



City of Rockport

CITY COUNCIL REGULAR MEETING AGENDA
TUESDAY, SEPTEMBER 10, 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 September 10, 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 announced he did not have any ceremonial matters or recognitions.

IV. CITIZENS TO BE HEARD

Andrew Kane addressed the City Council, reading his statement from the online "Say No TIRZ" petition. He outlined his reasons for initiating the petition and expressed concerns about the Tax Increment Reinvestment Zone (TIRZ) process. Kane urged the City Council to pause the implementation of TIRZ and to further investigate and ask critical questions before moving forward

V. CONSENT

1. Consider the approval of the City Council Minutes for the August 27, 2024, City Council Regular Meeting

Councilmember Brundrett pulled the Agenda Item #1 off the Consent the Agenda to be considered separately.

Motion: A motion was made by Councilmember Brundrett and seconded by Councilmember Rangel to amend the City Council Minutes for the August 27, 2024, City Council Regular Meeting to include the written comments that were received online. The City Council took the following vote:

Mayor Jayroe	aye
Mayor Pro Tem Hattman	aye
Councilmember Rangel	aye
Councilmember Anderson	aye
Councilmember Brundrett	aye

The City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

VI. BUDGET AND TAX RATE-RELATED ITEMS

2. Fiscal Year 2024-2025 City of Rockport Budget

i. Hold a public hearing to receive comments for or against the proposed FY 2025 Budget

Mayor Jayroe opened the public hearing at 6:45 p.m. regarding the Budget and Tax Rate.

Terry Settabote, a retired teacher, expressed that she relies on her rental property income to avoid falling into poverty. She urged the City Council to vote no on the proposed Budget and Tax Rate.

Brett Christine voiced concerns over rising taxes, stating that his taxes have increased annually. He criticized the use of tax funds for projects such as the Courthouse, Art Center, and drainage, questioning the need for these projects amid tax increases.

Mayor Jayroe responded, affirming that the City Council is aware of the burden on taxpayers and takes their responsibilities seriously. He warned that without a tax increase, the City would face service reductions and potential employee layoffs. He also clarified that the Art Center was not funded by taxpayer money.

Councilmember Brundrett added that despite property value increases, taxes have been reduced over the past three years. However, the City has been drawing from reserves, which are now below the desired levels needed for emergencies.

Mayor Jayroe closed the public hearing at 6:56 p.m.

ii. Consider the approval of a single reading of Ordinance 1948 adopting a budget and appropriating resources for Fiscal Year 2024-2025, beginning October 1, 2024, and ending September 30, 2025; in accordance with existing statutory requirements; repealing all conflicting Ordinances; containing severability clause; and providing for an effective date

Robbie Sorrell, Finance Director, noted that Ordinance 1948 does not require two readings for approval. He also confirmed that the FY2025 Budget includes only the amounts that have been previously discussed by the City Council.

Mayor Pro Tem Hattman emphasized that both City Staff and the City Council worked diligently to maintain a lean budget, allowing for only one new employee, a police officer. She pointed out that budget information had been made accessible to the public through multiple meetings, the City's website, and social media platforms. Hattman stressed that failure to manage finances responsibly could result in employee layoffs and even lead the City towards bankruptcy.

Motion: Upon a motion made by Councilmember Brundrett and a second by Councilmember Anderson to approve a single reading of Ordinance 1948 adopting a budget and appropriating resources for Fiscal Year 2424-2025, beginning October 1, 2024, and ending September 30, 2025; in accordance with existing statutory requirements; repealing all conflicting Ordinances; containing a severability clause; and providing for 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

3. Consider the approval of second and final reading of Ordinance 1949 approving the assessment and renditions for the 2024 taxable property as submitted by the Appraisal District; levying a Tax Rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas for the Tax Year 2024 of \$0.235544 for the purpose of Maintenance and Operation, \$0.169750 for the payment of Principal and Interest on Debt of the City for a Total Tax Rate of \$0.405294; providing for a Lien on all Real and Personal Property to secure payment of taxes due thereon; containing a severability clause; repealing all Ordinances and parts thereof in conflict herewith; and providing an effective date.

