective date.

The City Council voted by roll call:

Councilmember (Ward 1) Rangel aye
Councilmember (Ward 2) Anderson aye
Councilmember (Ward 3) Brundrett aye
Mayor Pro Tem (Ward 4) Hattman aye
Mayor Jayroe aye

The motion to approve passed unanimously; five (5) for and none (0) against.

- 4. Consider the approval of an agreement with the Aransas County Tax Assessor – Collector to act as the Tax Assessor- Collector for the City of Rockport**

Robbie Sorrell, Director of Finance, stated this is an agreement for the serves of Tax Collections, notices and advertising. He stated the price is based on the workload and the percentages of the levy, which has resulted in a \$5,000 increase

The City Council discussed the cost for the agreement.

Motion: Upon a motion made by Councilmember Brundrett and a second by Councilmember Rangel to approve an agreement with the Aransas County Tax Assessor – Collector to act as the Tax Assessor-Collector for the City of Rockport. The City Council voted by roll call:

Councilmember (Ward 1) Rangel aye
Councilmember (Ward 2) Anderson aye

Councilmember (Ward 3) Brundrett aye
Mayor Pro Tem (Ward 4) Hattman aye
Mayor Jayroe aye

The motion to approve passed unanimously; five (5) for and none (0) against.

5. Announcement of upcoming Budget and Tax Rate Meetings

- **September 3, 2024, Special Meeting at 6:30 p.m. (Public Hearing Tax Rate and 1st reading)**
- **September 10, 2024, Regular Meeting at 6:30 p.m. (2nd reading on Tax Rate and only reading on Budget)**

Vanessa Shrauner, City Manager, reviewed the Budget and Tax Rate hearings and adoptions of Ordinances.

VII. ORDINANCES, RESOLUTIONS AND PUBLIC HEARING

- 6. Consider the approval of the second and final reading of Ordinance 1942 granting a Conditional Use Permit for the purpose of allowing the use of a Park Model RV as an office on the property located at 2562 FM 3036; also known as 76 Joseph Hollis Survey, 2.131 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, stated staff recommends denial. She noted this situation has created an increase of calls from others who want the same CUP.

The City Council discussed setting precedent.

Councilmember Brundrett read written comments opposing Ordinance 1942 provided by Andrew Kane.

Motion: Upon a motion made by Councilmember Brundrett and a second by Mayor Pro Tem Hattman to postpone the second and final reading of Ordinance 1942 granting a Conditional Use Permit for the purpose of allowing the use of a Park Model RV as an office on the property located at 2562 FM 3036; also known as 76 Joseph Hollis Survey, 2.131 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, until September 10, 2024. The City Council voted by roll call:

Councilmember (Ward 1) Rangel aye
Councilmember (Ward 2) Anderson aye
Councilmember (Ward 3) Brundrett aye
Mayor Pro Tem (Ward 4) Hattman aye
Mayor Jayroe aye

The motion to approve passed unanimously; five (5) for and none (0) against.

- 7. Consider the approval of the second and final reading of Ordinance 1943 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 B1 (General Business District) for property located at 2202 FM 3036; also known as lots 64a, 64b, and 64c as shown on the Kokomo PH 6 Preliminary Plat, and lot 65, Block 1, Kokomo PH 2, more accurately described on the attached exhibit A; to R2 (2nd Single Family Dwelling**

District); repealing all Ordinances in conflict therewith; providing for severability; and providing an effective date.

Carey Dietrich, Asst. Director Building & Development/ Community Planner, stated there have been no changes since the last meeting.

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Brundrett for approval of the second and final reading of Ordinance 1943 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 B1 (General Business District) for property located at 2202 FM 3036; also known as lots 64a, 64b, and 64c as shown on the Kokomo PH 6 Preliminary Plat, and lot 65, Block 1, Kokomo PH 2, more accurately described on the attached exhibit A; to R2 (2nd Single Family Dwelling District); repealing all Ordinances in conflict therewith; providing for severability; and providing an effective date. The City Council voted by roll call:

Councilmember (Ward 1) Rangel aye
Councilmember (Ward 2) Anderson aye
Councilmember (Ward 3) Brundrett aye
Mayor Pro Tem (Ward 4) Hattman aye
Mayor Jayroe aye

The motion to approve passed unanimously; five (5) for and none (0) against.

