



City of Rockport

CITY COUNCIL REGULAR MEETING AGENDA

TUESDAY, SEPTEMBER 23, 2025 - 5:00 PM
ROCKPORT CITY HALL
212 N LIVE OAK
ROCKPORT, TEXAS 78382

Mayor Tim Jayroe
Mayor Pro Tern (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 Tuesday, September 23, 2025, at 5:00 PM. The meeting will be held in person in the Council Chambers in City Hall, 212 N. Live Oak, Rockport, Texas 78382. The live stream link to view the meeting is <https://rockporttx.portal.civicclerk.com/>.

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

Written comments submitted by 3:30 p.m. on the day of the meeting.

- Complete the Speaker Card - locate the card online (<https://rockporttx.gov/FormCenter/Citizen-Participation-Form-7/Citizen-Participation-Form-52>)
- Written Comments received by the deadline will be read.

Sign up in person.

- Speaker's cards are located at the entrance of the meeting room and must be delivered to the City Secretary before the meeting begins.
- 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.

- Speakers will be limited to three minutes.
- While civic 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 AND ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. 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.

IV. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

1. Proclamation proclaiming October 2nd-5th as the 50th Annual Rockport-Fulton Seafair (Shelley Goodwin, City Secretary)

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.

2. Consider the approval of the following City Council Minutes:
 - i. August 5, 2025, Workshop
 - ii. September 9, 2025, Regular Meeting
 - iii. September 12, 2025, Special Meeting (Shelley Goodwin, City Secretary)

VI. BUDGET AND TAX RATE ITEMS

3. Consider the approval on the first and only reading of Ordinance 1993 authorizing the issuance of approximately \$5,100,000 in principal amount of City of Rockport, Texas Tax Note, Series 2025 (1) Planning, Constructing, Improving and Repairing Streets, Sidewalks, Bridges and Drainage Improvements, together with Right-of-Way acquisition, Traffic and Street Signalization, Landscaping, and Lighting Improvements, (2) Acquiring Equipment and Vehicles for various City departments, including the Public Works and Building & Development Department, (3) Acquiring, Constructing, Improving and Equipping Public Safety Facilities, including Police Department Facilities and Facilities for the Volunteer Fire Department, (4) Acquiring, Constructing, Improving and Equipping Wastewater Treatment Facilities and Parks and Recreational Facilities, (5) Purchasing Real Property, Materials, Supplies, Equipment, Machinery, Buildings, Land, and Right-of-Way for authorized needs and purposes related to the aforementioned capital improvements; 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 (Robbie Sorrell, Finance Director)
4. Regarding item nos. 5 and 6 below, the City provides the following information in compliance Texas Government Code § 551.043(c): (i) a copy of the City's proposed budget may be located on the City's home page of its website and at <https://rockporttx.gov/DocumentCenter/View/17400/2025-2026-Proposed-Budget-8-7-2025?bidId=>; and (ii) Taxpayer Impact Statement – For the median-valued homestead property a comparison of the current property tax bill in dollars pertaining to the property for the current fiscal year ("FY"), an estimate if the proposed budget is adopted for the upcoming FY, and an estimate of a balanced budget at the no-new-revenue tax rate for the

upcoming FY is below:

Median-Valued Homestead Property of \$338,830	Property Tax Bill in Dollars
Current FY 2024/25	\$ 1,373.26
An estimate if the proposed budget is adopted for FY 2025/26	\$1,445.03
An estimate if a balanced budget is funded and adopted at the no-new-revenue tax rate for FY 2025/26	\$1,299.91

(Shelley Goodwin, City Secretary)

5. Consider and approve on the second and final readings for Ordinance 1991 approving the assessment and renditions for the 2025 taxable property as submitted by the Appraisal District; levying a tax rate for \$100 valuation for the City of Rockport, Aransas County, Texas for the tax year 2025 of \$.231403 for the purpose of maintenance and operations, \$.195072 for the payment of principal and interest on debt of the City for a Total Tax Rate of \$.426475; 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 RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.50 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-4.14. (Robbie Sorrell, Finance Director)

6. Consider the approval of the ratification of the 2025 approved property tax increase to support the FY 2025-2026 Approved Budget and Capital Improvement Plan. (Robbie Sorrell, Finance Director)

VII. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

7. Consider the approval on the first or two readings of Ordinance 1994 adopting the 2025-2026 Pay Scales for Pay Plan "A" of the Job Classification and Compensation Plan for the City of Rockport, identified as Exhibit "A", with an effective date of October 1, 2025; repealing all prior Ordinances in conflict herewith; providing a severability clause; and providing an effective date. (Robbie Sorrell, Finance Director)
8. Consider the approval of the second and final reading of Ordinance 1990 amending the City of Rockport Code of Ordinance Chapter 106 "Tree and Landscape Committee," Article "In General," Section 106-5 "Tree and Landscape Committee" to re-align the committee members; and further providing for an effective date, reading, severance, and publication. (Kimberly Henry, Assistant to the City Manager)
9. Consider the approval of Resolution 2025-36R approving and authorizing the execution of an amendment to the Lease/Purchase agreement between the City of Rockport, Texas and Banc of America Leasing & Capital, LLC, to allow for the partial prepayment of debt attributable to their gas system, and to clarify that the obligation is not a taxable direct pay Qualified Energy Conservation Bond; and approving and authorizing the execution of all other instruments and procedures related thereto (Robbie Sorrell, Finance Director)
10. Consider the approval of Resolution 25025-37R appointing two members and reappointing two members for a three-year term to the Tree and Landscape Committee. (Shelley Goodwin, City

Secretary)

VIII. OTHER ACTION ITEMS AND UPDATES

- 11.** Consider approval of a special event temporary sign (banner), as approved by TxDOT and requested by Piecemakers by the Bay Quilt Guild, to be displayed from December 31, 2025, through January 31, 2026, on Business 35 near Wal-Mart. (Shelley Goodwin, City Secretary)
- 12.** Consider providing directions regarding Senate Bill 1494, passed during the 89th Legislative Session, which allows political subdivisions to move their general election to November during odd years. (Vanessa Shrauner, City Manager)

IX. CITY MANAGER'S UPDATE

- 13.** City Manager's Monthly Update (Vanessa Shrauner, City Manager)

X. CITY COUNCIL REPORT

The City Council will report/update on activities in respective Wards, and all committee assignments. No formal action can be taken on these items at this time.

XI. 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

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.

XII. 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.

XIII. ADJOURN

CERTIFICATION

This is to certify that I, Shelley Goodwin, posted this Agenda at 4:45 p.m. on September 17, 2025, on the bulletin board at City Hall, 212 N. Live Oak, Rockport, Texas 78382.



Shelley Goodwin, TRMC/MMC
City Secretary



AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor and City Council

FROM: Shelley Goodwin, City Secretary

MEETING DATE: September 23, 2025

CATEGORY: Presentation

CAPTION:

Proclamation proclaiming October 2nd-5th as the 50th Annual Rockport-Fulton Seafair

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FUNDING IMPACT:

STAFF RECOMMENDATION:

STRATEGIC INITIATIVES:

Presentation

ATTACHMENTS:

1. 2025 SeaFair

APPROVAL/REVIEW:

Shelley Goodwin, City Secretary

Date: September 16, 2025

Vanessa Shrauner, City Manager

Date: September 17, 2025



Proclamation

WHEREAS, the Rockport-Fulton Seafair, now celebrating its 50th year, has become one of the Coastal Bend's most beloved annual traditions, bringing together residents, visitors, and friends to celebrate the unique coastal heritage, culture, and community spirit of Rockport and Fulton; and

WHEREAS, the first Seafair was held in 1975 as a way to highlight the area's thriving fishing industry, maritime history, and coastal lifestyle, and has since grown into a signature festival attracting thousands of attendees from across Texas and beyond; and

WHEREAS, over the past five decades, Seafair has showcased the best of our community through live entertainment, delicious seafood, arts and crafts, a carnival, parades, contests, and family-friendly activities, while also generating important economic benefits for local businesses and tourism; and

WHEREAS, the Rockport-Fulton Chamber of Commerce, its volunteers, sponsors, and community partners have worked tirelessly year after year to preserve this tradition, ensuring Seafair remains a celebration of both our past and our future; and

WHEREAS, the 50th Annual Rockport-Fulton Seafair, scheduled for October 2–5, 2025, marks a milestone achievement, honoring the dedication of generations who have contributed to its success and providing an opportunity for the entire community to join together in the pride and celebration;

NOW, THEREFORE, BE IT RESOLVED that I, Tim Jayroe, Mayor of the City of Rockport, Texas, proudly proclaim that the October 2–5, 2025, as

50th Annual Rockport-Fulton Seafair

and encourage all citizens and visitors to participate in this special celebration

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed on this 23rd day of September, 2025.

Tim Jayroe, Mayor



**CITY OF ROCKPORT
CITY COUNCIL WORKSHOP MINUTES
TUESDAY, AUGUST 5, 2025 - 1:00 PM
CITY HALL - GENERAL ASSEMBLY ROOM
212 N. LIVE OAK
ROCKPORT, TEXAS 78382**

Present:

Mayor Tim Jayroe
Mayor Pro Tem (Ward 4) Andrea Hattman
Councilmember (Ward 1) Stephanie Rangel
Councilmember (Ward 3) Brad Brundrett

Absent:

Councilmember (Ward 2) Matt Anderson

City Staff Present:

Vanessa Shrauner, City Manager
Bob Argetsinger, Director of Information Technology
Lee Brown, Public Safety Communications Center Director
Ryan Picarrzi, Public Works Director
Kimberly Henry, Assistant to the City Manager
Nathan Anderson, Police Chief
Robbie Sorrell, Director of Finance
Shelley Goodwin, City Secretary

I. CALL TO ORDER AND ROLL CALL

Mayor Jayroe called August 5, 2025, Workshop to order at 1:00 p.m. and announced that a quorum had been met.

II. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Hattman lead the Pledge Allegiance.

III. CITIZENS TO BE HEARD

Jennifer Day spoke regarding the HOT Grant Program and funding for Christmas Lights. She stated she previously provided a report with research about how tourism grew in cities that have Christmas Light events.

IV. DISCUSSION ITEMS, DIRECTIONS, AND UPDATES ON BUDGET AND TAX RATE

1. Hotel Occupancy Tax (HOT) outstanding issues on the HOT for FY 2025-2026

Vanessa Shrauner, City Manager, reported there was an outstanding HOT Grant Program issue. She noted there was funds set aside regarding the possibility of a Fine Art Celebration. She provided an updated spreadsheet regarding directions from the previous meeting.

Councilmember Brundrett and Councilmember Rangel provided an update on their meeting with the downtown merchants regarding the harbor lights, downtown lights, and downtown Christmas

events. The agreement was that the art fest would not be funded, and those funds will go towards the Downtown Christmas events.

Vanessa Shrauner, City Manager, noted that the request for Downtown Christmas was \$37,000 which was added to the updated spreadsheet.

Jennife Day stated that \$45,650, was set aside for the Fine Art Celebration, because they were changing the request from \$37,000 to \$45,650.

Vanessa Shrauner, City Manager, stated with the Downtown Christmas the HOT Funding will change to \$1,342,900. She also noted that the lights have to be tied to all the downtown events that put heads in beds.

Jatin Batka spoke about the reason for HOT funding and the need to use all the appropriate avenues to collect the true numbers for heads in beds.

Craig Griffin stated every allocation \$10,000 hot tax spent, is equal to \$142,900 in hotel rentals, which, being very generous in putting a high daily rate. This is also equal to 1,200 rooms. So, every \$10,000 you give away is equivalent of 1,200 rooms and to regenerate that same \$10,000 the events need to bring in 1,200 rooms to break even.

The City Council discussed the following:

- They were not against the funding of Downtown Christmas, they were just recommending waiting a year or two until the road work was completed
- Timeframe for the Downtown Christmas
- Area for the Downtown Christmas events
- Committing funding for the Downtown Christmas this year event, not multiple years
- The recommended HOT funding allocation overage
- The need to document this event with accurate numbers

2. Receive the FY2026 Preliminary Budget and FY2025 Tax Rate:

i. Outstanding financial questions on bonds, prioritization of projects, and other related issues

Vanessa Shrauner, City Manager, provided a PowerPoint regarding projects included in the proposed tax rates, the CIP, and includes about 23 days of reserves. She noted previously the City Council discussed the Voter Approval Rate.

The City Council discussed the following:

- Interest and Sinking to cover the debt
- Bond for outstanding Capital Improvement Projects
- Sale of the Gas Company
- Proposal Tax Rate
- Calculations from the Tax Assessor
- Communication efforts

ii. Additional directions for the preparation of the Proposed Budget and Tax Rate

Vanessa Shrauner, City Manager, stated that this item was discussed with the previous item.

3. Announcements on upcoming Budget Meetings:

i. Budget Workshop - August 11, 2025, at 1:00 p.m. at City Hall General Assembly Room (if needed)

ii. Regular Meeting - August 12, 2025, at 5:00 p.m. at City Hall (Budget items on Agenda)

iii. Regular Meeting - August 26, 2025, at 5:00 p.m. at City Hall (Budget items on Agenda)

Vanessa Shrauner, City Manager, announced the upcoming Budget Meetings.

V. ADJOURN

Motion: Upon a motion by Councilmember Rangel and a second by Councilmember Brundrett, to adjourn August 5, 2025, City Council Workshop at 2:05 p.m.

Tim Jayroe
Mayor

Shelley Goodwin, TRMC/MMC
City Secretary



**CITY OF ROCKPORT
CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 9, 2025 ~ 5:00 P.M.
ROCKPORT CITY HALL
212 N. LIVE OAK
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
Ryan Picarazzi, Public Works Director
Robbie Sorrell, Director of Finance
Nannette Eiland, Tourism Manager
Kimberly Henry, Assistant to the City Manager
Bob Argtsinger, Director of IT
Shelley Goodwin, City Secretary

I. CALL TO ORDER AND ROLL CALL

Mayor Jayroe called September 9, 2025, Regular Meeting to order at 5:00 p.m. and announced that a quorum had been met.

II. PLEDGE OF ALLEGIANCE

Mayor Jayroe led the Pledge of Allegiance.

III. CITIZENS TO BE HEARD

III. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

V. CONSENT

- 3. Consider the approval of the City Council of the August 26, 2025 Regular Meeting Minutes**
- 4. Consider the approval of a Memorandum of Understanding between the City of Rockport and City of Aransas Pass regarding resource sharing for criminal**

investigations and use of Police K9s.

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Rangel to approve the Consent Agenda 3 and 4. The City Council voted by roll call:

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

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

VI. FY2025-2026 BUDGET AND FY2025 TAX RATE

5. Regarding item nos. 6 and 7 below, the City provides the following information in compliance Texas Government Code § 551.043(c): (i) a copy of the City’s proposed budget may be located on the City’s home page of its website and at <https://rockporttx.gov/DocumentCenter/View/17400/2025-2026-Proposed-Budget-8-7-2025?bidId=>; and (ii) Taxpayer Impact Statement – For the median-valued homestead property a comparison of the current property tax bill in dollars pertaining to the property for the current fiscal year (“FY”), an estimate if the proposed budget is adopted for the upcoming FY, and an estimate of a balanced budget at the no-new-revenue tax rate for the upcoming FY is below:

Median-Valued Homestead Property of \$338,830	Property Tax Bill in Dollars
Current FY 2024/25	\$ 1,373.26
An estimate if the proposed budget is adopted for FY 2025/26	\$1445.03
An estimate if a balanced budget is funded and adopted at the no-new-revenue tax rate for FY 2025/26	\$1299.91

6. Proposed 2025 Tax Rate of \$.426475/\$100. This rate is composed of a Maintenance and Operations rate of \$.231403/\$100 and a Interest & Sinking Fund rate of \$.195072/\$100.

- i. Hold a public hearing on the proposed Tax Rate to receive comments for or against

Mayor Jayroe opened the public hearing at 5:16 p.m. and asked if anyone wished to speak.

No one did, so Mayor Jayroe closed the public hearing at 5:16 p.m.

Vanessa Shrauner, City Manager, stated that the Tax Rate numbers were lowered from the numbers posted on the agenda, so a Special Meeting will be held on Friday, September 12, 2025 at noon to consider Ordinance 1991 on first reading.

ii. Consider the approval on the first of two readings on Ordinance 1991 approving the assessment and renditions for the 2025 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 2025 of \$0.231403 for the purpose of Maintenance and Operation, \$0.195072 for the payment of principal and interest on debt of the City for a total Tax Rate of \$0.426475; 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 11.16 percent and will raise taxes for Maintenance and Operations on a \$100,000 home by approximately -\$4.14.

Vanessa Shrauner, City Manager, reviewed the attached PowerPoint regarding the proposed FY 2025 Tax Rate and the FY 2025-2026 Budget. She also reviewed the projects that will be included in the proposed budget

7. FY2025-2026 Budget

i. Hold a public hearing to receive comments for or against the proposed FY 2026 Budget.

ii. Consider the approval on the only reading of Ordinance 1992 adopting a budget and appropriating resources for Fiscal Year 2025-2026, beginning October 1, 2025, and ending September 30, 2026; in accordance with existing statutory requirements; repealing all conflicting ordinances; containing a severability clause; and providing for an effective date.

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Rangel to approval on the only reading of Ordinance 1992 adopting a budget and appropriating resources for Fiscal Year 2025-2026, beginning October 1, 2025, and ending September 30, 2026; 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:

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

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

VII. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

- 8. Consider the approval on second and final reading of Ordinance 1989 granting a Conditional Use Permit for the purpose of adding five (5) 1,200 square foot cabins, two (2) RV Spaces, and an equipment shop approximately 2,300 square feet, for use by family members, currently zoned R-1 (1st Single Family Dwelling District) with the condition the requested improvements are not used for rental purposes until such time the applicant resubmits for an amendment to the CUP for such purpose and will at that time be required to adhere to current RV Park regulations; property located at 1601 16th St; also known as Lot 78R, Block 250, Foor & Swickheimer Subdivision, being 9.991 acres, 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.**

Robert Decker, Chief Building Official, stated there have been no changes since the first reading.

Motion: Upon a motion made by Councilmember Brundrett and a second by Mayor Pro Tem Hattman to approval on second and final reading of Ordinance 1989 granting a Conditional Use Permit for the purpose of adding five (5) 1,200 square foot cabins, two (2) RV Spaces, and an equipment shop approximately 2,300 square feet, for use by family members, currently zoned R-1 (1st Single Family Dwelling District) with the condition the requested improvements are not used for rental purposes until such time the applicant resubmits for an amendment to the CUP for such purpose and will at that time be required to adhere to current RV Park regulations; property located at 1601 16th St; also known as Lot 78R, Block 250, Foor & Swickheimer Subdivision, being 9.991 acres, 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. The City Council voted by roll call:

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

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

- 9. Consider the approval on the second and final reading of Ordinance 1988 granting a Conditional Use Permit for the purpose of adding three (3) cabins, two (2) RV Spaces, and an equipment shop, for use by family members, currently zoned R-1 (1st Single Family Dwelling District) with the condition the requested improvements are not used for rental purposes until such time the applicant resubmits for an amendment to the CUP for such purpose and will at that time be required to adhere to current RV Park regulations: property located at 1585 Sixteenth Street; also known as Lot 77-A, Block 250, Foor and Swicheimer Subdivision, Being 7.18 acres; 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.