This Tax Rate will raise more taxes for Maintenance and Operations than last year's Tax Rate.

The Tax Rate will effectively be raised by 14.57 percent and will raise taxes for Maintenance and Operations on a \$100,000 home by approximately \$21.96

Robbie Sorrell, Finance Director, stated there has been no changes since the September 3, 2024 Special Meeting.

Motion: Upon a motion made by Councilmember Brundrett and a second by Mayor Pro Tem Hattman to approve on second and final reading of Ordinance 1949 approving the assessment and renditions for the 2024 taxable property as submitted by the Appraisal District; levying a Tax Rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas for the Tax Year 2024 of \$0.235544 for the purpose of Maintenance and Operation, \$0.169750 for the payment of Principal and Interest on Debt of the City for a Total Tax Rate of \$0.405294; providing for a Lien on all Real and Personal Property to secure payment of taxes due thereon; containing a severability clause; repealing all Ordinances and parts thereof in conflict herewith; and providing an effective date. This Tax Rate will raise more taxes for Maintenance and Operations than last year's Tax Rate. The Tax Rate will effectively be raised by 14.57 percent and will raise taxes for Maintenance and Operations on a \$100,000 home by approximately \$21.96. 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

4. Consider the approval to ratify the 2024-2025 property tax increase to support the 2024-2025 Annual Budget and Capital Improvement Plan.

Robbie Sorrell, Finance Director, stated that the Tax Code requires the City ratify the rate because the tax increase.

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Rangel to approve the ratification of the 2024-2025 property tax increase to support the 2024-2025 Annual Budget and Capital Improvement Plan. 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. Consider the approval of a single reading of Ordinance 1954 authorizing the issuance of \$_____ in principal amount of City of Rockport, Texas Tax Note, Series 2024; securing the payment thereof by authorizing the levy of an annual Ad Valorem Tax; and approving and authorizing the execution of a Paying Agent/Registrar Agreement, a purchase letter, and all other instruments and procedures related thereto (amount will be provided after the sale and at the meeting)

Vanessa Shrauner, City Manager, mentioned that the City Council received the updated Ordinance and supporting documents following the bond sale.

Robbie Sorrell, Finance Director, reported that the City secured a 3.7% interest rate and that the principal amount of around \$3,040,000 aligns with the estimated two-cent increase on the Interest and Sinking side of the tax rate, which will support a seven-year tax note.

Councilmember Brundrett also read a written statement from Patrick Kane, urging the City Council to vote against the proposal.

Motion: Upon a motion made by Councilmember Brundrett and a second by Councilmember Anderson to approve a single reading of Ordinance 1954 authorizing the issuance of **\$3,075,000** in principal amount of City of Rockport, Texas Tax Note, Series 2024; securing the payment thereof by authorizing the levy of an annual Ad Valorem Tax; and approving and authorizing the execution of a Paying Agent/Registrar Agreement, a purchase letter, and all other instruments and procedures related thereto. 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

VII. ORDINANCES, RESOLUTIONS AND PUBLIC HEARING

6. A request from JWTC to change the zoning of land located at 1117 N. Live Oak

- 1. Hold a public hearing to receive comments for or against the request**

Don Von Velzer, developer, stated he requesting to build up scaled 6 duplexes total of 4 units. He reviewed the design and amenities which includes garages and meets all other codes and including infrastructure. He noted they are working to save all the trees they can.

Mayor Jayroe opened the public hearing at 7:07p.m.

Sue Pasch spoke against the request and noted most home on this street are single-family homes. She noted that the City received 29 letters in opposition.

Mayor Jayro closed the public hearing at 7:10 p.m.