8. Consider the approval of the second and final reading of Ordinance 1944 establishing the Convention and Visitors Bureau Advisory Board and providing for the duties of such Board; providing a severability clause; and providing an effective date

Vanessa Shrauner, City Manager, stated during the first reading changes were made which are highlighted.

Motion: Upon a motion made by Councilmember Brundrett and a second by Mayor Pro Tem Hattman for approval of the second and final reading of Ordinance 1944 establishing the Convention and Visitors Bureau Advisory Board and providing for the duties of such Board; providing a severability clause; and providing an effective date. The City Council voted by roll call:

Councilmember (Ward 1) Rangel aye
Councilmember (Ward 2) Anderson aye
Councilmember (Ward 3) Brundrett aye
Mayor Pro Tem (Ward 4) Hattman aye
Mayor Jayroe aye

The motion to approve passed unanimously; five (5) for and none (0) against.

9. Consider the approval of the second and final reading of Ordinance 1945 amending the Code of Ordinances Chapter 106 “Vegetation” Article I “General” “Section 106-7 Tree Mitigation and Preservation Account” repealing all ordinances to the extent they are in conflict; providing for severability; providing for penalties; and providing an effective date

Carey Dietrich, Asst. Director Building & Development/ Community Planner, stated there has been no changes since the last meeting.

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Rangel for approval of the second and final reading of Ordinance 1945 amending the Code of Ordinances Chapter 106 “Vegetation” Article I “General” “Section 106-7 Tree Mitigation and Preservation Account” repealing all ordinances to the extent they are in conflict; providing for severability; providing for penalties; and providing an effective date. The City Council voted by roll call:

Councilmember (Ward 1) Rangel aye
Councilmember (Ward 2) Anderson aye
Councilmember (Ward 3) Brundrett aye
Mayor Pro Tem (Ward 4) Hattman aye
Mayor Jayroe aye

The motion to approve passed unanimously; five (5) for and none (0) against.

10. Consider the creation of a Reinvestment Zone Number One (TIRZ)

Vanessa Shrauner, City Manager, read the different times the Reinvestment Zone Number One was presented at public meetings. She also reviewed the communication effects the staff used to get the word out to the public and the notice that ran twice in the newspaper.

i. Hold a public hearing to receive comments for or against the creation of a reinvestment zone for tax increment financing

Mayor Jayroe opened the public hearing at 6:45 p.m. and asked if anyone wished to speak.

Eamon Burke spoke regarding the TIRZ. She provided the attached written comments.

Marsha Reed spoke in support of TIRZ. She stated she feels this is a win-win situation for the residents and for tourism which effects sales tax and Hotel Occupancy Tax. She stated Rockport is changing and we need to keep up with the changes.

Jennifer Day spoke in support of TIRZ and the benefits this will create for the City and the Arts Cultural District. She reviewed the different ways the community will received benefits by the creation of the TIRZ.

Jack Wright spoke in support of TIRZ. He noted that this property has been vacant for 40 years and how someone could purchase this property and development something that would not have the same benefits.

Brett Bonn spoke in support of TIRZ. He stated as a developer he has had the opportunity to work on several TIRZ projects which benefit the Cities or communities who use them.

John Jackson read the attached comments in support of TIRZ. He read the attached written comments.

Scarlett Embrey stated she and her husband are the developers of the proposed development. She noted the benefits of the development to the community. She provided the history of the proposed project and the love she has for Rockport. She encouraged the City Council to support the TRIZ.

Jeff Sjostrom spoke regarding the Downtown and waterfront areas of Rockport and the need for improvements to support economy. He stated the State of Texas has created a funding mechanism to help with these types of zones. He noted this is part of the City's Comprehensive Plan. He also spoke on the importance of the composition of the Board.

Patrick Kane spoke in opposition to TIRZ. He stated he feels the numbers don't make and is opposed to spending the money.