Robert Decker, Chief Building Official, stated there have been no changes since the first reading.

Motion: Upon a motion made by Councilmember Brundrett and a second by Mayor Pro Tem Hattman to approval on second and final reading of Ordinance 1989 granting a Conditional Use Permit for the purpose of adding five (5) 1,200 square foot cabins, two (2) RV Spaces, and an equipment shop approximately 2,300 square feet, for use by family members, currently zoned R-1 (1st Single Family Dwelling District) with the condition the requested improvements are not used for rental purposes until such time the applicant resubmits for an amendment to the CUP for such purpose and will at that time be required to adhere to current RV Park regulations; property located at 1601 16th St; also known as Lot 78R, Block 250, Foor & Swickheimer Subdivision, being 9.991 acres, 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. The City Council voted by roll call:

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

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

10. Consider the approval of the second and final reading of Ordinance 1987 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 R-1 (1st Single Family Dwelling District); for property located at 102 St Francis Circle; also known as Domasco Subdivision, Blk 1 Lot 2, 3.4446 Acres, City of Rockport, Aransas County, Texas, to B-1 (General Business District), repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

Robert Decker stated no changes since the last reading but received an email regarding no issues.

The City Council thanked Mr. Decker for providing the proposed plan for the property.

11. Consider approval on the second and final reading of Ordinance 1982 amending the City of Rockport Code of Ordinances, Chapter 82 "Solid Waste" Article II. "Refuse Collection", Section 82.39 "Fee Schedule" Setting New Fees for Service; Repealing all Prior Ordinances in Conflict Herewith: and Providing for Publication and an Effective Date.

Robbie Sorrell, Finance Director, stated there have been no changes since the first reading.

Motion: Upon a motion made by Councilmember Brundrett and a second by Councilmember Rangle to approval on the second and final reading of Ordinance 1982 amending the City of

Rockport Code of Ordinances, Chapter 82 "Solid Waste" Article II. "Refuse Collection", Section 82.39 "Fee Schedule" Setting New Fees for Service; Repealing all Prior Ordinances in Conflict Herewith: and Providing for Publication and an Effective Date. The City Council voted by roll call:

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

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

12. Consider the approval on the first of two readings of Ordinance 1990 amending the City of Rockport Code of Ordinance Chapter 106 "Tree and Landscape Committee," Article "In General," Section 106-5 "Tree and Landscape Committee" to re-align the committee members; and further providing for an effective date, reading, severance, and publication.

Kimberly Henry, Assistant to the City Manager, stated there is an error on page 3, which will be corrected before the second reading. She noted that she is trying to remove the appointment liaison for several boards which should open up the board so more residents can serve.

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Brundrett to approval on the second and final reading of Ordinance 1982 amending the City of Rockport Code of Ordinances, Chapter 82 "Solid Waste" Article II. "Refuse Collection", Section 82.39 "Fee Schedule" Setting New Fees for Service; Repealing all Prior Ordinances in Conflict Herewith: and Providing for Publication and an Effective Date. The City Council voted by roll call:

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

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

13. Consider the approval of Resolution 2025-35R, designating the official mailing and electronic mail addresses for receipt of Public Information Act Requests; designating Public Information Act Coordinators; directing notice to the Texas Attorney General; and providing an effective date.

Shelley Goodwin, City Secretary, stated during the 89th Legislative Session House Bill 4214 was passed, which requires cities to notify the Texas Attorney General the contact information for who handles Public Information. She noted Lisa Daley handles the Police Department request and she handles the remaining department requests, so both names and contact information are included in the Resolution.

Motion: Upon a motion made by Councilmember Brundrett and a second by Councilmember Rangel to approval Resolution 2025-35R, designating the official mailing and electronic mail

addresses for receipt of Public Information Act Requests; designating Public Information Act Coordinators; directing notice to the Texas Attorney General; and providing an effective date. The City Council voted by roll call:

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

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

VIII. OTHER ACTION ITEMS AND UPDATES

14. Consider the approval of the Fourth St. Water Line Extension

Ryan Picarazzi, Public Works Director, stated he is seeking approval for a project at the fourth Street Water Tower. This project extends waterline roughly 300 foot, past the county's ditch that was dug up last year. This will designated flush valve at the end will assist with the erosion in the ditch and open up new values.

Motion: Upon a motion made by Councilmember Brundrett and a second by Mayor Pro Tem Hattman to approval Resolution 2025-35R, designating the official mailing and electronic mail addresses for receipt of Public Information Act Requests; designating Public Information Act Coordinators; directing notice to the Texas Attorney General; and providing an effective date. The City Council voted by roll call:

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

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

15. Consider the approval of a request from the Tree & Landscape Committee to utilize funds from the Tree Preservation and Mitigation Account for the lease of a billboard for the purpose of educating citizens as to the tree ordinances of the City of Rockport, Town of Fulton, and Aransas County for an amount not to exceed \$10,800.

Kimberly Henry, Assistant to the City Manager, stated the Tree Committee would like to buy one billboard to educate citizens regarding the Tree Ordinance.

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Rangel to approval Resolution 2025-35R, designating the official mailing and electronic mail addresses for receipt of Public Information Act Requests; designating Public Information Act Coordinators; directing notice to the Texas Attorney General; and providing an effective date. The City Council voted by roll call:

Mayor Jayroe	aye
Councilmember (Ward 1) Rangel	aye
Councilmember (Ward 2) Hale	aye

Councilmember (Ward 3) Brundrett aye
Mayor Pro Tem (Ward 4) Hattman aye
The motion to approve passed unanimously; five (5) for and none (0) against.

16. Consider the presentation and act on acceptance of Annual Comprehensive Financial Report for the City of Rockport for fiscal year 2023-2024.

Robbie Sorrell, Finance Director, stated these items will not be considered tonight.

IX. CITY MANAGER'S UPDATE

Vanessa Shrauner, City Manager, reported on the following

- First reading of the tax rate Friday, September 12, 2025 at noon
- GLO Grant in the amount of \$330,000.00 to enhance the Concho Street drainage project.
- GLO Grant is coming for upgrades on Tule Lake.
- Wishing Councilmember Brundrett a Happy Birthday and belated Birthday to Councilmember Rangel

X. CITY COUNCIL REPORT

Councilmember Anderson stated he and his wife attended a Humane Society and Adoption Center event and encouraged others to donate to society.

Mayor Pro Tem Hattman thanked staff for their hard work on the FY 2026 Budget and FY2025 Tax Rate.

Mayor Jayroe reminded everyone that Saturday at 11:00 a.m.- 2:00 p.m. to visit the Texas Maritime Museum to celebrate the Texas Navy.

Councilmember Brundrett reminded everyone that Thursday, September 11th at 10 AM, there will be a 9 11 remembrance ceremony, which is hosted by the Rockport GI Forum

XI. EXECUTIVE SESSION

The City Council did not go into Executive Session.

XII. BUSINESS ITEM

This Agenda item was not needed.

XIII. ADJOURN

Motion: Upon a motion made by Mayor Pro Tem Hattman and a second by Councilmember Rangel to adjourn September 9, 2025, City Council Regular Meeting at 5:45 p.m.

Tim Jayroe
Mayor

Shelley Goodwin, TRMC/MMC
City Secretary



**CITY OF ROCKPORT
CITY COUNCIL
SPECIAL MEETING MINUTES
FRIDAY, SEPTEMBER 12, 2025 ~ 12:00 P.M.
ROCKPORT CITY HALL
212 N. LIVE OAK
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
Councilmember (Ward 3) Brad Brundrett

City Councilmembers Absent:

None

City Staff Present:

Vanessa Shrauner, City Manager
Nathan Anderson, Police Chief
Ryan Picarazzi, Public Works Director
Robbie Sorrell, Director of Finance
Lee Brown,
Kimberly Henry, Assistant to the City Manager
Bob Argtsinger, Director of IT

I. CALL TO ORDER AND ROLL CALL

Mayor Jayroe called September 12, 2025, Special Meeting to order at 12:00 p.m. and announced that a quorum had been met.

II. PLEDGE OF ALLEGIANCE

Councilmember Anderson led the Pledge of Allegiance.

III. CITIZENS TO BE HEARD

No citizens to be heard

IV. FY2025-2026 BUDGET AND FY2025 TAX RATE

1. Regarding item nos. 2 and 3 below, the City provides the following information in compliance Texas Government Code § 551.043(c): (i) a copy of the City's proposed budget may be located on the City's home page of its website and at <https://rockporttx.gov/DocumentCenter/View/17400/2025-2026-Proposed-Budget-8-7-2025?bidId=>; and (ii) Taxpayer Impact Statement – For the median-valued homestead property a comparison of the current property tax bill in dollars pertaining to the property for the current fiscal

year (“FY”), an estimate if the proposed budget is adopted for the upcoming FY, and an estimate of a balanced budget at the no-new-revenue tax rate for the upcoming FY is below:

Median-Valued Homestead Property of \$338,830	Property Tax Bill in Dollars
Current FY 2024/25	\$ 1,373.26
An estimate if the proposed budget is adopted for FY 2025/26	\$1,445.03
An estimate if a balanced budget is funded and adopted at the no-new-revenue tax rate for FY 2025/26	\$1,299.91

2. Consider and approve on the first of two readings for Ordinance 1991 approving the assessment and renditions for the 2025 taxable property as submitted by the Appraisal District; levying a tax rate for \$100 valuation for the City of Rockport, Aransas County, Texas for the tax year 2025 of \$.231403 for the purpose of maintenance and operations, \$.195072 for the payment of principal and interest on debt of the City for a Total Tax Rate of \$.426475; 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 RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.50 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-4.14. (Robbie Sorrell, Finance Director)

Vanessa Shrauner, City Manager presented the presentation attached.

The City Council discussed the following:

- Tax rate increase
- The average homestead tax rate increase
- Total increase in revenue received

Motion: A motion was made by Mayor Jayroe and seconded by Mayor Pro Tem Hattman to move that the property tax rate be increased by the adoption of a tax rate of .426475, which is effectively a 11.16 percent increase in the tax rate. The City Council took the following roll call vote:

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

The City Council voted four (5) ayes and none (0) nays. The motion passed unanimously.

3. Discussion on the next step of the process and announcement of the second and final reading of the 2025 Tax Rate will be held on Tuesday, September 23, 2025, at 5:00 p.m. in the City Council Chambers.

Vanessa Shrauner, City Manager announced that the adoption will be held on September 23, 2025.

V. EXECUTIVE SESSION

The City Council did not go into Executive Session.

XII. BUSINESS ITEM

This Agenda item was not needed.

VII. ADJOURN

Motion: Upon a motion made by Councilmember Brundrett and a second by Councilmember Rangel adjourn the September 12, 2025, Special Meeting at 12:11 p.m.

Tim Jayroe
Mayor

Shelley Goodwin, TRMC/MMC
City Secretary



AGENDA MEMO

DEPARTMENT: Finance/Utility Billing

TO: Mayor and City Council

FROM: Robbie Sorrell, Finance Director

MEETING DATE: September 23, 2025

CATEGORY: Ordinance

CAPTION:

Consider the approval on the first and only reading of Ordinance 1993 authorizing the issuance of approximately \$5,100,000 in principal amount of City of Rockport, Texas Tax Note, Series 2025 (1) Planning, Constructing, Improving and Repairing Streets, Sidewalks, Bridges and Drainage Improvements, together with Right-of-Way acquisition, Traffic and Street Signalization, Landscaping, and Lighting Improvements, (2) Acquiring Equipment and Vehicles for various City departments, including the Public Works and Building & Development Department, (3) Acquiring, Constructing, Improving and Equipping Public Safety Facilities, including Police Department Facilities and Facilities for the Volunteer Fire Department, (4) Acquiring, Constructing, Improving and Equipping Wastewater Treatment Facilities and Parks and Recreational Facilities, (5) Purchasing Real Property, Materials, Supplies, Equipment, Machinery, Buildings, Land, and Right-of-Way for authorized needs and purposes related to the aforementioned capital improvements; 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

SUMMARY:

This Ordinance obligates the City of Rockport to issue approximately \$5,100,000 in tax notes, Series 2025.

BACKGROUND:

In the May 29, 2025 and September 22, 2025 Budget Workshops, Council and staff prioritized CIP projects and capital purchases to be funded mostly by 2025 Tax Notes.. Council approved the FY 2025-2026 Budget and related Capital Projects on September 9, 2025.

FUNDING SOURCE:

I&S Levy approved September 9, 2025

FUNDING IMPACT:

Funding will be used to support the issuance of 2025 Series Tax Notes

STAFF RECOMMENDATION:

Staff recommends the approval on the first reading of the Ordinance authorizing the issuance of approximately \$5,100,000 in principal amount of City of Rockport, Texas Tax Note, Series 2025.

STRATEGIC INITIATIVES:

Ordinance

ATTACHMENTS:

1. Rockport 2025 Tax Note - Ordinance - 1

APPROVAL/REVIEW:

Robbie Sorrell, Finance Director

Date: September 12, 2025

A handwritten signature in blue ink, appearing to read "Shelley Goodwin", is written over a horizontal line.

Shelley Goodwin, City Secretary

Date: September 17, 2025

Vanessa Shrauner, City Manager

Date: September 17, 2025

ORDINANCE NO. _____

**ORDINANCE AUTHORIZING THE ISSUANCE OF \$_____ IN
PRINCIPAL AMOUNT OF *CITY OF ROCKPORT, TEXAS TAX NOTE,
SERIES 2025*; 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**

DATE OF APPROVAL: SEPTEMBER 23, 2025

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ORDINANCE NO. 1954

**ORDINANCE AUTHORIZING THE ISSUANCE OF \$_____ IN
PRINCIPAL AMOUNT OF *CITY OF ROCKPORT, TEXAS TAX NOTE,
SERIES 2025*; 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**

**STATE OF TEXAS
COUNTY OF ARANSAS
CITY OF ROCKPORT**

**§
§
§**

WHEREAS, the CITY OF ROCKPORT, TEXAS (the "*City*") in Aransas County, Texas, is a political subdivision of the State of Texas operating as a home rule municipality under the Constitution and laws of the State of Texas and its City Charter, which was initially approved by the voters of the City on April 2, 1983, and which has been amended from time to time, with the most recent amendments being approved by the qualified voters of the City on May 6, 2023; and

WHEREAS, pursuant to Chapter 1431, Texas Government Code, as amended (the "*Act*"), the City Council of the City is authorized and empowered to issue anticipation notes to pay contractual obligations incurred or to be incurred to (1) planning, constructing, improving and repairing streets, sidewalks, bridges and drainage improvements, together with rights-of-way acquisition, traffic and street signalization, landscaping, and lighting improvements, (2) acquiring equipment and vehicles for various city departments, including the Public Works and Building & Development Department, (3) acquiring, constructing, improving and equipping public safety facilities, including Police Department facilities and facilities for the volunteer fire department, (4) acquiring, constructing, improving and equipping wastewater treatment facilities and parks and recreational facilities, (5) purchasing real property, materials, supplies, equipment, machinery, buildings, land, and rights of way for authorized needs and purposes related to the aforementioned capital improvements (collectively, the "*Projects*"), (6) pay for professional services related to the acquisition, design, construction, project management, and financing of the aforementioned projects; and (7) pay the costs of issuance of the Note.

WHEREAS, in accordance with the provisions of the Act, the City Council hereby finds and determines that an anticipation note should be issued and sold at this time to finance the Projects; and

WHEREAS, the City Council of the City deems it appropriate to adopt this Ordinance and issue the Note herein authorized as permitted by the Act; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS:

SECTION 1. AMOUNT AND PURPOSE OF THE NOTE. The Note of the City is hereby authorized to be issued and delivered in the aggregate principal amount of \$ _____ ***FOR THE PURPOSE OF (1) PLANNING, CONSTRUCTING, IMPROVING AND REPAIRING STREETS, SIDEWALKS, BRIDGES AND DRAINAGE IMPROVEMENTS, TOGETHER WITH RIGHTS-OF-WAY ACQUISITION, TRAFFIC AND STREET SIGNALIZATION, LANDSCAPING, AND LIGHTING IMPROVEMENTS, (2) ACQUIRING EQUIPMENT AND VEHICLES FOR VARIOUS CITY DEPARTMENTS, INCLUDING THE PUBLIC WORKS AND BUILDING & DEVELOPMENT DEPARTMENT, (3) ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING PUBLIC SAFETY FACILITIES, INCLUDING POLICE DEPARTMENT FACILITIES AND FACILITIES FOR THE VOLUNTEER FIRE DEPARTMENT, (4) ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING WASTEWATER TREATMENT FACILITIES AND PARKS AND RECREATIONAL FACILITIES, (5) PURCHASING REAL PROPERTY, MATERIALS, SUPPLIES, EQUIPMENT, MACHINERY, BUILDINGS, LAND, AND RIGHTS OF WAY FOR AUTHORIZED NEEDS AND PURPOSES RELATED TO THE AFOREMENTIONED CAPITAL IMPROVEMENTS, (6) PAY FOR PROFESSIONAL SERVICES RELATED TO THE ACQUISITION, DESIGN, CONSTRUCTION, PROJECT MANAGEMENT, AND FINANCING OF THE AFOREMENTIONED PROJECTS; AND (7) PAY THE COSTS OF ISSUANCE OF THE NOTE.***

SECTION 2. DESIGNATION, DATE, DENOMINATIONS, NUMBERS, AND MATURITY OF NOTE. (a) Each note issued pursuant to this Ordinance shall be designated **CITY OF ROCKPORT, TEXAS TAX NOTE, SERIES 2025**, and initially there shall be issued, sold, and delivered hereunder one fully registered note, without interest coupons, dated October 1, 2025, in the denomination and principal amount of \$ _____, numbered R-1, with any note issued in replacement thereof being in the denomination and principal amount hereinafter stated and numbered consecutively from R-2 upward, payable in installments to the registered owner thereof, or to the registered assignee of said note (in each case, the "**Registered Owner**").

(b) Principal of the Note shall mature and be payable in installments on the dates and in the principal installment amounts and shall bear interest at the per annum rate set forth in the following schedule:

PAYMENT DATE	PRINCIPAL AMOUNT (\$)	INTEREST RATE (%)
02/15/2026		
02/15/2027		
02/15/2028		
02/15/2029		
02/15/2030		
02/15/2031		
02/15/2032		

The term “**Note**” as used in this Ordinance shall mean and include collectively the note initially issued and delivered pursuant to this Ordinance, as well as all other substitute notes and replacement notes issued pursuant hereto.

SECTION 3. INTEREST. The Note shall bear interest from the dates specified in the FORM OF NOTE set forth in this Ordinance to date of maturity at the respective rate per annum for each principal installment set forth above. Said interest shall be payable in the manner provided and on the dates stated in the FORM OF NOTE set forth in this Ordinance. Interest shall be calculated on the basis of a 360-day year composed of twelve 30-day months.