Carey Dietrich, Asst. Director Building & Development/Community Planner, stated the Planning and Zoning Commission approved the request. She stated they did receive 29 letters in oppositions but only 3 live within 200'. She noted most the oppositions were regarding loosing trees and the development is not a single-family home.

The City Council discussed the following:

- The 29 letters of oppositions and their concerns
- Zoning change in this area of town.
- Other duplexes and apartments in the area
- Single-Family development instead since the market is in need of affordable housing

Don Von Velzer stated the duplexes will arrange from \$400.00 and will blend in the neighborhood. He stated they love trees and the project will benefit the area and the tax base. He stated duplexes are more cost efficient to build, than a single-family home.

- 2. Consider approval on first of two readings of Ordinance 1955 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 R1 (1st Single Family Dwelling District) for property located at 1117 N Live Oak St.; also known as lots 5 – 12, Block 245, Smith & Wood Subdivision; to R3 (Duplex Dwelling District); repealing all Ordinances in conflict therewith; providing for severability; and providing an effective date.**

Motion: A motion was made by Mayor Pro Tem Hattman and seconded by Councilmember Rangel to deny the approval of Ordinance 1955 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 R1 (1st Single Family Dwelling District) for property located at 1117 N Live Oak St.; also known as lots 5 – 12, Block 245, Smith & Wood Subdivision; to R3 (Duplex Dwelling District); repealing all Ordinances in conflict therewith; providing for severability; and providing an effective date. The City Council took the following vote:

Mayor Jayroe	aye
Mayor Pro Tem Hattman	aye
Councilmember Rangel	aye
Councilmember Anderson	aye
Councilmember Brundrett	aye

The City Council voted five (5) aye and none (0) nays to deny. The motion passed unanimously.

7. Consider the approval of the second and final reading 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

Vanessa Shrauner reviewed an error on page 276, which the corrected version was emailed to the City Council earlier today. She noted that all the changes made at the first reading of the Ordinance were made.

Andrew Kane spoke in opposition to the TIRZ and regarding over 485 signatures that have been collected online in opposition to the TIRZ. He encouraged the City Council to slow down and hold a Town Hall so questions can be answered.

Kathy Kane stated she served as a Councilmembers in a small town. She spoke in opposition to the TIRZ and encourage the City Council to slow down and put out better information.

Brad Goebel, spoke in support of TIRZ. He encouraged the City Council to focus on the facts and the benefits the TIRZ will bring to the area and the City.

Karen Mella spoke in support of TIRZ. She stated she is extremely proud of community to push through and stay strong. She noted tonight's vote is for the creation of the TIRZ and all the potential benefits the creation of a TIRZ will bring to downtown and resident.

Donnie Garcia spoke in support of TIRZ. He reviewed the development projects that he has assisted with. He also reviewed the benefits of the creation of a TIRZ and what it can do for the downtown is the heart town.

Kevin Baker stated he has heard and read comments about the TIRZ and he feels the City Council knows the truth.

Scott Himes read the attached written comments.

Mark Haggin spoke in opposition to the TIRZ. He stated the feelings within the community are not good. He also noted the people invest within the community without tax dollars.

Miracle Jimerez provided handouts regarding good TIRZ projects and bad TIRZ projects.

Bonnie Carile spoke in support of TIRZ. She relocated to Rockport because of a bright future. She has invested in the downtown area but there needs to be more improvements to attract people to make all the businesses downtown successful.

Jack Wright spoke regarding the legislature capped City taxes a few years ago and now cities are trying to find other legal avenues to provide infrastructure and develop cities. He noted there are over 460 TIRZ approved and active within Texas, which should be an easy vote to make.

Dave Reed spoke in support of TIRZ. He reviewed the benefits the creation of a TIRZ will bring.

Nole Byrne spoke in support of TIRZ and saw firsthand to benefits of TIRZ projects. Important opportunity and not going to increase any taxes. He noted he is a former banker for public funds and is available to help.

John Jackson read the attached letter in support of the TIRZ.