Mayor Jayroe stated the City received 42 comments on this agenda item. He noted the following 39 people provided comments in support of the TIRZ, 1 person spoke in person and 2 were opposed:

- Karen Mella

- Betty Stiles
- Diane Probst
- Amy Garcia
- Jerry Brundrett
- Michell McMahon
- Michael Ables
- Richard Dias
- Michelle Simmons
- Patrick Rios
- Andrew Hernandez
- Lisa Hernandez
- K Rester/S Chatterton (Moon Over Water Gallery)
- Pamela Harkins
- Stan Irvin
- Janice Halderman
- Rita Mathews
- Nancy Bolting
- Brett Bolting
- Ion Heffron
- Bonnie Carlisle
- Kevin Carlisle
- Janae Evans
- Carla Krueger Belaire
- Molly Baker
- Shana Brader
- Betty Pepau
- Bobby Pepau
- Hannah Ferri
- Luis Puron
- Stephen Levy
- Lindsay Stanford
- Patti McLead
- Laura Denham
- Robert Cavazos
- Phil Salemi
- Michael Canterburg
- Smith Nguyen
- Michaela Alston

Councilmember Brundrett read the following comments that were in opposition:

- Andrew Kane requested the City Council to slow down and be transparent about the process. He encouraged the City Council to postpone the creation of the TIRZ.
- Elizabeth Green wrote that she feels the City Council is giving tax dollars away to the first developer that came alone. She also feels this development will most likely put many businesses out of town. She encouraged the City Council to slow down and get a better plan.

Mayor Jayroe closed the public hearing at 7:25 p.m.

- ii. **Consider the approval of the first of two readings of Ordinance 1946 designating a geographic area located within the City of Rockport as a Reinvestment Zone for Tax Increment Financing purposes pursuant to Chapter 311 of the Texas Tax Code to be known as Rockport Tax Increment Reinvestment Zone No. 1; describing the boundaries of the zone; establishing a Tax Increment Fund for the Zone; creating a Board of Directors for such Zone; providing a date for termination of the Zone; containing findings and provisions related to the foregoing subject; and providing a severability clause; establishing an effective date; and providing for related matters.**

Vanesa Shrauner, City Manager, stated the Ordinance needs to be amended the Ordinance to include the 60/40 split.

The City Council discussed the following:

- The Ordinance is for the TIRZ and not the development
- Ad Valorem vs Sales Tax.
- Commercial property, private property and could be developed with limited regulations.
- Thanked everyone who spoke or submitted comments
- Board composition
- The history of public funds used for expenses for the harbor area
- The past proposal for the development of this area

Motion: Upon a motion made by Mayor Jayroe to approve on first of two readings of Ordinance 1946 designating a geographic area located within the City of Rockport as a Reinvestment Zone for Tax Increment Financing purposes pursuant to Chapter 311 of the Texas Tax Code to be known as Rockport Tax Increment Reinvestment Zone No. 1; describing the boundaries of the zone; establishing a Tax Increment Fund for the Zone; creating a Board of Directors for such Zone; providing a date for termination of the Zone; containing findings and provisions related to the foregoing subject; and providing a severability clause; establishing an effective date; and providing for related matters.

Friendly Amendment Motion made by Councilmember Brundrett to include the 60/40 split and remove the last sentence. Mayor Pro Tem Hattman seconded the main motion and accepted the Friendly Amendment Motion. The City Council voted by roll call:

Councilmember (Ward 1) Rangel	aye
Councilmember (Ward 2) Anderson	aye
Councilmember (Ward 3) Brundrett	aye
Mayor Pro Tem (Ward 4) Hattman	aye
Mayor Jayroe	aye

The motion to approve passed unanimously; five (5) for and none (0) against.

11. **Conder the approval of the first of two readings of Ordinance 1947 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 #6)**

Robbie Sorrell, Director of Finance, reviewed the need for an amendment. He stated this amendment is in connection with the pool repair and he has also adjusted the budget within the department.

The City Council discussed operating cost and the cost for the pool repair.

Motion: Upon a motion made by Councilmember Brundrett and a second by Mayor Pro Tem Hattman

for approval on the first of two readings of Ordinance 1947 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 #6). The City Council voted by roll call:

Councilmember (Ward 1) Rangel aye
Councilmember (Ward 2) Anderson aye
Councilmember (Ward 3) Brundrett aye
Mayor Pro Tem (Ward 4) Hattman aye
Mayor Jayroe aye

The motion to approve passed unanimously; five (5) for and none (0) against.