SECTION 4. CHARACTERISTICS OF THE NOTE.

(a) *Registration and Transfer; Authentication.* The City shall keep or cause to be kept at the designated corporate trust or commercial banking office of _____ (the “**Paying Agent/Registrar**”) books or records for the registration of the transfer of the Note (the “**Registration Books**”), and the City hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers under such reasonable regulations as the City and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations and transfers as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Registered Owner of the Note to which payments with respect to the Note shall be mailed, as herein provided; but it shall be the duty of the Registered Owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The City shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The City shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer and delivery of a substitute Note. Registration of assignment and transfer of the Note shall be made in the manner provided and with the effect stated

in the FORM OF NOTE set forth in this Ordinance. Each substitute Note shall bear a letter and/or number to distinguish it from each other Note.

Except as provided in Section 5(c) hereof, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Note, date and manually sign said Note, and no such Note shall be deemed to be issued or outstanding unless such Note is so executed. The Paying Agent/Registrar promptly shall cancel the paid Note or a Note surrendered for transfer. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the City or any other body or person so as to accomplish the foregoing, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Note in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of transfer of the Note as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Note, the transferred Note shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Note which initially was issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(b) Payment of Note and Interest. The City hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Note, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the City and the Paying Agent/Registrar with respect to the Note, and of all transfers of the Note, and all replacements of the Note, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "***Special Record Date***") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of the Registered Owner appearing on the Registration Books at the close of business on the fifteenth business day next preceding the date of mailing of such notice.

(c) In General. The Note (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Note to be payable only to the Registered Owner thereof, (ii) may be redeemed prior to its scheduled maturity (notice of which shall be given to the Paying Agent/Registrar by the Issuer at least thirty (30) days prior to any such redemption date, (iii) may be transferred and assigned, (iv) shall have the characteristics, (v) shall be signed, sealed, executed and authenticated, (vi) the principal of and interest on the Note shall be payable, and (vii) shall be administered, and the Paying Agent/Registrar and the City shall have certain duties and responsibilities with respect to the Note, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF NOTE set forth in this Ordinance. The Note initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Note issued in transfer or replacement for any Note issued under this Ordinance the Paying Agent/Registrar shall execute the PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, in the form set forth in the FORM OF NOTE.

(d) Substitute Paying Agent/Registrar. The City covenants with the registered Owner of the Note that at all times while the Note is outstanding the City will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Note under this Ordinance, and that the Paying Agent/Registrar will be one entity. The City reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 40 days written notice to the Paying Agent/Registrar, to be effective not later than 30 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the City covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Note, to the new Paying Agent/Registrar designated and appointed by the City. Upon any change in the Paying Agent/Registrar, the City promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to the Registered Owner of the Note, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to the Paying Agent/Registrar.

(e) On the closing date, one Initial Note representing the entire principal amount of the Note, payable in stated installments to the initial purchaser identified in Section 12 hereof, executed by manual, electronic, or facsimile signature of the Mayor or Mayor Pro-Tem and City Secretary of the City, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, will be delivered to the initial purchaser or its designee. The Paying Agent/Registrar shall insert the date of delivery and deliver the Note to the initial purchaser.

SECTION 5. FORM OF NOTE. The form of the Note, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Note initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions, or insertions as are permitted or required by this Ordinance.

[The remainder of this page intentionally left blank.]

(a) Form of Note.

NO. R-1

PRINCIPAL AMOUNT
\$ _____

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF ARANSAS
CITY OF ROCKPORT, TEXAS TAX NOTE, SERIES 2025

<u>Interest Rate</u>	<u>Delivery Date</u>	<u>Maturity Date</u>
As shown below	_____, 2025	As shown below

REGISTERED OWNER:

PRINCIPAL AMOUNT:

THE CITY OF ROCKPORT, TEXAS (the "***City***"), being a political subdivision and a home rule municipality of the State of Texas, for value received, hereby promises to pay, from the sources described herein, to the Registered Owner specified above, or registered assign (the "***Registered Owner***"), the principal amount from time to time unpaid and to pay interest thereon from the date of delivery of this Note as specified above, at the respective rates per annum set forth in the table below, calculated on the basis of a 360-day year of twelve 30-day months. The principal of this Note shall mature and be paid in installments on the dates and in the amounts set forth in the table below:

PAYMENT DATE	PRINCIPAL AMOUNT (\$)	INTEREST RATE (%)
02/15/2026		
02/15/2027		
02/15/2028		
02/15/2029		
02/15/2030		
02/15/2031		
02/15/2032		

THE PRINCIPAL OF AND INTEREST ON THIS NOTE are payable in lawful money of the United States of America, without exchange or collection charges. The City shall pay interest on the unpaid principal installments of this Note on February 15, 2026, and on each February 15 and August 15 thereafter to the date of maturity thereof. The last principal installment of this Note, together with accrued interest thereon to the maturity date thereof, shall be paid to the Registered Owner hereof upon presentation and surrender of this Note at maturity at the designated office of _____, which is the "***Paying Agent/Registrar***" for this Note.

The payment of all other principal installments of and interest on this Note shall be made by the Paying Agent/Registrar to the Registered Owner hereof on each principal and interest payment date by check or draft, dated as of such principal and interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the City required by the ordinance authorizing the issuance of this Note (the "**Ordinance**") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the Registered Owner hereof, at its address as it appeared on the last business day of the month next preceding each such date (the "**Record Date**") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, principal and interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner.

ANY ACCRUED INTEREST due at maturity as provided herein shall be paid to the Registered Owner upon presentation and surrender of this Note for payment at the designated office of the Paying Agent/Registrar. The City covenants with the Registered Owner of this Note that on or before each principal payment date and interest payment date for this Note it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Note, when due.

IF THE DATE FOR THE PAYMENT of the principal of or interest on this Note shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the designated office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS NOTE, DATED AS OF OCTOBER 1, 2025, IS AUTHORIZED and issued in accordance with the Constitution and laws of the State of Texas in the principal amount of \$ _____ **FOR THE PURPOSE (1) PLANNING, CONSTRUCTING, IMPROVING AND REPAIRING STREETS, SIDEWALKS, BRIDGES AND DRAINAGE IMPROVEMENTS, TOGETHER WITH RIGHTS-OF-WAY ACQUISITION, TRAFFIC AND STREET SIGNALIZATION, LANDSCAPING, AND LIGHTING IMPROVEMENTS, (2) ACQUIRING EQUIPMENT AND VEHICLES FOR VARIOUS CITY DEPARTMENTS, INCLUDING THE PUBLIC WORKS AND BUILDING & DEVELOPMENT DEPARTMENT, (3) ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING PUBLIC SAFETY FACILITIES, INCLUDING POLICE DEPARTMENT FACILITIES AND FACILITIES FOR THE VOLUNTEER FIRE DEPARTMENT, (4) ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING WASTEWATER TREATMENT FACILITIES AND PARKS AND RECREATIONAL FACILITIES, (5) PURCHASING REAL PROPERTY, MATERIALS, SUPPLIES, EQUIPMENT, MACHINERY, BUILDINGS, LAND, AND RIGHTS OF WAY FOR AUTHORIZED NEEDS AND PURPOSES RELATED TO THE AFOREMENTIONED CAPITAL IMPROVEMENTS, (6) PAY FOR PROFESSIONAL SERVICES RELATED TO THE ACQUISITION, DESIGN, CONSTRUCTION, PROJECT MANAGEMENT, AND**

FINANCING OF THE AFOREMENTIONED PROJECTS; AND (7) PAY THE COSTS OF ISSUANCE OF THE NOTE.

[ON FEBRUARY 15, 20__ , OR ON ANY DATE THEREAFTER, the unpaid principal installments of this Note may be redeemed prior to their scheduled payment dates, at the option of the City, with funds derived from any available source, as a whole, at a redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date of redemption.]

//OR//

[THE UNPAID PRINCIPAL INSTALLMENTS OF THIS NOTE ARE NOT SUBJECT TO REDEMPTION PRIOR TO STATED MATURITY.]

THE CITY SHALL GIVE WRITTEN NOTICE of its direction to redeem the principal installments of this Note to the paying agent/registrar and the holder of this Note by United States Mail, first-class postage prepaid, no later than 30 days prior to the redemption date.

UPON THE PAYMENT OF THE OUTSTANDING principal balance of this Note, the Paying Agent/Registrar shall note in the Registration Books the amount of such payment, the date said payment was made and the remaining unpaid principal balance of this Note.

THIS NOTE IS ISSUED AS A SINGLE, FULLY REGISTERED NOTE, without interest coupons, in the denomination of the principal amount thereof. As provided in the Ordinance, this Note may, at the request of the Registered Owner or the assignee hereof, be assigned or transferred for a like aggregate principal amount of a fully registered Note in the denomination of the principal amount hereof, without interest coupons, payable to the Registered Owner or assignees as the case may be, having the same denomination, upon surrender of this Note to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Ordinance. Among other requirements for such assignment and transfer, this Note must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Note. The form of Assignment printed or endorsed on this Note may be executed by the Registered Owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Note by the Registered Owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring or exchanging any Note will be paid by the City. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment or transfer, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date.

IN THE EVENT ANY PAYING AGENT/REGISTRAR FOR THE NOTE IS CHANGED by the City, resigns, or otherwise ceases to act as such, the City has covenanted in the Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Registered Owner of the Note.

IT IS HEREBY CERTIFIED, RECITED, AND COVENANTED that this Note has been duly and validly authorized, issued, and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the authorization, issuance, and delivery of this Note have been performed, existed, and been done in accordance with law; that this Note is a general obligation of the City, issued on the full faith and credit thereof; and that ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Note, as such interest comes due, and as such principal matures, have been levied and ordered to be levied against all taxable property in the City, and have been pledged for such payment within the limits provided by law.

THE CITY ALSO HAS RESERVED THE RIGHT to amend the Note Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the Registered Owner of the Note.

BY BECOMING THE REGISTERED OWNER OF THIS NOTE, the Registered Owner thereby acknowledges all of the terms and provisions of the Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the City, and agrees that the terms and provisions of this Note and the Ordinance constitute a contract between each Registered Owner hereof and the City.

IN WITNESS WHEREOF, the City has caused this Note to be signed with the electronic or facsimile signature of the Mayor or Mayor Pro-Tem of the City and countersigned with the electronic or facsimile signature of the City Secretary of the City, and has caused the official seal of the City Council of the City to be duly impressed, or placed in electronic or facsimile, on this Note.

(electronic/facsimile signature)
City Secretary
City of Rockport, Texas

(electronic/facsimile signature)
Mayor
City of Rockport, Texas

(CITY SEAL)

(b) Form of Paying Agent/Registrar's Authentication Certificate.

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

(To be executed if this Note is not accompanied by an executed Registration Certificate
of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Note has been issued under the provisions of the Ordinance described in the text of this Note; and that this Note has been issued in replacement of, or transferred for, a Note of a Series which originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated:

Paying Agent/Registrar

By: _____
Authorized Representative

(c) Form of Assignment.

ASSIGNMENT

(Please print or type clearly)

For value received, the undersigned hereby sells, assigns and transfers _____

Transferee's Social Security or Taxpayer Identification
Number: _____

Transferee's name and address, including zip code: _____

the within Note and all rights thereunder, and hereby irrevocably constitutes and appoints

_____, attorney, to register the transfer of
the within Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: .

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

NOTICE: The signature above must correspond with the name of the Registered Owner as it appears upon the front of this Note in every particular, without alteration or enlargement or any change whatsoever.

(c) Form of Registration Certificate of the Comptroller of Public Accounts:

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that this Note has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this Note has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____.

Acting Comptroller of Public Accounts
of the State of Texas

(COMPTROLLER'S SEAL)

SECTION 6. INTEREST AND SINKING FUND; TAX LEVY; SECURITY INTEREST. (a) Interest and Sinking Fund; Tax Levy. A special Interest and Sinking Fund (the "*Interest and Sinking Fund*") is hereby created solely for the benefit of the Note, and the Interest and Sinking Fund shall be established and maintained by the City at an official depository bank of the City for so long as the Note or interest thereon are outstanding and unpaid. The Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of the City, and shall be used only for paying the interest on and principal of the Note. Until expended for the purposes set forth in Section 1 hereof, the proceeds derived from the sale of the Note shall be held as further security for the timely payment of the principal and interest on the Note. All ad valorem taxes levied and collected for and on account of the Note and all accrued interest and premium on the Note received by the City from the initial purchaser of the Note, if any, shall be deposited, as collected, to the credit of the Interest and Sinking Fund. During each year while the Note or interest thereon are outstanding and unpaid, the City shall compute and ascertain a rate and amount of ad valorem tax which will be sufficient, together with other moneys deposited to the credit of the Interest and Sinking Fund, to raise and produce the money required to pay the interest on the Note as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal installment of the Note as such principal installment matures (but never less than 2% of the original principal amount of the Note as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of the City, with full allowance being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in the City for each year while the Note or interest thereon are outstanding and unpaid; and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of the Note, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limits provided by law.

(b) Security Interest. Chapter 1208, Texas Government Code, applies to the issuance of the Note and the pledge of the ad valorem taxes granted by the City under Section 6(a) of this Ordinance, and is therefore valid, effective, and perfected. If Texas law is amended at any time while the Note is outstanding and unpaid such that the pledge of the ad valorem taxes granted by the City under Section 6(a) of this Ordinance is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, then in order to preserve to the Registered Owner of the Note the perfection of the security interest in said pledge, the City agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Texas Business & Commerce Code, and enable a filing to perfect the security interest in said pledge to occur.

SECTION 7. CONSTRUCTION FUND. There is hereby created and established in the depository of the City, a fund to be called the *City of Rockport, Texas Tax Note (Series 2025) Construction Fund* (herein called the "**Construction Fund**"). Proceeds from the sale and delivery of the Note (other than proceeds representing accrued interest on the Note and any premium on the Note that is not used by the City to pay costs of issuance in accordance with the provisions of Section 1201.042(d), Texas Government Code, as amended, which shall be deposited in the Interest and Sinking Fund) shall be deposited in the Construction Fund. Money in the Construction Fund shall be subject to disbursements by the City for payment of all costs incurred in carrying out the purpose for which the Note is issued, including but not limited to costs for construction, engineering, architecture, financing, financial consultants and legal services related to the project being financed with proceeds of the Note and the issuance of the Note. All funds remaining on deposit in the Construction Fund upon completion of the projects being financed with the proceeds from the Note, if any, shall be transferred to the Interest and Sinking Fund.

SECTION 8. INVESTMENTS. Funds on deposit in the Interest and Sinking Fund and the Construction Fund shall be secured by the depository bank of the City in the manner and to the extent required by law to secure other public funds of the City and may be invested from time to time in any investment authorized by applicable law, including but not limited to the Public Funds Investment Act (Chapter 2256, Texas Government Code), and the City's investment policy adopted in accordance with the provisions of the Public Funds Investment Act; provided, however, that investments purchased for and held in the Interest and Sinking Fund shall have a final maturity no later than the next principal or interest payment date for which such funds are required, and investments purchased for and held in the Construction Fund shall have a final maturity of not later than the date the City reasonably expects the funds from such investments will be required to pay costs of the projects for which the Note was issued. Income and profits from such investments shall be deposited in the respective Fund which holds such investments; however, any such income and profits from investments in the Construction Fund may be withdrawn by the City and deposited in the Interest and Sinking Fund to pay all or a portion of the interest next coming due on the Note.

SECTION 9. DEFEASANCE OF NOTE. (a) The Note and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "**Defeased Note**") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Note, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably

depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "***Future Escrow Agreement***") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the City with the Paying Agent/Registrar for the payment of its services until the Defeased Note shall have become due and payable. Thereafter, the City will have no further responsibility with respect to amounts available to the Paying Agent/Registrar for the payment of such Defeased Note, including any insufficiency therein caused by the failure of the escrow agent under such Future Escrow Agreement to receive payment when due on the Defeasance Securities. At such time that the Note shall be deemed to be a Defeased Note hereunder, as aforesaid, such Note and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes or revenues herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the City be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Note and interest thereon, with respect to which such money has been so deposited, shall be turned over to the City, or deposited as directed in writing by the City. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of the Defeased Note may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsection (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Note, with respect to which such money has been so deposited, shall be remitted to the City or deposited as directed in writing by the City.

(c) The term "***Defeasance Securities***" means (i) direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date of the purchase thereof are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, (iii) noncallable obligations of a state or an agency or a City, municipality, or other political subdivision of a state that have been refunded and that, on the date on the date the governing body of the City adopts or approves the proceedings authorizing the financial arrangements are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (iv) any other then authorized securities or obligations under applicable state law that may be used to defease obligations such as the Note.

(d) Until the Defeased Note shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for the Defeased Note the

same as if they had not been defeased, and the City shall make proper arrangements to provide and pay for such services as required by this Ordinance.

SECTION 10. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED NOTE.

(a) Replacement Note. In the event the Note is damaged, mutilated, lost, stolen, or destroyed, the Paying Agent/Registrar shall cause to be printed, executed, and delivered, a new Note of the same principal installment amounts, maturity dates and interest rates as the damaged, mutilated, lost, stolen, or destroyed Note, in replacement for such Note in the manner hereinafter provided.

(b) Application for Replacement Note. Application for replacement of a damaged, mutilated, lost, stolen, or destroyed Note shall be made by the Registered Owner thereof to the Paying Agent/Registrar. In every case of loss, theft, or destruction of a Note, the Registered Owner applying for a replacement Note shall furnish to the City and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft, or destruction of a Note, the Registered Owner shall furnish to the City and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft, or destruction of such Note, as the case may be. In every case of damage or mutilation of a Note, the Registered Owner shall surrender to the Paying Agent/Registrar for cancellation the Note so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Note shall have matured, and no default has occurred which is then continuing in the payment of the principal of or interest on the Note, the City may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Note) instead of issuing a replacement Note, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Note. Prior to the issuance of any replacement Note, the Paying Agent/Registrar shall charge the Registered Owner of such Note with all legal, printing, and other expenses in connection therewith. Every replacement Note issued pursuant to the provisions of this Section by virtue of the fact that any Note is lost, stolen, or destroyed shall constitute a contractual obligation of the City whether or not the lost, stolen, or destroyed Note shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance.

(e) Authority for Issuing Replacement Note. In accordance with Chapter 1206, Texas Government Code, this Section of this Ordinance shall constitute authority for the issuance of any such replacement Note without necessity of further action by the governing body of the City or any other body or person, and the duty of the replacement of such Note is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Note in the form and manner and with the effect, as provided in Section 4(a) of this Ordinance for a Note issued in exchange for another Note.