Scarlett Embrey spoke regarding the six different meetings and work sessions the TIRZ was discussed by the City Council. She explained how a TIRZ works and anyone who is interested in learning more can find that information on the Comptroller's page. She noted that she and her husband are the developers that are willing to do the project downtown and they will not be receiving funds, taxpayers money or increase taxes. She encouraged the City Council to stay strong and support.

Mayor Jayroe read Jon Heffron written comments (attached), he requested be read.

Councilmember Anderson read Bill Beaker written comments (attached), he requested be read.

Steve Lzvy spoke in support of TIRZ. He noted he was born and raised in Rockport and loves this community. He also stated his graduate thesis paper was on TIRZ. He feels a TIRZ will help cultivate the area which can sustain a TIRZ.

Mayor read Brode Miller comments.

Councilmember Brundrett read Phil Salemi comments, he requested be read.

Jeff Sjostrom spoke regarding the time spent on the TIRZ subject. He reviewed the TIRZ

procedural steps and noted the City is currently in Step 1 or 4. He also stated he is excited about the future and for being in Rockport with all the opportunities a Reinvestment Zone can bring

Mayor Jayroe stated all online comments that were submitted will be placed on the City website under Agendas and Minutes, he then read the following names of those who submitted online comments.

McKenzie Vaught
Susanne Patterson
Bradley Vaught
Jon Heffron
Paige Stott
Andrew Hernandez
Lisa Hernandez
PJ Harkins
Barbara Smyth
Patrick Rios
Rebecca Reed
Staci Gray
Brad Hawkins
Robert Cavazos
Jordan Pilgrim
Betty Pepau
Shana Brader
Lindsay Stanford
Stephen Levy
Tommy Nelms
Bret Holmes
Cora Thomas-Kmiec
Bobby Pepau
Alexa Wall
Debra Stephens
Janice Halderman
Michelle Simmons
Phil Salemi
Emalee Loudermilk
Jerry Brundrett
Bill Boecker
Laura Denham
Mark Ladd
Cole Kendall

The City Council discussed the following:

- The first TIRZ increment will occur in 2025 but are not due until January 2026
- The realistic figure for 2031
- Concerns with the affordability of downtown area
- The other two entities support for the TIRZ

- The number of times the TIRZ was discussed, notices in the paper, social media and on the website.
- Next steps, establishing a Board of Directors and the Board makeup.

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Brundrett to approve on second and final reading 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.. 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

8. Consider the approval of the second and final 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, Finance Director, stated there has been no changes since the August 27, 2024, 2024 Special Meeting.

Motion: Upon a motion made by Councilmember Brundrett and a second by Mayor Pro Tem Hattman to approve on second and final reading 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

9. Consider the approval of the second and final reading of Ordinance 1950 amending the Code of Ordinances, Chapter 102 “Utilities” Article II. “Water Service”, Division 3. “Service Charges” by amending water rates and fees for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date

Kathy Kane spoke against the amending water rates for out of City customers without justification. She stated if there is no justification then the PUC will be petitioned again.

Robbie Sorrell, Finance Director, stated there has been no changes since the August 27, 2024, Regular Meeting.

Motion: Upon a motion made by Councilmember Anderson and a second by Councilmember Brundrett to approve on second and final reading of Ordinance 1950 amending the Code of Ordinances, Chapter 102 “Utilities” Article II. “Water Service”, Division 3. “Service Charges” by amending water rates and fees for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

10. Consider the approval of the second and final reading of Ordinance 1951 amending the Code of Ordinances Chapter 102, ‘Utilities’, Article IV. ‘Surcharge Revenue Account’, by amending Section 102-401 “Surcharge”, to increase surcharge fee repealing all ordinances in conflict herewith; providing for severability; and providing an effective date

Robbie Sorrell, Finance Director, stated there has been no changes since the August 27, 2024, Regular Meeting.