VII. OTHER ACTION ITEMS AND UPDATES

12. Consider the approval on an Interlocal Agreement with TX Health Benefits Pool for the administration of the Post-65 Employee Medical Insurance

Vanessa Shrauner, City Manager, provided the history of the agreement.

Motion: Upon a motion made by Councilmember Rangel and a second by Mayor Pro Tem Hattman for approval on an Interlocal Agreement with TX Health Benefits Pool for the administration of the Post-65 Employee Medical Insurance. The City Council voted by roll call:

Councilmember (Ward 1) Rangel aye
Councilmember (Ward 2) Anderson aye
Councilmember (Ward 3) Brundrett aye
Mayor Pro Tem (Ward 4) Hattman aye
Mayor Jayroe aye

The motion to approve passed unanimously; five (5) for and none (0) against.

13. Consider ratifying the Binding of the 2024-25 Windstorm Insurance Policy with GSM Insurers for an amount not to exceed \$471,697.67

Vanessa Shrauner, City Manager, reported that staff obtained a quote for Windstorm Insurance from GSM Insurer at a cost of \$471,697.67, reflecting a 15% decrease. She also highlighted that the current insurance policy was set to expire on August 27th and a binding policy was signed which is why the City Council needs to ratify this agreement.

Motion: Upon a motion made by Councilmember Brundrett and a second by Councilmember Rangel for approval of ratifying the Binding of the 2024-25 Windstorm Insurance Policy with GSM Insurers for an amount not to exceed \$471,697.67. The City Council voted by roll call:

Councilmember (Ward 1) Rangel aye
Councilmember (Ward 2) Anderson aye
Councilmember (Ward 3) Brundrett aye
Mayor Pro Tem (Ward 4) Hattman aye
Mayor Jayroe aye

The motion to approve passed unanimously; five (5) for and none (0) against.

VIII. CITY MANAGER'S UPDATE

14. City Manager Monthly Report

Vanessa Shrauner, City Manager, highlighted portions of the attached City Manager Update. She also noted the Report will be posted on the website.

Anthony Allen, Urban Engineering, reviewed the portion of the Engineering Report.

IX. CITY COUNCIL REPORT

Councilmember Brundrett announced that on Friday, August 30th he will officially be retiring as a Fire Fighter.

Mayor Jayroe stated he has been out of the office and meetings some and he is glad to be here.

X. EXECUTIVE SESSION

None----The City Council will recess its open meeting and reconvene in Executive Session pursuant to:

Note 1: Texas Government Code § 551.071, Consultation with Attorney

Note 2: Texas Government Code § 551.072, Real Property

Note 3: Texas Government Code § 551.074, Personnel Matters

Note 4: Texas Government Code § 551.076, Security

Note 5: Texas Government Code § 551.087, Economic Development Negotiations

Note 6: Texas Government Code § 551.089, IT Security

Note 7: Texas Government Code § 551.0745, Personnel Matters Affecting County Advisory Board

The City Council will consider the following items in Executive Session. The Council may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Council announces that the item will be considered during Executive Session.

15. Consider a legal briefing and take appropriate action regarding City Hall-Anchor Project ¹

16. Consider a legal briefing and take appropriate action regarding the Concho Street Project ¹

17. Consider a legal briefing and take appropriate action regarding the General Land Office (GLO) Drainage Projects ¹

The City Council did not recess into Executive Session.

XI. BUSINESS ITEM

The City Council did not recess into Executive Session.

XII. ADJOURN

Motion: Upon a motion made by Councilmember Rangel and a second Mayor Pro Tem Hattman to adjourn the Tuesday, August 13, 2024, City Council Regular Meeting at 8:20 p.m. The City Council voted by roll call:

Councilmember (Ward 1) Rangel aye

Councilmember (Ward 2) Anderson aye

Councilmember (Ward 3) Brundrett aye

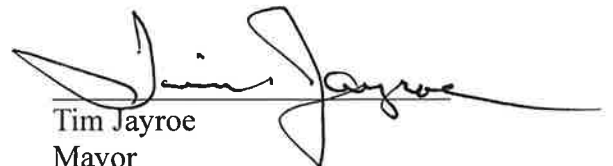
Mayor Pro Tem (Ward 4) Hattman aye

Mayor Jayroe aye

The motion to approve passed unanimously; five (5) for and none (0) against.