SECTION 11. CUSTODY, APPROVAL, AND REGISTRATION OF NOTE; BOND COUNSEL'S OPINION, INSURANCE, AND CUSIP NUMBERS. The Mayor or Mayor Pro-Tem of the City, on behalf of the City, is hereby authorized to have control of the Note initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Note pending its delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Note said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Note, and the seal of said Comptroller shall be impressed, or placed in electronic or facsimile, on such Certificate. The approving legal opinion of the City's Bond Counsel and the assigned CUSIP numbers, if any, may, at the option of the City, be printed on the Note issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the Registered Owner of the Note. In addition, if municipal bond insurance is obtained, the Note may bear an appropriate legend as provided by the insurer.

SECTION 12. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE NOTE. (a) Covenants. The City covenants to take any action necessary to assure, or refrain from any action which would adversely affect, the treatment of the Note as an obligation described in section 103 of the Internal Revenue Code of 1986, as amended (the "**Code**"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the City covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Note or the projects financed therewith (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed therewith are so used, such amounts, whether or not received by the City, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Note, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Note or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" which is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount which is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Note (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action which would otherwise result in the Note being treated as a "private activity bond" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Note being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Note, directly or indirectly, to acquire or to replace funds which were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) which produces a materially higher yield over the term of the Note, other than investment property acquired with --

(A) proceeds of the Note invested for a reasonable temporary period of three (3) years or less or, in the case of a refunding bond, for a period of 90 days or less, until such proceeds are needed for the purpose for which the Note is issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Note;

(7) to otherwise restrict the use of the proceeds of the Note or amounts treated as proceeds of the Note, as may be necessary, so that the Note does not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage);

(8) to refrain from using the proceeds of the Note or proceeds of any prior bonds to pay debt service on another issue more than 90 days after the date of issue of the Note in contravention of the requirements of section 149(d) of the Code (relating to advance refundings);

(9) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Note) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Note has been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code; and

(10) to establish reasonable expectations to prevent using the proceeds of the Bonds in contravention of the requirements of section 149(g) of the Code (relating to hedge bonds).

(b) Rebate Fund. In order to facilitate compliance with the above covenant (9), a "Rebate Fund" is hereby established by the City for the sole benefit of the United States of America, and such fund shall not be subject to the claim of any other person, including without limitation the bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Proceeds. The City understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Note. It is the understanding of the City that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify or expand provisions of the Code, as applicable to the Note, the City will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Note under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Note, the City agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Note under section 103 of the Code. In furtherance of such intention, the City hereby authorizes and directs the Mayor, the City Manager, and the Finance Director of the City to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the City, which may be permitted by the Code as are consistent with the purpose for the issuance of the Note.

(d) Allocation of, and Limitation on, Expenditures for the Projects. The City covenants to account for the expenditure of sale proceeds and investment earnings to be used for the purposes described in Section 1 of this Ordinance (the "**Projects**") on its books and records in accordance with the requirements of the Internal Revenue Code. The City recognizes that in order for the proceeds to be considered used for the reimbursement of costs, the proceeds must be allocated to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Projects are completed; but in no event later than three years after the date on which the original expenditure is paid. The foregoing notwithstanding, the City recognizes that in order for proceeds to be expended under the Internal Revenue Code, the sale proceeds or investment earnings must be expended no more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Note, or (2) the date the Note is retired. The City agrees to obtain the advice of nationally-recognized bond counsel if such expenditure fails to comply with the foregoing to assure that such expenditure will not adversely affect the tax-exempt status of the Note. For purposes hereof, the City shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Projects. The City covenants that the property constituting the Projects will not be sold or otherwise disposed in a transaction resulting in the receipt by the City of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Note. For purpose of the foregoing, the City may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Note. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the City shall not be obligated to comply with this covenant

if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(f) Written Procedures. Unless superseded by another action of the City, to ensure compliance with the covenants contained herein regarding private business use, remedial actions, arbitrage and rebate, the City Council hereby adopts and establishes the instructions attached hereto as Exhibit B as the City's written procedures.

[(g) Designation as Qualified Tax-Exempt Obligations. The City hereby designates the Note as a "qualified tax-exempt obligation" as defined in section 265(b)(3) of the Code. In furtherance of such designation, the City represents, covenants and warrants the following: (i) that during the calendar year in which the Note is issued, the City (including any subordinate entities) has not designated nor will designate bonds or other obligations, which when aggregated with the Note, will result in more than \$10,000,000 of "qualified tax exempt obligations" being issued; (ii) that the City reasonably anticipates that the amount of tax exempt obligations issued, during the calendar year in which the Note is issued, by the City (or any subordinate entities) will not exceed \$10,000,000; and, (iii) that the City will take such action or refrain from such action as necessary, and as more particularly set forth in this Section, in order that the Note will not be considered "private activity bonds" within the meaning of section 141 of the Code.]

(h) Reimbursement. This Ordinance is intended to satisfy the official intent requirements set forth in section 1.150-2 of the Treasury Regulations.

SECTION 13. SALE OF NOTE; USE OF PROCEEDS. The Note is hereby initially sold and shall be delivered to _____ (the "**Purchaser**"), for cash for the par value thereof and no accrued interest, pursuant to a *Purchase Letter*, in substantially the form attached hereto as *Exhibit C*, which the Mayor and Mayor Pro-Tem are each hereby authorized to accept, approve all changes, and execute on behalf of the City. In satisfaction of Section 1201.022(a)(3), Texas Government Code the City Council hereby determines that the final terms of the Note as set forth in this Ordinance are in the City's best interests. The Note initially shall be registered in the name of _____.

SECTION 14. NO RULE 15c2-12 UNDERTAKING; ANNUAL FINANCIAL STATEMENTS. The City has not made an undertaking in accordance with Rule 15c2-12 of the Securities and Exchange Commission (the "**Rule**") in connection with the issuance of the Note inasmuch as the Purchaser is not acting as an "underwriter in a primary offering of municipal securities" within the meaning of the Rule. The City is not, therefore, obligated pursuant to the Rule to provide any on-going disclosure relating to the City or the Note; however, so long as the Purchaser or its assignee is the sole Registered Owner of the Note, unless waived by the Purchaser, the City shall provide the following to the Purchaser:

(a) Audited financial statements, to be provided within 270 days after the close of each City fiscal year ending on and after September 30, 2024, and

(b) Such other financial information regarding the City as the Purchaser shall reasonably request.

SECTION 15. FURTHER PROCEDURES. The Mayor, Mayor Pro-Tem, City Manager, Finance Director, and City Secretary of the City and all other officers, employees, and agents of the City and each of them, are each hereby expressly authorized, empowered, and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge, and deliver in the name and under the corporate seal and on behalf of the City all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance and the Note. In addition, prior to the initial delivery of the Note, the Mayor, City Manager, Finance Director, City Secretary, and the City's Bond Counsel are hereby authorized and directed to approve any technical changes or correction to this Ordinance or to any of the instruments authorized and approved by this Ordinance necessary in order to (i) correct any ambiguity or mistake or properly or more completely document the transactions contemplated and approved by this Ordinance, (ii) obtain a rating from any of the national bond rating agencies, if any rating is obtained, or satisfy any requirements of the provider of a municipal bond insurance policy, if any, or (iii) obtain the approval of the Note by the Attorney General of the State of Texas. Bond Counsel is further authorized to institute any bond validation suit under Chapter 1205, as amended, Texas Government Code (or any successor statute thereto) related to the Note while the Note is outstanding and unpaid. In case any officer whose signature shall appear on any Note shall cease to be such officer before the delivery of such Note, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 16. ORDINANCE A CONTRACT; AMENDMENTS. This Ordinance shall constitute a contract with the Registered Owner of the Note, binding on the City and its successors and assigns, and shall not be amended or repealed by the City as long as any Note remains outstanding except as permitted in this Section. The City may, without the consent of or notice to the Registered Owner (other than the Purchaser as long as the Purchaser is a Registered Owner, in which case the City must receive the Purchaser's prior written consent to), amend, change, or modify this Ordinance as may be required (i) by the provisions hereof, (ii) for the purpose of curing any ambiguity, inconsistency, or formal defect or omission herein, or (iii) in connection with any other change which is not to the prejudice of the Registered Owner. The City may, with the written consent of the Registered Owner of the Note, amend, change, modify, or rescind any provisions of this Ordinance not otherwise permitted to be amended in accordance with the preceding sentence. Whenever the City shall desire to make any amendment or addition to or rescission of this Ordinance requiring consent of the Registered Owner, the City shall cause notice of the amendment, addition, or rescission to be sent by first class mail, postage prepaid, to the Registered Owner at the respective addresses shown on the Registration Books. Whenever at any time within one year after the date of the giving of such notice, the City shall receive an instrument or instruments in writing executed by the Registered Owner of the Note requiring the consent of the Registered Owner, which instrument or instruments shall refer to the proposed amendment, addition, or rescission described in such notice and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice, thereupon, but not otherwise, the City may adopt such amendment, addition, or rescission in substantially such form, except as herein provided. No Registered Owner may thereafter object to the adoption of such amendment, addition, or rescission, or to any of the provisions thereof, and such amendment, addition, or rescission shall be fully effective for all purposes.

SECTION 17. DEFAULTS AND REMEDIES. In addition to all the rights and remedies provided by the laws of the State of Texas, it is specifically covenanted and agreed particularly that in the event the City (i) defaults in the payment of the principal, premium, if any, or interest on the Note, (ii) defaults in the deposits and credits required to be made to the Interest and Sinking Fund, or (iii) defaults in the observance or performance of any other of the covenants, conditions or obligations set forth in this Ordinance and the continuation thereof for 30 days after the City has received written notice of such defaults, the Registered Owner of the Note shall be entitled to seek a writ of mandamus issued by a court of proper jurisdiction compelling and requiring the governing body of the City and other officers of the City to observe and perform any covenant, condition or obligation prescribed in this Ordinance.

No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised from time to time and as often as may be deemed expedient. The specific remedy herein provided shall be cumulative of all other existing remedies, and the specification of such remedy shall not be deemed to be exclusive.

SECTION 18. INTERESTED PARTIES. Nothing in this Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the City and the Registered Owner of the Note, any right, remedy or claim under or by reason of this Ordinance or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in this Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City and the Registered Owner of the Note.

SECTION 19. INCORPORATION OF RECITALS. The City hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City hereby incorporates such recitals as a part of this Ordinance.

SECTION 20. SEVERABILITY. The provisions of this Ordinance are severable and if any provision or the applicability thereof to any person or circumstance is ever held by a court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

SECTION 21. EFFECTIVE DATE. Pursuant to the provisions of Section 1201.028, Texas Government Code, this Ordinance shall become effective immediately upon adoption by the City Council.

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***PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
ROCKPORT, TEXAS AT A REGULAR MEETING ON THE 23rd DAY OF SEPTEMBER,
2025, AT WHICH MEETING A QUORUM WAS PRESENT.***

Mayor
City of Rockport, Texas

ATTEST:

City Secretary
City of Rockport, Texas

(Seal)

** ** ** ** **

EXHIBIT A

FORM OF PAYING AGENT/REGISTRAR AGREEMENT

The Paying Agent/Registrar Agreement is omitted at this point as it appears in executed form elsewhere in this Transcript of Proceedings.

EXHIBIT B

WRITTEN PROCEDURES RELATING TO CONTINUING COMPLIANCE WITH FEDERAL TAX COVENANTS

A. Arbitrage. With respect to the investment and expenditure of the proceeds of the Certificates, the City's chief financial officer (the "*Responsible Person*"), which is currently the City Manager will:

- (i) instruct the appropriate person or persons that the construction, renovation or acquisition of the facilities must proceed with due diligence and that binding contracts for the expenditure of at least 5% of the proceeds of the Note will be entered into within six (6) months of the date of delivery of the Note (the "*Issue Date*");
- (ii) monitor that at least 85% of the proceeds of the Note to be used for the construction, renovation or acquisition of any facilities are expended within three (3) years of the Issue Date;
- (iii) restrict the yield of the investments to the yield on the Note after three (3) years of the Issue Date;
- (iv) monitor all amounts deposited into a sinking fund or funds (e.g., the Interest and Sinking Fund), to assure that the maximum amount invested at a yield higher than the yield on the Note does not exceed an amount equal to the debt service on the Note in the succeeding 12 month period plus a carryover amount equal to one-twelfth of the principal and interest payable on the Note for the immediately preceding 12-month period;
- (v) ensure that no more than 50% of the proceeds of the Note are invested in an investment with a guaranteed yield for 4 years or more;
- (vi) maintain any official action of the District (such as a reimbursement resolution) stating its intent to reimburse with the proceeds of the Note any amount expended prior to the Issue Date for the acquisition, renovation or construction of the facilities;
- (vii) ensure that the applicable information return (e.g., IRS Form 8038-G, 8038-GC, or any successor forms) is timely filed with the IRS; and
- (viii) assure that, unless excepted from rebate and yield restriction under section 148(f) of the Code, excess investment earnings are computed and paid to the U.S. government at such time and in such manner as directed by the IRS (A) at least every 5 years after the Issue Date and (B) within 30 days after the date the Note is retired.

B. Private Business Use. With respect to the use of the facilities financed or refinanced with the proceeds of the Note the Responsible Person will:

- (i) monitor the date on which the facilities are substantially complete and available to be used for the purpose intended;
- (ii) monitor whether, at any time the Note is outstanding, any person, other than the District, the employees of the District, the agents of the District or members of the general public has any contractual right (such as a lease, purchase, management or other service agreement) with respect to any portion of the facilities;
- (iii) monitor whether, at any time the Note is outstanding, any person, other than the District, the employees of the District, the agents of the District or members of the general public has a right to use the output of the facilities (e.g., water, gas, electricity);
- (iv) monitor whether, at any time the Note is outstanding, any person, other than the District, the employees of the District, the agents of the District or members of the general public has a right to use the facilities to conduct or to direct the conduct of research;
- (v) determine whether, at any time the Note is outstanding, any person, other than the District, has a naming right for the facilities or any other contractual right granting an intangible benefit;
- (vi) determine whether, at any time the Note is outstanding, the facilities are sold or otherwise disposed of; and
- (vii) take such action as is necessary to remediate any failure to maintain compliance with the covenants contained in the Ordinance related to the public use of the facilities.

C. Record Retention. The Responsible Person will maintain or cause to be maintained all records relating to the investment and expenditure of the proceeds of the Note and the use of the facilities financed or refinanced thereby for a period ending three (3) years after the complete extinguishment of the Note. If any portion of the Note is refunded with the proceeds of another series of tax-exempt obligations, such records shall be maintained until the three (3) years after the refunding obligations are completely extinguished. Such records can be maintained in paper or electronic format.

D. Responsible Person. The Responsible Person shall receive appropriate training regarding the District's accounting system, contract intake system, facilities management and other systems necessary to track the investment and expenditure of the proceeds and the use of the facilities financed or refinanced with the proceeds of the Note. The foregoing notwithstanding, the Responsible Person is authorized and instructed to retain such experienced advisors and agents as may be necessary to carry out the purposes of these instructions.

EXHIBIT C

FORM OF PURCHASE LETTER

*The Purchase Letter is omitted at this point as it appears
in executed form elsewhere in this Transcript of Proceedings.*



AGENDA MEMO

DEPARTMENT: Finance/Utility Billing

TO: Mayor and City Council

FROM: Robbie Sorrell, Finance Director

MEETING DATE: September 23, 2025

CATEGORY: Ordinance

CAPTION:

Consider and approve on the second and final readings for Ordinance 1991 approving the assessment and renditions for the 2025 taxable property as submitted by the Appraisal District; levying a tax rate for \$100 valuation for the City of Rockport, Aransas County, Texas for the tax year 2025 of \$.231403 for the purpose of maintenance and operations, \$.195072 for the payment of principal and interest on debt of the City for a Total Tax Rate of \$.426475; 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 RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.50 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-4.14.

SUMMARY:

Tax ordinance will be used to support 2025-2026 Budget

BACKGROUND:

After completing eight public Budget Workshops starting last April, Council finalized an acceptable total tax rate at the 9/2/2025 workshop.

FUNDING SOURCE:

Levy on taxpayer

FUNDING IMPACT:

Funding represents about 40% of General Fund Revenues and almost all Interest & Sinking Fund Revenues

STAFF RECOMMENDATION:

Staff recommends approval of tax rate on first reading. Per Aransas County TAC, the motion must be read as "I move that the property tax rate be increased by the adoption of a tax rate of .426475, which is effectively a 11.16 percent increase in the tax rate".

STRATEGIC INITIATIVES:

Ordinance

ATTACHMENTS:

1. 2025 STEPS TO ADOPT TAX & BUDGET
2. Ordinance - Tax Rate 2025

APPROVAL/REVIEW:

Robbie Sorrell, Finance Director

Date: September 15, 2025

A handwritten signature in blue ink, appearing to read "Shelley Goodwin", is written over a horizontal line.

Shelley Goodwin, City Secretary

Date: September 17, 2025

Vanessa Shrauner, City Manager

Date: September 17, 2025

**§26.05(b) of Property Tax Code
Steps Required for Adoption of Tax Rate & Budget**

Entity Name: City of Rockport

Date: 09/03/2025 10:35 AM

Language Required in the Motion Setting This Year's Tax Rate:

This year's proposed tax rate exceeds the no-new-revenue tax rate. The vote on the ordinance, resolution, or order setting the tax rate must be a record vote and 60% of the governing body must vote in favor of the adoption of the tax rate. A motion to adopt the ordinance, resolution, or order must be made in the following form:

I move that the property tax rate be increased by the adoption of a tax rate of 0.426475, which is effectively a 11.16 percent increase in the tax rate.

Statement Required in the Ordinance, Resolution, or Order Setting:

This year's levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy. The following statements must be included in the ordinance, resolution, or order setting this year's tax rate. The statements must be in larger type than the type used in any other portion of the document.

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 3.50 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-4.14.

Statement That Must be Posted on the Home Page of Any Internet Website Operated by the Taxing Unit:

This year's levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy. The following statements must be included in the ordinance, resolution, or order setting this year's tax rate. The statements must be in larger type than the type used in any other portion of the document.

City of Rockport ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.50 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-4.14.

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE ASSESSMENT AND RENDITIONS FOR THE 2025 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 2025 OF \$0.231403 FOR THE PURPOSE OF MAINTENANCE AND OPERATION, \$0.195072 FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON DEBT OF THE CITY FOR A TOTAL TAX RATE OF \$0.426475; 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 3.50 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-4.14.