Councilmember Brundrett stated he spoke with the Volunteer Fire Department who expressed their gratitude to the City Council for this increase,

Motion: Upon a motion made by Councilmember Brundrett and a second by Councilmember Rangel to approve on second and final reading of Ordinance 1951 amending the Code of Ordinances Chapter 102, ‘Utilities’, Article IV. ‘Surcharge Revenue Account’, by amending Section 102-401 “Surcharge”, to increase surcharge fee repealing all ordinances in conflict herewith; 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

11. Consider the approval of the second and final reading of Ordinance 1952 amending the Code of Ordinances, Chapter 102 “Utilities” Article I. “In General,” sections 102-1, 102-3, 102-7 and 102-9 and Article II. “Water Service,” Section 102-28 and adding section 102-15 regarding amending fees and adopting additional fees for utility services, including meter tampering fees; providing for

the validity of said ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date

Robbie Sorrell, Finance Director, stated there has been no changes since the August 27, 2024, Regular Meeting.

Motion: Upon a motion made by Councilmember Brundrett and a second by Mayor Pro Tem Hattman to approve on second and final reading of Ordinance 1952 amending the Code of Ordinances, Chapter 102 "Utilities" Article I. "In General," sections 102-1, 102-3, 102-7 and 102-9 and Article II. "Water Service," Section 102-28 and adding section 102-15 regarding amending fees and adopting additional fees for utility services, including meter tampering fees; providing for the validity of said ordinance; repealing all prior ordinances in conflict herewith; and providing for 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

12. Consider the approval of the second and final reading of Ordinance 1953 amending the Code of Ordinances, Chapter 102 "Utilities" Article III. "Wastewater Service", Division 4. "Service Charges" by amending wastewater rates for all inside city customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for effective date(s)

Robbie Sorrell, Finance Director, stated there has been no changes since the August 27, 2024, Regular Meeting.

Motion: Upon a motion made by Councilmember Brundrett and a second by Mayor Pro Tem Hattman to approve on second and final reading of Ordinance 1953 amending the Code of Ordinances, Chapter 102 "Utilities" Article III. "Wastewater Service", Division 4. "Service Charges" by amending wastewater rates for all inside city customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for effective date(s). 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

13. 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 a 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 (postponed from the August 27, 2024 Regular Meeting)

Carey Dietrich, Asst. Director Building & Development/ Community Planner, provided the information regarding Conditional Use Permits and provision in the Ordinances regarding Park Model RV. She encouraged the City Council to not approve the request and feels this will set a precedent for more requests.

The City Council discussed the request and the discussion from the August 27, 2024, Regular Meeting. They also discussed possibly have the Planning and Zoning Commission review the Ordinance.

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Rangel to deny on 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 a 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 (postponed from the August 27, 2024 Regular Meeting). 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 City Council voted five (5) aye and none (0) nays to deny. The motion passed unanimously.

14. Consider the approval of Resolution 2024-21R appointing members to the Convention and Visitor Bureau and establishing terms of office

Shelley Goodwin, City Secretary, reviewed the applications the City received. She also reviewed the composition of the Board makeup.

The City Council discussed the applications and asked that the applicants provide a resume or bio and to attend the meeting in case the City Council has questions of them.

Motion: Upon a motion made by Councilmember Brundrett and a second by Councilmember Rangel to postpone the Resolution 2024-21R appointing members to the Convention and Visitor Bureau and establishing terms of office until September 24, 2024 Regular Meeting. 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

VIII. OTHER ACTION ITEMS AND UPDATES

15. Consider the approval of a Construction Change Directive #3 related to the new City Hall project

Kimberly Henry, Assistant to the City Manager, reviewed the directive. She noted that the City is now using Construction Change Directives instead of Change Orders to continue the work while we are negotiating the related expenses. This Directive is for an addition door on the utility building and the moving of a wall in the Fire Pump Room

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Rangel to approve a Construction Change Directive #3 related to the new City Hall project. 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