Shelley Goodwin, TRMC/CMC
City Secretary



Tim Jayroe
Mayor

9-10-2024 Amended to add the written comments to the website.

My name is John Jackson, a multi-generational resident of Rockport at 312 Olympic Drive. I want to reiterate my support for establishing a TIRZ to promote vitality and growth in the downtown. In addition to providing funds that will help pay for infrastructure improvements, including drainage in all of the downtown, it will specifically encourage the proposed development on the Rockport Harborfront land, which will include retail, commercial, a hotel, a boardwalk and public park, all while providing public access to the Harborfront for the first time in over 100 years. I have a very unique perspective because the Jackson family owned and operated a business on this property for 84 years from 1906-1990, and I spent much of my younger life working on this land and even spent 17 years of my adult life after college working on it in our business, and now I am the last Jackson heir. After the major shrimping industry downturn in the 80's, we sold our waterfront acreage to the Bass family as a part of our exit strategy. I had always envisioned a multi-use development similar to the vision being currently proposed to the City of Rockport, and of course the Basses recognize that potential as well. All prior prospective developers on this property have faced challenges due to size, scope,

remediation costs, and the significant costs for necessary improvements to upgrade the public infrastructure. I am aware of each of them and I am convinced that not one of them has been able to accomplish it primarily because of the immense hurdle for financing those costs. But now there can be an economic development tool to finance that infrastructure by establishing a Tax Increment Reinvestment Zone, or TIRZ, and do so without an increase in taxes for local citizens.

A TIRZ can not only finance public infrastructure without raising taxes, but also will enhance the quality of life and other downtown redevelopment. With over 460 TIRZs in Texas, a TIRZ is a valuable instrument established by the Texas Tax Code for helping with projects just like this. And , as I said, I firmly believe that all prior attempts failed because they did not have the benefit of a TIRZ.

We've waited 35 years for this so I strongly feel this is the time make it happen!

Thanks,
John Jackson

paper to justify this program. And yet, all future numerical growth, in flat dollars, will be attributed to the development of property adjacent to the existing downtown strip.

So let's say what this is. *It is a redirection of public taxes for the promotion of public good.* The city will be missing a small amount of revenue in the future, anywhere from 10,000 to 300,000 per year, that will have to come from the pockets of other property owners. That is why Texas does Ad Valorem taxes, and this inventory will be lost as though this were an autonomously managed area. The board appointed is not a fundraiser committee, they will have the authority to implement land use restrictions, determine what programs are promoted and discouraged, and most importantly, to accumulate debt.

I believe it is too late to convince you to reconsider implementing this program as written, and it is within the City's authority to intervene in a free market to promote public good. If it seems good to you, it is within your authority to do this. A warning from history is that in 1940, it seemed good to dynamite our city's ancient namesake limestone cliff which has been all but forgotten to expand the harbor for industry we no longer have.

So I want to say this: The appointment of board members to this TIRZ board is a hugely consequential decision. They will have the ability to enact subtle but substantial changes that can promote and preserve the character and priorities of the native people of Rockport. They will also have the ability to create a prosaic façade indistinct from Galveston and Port Aransas, and disincentivize beloved businesses that are already only marginally profitable. Properties will necessarily have to be chosen at times to receive a disproportionate benefit from the effects of this zone, and it is up to this City Council and future City Councils to ensure that every single person on that board is someone who truly loves the people who work and raise families here.

I would encourage the council to set the board, once created, to producing a non-binding written statement as a creed of values and intentions that will guide decisions and priorities for the sake of discernment, transparency, and clarity as our harbor and downtown are transformed by future growth. This is a matter of great public trust, and we will be trusting these people to make the right decisions.