WHEREAS, the City Council of Rockport, Texas is considering approving and adopting a Budget for the operations and debt service for the City for Fiscal Year 2025-2026); and

WHEREAS, the aforesaid Ordinance anticipates the required levy of an *ad valorem tax* on all taxable property in the City of Rockport; and

WHEREAS, the Chief Appraiser of Aransas County Tax Appraisal District has prepared and certified the appraisal roll for the City of Rockport, Texas, that roll being that portion of the approved appraisal roll of the Aransas County Tax Appraisal District which lists property taxable by the City of Rockport, Texas; and

WHEREAS, it is necessary to levy such an *ad valorem tax* at a given rate to generate revenues sufficient to meet the projected expenses of the City for FY 2025-2026; and

WHEREAS, the City has fully and timely complied with all notice and other requirements relative to the adoption of a tax rate for FY 2025-2026.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS, THAT:

Section 1: There is hereby levied for the FY 2025-2026 upon all real property situated within the corporate limits of the City of Rockport, Texas, and upon all personal property which was owned within the corporate limits of the City of Rockport, Texas, on January 1, 2025, except so much thereof as may be exempt by the Constitution or laws of the State of Texas, a total tax of \$0.426475 on each \$100 of assessed valuation on all taxable property, which total tax herein so levied shall consist and be comprised of the following components:

a) An *ad valorem* tax rate of \$.231403 on each \$100 of assessed valuation of all taxable property is hereby levied for general City purposes and to pay the current operating expenses of the City of Rockport, Texas, for the fiscal year ending September 30, 2026, which tax, when collected shall be appropriated to and for the credit of the General Fund of the City of Rockport, Texas.

b) An *ad valorem* tax rate of \$.195072 on each \$100 of assessed valuation of taxable property is hereby levied for the purpose of creating an Interest and Sinking Fund with which to pay the interest and principal of the valid bonded indebtedness, and related fees of the City of Rockport, now outstanding and such tax, when collected, shall be appropriated and deposited in and to the credit of the general Debt Service Fund of the City of Rockport, Texas, for the fiscal year ending September 30, 2026.

Section 2: The City of Rockport shall have lien on all taxable property located in the City of Rockport to secure the payment of taxes, penalty, and interest, and all costs of collection, assessed and levied hereby.

Section 3: Taxes are payable in Rockport, Texas at the Office of the Tax Assessor Collector of Aransas County, Texas. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this Ordinance.

Section 4: The tax roll presented to the City Council, together with any supplements thereto, are hereby accepted and approved.

Section 5: Should any paragraph, sentence, provision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance, as a whole or any part or provision thereof, other than the part or parts adjudged to be invalid, illegal, or unconstitutional.

Section 6: This Ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

Section 7: All other ordinances and Code provisions in conflict herewith are hereby repealed, but only to the extent of any such conflict or inconsistency and all other provisions of the Rockport City Code not in conflict herewith shall remain in full force and effect.

Section 8: The repeal of any ordinance or parts thereof by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as affecting any rights of the City under any section or provision of any ordinances at the time of passage of this Ordinance.

APPROVED on first reading on the 12th day of September 2025, by roll call vote as follows:

FOR MOTION:

AGAINST MOTION:

CITY OF ROCKPORT, TEXAS

Tim Jayroe, Mayor

ATTEST:

Shelley Goodwin, City Secretary

APPROVED and PASSED on second and final reading the 23th day of September 2025
by roll call vote as follows:

FOR MOTION:

AGAINST MOTION:

CITY OF ROCKPORT, TEXAS

Tim Jayroe, Mayor

ATTEST:

Shelley Goodwin, City Secretary



AGENDA MEMO

DEPARTMENT: Finance/Utility Billing

TO: Mayor and City Council

FROM: Robbie Sorrell, Finance Director

MEETING DATE: September 23, 2025

CATEGORY: Action Item

CAPTION:

Consider the approval of the ratification of the 2025 approved property tax increase to support the FY 2025-2026 Approved Budget and Capital Improvement Plan.

SUMMARY:

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 3.50 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY -\$4.14.

BACKGROUND:

Section 102.007c of the Local Government Code states "Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate as required by Chapter 26, Tax Code, or other law."

FUNDING SOURCE:

Levy

FUNDING IMPACT:

Funds will support the FY 2025-2026 Budget and Capital Improvement Plan.

STAFF RECOMMENDATION:

Staff recommends Council ratify the property tax increase supporting the FY 2025-2026 Annual Budget and Capital Improvement Plan.

STRATEGIC INITIATIVES:

Action Item

ATTACHMENTS:

None

APPROVAL/REVIEW:

Robbie Sorrell, Finance Director

A handwritten signature in blue ink, appearing to read 'Robbie Sorrell', written over a horizontal line.

Date: September 15, 2025

Shelley Goodwin, City Secretary

Date: September 15, 2025

Vanessa Shrauner, City Manager

Date: September 17, 2025



AGENDA MEMO

DEPARTMENT: Finance/Utility Billing

TO: Mayor and City Council

FROM: Robbie Sorrell, Finance Director

MEETING DATE: September 23, 2025

CATEGORY: Ordinance

CAPTION:

Consider the approval on the first or two readings of Ordinance 1994 adopting the 2025-2026 Pay Scales for Pay Plan "A" of the Job Classification and Compensation Plan for the City of Rockport, identified as Exhibit "A", with an effective date of October 1, 2025; repealing all prior Ordinances in conflict herewith; providing a severability clause; and providing an effective date.

SUMMARY:

An Ordinance of the City of Rockport, Texas adopting the 2025-2026 Pay Scales for Pay Plan "A" of the Job Classification and Compensation Plan for the City of Rockport, identified as Exhibit "A", with an effective date of October 1, 2025; Repealing all prior Ordinances in Conflict herewith; Providing a severability Clause; and Providing an Effective Date.

BACKGROUND:

The 2025-2026 Pay Scales for all City personnel, effective October 1, 2025 are more fully described in Exhibit "A" attached hereto and incorporated herein for all purposes.

FUNDING SOURCE:

FUNDING IMPACT:

The new 2025-2026 Pay Scales will be effective October 1, 2025 and were budgeted in the 2025-2026 Fiscal Year Budget.

STAFF RECOMMENDATION:

Staff recommends the approval on the first reading of the Ordinance adopting the 2025-2026 Pay Scales for Pay Plan "A" of the Job Classification and Compensation Plan for the City of Rockport, identified as Exhibit "A", with an effective date of October 1, 2025; Repealing all prior Ordinances in Conflict herewith; Providing a severability Clause; and Providing an Effective Date.

STRATEGIC INITIATIVES:

Ordinance

ATTACHMENTS:

1. Pay Scale Ordinance 9-11-25

2. Exhibit A 9-11-25

APPROVAL/REVIEW:

Robbie Sorrell, Finance Director

Date: September 12, 2025



Shelley Goodwin, City Secretary

Date: September 15, 2025

Vanessa Shrauner, City Manager

Date: September 17, 2025

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROCKPORT, TEXAS, ADOPTING THE 2025-2026 PAY SCALES FOR PAY PLAN “A” OF THE JOB CLASSIFICATION AND COMPENSATION PLAN FOR THE CITY OF ROCKPORT, IDENTIFIED AS EXHIBIT “A,” WITH AN EFFECTIVE DATE OF OCTOBER 1, 2025; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rockport has previously adopted Compensation Plans; and

WHEREAS, the City Council approved the FY 2025-2026 Budget, which included a Compensation Plan; and

WHEREAS, the City Council desires to ensure that the Compensation Plan identified as Exhibit “A” is the only plan in effect;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS:

SECTION 1.

The 2025-2026 Pay Scales for all City personnel, effective October 1, 2025, are more fully described in Exhibit “A,” attached hereto and incorporated herein for all purposes, and are hereby adopted.

SECTION 2.

All previously adopted ordinances and pay scales in conflict with this Ordinance are hereby repealed.

SECTION 3.

If any provision, section, sentence, clause, or phrase of this Ordinance, or the application thereof to any person or circumstance, shall for any reason be held unconstitutional, void, or invalid, the validity of the remaining portions shall not be affected. It is the intent of the City Council that no portion of this Ordinance shall become inoperative or fail by reason of the invalidity of any other portion, and all provisions are declared severable for that purpose.

SECTION 4.

This Ordinance shall become effective upon its adoption on second and final reading by the Rockport City Council and publication of the caption in the official newspaper of the City of Rockport. The Pay Scales adopted herein shall take effect on October 1, 2025.

APPROVED on first reading this 23rd day of September, 2025.

APPROVED, PASSED, AND ADOPTED on second and final reading this 7th day of October, 2025.

CITY OF ROCKPORT, TEXAS

Tim Jayroe, Mayor

ATTEST:

Shelley Goodwin, TRMC/CMC
City Secretary

Council Approved Condrey Salary Survey Pay Plan A Effective 10/01/2025

Grade	Pay Basis	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Annual	26,272.16	26,928.97	27,602.19	28,292.25	28,999.55	29,724.54	30,467.66	31,229.35	32,010.08	32,810.33	33,630.59	34,471.36	35,333.14	36,216.47	37,121.88	38,049.93	39,001.18	39,976.20
	Hourly	12.63	12.95	13.27	13.60	13.94	14.29	14.65	15.01	15.39	15.77	16.17	16.57	16.99	17.41	17.85	18.29	18.75	19.22
2	Annual	27,602.19	28,292.25	28,999.55	29,724.54	30,467.66	31,229.35	32,010.08	32,810.33	33,630.59	34,471.36	35,333.14	36,216.47	37,121.88	38,049.93	39,001.18	39,976.20	40,975.61	42,000.00
	Hourly	13.27	13.60	13.94	14.29	14.65	15.01	15.39	15.77	16.17	16.57	16.99	17.41	17.85	18.29	18.75	19.22	19.70	20.19
3	Annual	28,999.55	29,724.54	30,467.66	31,229.35	32,010.08	32,810.33	33,630.59	34,471.36	35,333.14	36,216.47	37,121.88	38,049.93	39,001.18	39,976.20	40,975.61	42,000.00	43,050.00	44,126.25
	Hourly	13.94	14.29	14.65	15.01	15.39	15.77	16.17	16.57	16.99	17.41	17.85	18.29	18.75	19.22	19.70	20.19	20.70	21.21
4	Annual	30,467.66	31,229.35	32,010.08	32,810.33	33,630.59	34,471.36	35,333.14	36,216.47	37,121.88	38,049.93	39,001.18	39,976.20	40,975.61	42,000.00	43,050.00	44,126.25	45,229.41	46,360.14
	Hourly	14.65	15.01	15.39	15.77	16.17	16.57	16.99	17.41	17.85	18.29	18.75	19.22	19.70	20.19	20.70	21.21	21.74	22.29
5	Annual	32,010.08	32,810.33	33,630.59	34,471.36	35,333.14	36,216.47	37,121.88	38,049.93	39,001.18	39,976.20	40,975.61	42,000.00	43,050.00	44,126.25	45,229.41	46,360.14	47,519.14	48,707.12
	Hourly	15.39	15.77	16.17	16.57	16.99	17.41	17.85	18.29	18.75	19.22	19.70	20.19	20.70	21.21	21.74	22.29	22.85	23.42
6	Annual	33,630.59	34,471.36	35,333.14	36,216.47	37,121.88	38,049.93	39,001.18	39,976.20	40,975.61	42,000.00	43,050.00	44,126.25	45,229.41	46,360.14	47,519.14	48,707.12	49,924.80	51,172.92
	Hourly	16.17	16.57	16.99	17.41	17.85	18.29	18.75	19.22	19.70	20.19	20.70	21.21	21.74	22.29	22.85	23.42	24.00	24.60
7	Annual	35,333.14	36,216.47	37,121.88	38,049.93	39,001.18	39,976.20	40,975.61	42,000.00	43,050.00	44,126.25	45,229.41	46,360.14	47,519.14	48,707.12	49,924.80	51,172.92	52,452.24	53,763.55
	Hourly	16.99	17.41	17.85	18.29	18.75	19.22	19.70	20.19	20.70	21.21	21.74	22.29	22.85	23.42	24.00	24.60	25.22	25.85
8	Annual	37,121.88	38,049.93	39,001.18	39,976.20	40,975.61	42,000.00	43,050.00	44,126.25	45,229.41	46,360.14	47,519.14	48,707.12	49,924.80	51,172.92	52,452.24	53,763.55	55,107.64	56,485.33
	Hourly	17.85	18.29	18.75	19.22	19.70	20.19	20.70	21.21	21.74	22.29	22.85	23.42	24.00	24.60	25.22	25.85	26.49	27.16
9	Annual	39,001.18	39,976.20	40,975.61	42,000.00	43,050.00	44,126.25	45,229.41	46,360.14	47,519.14	48,707.12	49,924.80	51,172.92	52,452.24	53,763.55	55,107.64	56,485.33	57,897.46	59,344.90
	Hourly	18.75	19.22	19.70	20.19	20.70	21.21	21.74	22.29	22.85	23.42	24.00	24.60	25.22	25.85	26.49	27.16	27.84	28.53
10	Annual	40,975.61	42,000.00	43,050.00	44,126.25	45,229.41	46,360.14	47,519.14	48,707.12	49,924.80	51,172.92	52,452.24	53,763.55	55,107.64	56,485.33	57,897.46	59,344.90	60,828.52	62,349.24
	Hourly	19.70	20.19	20.70	21.21	21.74	22.29	22.85	23.42	24.00	24.60	25.22	25.85	26.49	27.16	27.84	28.53	29.24	29.98
11	Annual	43,050.00	44,126.25	45,229.41	46,360.14	47,519.14	48,707.12	49,924.80	51,172.92	52,452.24	53,763.55	55,107.64	56,485.33	57,897.46	59,344.90	60,828.52	62,349.24	63,907.97	65,505.67
	Hourly	20.70	21.21	21.74	22.29	22.85	23.42	24.00	24.60	25.22	25.85	26.49	27.16	27.84	28.53	29.24	29.98	30.72	31.49
12	Annual	45,229.41	46,360.14	47,519.14	48,707.12	49,924.80	51,172.92	52,452.24	53,763.55	55,107.64	56,485.33	57,897.46	59,344.90	60,828.52	62,349.24	63,907.97	65,505.67	67,143.31	68,821.89
	Hourly	21.74	22.29	22.85	23.42	24.00	24.60	25.22	25.85	26.49	27.16	27.84	28.53	29.24	29.98	30.72	31.49	32.28	33.09
13	Annual	47,519.14	48,707.12	49,924.80	51,172.92	52,452.24	53,763.55	55,107.64	56,485.33	57,897.46	59,344.90	60,828.52	62,349.24	63,907.97	65,505.67	67,143.31	68,821.89	70,542.44	72,306.00
	Hourly	22.85	23.42	24.00	24.60	25.22	25.85	26.49	27.16	27.84	28.53	29.24	29.98	30.72	31.49	32.28	33.09	33.91	34.76
14	Annual	49,924.80	51,172.92	52,452.24	53,763.55	55,107.64	56,485.33	57,897.46	59,344.90	60,828.52	62,349.24	63,907.97	65,505.67	67,143.31	68,821.89	70,542.44	72,306.00	74,113.65	75,966.49
	Hourly	24.00	24.60	25.22	25.85	26.49	27.16	27.84	28.53	29.24	29.98	30.72	31.49	32.28	33.09	33.91	34.76	35.63	36.52
15	Annual	52,452.24	53,763.55	55,107.64	56,485.33	57,897.46	59,344.90	60,828.52	62,349.24	63,907.97	65,505.67	67,143.31	68,821.89	70,542.44	72,306.00	74,113.65	75,966.49	77,865.65	79,812.29
	Hourly	25.22	25.85	26.49	27.16	27.84	28.53	29.24	29.98	30.72	31.49	32.28	33.09	33.91	34.76	35.63	36.52	37.44	38.37
16	Annual	55,107.64	56,485.33	57,897.46	59,344.90	60,828.52	62,349.24	63,907.97	65,505.67	67,143.31	68,821.89	70,542.44	72,306.00	74,113.65	75,966.49	77,865.65	79,812.29	81,807.60	83,852.79
	Hourly	26.49	27.16	27.84	28.53	29.24	29.98	30.72	31.49	32.28	33.09	33.91	34.76	35.63	36.52	37.44	38.37	39.33	40.31
17	Annual	57,897.46	59,344.90	60,828.52	62,349.24	63,907.97	65,505.67	67,143.31	68,821.89	70,542.44	72,306.00	74,113.65	75,966.49	77,865.65	79,812.29	81,807.60	83,852.79	85,949.11	88,097.84
	Hourly	27.84	28.53	29.24	29.98	30.72	31.49	32.28	33.09	33.91	34.76	35.63	36.52	37.44	38.37	39.33	40.31	41.32	42.35
18	Annual	60,828.52	62,349.24	63,907.97	65,505.67	67,143.31	68,821.89	70,542.44	72,306.00	74,113.65	75,966.49	77,865.65	79,812.29	81,807.60	83,852.79	85,949.11	88,097.84	90,300.28	92,557.79
	Hourly	29.24	29.98	30.72	31.49	32.28	33.09	33.91	34.76	35.63	36.52	37.44	38.37	39.33	40.31	41.32	42.35	43.41	44.50
19	Annual	63,907.97	65,505.67	67,143.31	68,821.89	70,542.44	72,306.00	74,113.65	75,966.49	77,865.65	79,812.29	81,807.60	83,852.79	85,949.11	88,097.84	90,300.28	92,557.79	94,871.74	97,243.53
	Hourly	30.72	31.49	32.28	33.09	33.91	34.76	35.63	36.52	37.44	38.37	39.33	40.31	41.32	42.35	43.41	44.50	45.61	46.75
20	Annual	67,143.31	68,821.89	70,542.44	72,306.00	74,113.65	75,966.49	77,865.65	79,812.29	81,807.60	83,852.79	85,949.11	88,097.84	90,300.28	92,557.79	94,871.74	97,243.53	99,674.62	102,166.48
	Hourly	32.28	33.09	33.91	34.76	35.63	36.52	37.44	38.37	39.33	40.31	41.32	42.35	43.41	44.50	45.61	46.75	47.92	49.12
21	Annual	74,113.65	75,966.49	77,865.65	79,812.29	81,807.60	83,852.79	85,949.11	88,097.84	90,300.28	92,557.79	94,871.74	97,243.53	99,674.62	102,166.48	104,720.65	107,338.66	110,022.13	112,772.68
	Hourly	35.63	36.52	37.44	38.37	39.33	40.31	41.32	42.35	43.41	44.50	45.61	46.75	47.92	49.12	50.35	51.61	52.90	54.22
22	Annual	81,807.60	83,852.79	85,949.11	88,097.84	90,300.28	92,557.79	94,871.74	97,243.53	99,674.62	102,166.48	104,720.65	107,338.66	110,022.13	112,772.68	115,592.00	118,481.80	121,443.84	124,479.94
	Hourly	39.33	40.31	41.32	42.35	43.41	44.50	45.61	46.75	47.92	49.12	50.35	51.61	52.90	54.22	55.57	56.96	58.39	59.85
23	Annual	90,300.28	92,557.79	94,871.74	97,243.53	99,674.62	102,166.48	104,720.65	107,338.66	110,022.13	112,772.68	115,592.00	118,481.80	121,443.84	124,479.94	127,591.94	130,781.74	134,051.28	137,402.56
	Hourly																		



AGENDA MEMO

DEPARTMENT: Building & Development

TO: Mayor and City Council

FROM: Kimberly Henry, Assistant to the City Manager

MEETING DATE: September 23, 2025

CATEGORY: Action Item

CAPTION:

Consider the approval of the second and final reading of Ordinance 1990 amending the City of Rockport Code of Ordinance Chapter 106 “Tree and Landscape Committee,” Article “In General,” Section 106-5 “Tree and Landscape Committee” to re-align the committee members; and further providing for an effective date, reading, severance, and publication.