16. Consider the request from the Tree & Landscape Committee to utilize funds from the Tree Preservation and Mitigation Account in the amount is \$2,270.00 for the purpose of covering the overage of the original funding approved by City Council for the lease of Billboards (total cost \$13,320.00)

Carey Dietrich, Asst. Director Building & Development/ Community Planner stated the Tree Committee switch billboard location for a better visibility with a difference of cost of \$2,270.00

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Rangel to approve the request from the Tree & Landscape Committee to utilize funds from the Tree Preservation and Mitigation Account in the amount is \$2,270.00 for the purpose of covering the overage of the original funding approved by City Council for the lease of Billboards (total cost \$13,320.00). 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

17. Consider the request from the Tree & Landscape Committee to utilize funds from the Tree Preservation and Mitigation Account in the amount of \$9,800.00 for the purpose of removing dead wood from the trees at Wandering Oaks Park.

Carey Dietrich, Asst. Director Building & Development/ Community Planner, stated the has

requested some assistance in removing the dead wood from the Live Oak Trees in the neighborhood park. The park was deeded to the City with an agreement that the Wandering Oaks Property Owners Association would maintain the park, unfortunately funds are not available for the removal of the dead wood and since the trees belong to the City, they are requesting the City Council approves \$9,800.00 be spent from the Tree Preservation and Mitigation account.

Motion: Upon a motion made by Councilmember Brundrett and a second by Mayor Pro Tem Hattman to approve the request from the Tree & Landscape Committee to utilize funds from the Tree Preservation and Mitigation Account in the amount of \$9,800.00 for the purpose of removing dead wood from the trees at Wandering Oaks Park. 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 City Council voted five (5) aye and none (0) nays. The motion passed unanimously.

IX. CITY COUNCIL REPORT

Councilmember Anderson stated he attended the Humane Society event on Friday, September 6th. He stated there was a record of funds raised and the attendance.

Mayor Pro Tem Hattman reminded everyone that the City will hold a Q&A for the Special Event Ordinance on Thursday, September 12th at 2:30.

X. EXECUTIVE SESSION

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.

18. Consider a legal briefing and take appropriate action regarding the Concho Street Project¹
19. Consider a legal briefing and take appropriate action regarding the General Land Office (GLO) Drainage Projects¹

XI. BUSINESS ITEM

The City Council will reconvene into Regular Session upon the conclusion of the Executive

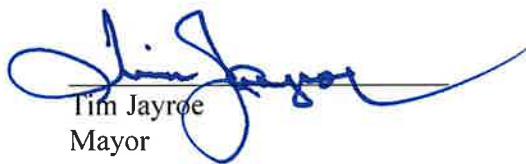
Session; the City Council may take action on any item posted in the Executive Session as necessary.

XII. ADJOURN

Motion: Upon a motion made by Councilmember Rangel and a second Councilmember Brundrett to adjourn the Tuesday, September 10, 2024, City Council Regular Meeting at 9:18 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.



Tim Jayroe
Mayor



Shelley Goodwin, TRMC/CMC
City Secretary

John P. Jackson

First, let me say this. Tonight's vote is not about the Embrey's proposed harborfront development. But many have turned it in to that, and have even gotten personal and have stooped to new lows. Tonight is only about establishing a TIRZ which will provide much needed infrastructure for the downtown area and the harborfront area is just a catalyst make it happen. And it will transform Rockport and all of Aransas County. It will be game changing for not only the downtown area but also the extra revenues being made available for other parts of the City's general fund, but also a significant rise in sales taxes, which now makes up 25% of the general revenue, and then HOT taxes because of enhanced tourism and commercial activity. A TIRZ is a very effective economic tool which will have the effect of providing more commercial based revenue as opposed to our local residential property owners carrying a vast majority of the local tax base.