Eamon Burke
824 S Ann St
361-229-4521

My name is John Jackson, a multi-generational resident of Rockport at 312 Olympic Drive. I want to reiterate my support for establishing a TIRZ to promote vitality and growth in the downtown. In addition to providing funds that will help pay for infrastructure improvements, including drainage in all of the downtown, it will specifically encourage the proposed development on the Rockport Harborfront land, which will include retail, commercial, a hotel, a boardwalk and public park, all while providing public access to the Harborfront for the first time in over 100 years. I have a very unique perspective because the Jackson family owned and operated a business on this property for 84 years from 1906-1990, and I spent much of my younger life working on this land and even spent 17 years of my adult life after college working on it in our business, and now I am the last Jackson heir. After the major shrimping industry downturn in the 80's, we sold our waterfront acreage to the Bass family as a part of our exit strategy. I had always envisioned a multi-use development similar to the vision being currently proposed to the City of Rockport, and of course the Basses recognize that potential as well. All prior prospective developers on this property have faced challenges due to size, scope,

remediation costs, and the significant costs for necessary improvements to upgrade the public infrastructure. I am aware of each of them and I am convinced that not one of them has been able to accomplish it primarily because of the immense hurdle for financing those costs. But now there can be an economic development tool to finance that infrastructure by establishing a Tax Increment Reinvestment Zone, or TIRZ, and do so without an increase in taxes for local citizens.

A TIRZ can not only finance public infrastructure without raising taxes, but also will enhance the quality of life and other downtown redevelopment. With over 460 TIRZs in Texas, a TIRZ is a valuable instrument established by the Texas Tax Code for helping with projects just like this. And , as I said, I firmly believe that all prior attempts failed because they did not have the benefit of a TIRZ.

We've waited 35 years for this so I strongly feel this is the time make it happen!

Thanks,
John Jackson

Comment and plea regarding creation of downtown/harbor TIRZ

My name is Eamon Burke, I live in Ward 1 and I grew up here.

First off, I believe the TIRZ is an unnecessary freebie for the development of the harborfront land. This has happened with other projects and properties in the recent past, where tax advantages are handed out in the guise of “incentives” for projects that are already started on paper, profitable, and beneficial, with no shortage of access to capital retarding development. We do not need to incentivize further commercial development. We need to incentivize ways for people whose jobs are within the city limits to actually own a home within the city limits.

I commend the authors of the ordinance on not including Sales Tax Revenue in the plan, which would have created perverse market incentives in a retail space.

A TIRZ is not good or bad thing in and of itself, it depends on where it is and most importantly, how it operates. As I read it, the Property Tax Code paints a very different picture in which the intent of these programs is not to fund or incentivize inevitable expansion, but to bolster demand where inventory is suffering due to an area being a blight on the community. Downtown Rockport is not a blight on the community. Downtown Rockport is not a slum. Downtown Rockport is not a social liability or a menace to public health, safety, morals or welfare.

In the last several years, downtown has thrived as a whole in ways it hasn't my entire life. But there remains vacancy. Any good ideas, desired businesses, or laudable investors have buildings and vacant lots today they could buy or lease downtown and contribute to the community. It is not for lack of available real estate that downtown doesn't have these novel developments. Not only does this project not require incentivization, it will increase supply and bring heavy competition for existing properties, which drives their property values down. The hope is that the area will be so much better that the overall conditions will outrun this basic principle.

Property values will increase numerically over 25 years, with or without this development. There will be new property created, national inflation will continue unchecked, and hopefully the good people of downtown will continue to maintain and beautify their area. The property value has more than doubled in the last 20 years, through recession and storms, even though it is being deemed a “deteriorated slum” on

paper to justify this program. And yet, all future numerical growth, in flat dollars, will be attributed to the development of property adjacent to the existing downtown strip.

So let's say what this is. *It is a redirection of public taxes for the promotion of public good.* The city will be missing a small amount of revenue in the future, anywhere from 10,000 to 300,000 per year, that will have to come from the pockets of other property owners. That is why Texas does Ad Valorem taxes, and this inventory will be lost as though this were an autonomously managed area. The board appointed is not a fundraiser committee, they will have the authority to implement land use restrictions, determine what programs are promoted and discouraged, and most importantly, to accumulate debt.

I believe it is too late to convince you to reconsider implementing this program as written, and it is within the City's authority to intervene in a free market to promote public good. If it seems good to you, it is within your authority to do this. A warning from history is that in 1940, it seemed good to dynamite our city's ancient namesake limestone cliff which has been all but forgotten to expand the harbor for industry we no longer have.