SUMMARY:

The current composition of the Tree and Landscape Committee has frequently experienced difficulty achieving a quorum. To address this issue, staff recommends removing the restriction requiring members to also serve on other boards or committees. This change will allow greater flexibility in appointing members from the community, helping the Committee meet quorum requirements and fulfill its responsibilities more effectively.

The only change within the Ordinance between the first and second reading is the correction of the typographical error on page two. No other changes were made.

BACKGROUND:

FUNDING SOURCE:

N/A

FUNDING IMPACT:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of Ordinance 2025-1990 amending the City of Rockport Code of Ordinance Chapter 106 “Tree and Landscape Committee,” Article “In General,” Section 106-5 “Tree and Landscape Committee” to re-align the committee members; and further providing for an effective date, reading, severance, and publication.

STRATEGIC INITIATIVES:

Action Item

ATTACHMENTS:

1. Ord - T&L Committee Members Sept 2025

APPROVAL/REVIEW:



Kimberly Henry, Assistant to the City Manager

Date: September 16, 2025



Shelley Goodwin, City Secretary

Date: September 17, 2025

Vanessa Shrauner, City Manager

Date: September 17, 2025

ORDINANCE NO. 2025 - _____

An Ordinance amending the City of Rockport Code of Ordinance Chapter 106 “Tree and Landscape Committee,” Article “In General,” Section 106-5 “Tree and Landscape Committee” to re-align the committee members; and further providing for an effective date, reading, severance, and publication.

WHEREAS, the Tree and Landscape Committee serves as an advisory board to City staff and the City Council regarding Tree and Landscape regulations; and

WHEREAS, the current composition of the Tree and Landscape Committee has frequently experienced difficulty achieving a quorum; and

WHEREAS, removing the requirement to include members from other committees will allow additional citizens to serve and enable the Committee to more effectively fulfill the duties assigned by ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS:

Section 1. Findings. The findings set out herein are found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes.

Section 2. Amendment. That Chapter 106 “Tree and Landscape Committee,” Article “In General,” Section 106-5 “Tree and Landscape Committee” be hereby amended by adding the language that is underlined (underlined) and deleting the language that is struck (~~struck~~) and by renumbering the subsections to wit:

106-5. Tree and landscape committee.

- (a) There is hereby designated a committee to be known as the tree and landscape committee. This committee is to function as an advisory board to city staff or city council regarding these regulations. Said committee shall be composed of seven members, to wit:

~~(1) Five~~ 7 qualified voters of the City of Rockport.

~~(2) One member from the Rockport Planning and Zoning Commission.~~

~~(3) One member from the Rockport Park and Leisure Service Board.~~

(4) (2) The city landscape official shall serve as ex-officio member to the committee.

- (b) Candidates for the tree and landscape committee shall be appointed by the Rockport City Council. In selecting citizens for the committee, every consideration shall be given to include, but not limited to, landscape architects, urban planners, foresters, arborists, master gardeners, horticulturists, etc. Appointed members shall serve overlapping three-year terms with no more than two members up for reappointment in any one-year cycle. Beginning on the effective date of this chapter, two members will be appointed

for three years, two members for two years and one member for one year. Any vacancy occurring during the unexpired term of a member shall be filled by the city council for the remainder of the unexpired term. The committee shall elect from its members a chairperson and vice-chairperson to serve for one year beginning in July of the year elected.

(c) Meetings and duties of the tree and landscape committee:

(1) The committee shall meet at least once a month or as often as needed to conduct business.

(2) The committee shall make recommendations as necessary for the removal, replacement, protection or maintenance of existing protected trees, significant trees, and newly planted trees; and, possible retention of areas of natural vegetation and use of native species in landscape plans.

Section 3. Effective Date. As provided by Article III, Section 3.11(5) of the Charter of the City of Rockport, this ordinance shall be effective upon adoption or at any later time(s) specified in the ordinance, except that every ordinance imposing any penalty, fine or forfeiture shall become effective only after having been published once in its entirety or summary form, after adoption, in a newspaper designated as the official newspaper of the City.

Section 4. Reading. As provided by Article III, Section 3.11(6) of the Charter of the City of Rockport, the reading aloud of a title and caption of the ordinance shall suffice as a reading provided printed copies of the ordinance in the form required for adoption are in front of all members of the City Council and a reasonable number of additional copies are available to citizens present at the meeting. If a majority of the members present request that the ordinance be read in its entirety, it must be read.

Section 5. Severance. As provided by Chapter 1, Section 1-8 of the Code of Ordinance for the City of Rockport, it is hereby declared to be the intention of the city council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable and, if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code, since the same would have been enacted by the city council without the incorporation in this Code of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 6. Publication. As provided by Article III, Section 3.11(5) of the Charter of the City of Rockport, this ordinance shall be effective upon adoption or at any later time(s) specified in the ordinance, except that every ordinance imposing any penalty, fine or forfeiture shall become effective only after having been published once in its entirety or summary form, after adoption, in a newspaper designated as the official newspaper of the City.

APPROVED, and PASSED the first reading, this _____ day of _____ 20__.

APPROVED, PASSED and ADOPTED on second and final reading, _____ day of _____ 20__.

CITY OF ROCKPORT, TEXAS

Tim Jayroe, Mayor

ATTEST:

Shelley Goodwin, City Secretary



AGENDA MEMO

DEPARTMENT: Finance/Utility Billing

TO: Mayor and City Council

FROM: Robbie Sorrell, Finance Director

MEETING DATE: September 23, 2025

CATEGORY: Resolution

CAPTION:

Consider the approval of Resolution 2025-36R approving and authorizing the execution of an amendment to the Lease/Purchase agreement between the City of Rockport, Texas and Banc of America Leasing & Capital, LLC, to allow for the partial prepayment of debt attributable to their gas system, and to clarify that the obligation is not a taxable direct pay Qualified Energy Conservation Bond; and approving and authorizing the execution of all other instruments and procedures related thereto

SUMMARY:

BACKGROUND:

Discuss and take action on a resolution approving and authorizing the execution of an amendment to the Lease/Purchase agreement between the City of Rockport, Texas and Banc of America Leasing & Capital, LLC, to allow for the partial prepayment of debt attributable to their gas system, and to clarify that the obligation is not a taxable direct pay Qualified Energy Conservation Bond; and approving and authorizing the execution of all other instruments and procedures related thereto

FUNDING SOURCE:

FUNDING IMPACT:

STAFF RECOMMENDATION:

Staff recommends the approval on the first reading of the Resolution amending the Lease/Purchase Agreement between the City of Rockport, Texas and Banc of America Leasing & Capital, LLC.

STRATEGIC INITIATIVES:

Resolution

ATTACHMENTS:

1. Rockport BoA 2017 Amendment Resolution -1

APPROVAL/REVIEW:

Robbie Sorrell, Finance Director

A handwritten signature in blue ink, appearing to read 'Robbie Sorrell', written over a horizontal line.

Date: September 12, 2025

Shelley Goodwin, City Secretary

Date: September 17, 2025

Vanessa Shrauner, City Manager

Date: September 17, 2025

RESOLUTION NO. _____

APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE LEASE/PURCHASE AGREEMENT BETWEEN THE CITY OF ROCKPORT, TEXAS AND BANC OF AMERICA LEASING & CAPITAL, LLC, TO ALLOW FOR THE PARTIAL PREPAYMENT OF DEBT ATTRIBUTABLE TO THE GAS UTILITY SYTEM, AND TO CLARIFY THAT THE OBLIGATION IS NOT A TAXABLE DIRECT PAY QUALIFIED ENERGY CONSERVATION BOND; AND APPROVING AND AUTHORIZING THE EXECUTION OF ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO

**THE STATE OF TEXAS
COUNTY OF ARANSAS
CITY OF ROCKPORT**

§
§
§

WHEREAS, the CITY OF ROCKPORT, TEXAS (the *City*) is a political subdivision of the State of Texas operating as a home rule municipality under the Constitution and laws of the State of Texas and its City Charter, which was initially approved by the voters of the City on April 2, 1983; and

WHEREAS, the City has entered into a Lease/Purchase Agreement with Banc of America Leasing & Capital, LLC (the *Lessor*) dated as of August 8, 2017 (the *Original Agreement*); and

WHEREAS, pursuant to the Original Agreement, the City leased and acquired from Lessor certain Equipment (as such term is defined in the Original Agreement), subject to the terms and conditions set forth in the Original Agreement; and

WHEREAS, the City Council has determined it to be in the City's best interest to sell the City's gas distribution system; and

WHEREAS, the Original Agreement qualified as a "taxable direct pay qualified energy conservation bond," but the City: (1) has not made any claim on, nor has it received, any subsidies from the federal government as a result of such designation, and (2) will not be claiming any subsidies from the federal government in the future in relation to such designation; and

WHEREAS, as a result of the preceding recital, the City and Lessor desire to amend the Original Agreement to strike all references to "Taxable Direct Pay Qualified Energy Conservation Bond" and "qualified energy conservation bond" and to strike Section 4.05 ("Tax Covenants") in its entirety; and

WHEREAS, Section 10.01 of the 2017 Agreement, as worded, only allows for the City to "*purchase all, but not less than all, of the equipment... from and after the date specified... in the Payment Schedule (the 'Purchase Option Commencement Date'), on the Rental Payment dates specified in the Payment Schedule, upon not less than thirty (30) days' prior written notice, and upon payment in full of the Rental Payments then due and all other amounts then owing hereunder plus the then applicable Purchase Price, to include a prepayment premium on the unpaid balance as set forth in the Payment Schedule*"—however, the Lessor has agreed to permit the partial payment for the equipment allocable to the City's gas distribution system; and

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

SECTION 1. Definitions. Terms not otherwise defined herein shall have the meanings assigned to them in the attached Amendment Number 1 to the Equipment Lease/Purchase Agreement, attached hereto as Exhibit A (the *Amendment*).

SECTION 2. Approval of Amendment. The Amendment, in substantially the form and substance attached hereto as Exhibit A, is hereby approved, and the Mayor, City Manager, and Director of Finance (each, an *Authorized Official*) are hereby authorized to execute the Amendment and approve any changes made to the Amendment from the form approved by this Resolution, such approval to be evidenced by the execution of the Amendment, provided that such changes are not inconsistent with this Resolution.

SECTION 3. Incorporation of Recitals. The City hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the City hereby incorporates such recitals as a part of this Resolution.

SECTION 5. Conflicts. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 6. Legal Provisions. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7. Severability. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 8. Open Meetings Act Compliance. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

SECTION 9. Delegation. The City hereby delegates to each Authorized Official the authority from time to time to do anything and to perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the City all such instruments and documentation to effectuate the purposes of this Resolution, whether or not herein mentioned.

SECTION 10. Effectiveness. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

* * *

***PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT,
TEXAS AT A REGULAR MEETING ON THE 23RD DAY OF SEPTEMBER, 2025, AT WHICH
MEETING A QUORUM WAS PRESENT.***

Mayor
City of Rockport, Texas

ATTEST:

City Secretary
City of Rockport, Texas

(Seal)

** ** ** ** **

EXHIBIT A
AMENDMENT NUMBER 1 TO EQUIPMENT LEASE/PURCHASE AGREEMENT

Amendment Number 1
to
Equipment Lease/Purchase Agreement

This Amendment Number 1 (this "**Amendment**") is made this 29th day of September, 2025 to that certain Equipment Lease/Purchase Agreement dated as of August 8, 2017 (together with all exhibits, schedules, addenda, amendments, modifications, riders, and other documents and instruments thereto, the "**Agreement**"), between Banc of America Leasing & Capital, LLC ("**Lessor**") and City of Rockport, Texas ("**Lessee**").

W I T N E S S E T H:

WHEREAS, Lessor and Lessee are parties to the Agreement; and

WHEREAS, Lessee has notified Lessor of its intention to sell certain Equipment (the "**Disposed Equipment**") under the Agreement on or before September 29, 2025;

WHEREAS, in connection with the sale of the Disposed Equipment, Lessee will make a partial prepayment of \$2,352,642.51 to Lessor on or before September 29, 2025 (the "**Partial Prepayment**");

WHEREAS, the Agreement qualified as a "taxable direct pay qualified energy conservation bond," but the Lessee: (1) has not made any claim on, nor has it received, any subsidies from the federal government as a result of such designation, and (2) will not be claiming any subsidies from the federal government in the future in relation to such designation;

WHEREAS, as a result of the preceding recital, the Lessee and Lessor desire to amend the Agreement to strike all references to "Taxable Direct Pay Qualified Energy Conservation Bond" and "qualified energy conservation bond" and to strike Section 4.05 ("Tax Covenants") in its entirety; and

WHEREAS, Lessor and Lessee desire to amend certain provisions of the Agreement to reflect the release of the Disposed Equipment and the delivery of the Partial Prepayment.

NOW, THEREFORE, in consideration of the mutual covenants and promises as hereinafter set forth, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The Agreement is hereby amended by deleting Exhibit A Equipment Schedule in its entirety and replacing it with the Exhibit A Equipment Schedule that is attached hereto and incorporated herein by reference.
2. The Agreement is hereby amended by deleting Exhibit B Payment Schedule in its entirety and replacing it with the Exhibit B Payment Schedule that is attached hereto and incorporated herein by reference.
3. The Agreement is hereby amended to by deleting the third recital in its entirety, and all references to "Taxable Direct Pay Qualified Energy Conservation Bond," "qualified energy energy conservation bond," "Section 54A of the Internal Revenue Code of 1986," and "Section 54D of the Internal Revenue Code of 1986."
4. The Agreement is hereby amended by deleting Section 4.05 ("Tax Covenants").
3. It is the intention of Lessor and Lessee that, upon execution, this Amendment shall constitute a part of the Agreement. Except as amended hereby, the Agreement shall remain in full force and effect and is in all respects hereby ratified and affirmed. To the extent that the provisions of this Amendment conflict with the provisions of the Agreement, the provisions of this Amendment shall control. Capitalized terms not otherwise defined herein shall have the meanings ascribed them in the Agreement.

IN WITNESS WHEREOF, the parties, each by its duly authorized officer or agent, have duly executed and delivered this Amendment, which is intended to take effect as a sealed instrument, as of the day and year first written above.

Banc of America Leasing & Capital LLC (Lessor)

City of Rockport, Texas (Lessee)

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Equipment Schedule

EXHIBIT A

EQUIPMENT SCHEDULE

Location of Equipment: Various locations within the boundaries of the City of Rockport, Texas or its utility service area.

Equipment Description (Scope of Work):

Measure	Scope Summary
Measure 1. Metering and Data Acquisition Infrastructure Improvements	• Install a fixed-base Itron OpenWay Riva Advanced Metering Infrastructure system • Install a Itron encoder retriever transmitter (ERT) for 9,015 water meters and integrate them in to the AMI network • Install a total of 9,015 water meters in place of the existing meters - Install 8,775 Sensus iPerl water meters at small service (less than 1.5 inch) locations in place of existing meters - Install 240 OMNI T2 water meters at intermediate service (greater than or equal to 1.5 inch) locations in place of existing meters
Measure 2. Facility Lighting Improvements	• Install 889 interior lighting lamp or fixture retrofit to LED • Install interior lighting occupancy controls at 102 locations • Install 113 exterior lighting lamp or fixture retrofit to LED • Install 19 streetlight LED luminaires • Install 14 poles with 104 LED fixtures at ball fields
Measure 3. Facility HVAC Improvements	• Install one 10 nominal ton split-system AC system • Install one 10 nominal ton rooftop package AC unit • Install 17 network capable thermostats
Measure 4. Variable Speed Aeration Blowers	• Install three variable speed blowers at the wastewater plant

EXHIBIT B PAYMENT SCHEDULE							Purchase Price (including prepayment premium, if applicable)
Rental Payment Date	Taxable Termination Amount	Taxable Termination Premium	Rental Payment Amount	Interest Portion	Principal Portion	Outstanding Balance	
6/1/2018			\$ 321,606.92	\$ 321,606.92	\$ -	\$ 9,319,538.65	\$ 9,505,929.42
12/1/2018			\$ 367,274.75	\$ 197,574.22	\$ 169,700.53	\$ 9,149,838.12	\$ 9,332,834.89
6/1/2019			\$ 364,792.03	\$ 193,976.57	\$ 170,815.46	\$ 8,979,022.66	\$ 9,158,603.12
12/1/2019			\$ 369,363.00	\$ 190,355.28	\$ 179,007.72	\$ 8,800,014.95	\$ 8,976,015.24
6/1/2020			\$ 366,744.11	\$ 186,560.32	\$ 180,183.80	\$ 8,619,831.15	\$ 8,792,227.77
12/1/2020			\$ 371,386.53	\$ 182,740.42	\$ 188,646.11	\$ 8,431,185.04	\$ 8,599,808.74
6/1/2021			\$ 368,626.63	\$ 178,741.12	\$ 189,885.51	\$ 8,241,299.53	\$ 8,406,125.52
12/1/2021			\$ 373,343.61	\$ 174,715.55	\$ 198,628.06	\$ 8,042,671.47	\$ 8,203,524.90
6/1/2022			\$ 370,437.68	\$ 170,504.64	\$ 199,933.04	\$ 7,842,738.43	\$ 7,999,593.20
12/1/2022			\$ 337,639.66	\$ 166,266.05	\$ 171,373.60	\$ 7,671,364.82	\$ 7,824,792.12
6/1/2023			\$ 335,132.46	\$ 162,632.93	\$ 172,499.53	\$ 7,498,865.29	\$ 7,648,842.60
12/1/2023			\$ 378,144.30	\$ 158,975.94	\$ 219,168.35	\$ 7,279,696.94	\$ 7,425,290.88
6/1/2024			\$ 374,937.86	\$ 154,329.58	\$ 220,608.29	\$ 7,059,088.66	\$ 7,200,270.43
12/1/2024			\$ 379,891.36	\$ 149,652.68	\$ 230,238.68	\$ 6,828,849.97	\$ 6,965,426.97
6/1/2025			\$ 376,522.97	\$ 144,771.62	\$ 231,751.35	\$ 6,597,098.62	\$ 6,729,040.59
9/29/2025	\$ 2,352,642.51	\$ 44,332.50	\$ 2,308,310.01	\$ 91,685.01	\$ 2,216,625.00	\$ 4,380,473.62	\$ 4,468,083.09
12/1/2025			\$ 210,531.16	\$ 31,987.19	\$ 178,543.97	\$ 4,201,929.65	\$ 4,285,968.25
6/1/2026			\$ 249,931.21	\$ 89,080.91	\$ 160,850.30	\$ 4,041,079.35	\$ 4,121,900.94
12/1/2026			\$ 253,312.20	\$ 85,670.88	\$ 167,641.32	\$ 3,873,438.04	\$ 3,950,906.80
6/1/2027			\$ 250,859.61	\$ 82,116.89	\$ 168,742.72	\$ 3,704,695.32	\$ 3,778,789.22
12/1/2027			\$ 197,224.99	\$ 78,539.54	\$ 118,685.45	\$ 3,586,009.87	\$ 3,657,730.07
6/1/2028			\$ 195,488.62	\$ 76,023.41	\$ 119,465.21	\$ 3,466,544.66	\$ 3,535,875.56
12/1/2028			\$ 256,889.60	\$ 73,490.75	\$ 183,398.85	\$ 3,283,145.81	\$ 3,348,808.73
6/1/2029			\$ 254,206.47	\$ 69,602.69	\$ 184,603.78	\$ 3,098,542.03	\$ 3,160,512.87
12/1/2029			\$ 257,764.91	\$ 65,689.09	\$ 192,075.82	\$ 2,906,466.21	\$ 2,964,595.53
6/1/2030			\$ 254,954.84	\$ 61,617.08	\$ 193,337.76	\$ 2,713,128.45	\$ 2,767,391.02
12/1/2030			\$ 258,569.96	\$ 57,518.32	\$ 201,051.64	\$ 2,512,076.81	\$ 2,562,318.34
6/1/2031			\$ 255,628.58	\$ 53,256.03	\$ 202,372.55	\$ 2,309,704.26	\$ 2,355,898.34
12/1/2031			\$ 259,302.93	\$ 48,965.73	\$ 210,337.20	\$ 2,099,367.06	\$ 2,141,354.40
6/1/2032			\$ 256,225.70	\$ 44,506.58	\$ 211,719.11	\$ 1,887,647.94	\$ 1,925,400.90
12/1/2032			\$ 259,959.67	\$ 40,018.14	\$ 219,941.53	\$ 1,667,706.41	\$ 1,701,060.54
6/1/2033			\$ 256,741.92	\$ 35,355.38	\$ 221,386.55	\$ 1,446,319.86	\$ 1,475,246.26
12/1/2033			\$ 260,536.78	\$ 30,661.98	\$ 229,874.80	\$ 1,216,445.07	\$ 1,240,773.97
6/1/2034			\$ 257,173.71	\$ 25,788.64	\$ 231,385.07	\$ 985,059.99	\$ 1,004,761.19
12/1/2034			\$ 261,030.55	\$ 20,883.27	\$ 240,147.28	\$ 744,912.72	\$ 759,810.97
6/1/2035			\$ 257,517.19	\$ 15,792.15	\$ 241,725.04	\$ 503,187.67	\$ 513,251.43
12/1/2035			\$ 261,437.64	\$ 10,667.58	\$ 250,770.06	\$ 252,417.62	\$ 257,465.97
6/1/2036			\$ 257,768.87	\$ 5,351.25	\$ 252,417.62	\$ 0.00	\$ 0.00
			\$ 13,247,210.98	\$ 3,927,672.33	\$ 9,319,538.65		



AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor and City Council

FROM: Shelley Goodwin, City Secretary

MEETING DATE: September 23, 2025

CATEGORY: Resolution

CAPTION:

Consider the approval of Resolution 25025-37R appointing two members and reappointing two members for a three-year term to the Tree and Landscape Committee.

SUMMARY:

A Resolution was created to help with the tracking and history of the appointments and reappointments. There are 2 vacancies that need to be filled and 2 appointments. The City has received 3 applications which are attached.

BACKGROUND:

With the recent changes to the composition of the Committee, this has removed some of the restrictions on appointments. One of the reappointments should have been made last year, so this term will expire in 2027. The City has received 2 applications for this Committee and staff is recommending the appointments. The Resolution will need to be amended to include the two appointments.

FUNDING SOURCE:

FUNDING IMPACT:

STAFF RECOMMENDATION:

Staff recommend the approval of the Resolution.

STRATEGIC INITIATIVES:

Preserve & Enhance Natural Resources Resolution

ATTACHMENTS:

1. Redacted applications
2. RESOLUTION NO. reappoint and appointments Tree

APPROVAL/REVIEW:



Shelley Goodwin, City Secretary

Date: September 17, 2025

Vanessa Shrauner, City Manager

Date: September 17, 2025



Board & Commission Application

NOTE: All information on this application is public information pursuant to the provisions of the Texas Public Information Act.

Step 1: Complete the application indicating your top Board choices. Please include a resume.

Step 2: Complete both sides of application and attach your biographical information or resume

Step 3: Submit the application packet to **one** of the following:

EMAIL: sgoodwin@rockporttx.gov

MAIL: City Secretary
2751 S.H. 35 Bypass
Rockport, Texas 78382

PHONE: (361) 729-2213, ext. 225

Name: Nancy Boltin

Residential Address: 201 Spanish Woods Dr.
Rockport, Tx 78382

Telephone: _____ **Cell Phone #:** 361-947-9425

Email: _____

Do you live inside the City Limits? Yes

Are you a registered to vote in City Elections? Yes

Occupational Information: Small Business Owner - Bella la Brew

Please indicate, in order of preference Boards on which you would like to serve:

Tree & Landscaping Commission _____

If your preferences have requirements, please include the Requirement Form.

Signature: Nancy Boltin **Date:** 7/2/2025

Applications will be kept on file for 1 year from the signature date.

City of Rockport Boards and Commissions Requirements

If you are interested in serving on a Board or Commission with requirements, please check those requirements that pertain to you and submit this form along with your application and your resume or biographical information.

1. Zoning Board of Adjustments/Building Standards Commission

☐ Registered voter of the City of Rockport

2. Convention and Visitor Bureau Board

- ☐ Lodging Owner/Manager
- ☐ Tourism Industry Owner/Manager
- ☐ Restaurant Industry Owner/Manager
- ☐ Art Industry Owner/Manager
- ☐ Historical Industry Owner/Manager
- ☐ Member of Rockport/Fulton Chamber of Commerce

3. Planning and Zoning Commission

☐ Registered voter of the City of Rockport

4. Park and Leisure Services Advisory Board

- ☐ Registered voter of the City of Rockport
- ☐ Ward member #

5. Reinvestment Zone Number One, Board of Directors

- ☐ At least 18 years of age
- ☐ Resident of Aransas County
- ☐ Country adjacent to Aransas County
- ☐ Own real property in the Zone.

6. Tree & Landscaping Commission

- ☒ Registered voter of the City of Rockport
- ☐ One member from the Rockport Planning and Zoning Commission
- ☐ One member from the Rockport Park and Leisure Service Board
- ☐ The city landscape official shall serve as ex-officio member to the committee.

Additional Requirements:

In addition to participating in monthly meetings, members will complete training annually on open meetings and ethics. Prior to meetings, members should prepare by reviewing the agenda packet, visiting affected properties if needed, and researching the project or ordinance. This will take approximately 1 to 2 hours per month.

Board and Commission Application - Submission #844

Date Submitted: 7/11/2025



BOARD & COMMISSION APPLICATION

NOTE: All information on this application is public information pursuant to the provisions of the Texas Public Information Act.

Step 1: Complete the application indicating your top Board choices. Please include a resume or biographical information.

Step 2: Complete both sides of application

Step 3: Submit the application packet to one of the following:

EMAIL: sgoodwin@rockporttx.gov

MAIL: City Secretary
2751 S.H. 35 Bypass
Rockport, Texas 78382

PHONE: (361) 729-2213, ext. 225

First Name*

Kendal

Last Name*

Keyes

Address1*

111 Peachtree Drive

City*

Rockport

State*

TX

Zip*

78382

Telephone:

3615379029

Cell Phone #:

Email:*

Do you live inside the City Limits?*

Yes



Are you a registered to vote in City Elections?*

Yes



Occupational Information:*

Retired

Are you at least 18 years old?*

☒ Yes

☐ No

Please indicate, in order of preference Boards on which you would like to serve:*

Tree Committee

By typing your, it will act as your authorized signature.*

Date*

Kendal Keyes

7/11/2025

Applications will be kept on file for 1 year from the signature date.

City of Rockport Boards and Commissions Requirements

If you are interested in serving on a Board or Commission with requirements, please check those requirements that pertain to you and submit this form along with your application.

1. Zoning Board of Adjustments/Building Standards Commission

-- Select One --



2. Convention and Visitor Bureau Board

-- Select One --



3. Planning and Zoning Commission

-- Select One --



4. Park and Leisure Services Advisory Board

-- Select One --



5. Reinvestment Zone Number One, Board of Directors*

Resident of Aransas County



6. Tree & Landscaping Commission

Registered voter of the City of Rockport



Additional Requirements:

In addition to participating in monthly meetings, members will complete training annually on open meetings and ethics. Prior to meetings, members should prepare by reviewing the agenda packet, visiting affected properties if needed, and researching the project or ordinance. This will take approximately 1 to 2 hours per month.

☒
--



Board & Commission Application

NOTE: All information on this application is public information pursuant to the provisions of the Texas Public Information Act.

Step 1: Complete the application indicating your top Board choices. Please include a resume.

Step 2: Complete both sides of application and attach your biographical information or resume

Step 3: Submit the application packet to **one** of the following:

EMAIL: sgoodwin@rockporttx.gov

MAIL: City Secretary
2751 S.H. 35 Bypass
Rockport, Texas 78382

PHONE: (361) 729-2213, ext. 225

Name: SANDY SWANSON

Residential Address: 112 Lee Circle, RPT, 78382

Telephone: _____ **Cell Phone #:** 361-463-1293

Email: _____

Do you live inside the City Limits? yes

Are you a registered to vote in City Elections? yes

Occupational Information: R/E brokerage, mbr. ARB Board.

Please indicate, in order of preference Boards on which you would like to serve:

Zoning, planning, tree

If your preferences have requirements, please include the Requirement Form.

Signature: Sandy Swanson **Date:** 7/26/25

Applications will be kept on file for 1 year from the signature date.

City of Rockport Boards and Commissions Requirements

If you are interested in serving on a Board or Commission with requirements, please check those requirements that pertain to you and submit this form along with your application and your resume or biographical information.

1. Zoning Board of Adjustments/Building Standards Commission

☒ Registered voter of the City of Rockport

2. Convention and Visitor Bureau Board

- ☐ Lodging Owner/Manager
- ☐ Tourism Industry Owner/Manager
- ☐ Restaurant Industry Owner/Manager
- ☐ Art Industry Owner/Manager
- ☐ Historical Industry Owner/Manager
- ☐ Member of Rockport/Fulton Chamber of Commerce

3. Planning and Zoning Commission

☒ Registered voter of the City of Rockport

4. Park and Leisure Services Advisory Board

- ☐ Registered voter of the City of Rockport
- ☐ Ward member #

5. Reinvestment Zone Number One, Board of Directors

- ☐ At least 18 years of age
- ☐ Resident of Aransas County
- ☐ Country adjacent to Aransas County
- ☐ Own real property in the Zone.

6. Tree & Landscaping Commission

- ☒ Registered voter of the City of Rockport
- ☐ One member from the Rockport Planning and Zoning Commission
- ☐ One member from the Rockport Park and Leisure Service Board
- ☐ The city landscape official shall serve as ex-officio member to the committee.

Additional Requirements:

In addition to participating in monthly meetings, members will complete training annually on open meetings and ethics. Prior to meetings, members should prepare by reviewing the agenda packet, visiting affected properties if needed, and researching the project or ordinance. This will take approximately 1 to 2 hours per month.

RESOLUTION NO. 2025- R

**A RESOLUTION REAPPOINTING TWO MEMBERS TO THE TREE AND
LANDSCAPE COMMITTEE AND APPOINTING TWO MEMBERS
FOR A THREE-YEAR TERM.**

WHEREAS, the City of Rockport is committed to promoting and protection of the trees; and

WHEREAS, the Tree and Landscape Committee plays a vital role in the removal, replacement, protection, or maintenance of protected trees upon real property, public or private and within streets and rights-of-way as designated; and

WHEREAS, the City Council desires to reappoint and appoint qualified members to the Committee to continue their valuable service to the City; and

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

SECTION 1. That the following individuals are hereby reappointed to Tree and Landscape Committee for the following terms:

- Reappointment of Laura Denham expiring July 2027
- Reappointment of Linda Frank expiring July 2028
- Appointment of Kendal Keyes expiring July 2028
- Appointment of Sandy Swanson expiring July 2028

SECTION 2. That this Resolution shall be effective immediately upon its passage and approval.

PASSED AND APPROVED by the City Council of the City of Rockport, Texas, this the 23rd day of September, 2025.

CITY OF ROCKPORT, TEXAS

Tim Jayroe, Mayor

ATTEST:

Shelley Goodwin
City Secretary



AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor and City Council

FROM: Shelley Goodwin, City Secretary

MEETING DATE: September 23, 2025

CATEGORY: Action Item

CAPTION:

Consider approval of a special event temporary sign (banner), as approved by TxDOT and requested by Piecemakers by the Bay Quilt Guild, to be displayed from December 31, 2025, through January 31, 2026, on Business 35 near Wal-Mart.

SUMMARY:

The City received a request to hang a banner across 35 by Wal-Mart.

BACKGROUND:

TxDOT approved the hanging of the banner, so the next step is for the City Council to approve the banner to be hung within the city limits. The hanging and removal of the banner is the responsibility of the requestor.

FUNDING SOURCE:

FUNDING IMPACT:

STAFF RECOMMENDATION:

STRATEGIC INITIATIVES:

Action Item

ATTACHMENTS:

1. Banner Application_Redacted

APPROVAL/REVIEW:

Shelley Goodwin, City Secretary

Date: September 17, 2025

Date: September 17, 2025

Vanessa Shrauner, City Manager



Application for Use of Texas Right of Way for Temporary Signs for Special Events

Please print or type information

Form 2057
(Rev. 01/22)
Page 1 of 3

To the Texas Department of Transportation (TxDOT)
c/o District Engineer Rockport, Texas

Date: 30 July 2025

This form must be received at least 7 days prior to proposed use on the right of way.

Applicant Piecemakers by the Bay Quilt Guild proposes to place a
sign within the right of way of Highway Business 35 Location next to Walmart
Rockport Texas in Aransas County, Texas.

☐ Check here for placement of multiple signs and submit the information requested on the Supplemental Sheet.

The temporary structure/vehicle will be placed above the highway feet from the roadway and will have
the following characteristics:

Mounting Height _____ Thickness _____
Sign Dimensions (Height, Width, Length) 4x30'
Sign Material Mesh
Sign Support Dimensions _____
Sign Support Material _____
Proposed Text _____

Background Color White Legend Color Quilt Show Host Weekend in

The right of way will be used FROM DATE Dec 31 2026 TO DATE Jan 31 2026 January
(maximum of 60 days) and the nature of the event is Quilt Show

The sponsor of the event, if applicable, is Piecemakers by the Bay Quilt Guild

I will avoid or minimize impacts, and will, at my own expense, restore or repair damage resulting from this event.

I will be responsible for any damages or accidents that may occur during the term of this permit and save TxDOT and
the State of Texas harmless.

I will abide by all applicable federal, state and local environmental laws, regulations, ordinances, and any conditions
or restrictions required by TxDOT to protect natural and cultural resources of the right of way.

If this event causes hazardous traffic conditions to develop, I will cease the activity until corrective measures have
been implemented.

It is expressly understood that TxDOT reserves the right to enforce the terms and conditions that it may deem
necessary for the protection of the transportation facility and safety of the traveling public. /

By signing below, I agree to the conditions/provisions included in this application. I am authorized to sign on the
behalf of the organization holding the event.

Piecemakers by the Bay Quilt Guild
Applicant Mita Anne McBee
By Publicity Chair
Title Mita Anne McBee
Signature

224 Starboard Ave
Mailing Address
Rockport TX 78382
City State Zip
713 409 4673
Area Code Telephone Number

Approval

<u>PeaceMakers by the Bay Quilt Guild</u>	
Name of Applicant	<u>Rockport</u>
Control Number	Section <u>Aransas</u>
<u>BS 35</u>	County <u>1/31/26</u>
Highway Number	Termination Date of Agreement
<u>12/31/25</u>	
Start Date of Agreement	

Signs must be constructed of heavy cardboard, plastic, fabric mesh or plywood, no thicker than ¼ inch.

An approved sign must not:

- exceed 16 square feet in placed on the roadside to inform the traveling public;
- exceed four square feet if used to guide participants in a bicycle or pedestrian event;
- extend more than three feet beyond the pavement edge if the sign is a banner; or
- imitate or resemble any official traffic sign, signal, or device.

An approved sign may not be placed:

- in a location where it may prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic;
- on any highway appurtenances, including, but not limited to bridges, traffic control devices, official signs, sign supports, and light standards, poles, and delineators;
- on a tree or other natural feature;
- less than 18 ½ feet (clear) above the pavement if the sign is a banner placed over the pavement; or
- closer to the pavement edge than official highway signs, except for those signs used to guide participants in a bicycle or and pedestrian event.

TxDOT reserves the right to remove a sign if it becomes a hazard due to inclement weather, inadequate maintenance, accidental damage, or other hazardous cause. A sign approved for temporary use may not be erected more than 24 hours prior to the event. However, if the sign is a banner it may be installed no more than 30 days prior to the event.

It is understood that a sign must be removed within 24 hours of the completion of the event; except banners shall be removed within seven days of the completion of the event. A special event sign not removed within the allotted time is subject to removal by TxDOT and the applicant is liable for removal and disposal costs.

It is expressly understood that TxDOT does not purport, hereby, to grant any right, claim, title, or easement in or upon this highway. In the event the party fails to comply with any or all of the requirements as set forth herein, the approval may be revoked and TxDOT may take appropriate action.

<u>Wayne Scott</u>	<u>1401 FM 3036</u>
Name	Address
<u>Mike Walsh</u>	
District Engineer	
<u>Cathy Pruitt</u>	<u>Rockport</u>
Signature, TxDOT Representative	City, <u>TX</u> <u>78382</u>
	State Zip
	<u>361</u> <u>729-2411</u>
	Area Code Telephone Number
Date of Final Approval	



AGENDA MEMO

DEPARTMENT: City Manager

TO: Mayor and City Council

FROM: Vanessa Shrauner, City Manager

MEETING DATE: September 23, 2025

CATEGORY: Presentation

CAPTION:

Consider providing directions regarding Senate Bill 1494, passed during the 89th Legislative Session, which allows political subdivisions to move their general election to November during odd years.

SUMMARY:

With the recent Charter Amendment to the terms of offices, it would be consistent with the new law if the Council chooses General Elections from May or November.

BACKGROUND:

During the recent Charter Review process, it was discussed moving the general elections to the November uniform election date if that opportunity presented itself. There are pros and cons to moving the General Election to November, but if the Council chooses to do this, then staff can bring back a Resolution for consideration at the October 14th Regular Meeting.

FUNDING SOURCE:

N/A

FUNDING IMPACT:

N/A

STAFF RECOMMENDATION:

Staff recommends leaving the elections in May so as to highlight City issues on election years.