And if the harborfront development does not succeed and it never happens as proposed, I can pretty much guarantee that the next developer who comes along will likely not have the same genuine caring attitude toward Rockport. The Embreys have a history here that goes back generations and they are local tax paying citizens. Their plans are to give back to the public, access to the downtown waterfront that has been private for over 100 years. They plan a 2 acre park in the middle of the development, a boardwalk around the entire waterfront and their plans include family activities , music and art, and a quality of life enhancement in so many ways. Of course it will also include streetscapes, splash pads, drainage, and all of this with low density residential .

The next developer who comes along will probably not have that attitude and it will most likely be high density residential like so many developments on the Texas coast and beyond.

So yes, tonight is solely about whether or not to establish a TIRZ. My firm belief is that none of this can or will happen without a TIRZ.

So what I am saying is that we might never have another developer who has a true interest in Rockport like the current proposal has. So I say, don't look a gift horse in the mouth because I'm betting the next one who comes along will be much more profit oriented rather than being a good and truly caring citizen . And I strongly believe that attitude is why the Bass family has chosen them because, as many in our community already knows, the Bass family has been quite generous for decades in this community in so many ways.

John P. Jackson

312 Olympic Drive



Citizen Participation Form

Rockport City Council

Citizens are encouraged to watch City Council meetings online rather than in person due to concerns related to the spread of COVID-19. Citizens wishing to address the City Council may submit comments on any topic or agenda item electronically by utilizing this Citizen Participation Form. All forms must be received by 4:00 p.m. on the date of the meeting and will be read at the meeting.

Date of meeting:

First Name:

Last Name:

Address:

City:

State:

Zip:

If you wish to be contacted, please provide the following:

Phone Number:

Email Address:

Company/Organization represented, if any:

Citizens to be heard: (All speakers are limited to no more than three (3) minutes.)

Agenda Item(s) to be addressed: Other Topic:

Public Hearing(s): (All speakers are limited to no more than three (3) minutes per Public Hearing.)

Public Hearing Agenda Item(s) to be addressed:

N-3

Statement to be read into record:

As a Rockport resident, taxpayer, and small business owner, I respectfully request that my city councilman make a motion to table this particular item to provide more time to educate taxpayers on the subject if that is one of the options available.

(Statements are limited to 2,000 Characters.)

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Public Statement on Agenda Item #7

Jon Heffron

Mon 9/9/2024 2:20 PM

To:Shelley Goodwin <sgoodwin@rockporttx.gov>

I request that ~~Mayor Tim Jayne~~ read my statement into the record as I am unable to attend tonight's meeting.

ME

Dear Council Members,

The Council should reject the anti-TIRZ petition. This non-binding petition is laced with flawed and charged language that might trigger many taxpayer residents to sign it. To wit:

- “Public taxpayer dollars should not fund private development”
- “Taxpayers living outside the TIRZ would have a higher tax burden”
- “Hard-earned money will enrich private developers rather than supporting public services that enhance our lives”
- “Aransas County is not a ticket for private developers to profit from our tax dollars”
- “Public money should fund our public needs, not private pockets”

The petition's underlying premises are misleading or reflect a basic misunderstanding of a TIRZ.

- Under a TIRZ, the developer does not pocket one penny of taxpayer money. The developer fronts all the public infrastructure costs and is reimbursed only after the infrastructure has been put in place in compliance with a development agreement with the city. The developer receives no profit or mark up on the construction of the public infrastructure.
- Because of the public infrastructure and subsequent development, the tax value of the property increases. A portion of the increased incremental taxes repays the developer for fronting the infrastructure costs, and the taxing entities pocket the difference. In other words, more tax dollars become available for public needs and services – not less.
- Taxpayers who live outside the TIRZ boundaries do not see any increase in their tax burden. If anything, they see a reduction.
- The TIRZ is a no lose situation for the city and taxpayers. If the developer fails or does not complete the public infrastructure per city requirements, it will not be reimbursed. If the development is successful, the public infrastructure is paid for with a portion of the incrementally increased property taxes on the property, and the remaining increased tax revenues benefit the city and taxpayers.

The council should reject the petition and approve the TIRZ.