So I want to say this: The appointment of board members to this TIRZ board is a hugely consequential decision. They will have the ability to enact subtle but substantial changes that can promote and preserve the character and priorities of the native people of Rockport. They will also have the ability to create a prosaic façade indistinct from Galveston and Port Aransas, and disincentivize beloved businesses that are already only marginally profitable. Properties will necessarily have to be chosen at times to receive a disproportionate benefit from the effects of this zone, and it is up to this City Council and future City Councils to ensure that every single person on that board is someone who truly loves the people who work and raise families here.

I would encourage the council to set the board, once created, to producing a non-binding written statement as a creed of values and intentions that will guide decisions and priorities for the sake of discernment, transparency, and clarity as our harbor and downtown are transformed by future growth. This is a matter of great public trust, and we will be trusting these people to make the right decisions.

Eamon Burke
824 S Ann St
361-229-4521

FW: Updated opinion

Carey Dietrich <Communityplanner@cityofrockport.com>

Mon 8/26/2024 2:19 PM

To: Shelley Goodwin <sgoodwin@rockporttx.gov>

Cc: Judy Emerson <jemerson@cityofrockport.com>

Shelley,

Please see the email below with an updated statement from the neighbors of 2162 FM 3036 in opposition of the requested CUP.

Thanks!

Carey Dietrich, CFM, CBO

Asst. Director Building & Development

Community Planner | Building Official

TSBPE #3262

361/790-1125 ext 226

361/463-1833 (cell)



<https://cityofrockport.com/>

"Success is not final, failure is not fatal: it is the courage to continue that counts."

- Winston Churchill

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From: Judy Emerson <jemerson@cityofrockport.com>

Sent: Monday, August 26, 2024 9:07 AM

To: Carey Dietrich <Communityplanner@cityofrockport.com>

Subject: FW: Updated opinion

I know the packet has already been put together for the Council meeting, but here is a new updated complaint from the Putz's.

Can this one instead of the other one be read at the meeting?

Thanks,

Judy Emerson

City of Rockport

Code Enforcement Officer-TDLR #7296

714 E Concho St.

Rockport, TX 78382

361-556-5310-Office

361-542-6192-Cell

jemerson@cityofrockport.com

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From: Adam Putz <1531010@gmail.com>

Sent: Monday, August 26, 2024 9:02 AM

To: Judy Emerson <jemerson@cityofrockport.com>

Subject: Updated opinion

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To whom it concerns,

My husband and I bought the 6 acres next door at 2612 FM 3036 just prior to the Schreibers buying their home. They bought their house from the game wardens in 2022. We first learn of our new neighbors when my business partner/neighbor, Dr Bruce, called and said he had met the new neighbors. He said they put an RV guest house on the fence line and were planning to jump the fence and cut down the small trees and all the bushes so their guests could have a view of my pond. He advised them to speak with us first and wrote down their phone numbers.

Soon after, my husband, Adam, discovered they had cleared a 35 foot wide section of land they didn't own. The owner, Mr Schreiber and his unnamed helper, used an A frame ladder to cross the fence and cut down everything leading up to the pond with a sawzall. They had installed the RV near the fence line and oriented it so the back porch had a view. Adam questioned the unnamed helper person and was told that the owners wanted their RV guest house to have a view, and they didn't think it would be a big deal if they cleared our land.

We were later able to talk to Mr and Mrs Schreiber on the phone who admitted that they had jumped the fence and cut down the natural foliage and tall bushes. We expressed deep disgust in their decision to do this. Mrs Schreiber reported that she had worked in real estate in Austin and her husband was a real estate developer. I then asked her, if this was normal in their lines of work and why they felt that it was okay for them to disregard our property rights. We asked for them to replant what they had cut down, due to their RV now being in direct view of our future home. They assured us they would replant, and this entire time they have never done so.

In my discussions with them, Mrs Schreiber said that they had bought the guesthouse trailer in Oklahoma and had it specifically oriented to look out at the view of our pond and it was quote "too expensive to move again."

Our other concern is that if this CUP is approved, will the next person be granted a CUP as well? The current owners are obviously unwilling to pay to move it so are they going to pass this cost to the next person or even inform the next person before selling the property?

We do not support the zoning change or CUP for our neighbors. They were fully aware of rules and they deliberately disregarded them and are trying to manipulate them to undermine our community and their neighbors. I do not feel that they are truly using this for an office due to the fact that they regularly called it a guest home.

Adam and Kate Putz