Read

Citizen Participation Form Boards and Commissions

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Date of meeting: *8-9-10-24*

First Name:

Last Name:

Address:

City:

State:

Zip:

If you wish to be contacted, please provide the following:

Phone Number:

Email Address:

Company/Organization represented, if any:

Citizens to be heard: (All speakers are limited to no more than three (3) minutes.)

Agenda Item(s) to be addressed:

Other Topic:

Public Hearing(s): (All speakers are limited to no more than three (3) minutes per Public Hearing.)

Public Hearing Agenda Item(s) to be addressed:

Asked to read at 8-10-24 meeting. 28

Statement to be read into record:

I wish I was writing to congratulate everyone on landing an Nvidia chip plant here in Aransas County but that is not the case. Sadly, whether it is location, proximity, politics or some unknown force we have not been attractive to industry that creates higher paying jobs. Our community has to scratch our head a little harder, dig a little deeper and be willing to entertain creative ideas to attract healthy development.

Let me give warning to those who are deciding on this proposal first. The nattering nabobs of negativism I refer to as the consortium of KRH & Co. are the trumpets of NO! They remind me of Churchill's thoughts on socialism that it is a philosophy of failure, the creed of ignorance and the gospel of envy. Its only inherent virtue is the equal sharing of misery. These people prosper on fear mongering and would have our community frozen in time. They are a Shakespearean tragedy akin to King Lear. It is imperative that they be heard but ignored.

Communities are growing or dying; there is no middle ground.

This proposal utilizes a tested means of public/private financing that is the only way to make such projects economically feasible. It puts no burden on the taxpayer and the only possible outcome is a wider tax base benefiting all in the community.

The plans for the area are truly awe inspiring with my only fear being the magnitude of the project. However, that can be said of many things in the past and we have to look no further than our own state where the 7th wonder of the modern world, the Astrodome was built. That too had naysayers that have been forever silenced. I believe this project will succeed and be a catalyst for more great things to come; the catalyst we need to ultimately land higher paying jobs that will reduce the number of children living in poverty locally, this should be our primary goal.

Let me be clear that I support this project and TIRZ financing proposal 100% and ask you to vote in for the project.

(Statements are limited to 2,000 Characters.)

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Agenda Item(s) to be addressed:

Other Topic:

Public Hearing(s): (All speakers are limited to no more than three (3) minutes per Public Hearing.)

Public Hearing Agenda Item(s) to be addressed:

Statement to be read into record:

Yet again, the city is misrepresenting information. The "fiscal analysis" states "the approximately \$3,040,000 principal dollar amount is roughly what two cents added to the Interest and Sinking side of the tax rate will support in the form of a seven-year tax note."

What you should have been told is the 2 cent increase was due to rising debt payments associated with 8 loans the city took out between 2012 and 2022.

The tax rate was calculated by the Tax Assessor and does not include this loan. If you recall, you were told during the budget workshop that the debt had to be in place before it could be included in the tax rate calculation, so this proposed loan clearly wasn't part of the equation for the 2 cent increase.

Unless the city is retiring a lot of debt this year, our tax rate will go up again next year. Isn't a 52.2% increase over the last three years enough already?

It is ridiculous to approve any debt on a first and only reading. This is a change to past practice, and it denies the citizens an opportunity to engage in the process. Do you really think four days, two of which are over the weekend, is enough time for citizens to understand the issue and to provide input?

I also find it comical the city staff highlighted part of the Local Government Code showing "a resolution, order, or ordinance CALLING AN ELECTION to authorize" debt as justification for not needing a 2nd reading. If the city is proposing to put this loan on the ballot, I am all for it; however, that clearly isn't happening.

Please vote no on this agenda item and require staff to resubmit the request as two readings. Also ask them to show scheduled principal and interest payments for all outstanding loans so you know the impact of adding \$3MM in debt. This information should have already been included in the the agenda packet; however, they have no reason to provide it if you're not going to demand this information.

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