STRATEGIC INITIATIVES:

Presentation

ATTACHMENTS:

1. Charter 9_23 Agenda

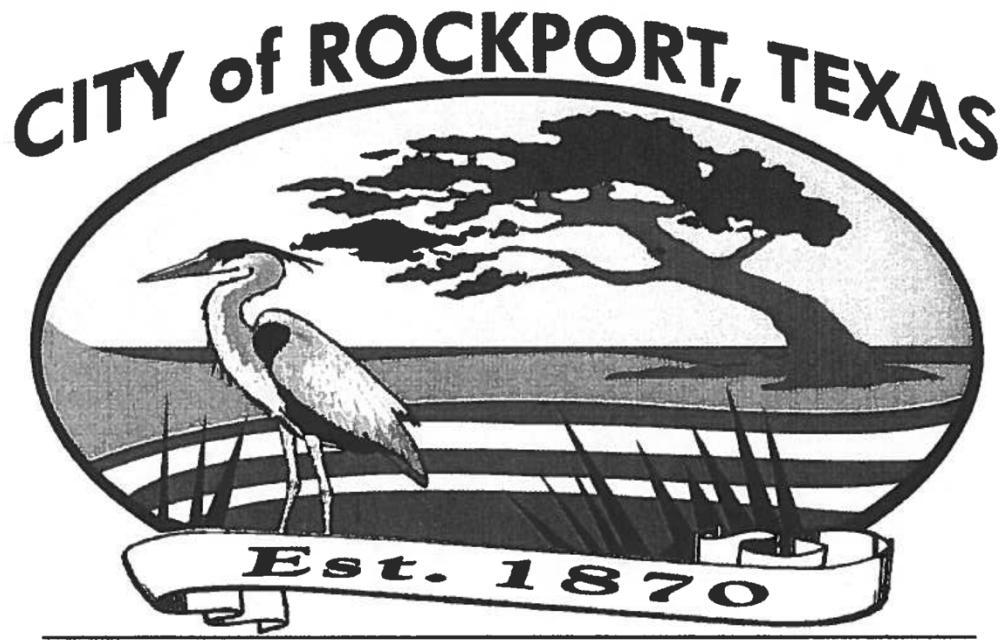
APPROVAL/REVIEW:

Date: September 16, 2025

Shelley Goodwin, City Secretary

Date: September 17, 2025

Vanessa Shrauner, City Manager



HOME RULE CHARTER

City of Rockport

May 2023

Home Rule Charter

Original Adoption

April 12, 1983

Amended

May 23, 1989

January 18, 1992

May 7, 1994

May 7, 1994

2004 Amendment

Election Date: May 15, 2004

Canvass Date: May 25, 2004

2023 Amendment

Election Date: May 6, 2023

Canvass Date: May 17, 2023

Filed _____, 2024

Office of Secretary of State

Aransas County Clerk

Rockport City Council

The Honorable Lowell Timothy “Tim” Jayroe

The Honorable Andrea Hattman, Mayor Pro Tempore

The Honorable Katy Jackson

The Honorable Danielle Hale

The Honorable Brad Brundrett

Charter Review Commission

Thomas “Tom” J. Blazek, Chairman

George “Doug” Webb

Diedra Amaya

J. Mark Wagnon

Donna Townsend

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Article I. FORM OF GOVERNMENT AND BOUNDARIES**Section 1.01 Form of Government.**

- (1) The municipal government provided in this Charter shall be known as the Council-Manager form of government. Under its provisions the City Council, consisting of the Mayor and Councilpersons elected by and responsible to the people, shall appoint a City Manager (who shall be responsible to the City Council for the administration of the government of the City). All powers of the City shall be vested in the City Council and shall be exercised in the manner prescribed by this Charter, or if the manner not be prescribed, then in such manner as may be prescribed by ordinance, the State Constitution or the statutes of this State.

Section 1.02 Boundaries of the City.

- (1) The boundaries of the City of Rockport, Texas, are those heretofore established and now existing or those boundaries as may be changed by ordinance and proceedings of the City enacted in accordance with this Charter.

Section 1.03 Extension of Boundaries.

- (1) The boundaries of the City of Rockport, Texas, may be enlarged and extended by the annexation of additional territory. The City Council, by proper ordinance in accordance with State law, has power to annex additional territory.
- (2) Upon completion of the annexation procedure, the annexed territory shall become a part of the City, and said land and its residents shall be entitled to all the rights and privileges provided by the City for its citizens, and shall be bound by the acts, ordinances, resolutions and regulations of the City.

Section 1.04 Contraction of Boundaries.

- (1) If, after two and one-half (2-1/2) years from the date of annexation, the newly annexed territory is not receiving the standard governmental and proprietary services of the City, as specified by State law, then a majority of the qualified voters residing within said annexed territory may petition the governing body of the City to disannex said territory.
- (2) The petition shall be started, circulated, certified and presented consistent with the procedural rules of Sub Chapter G of Chapter 43, V.T.C.A. Local Government Code, and Article VI of this Charter. If there are fewer than twenty (20) qualified voters residing within the annexed area, the Petitioners Committee may be fewer than ten (10) members so long as it consists of a majority of the qualified voters within the territory proposed for disannexation.
- (3) A petition to the City Council for disannexation shall be filed with the city secretary no later than thirty (30) days following the date of filing of the required affidavit by the Petitioners' Committee.

- (4) However, prior to the submission of the issue of disannexation to an election as described in subsection (4) above, the City Council may also disannex the petitioned area by an affirmative vote of at least four members of the City Council.
- (5) In addition to the subsections above, the petition for disannexation shall follow the requirements of petitions for an initiative as outlined in Sections 6.07, 6.09, 6.11, 6.12, 6.13, 6.14, and 6.15 of this Charter.

Article II. POWERS OF THE CITY**Section 2.01 General Powers of the City.**

- (1) The City shall be an incorporated Home Rule City, with full power and rights of self-government, as provided by the Constitution and laws of this State. These powers and rights shall include, but not be restricted to the following:
 - (a) To enact, establish and enforce codes, licenses and ordinances for the maintenance of good government and the interest and well being of its inhabitants.
 - (b) To cooperate with the government of the State of Texas, or any agency or any political subdivision thereof, the government of the United States or its agencies, for any lawful purpose for the advancement of the interests, safety, convenience and welfare of its inhabitants.
 - (c) To exercise the right of eminent domain, the right of extraterritorial jurisdiction and to have exclusive dominion over all public property in any manner permitted by the Constitution and laws of the State of Texas.
 - (d) To contract and be contracted with; to sue and be sued; to buy, sell, lease, mortgage, hold, manage and control such property as its interests require.
 - (e) To establish, maintain, improve, alter, abandon, or vacate public streets, rights-of-way, sidewalks, alleys, squares, parks and other public ways, and to police the use thereof.

Section 2.02 Public Improvements.

- (1) The City shall have the power to construct and maintain, within or outside its corporate limits (which include but are not limited to) streets, utilities, canals, waterways and other flood control facilities and sanitary, water and storm drainage facilities in, over, under or upon all public property or easements granted for that purpose and to levy assessments for the costs of such improvements, and shall have the power to cause liens to be established for the purpose of securing the payment of such levies and shall have the power to compel the use of such improvements by the inhabitants of the City.

Section 2.03 Miscellaneous Powers.

- (1) The City shall have the power to establish and maintain ordinances and regulations governing the use of lands within the City and to enforce by all lawful means said ordinances and regulations, within and outside its corporate limits. The City shall have the power to authorize, regulate and inspect all construction and existing structures within or outside its limits, consistent with State statutes, and to establish and enforce ordinances and regulations concerning their use, construction and reconstruction. The City shall have the power to license and regulate persons, corporations and associations engaged in any business, occupation, profession or trade.

Article III. THE CITY COUNCIL**Section 3.01 Number, Selection and Term.**

- (1) The legislative and governing body of the City will consist of a Mayor and four Councilpersons and will be known as the City Council of Rockport.
 - (a) The Mayor will be elected at large; one Councilperson shall be elected from each of four (4) Wards; all elected officials shall serve four (4) year terms unless removed from office through the provisions of this Charter.
 - (b) All members of the City Council, other than the Mayor, shall be elected under the Ward System the boundaries which are defined by ordinance and which may be amended as population changes warrant.
 - (c) Councilpersons from Wards One (1) and Three (3) shall be elected to two-year terms in 2023 and shall each begin serving a four-year term in 2025 and every fourth year thereafter. The Mayor and Councilpersons from Wards Two (2) and Four (4) shall be elected to a three-year term in 2024 and shall begin serving a four-year term in 2027 and every fourth year thereafter. No boundary change of any Ward shall operate to disqualify a duly elected Councilperson who shall be allowed to complete his current term of office.
 - (d) No person shall serve more than ten (10) consecutive years on the City Council.

Section 3.02 Qualification of Members.

- (1) In addition to any other qualifications prescribed by law, the Mayor and each Councilperson shall meet the qualifications set forth in Article V of this Charter while in office. Council Member shall reside in the Ward they represent while in office.

Section 3.03 Compensation.

- (1) Compensation of members of the City Council shall be determined by the Council by ordinance, but no increase in such compensation shall take effect until commencement of the terms of Mayor and/or Councilpersons elected at the next regular election. Members of the City Council shall also be entitled to reimbursement for actual expenses incurred in the performance of official duties with the approval of the City Council.

Section 3.04 Mayor and Mayor Pro-Tem.

- (1) The Mayor shall be the official head of the City Government. He shall be the chairman and shall preside at all meetings of the City Council. The Mayor shall have the same right to vote, as do other Council Members. He shall, when authorized by the City Council, sign all official documents; such as, ordinances, resolutions, conveyances, official plats and bonds. He shall perform such other duties consistent with this Charter as may be imposed upon him by the City Council.

- (2) The Mayor Pro-Tem shall be a Councilperson elected by the City Council at the first regular meeting after each election of Council Member and/or Mayor. The Mayor Pro-Tem shall act as Mayor during the disability or absence of the Mayor and in this capacity shall have the rights conferred upon the Mayor.

Section 3.05 Vacancies, Forfeiture and Filling of Vacancies.

- (1) The office of a Council Member or the Mayor shall become vacant upon death, resignation, forfeiture of, or removal from office by any manner authorized by law.
- (2) If any member of the City Council is absent from three (3) consecutive meetings, without explanation acceptable to the remaining Council Members, his office shall be declared vacant at the next regular meeting of the Council.
- (3) If any member of the Council ceases to possess the required qualifications for office or is convicted of any felony, or a misdemeanor involving moral turpitude, this position shall be declared vacant at the next regular meeting of the Council.
- (4) In the event of a permanent vacancy in the office of the Mayor if the remaining term is twelve (12) months or less, the Mayor Pro-Tem shall become the Mayor, thereby vacating the Council person's Council position. Vacancies in the Council, other than the Mayor, shall be filled by a majority vote of the remaining members, if the remaining term is twelve (12) months or less. In the event the remaining term of a vacant position for Mayor or Council person is equal to or more than twelve (12) months, the Council shall call for a special election to fill the vacancy, for the unexpired term only, in compliance with state law. In all cases, the successor shall possess all qualifications for the position.

Section 3.06 Powers of the City Council.

- (1) All powers of the City shall be vested in the City Council except as otherwise provided in this Charter. The City Council shall provide for the exercise of these powers and the performance of all duties and obligations imposed by law.

Section 3.07 Prohibitions.

- (1) Except where authorized by law, no Mayor or Councilperson shall hold any other City employment during his term as Mayor or Councilperson. No former Mayor or Councilperson shall hold any compensated appointed office or City employment within one (1) year after the expiration of his term as Mayor or Council Member, unless approved by a majority vote of the City Council.
- (2) Members of the City Council shall not in any way dictate the appointment or removal of any City Employee whom the City Manager or any of his subordinates are empowered to appoint. The City Council at a meeting called for that purpose may express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of such employees.

- (3) The City Manager shall consult with the City Council before the hiring of any Department Head or promotion of an employee to Department Head. Members of the City Council shall not give orders to any such officer or employee either publicly or privately except as otherwise provided in this Charter.
- (4) The City Manager shall consult with the City Council before the removal of Department Heads.

Section 3.08 Meetings of the City Council.

- (1) The City Council shall hold at least one (1) regular meeting each month and as many additional meetings as it deems necessary to transact the business of the City. The City Council shall fix by ordinance the date and time of the regular meeting(s). Special meetings of the City Council shall be held at the call of the Mayor or a majority of the Council and, wherever practicable, upon no less than seventy-two (72) hours notice to each member, unless such meeting is an emergency meeting. Notice shall be considered effective when posted in compliance with the Texas Open Meetings Act and electronic communication to each Councilperson within three (3) hours of such posting.
- (2) All meetings shall be open to the public and shall be held and notice given in accordance with Texas Government Code Chapter 551 as amended or superseded.
- (3) Nothing herein shall prevent a meeting being called in emergency circumstances with notice provided in compliance with state law.

Section 3.09 Quorum.

- (1) Three (3) members of the City Council shall constitute a quorum for the purpose of transaction of business and no action of the City Council, except as specifically provided in this Charter, shall be valid or binding unless adopted by the affirmative vote of Council Members present. When the City Council is reduced to less than three (3) voting members on account of vacancies, a quorum shall consist of all the remaining members of the City Council.

Section 3.10 Rules of Procedure.

- (1) The City Council shall determine its own rules of order and business, and the rules shall provide that the citizens of the City shall have a reasonable opportunity to be heard at any meeting with regard to any matter under consideration. The City Council shall provide for minutes to be taken and recorded for all meetings as required by law. Such minutes shall be a public record and shall be kept and maintained by the City Secretary.

Section 3.11 Passage of Ordinances In General.

- (1) The City Council shall legislate by ordinance only, and the enacting clause of every ordinance shall be "BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS ..."

Each proposed ordinance shall be introduced in the written or printed form required for adoption. No ordinance shall contain more than one subject, which shall be clearly expressed in its title. General appropriation ordinances may contain various subjects and accounts for which monies are to be appropriated. After adoption an ordinance shall not be amended or repealed except by the adoption of another ordinance amending or repealing the original ordinance. Except where an ordinance is repealed in its entirety, an amendatory or repealing ordinance shall set out in full the ordinance sections or subsections to be amended or repealed and shall indicate matter to be omitted by ~~strikeout~~ and shall indicate new matter by underlining and bold print.

- (2) Any member of the City Council may offer any ordinance in writing to be placed on the agenda at a regular City Council meeting.

Copies of proposed ordinances, in the form required for adoption, shall be furnished to members of the City Council before the first reading. Copies of the proposed ordinance, in the form required for adoption, shall be available at the City offices and shall be furnished citizens upon request to the City Secretary before the first reading and, if amended, shall be available and furnished in amended form for as long as the proposed ordinance is before the City Council.

- (3) A proposed ordinance, except an emergency, budget or tax ordinance, shall be read at two (2) City Council meetings. For a zoning ordinance, the proposed zoning ordinance shall be read at two (2) regular City Council meetings, unless the City Council dispenses with the need for a two (2) reading requirement and the ordinance is approved by at least four (4) members of the City Council.
- (4) A proposed ordinance may be amended at either reading, but any ordinance amended in substance shall automatically be placed again on the first reading at a subsequent meeting. At any reading of a proposed ordinance, interested persons shall have a reasonable opportunity to be heard.
- (5) Every ordinance shall become effective upon adoption or at any later time(s) specified in the ordinance, except that every ordinance imposing any penalty, fine or forfeiture shall become effective only after having been published once in its entirety or summary form, after adoption, in a newspaper designated as the official newspaper of the City.
- (6) The reading aloud of a title and caption of the ordinance shall suffice as a reading provided printed copies of the ordinance in the form required for adoption are in front of all members of the City Council and a reasonable number of additional copies are available to citizens present at the meeting. If a majority of the members present request that the ordinance be read in its entirety, it must be read.

Section 3.12 Emergency Ordinances.

- (1) The City Council may adopt emergency ordinances only to meet public emergencies affecting life, health, property or the public peace. In particular, such ordinances shall not levy taxes, grant or renew or extend a franchise, or regulate the rate charged by any public utility for its services. Neither shall they authorize the borrowing of money except as provided in Article VII of this Charter.
- (2) An emergency ordinance shall be introduced in the form and manner generally prescribed for ordinances, except that they shall be plainly designated in the title as an emergency ordinance and shall contain after the enacting clause a declaration stating that an emergency exists and describing it in clear and specific terms.
- (3) An emergency ordinance can be adopted with or without amendment or rejected at the meeting at which it is introduced. The affirmative votes of at least three (3) members of the City Council shall be required for adoption.
- (4) Emergency ordinances shall become effective upon adoption and shall be published as soon thereafter as practicable. Every emergency ordinance so adopted, except one authorizing the borrowing of money as described herein, shall automatically stand repealed as of the sixty-first (61st) day following the day on which it became effective, but this shall not prevent re-enactment of the ordinance.

Section 3.13 Authentication, Recording, Codification, Printing and Distribution.

- (1) The City Secretary shall authenticate by signature and seal all ordinances and resolutions adopted by the City Council, and it shall be kept open for public inspection. Ordinances shall be numbered consecutively in the order in which adopted. The City Secretary may use electronic means, allowed by law, to maintain all ordinances and resolutions.
- (2) The City Council shall cause all ordinances and amendments to this Charter to be posted on the City's internet website for at least one year, unless earlier codified into its Code of Ordinances.

Section 3.14 Investigations by the City Council.

- (1) The City Council shall have the power to inquire into the official conduct of any department, agency, contractor, office, officer or employee of the City and for that purpose shall have the power to administer oaths, subpoena witnesses and compel the production of books, papers or other evidence material to the inquiry. The City Council shall provide by ordinance penalties for contempt for failing or refusing to obey any such subpoena or to produce any such books, papers, or other evidence, and shall have the power to punish any such contempt in the manner provided by such ordinances.

Section 3.15 Bond.

- (1) The City Manager shall make an annual recommendation as to the positions or persons who should be bonded and the amount for which they shall be bonded. The City Council may amend the recommendations of the City Manager. Upon approval by the City Council, the necessary bonds shall be obtained at no cost to the employee(s).

Article IV. CITY ADMINISTRATION**Section 4.01 City Manager.**

- (1) The City Council shall appoint a City Manager who shall serve as the chief administrative officer of the City. He shall be responsible to the City Council for administration of all the affairs of the City, with only those exceptions named in this Charter. The City Manager shall be appointed solely upon his executive and administrative qualifications. He need not be a resident of the City when appointed, but shall reside within the City during the tenure of his appointment within a reasonable period of time as determined by the City Council.
- (2) The City Council will fix the compensation of the City Manager, and his compensation may be amended from time to time in accordance with the City Manager's experience and qualifications. No employment agreement shall provide more than six (6) months' severance or termination compensation.
- (3) The City Manager shall be appointed for an indefinite term, and may be removed by resolution at the discretion of the Council by a majority vote of its members. Upon passage of a resolution stating the intention to remove the City Manager and the reasons therefore, a copy of which shall be immediately furnished him, the Council may suspend him from duty, but his salary shall continue until his removal becomes effective. Within twenty (20) days after the passage of such a resolution, the City Manager may reply in writing to it, and may request a public hearing. If so requested the Council shall fix a time and place for a public hearing on the question of removal, which shall be held not sooner than ten (10) days nor more than twenty (20) days after the receipt of such request. The final resolution removing the City Manager shall not be adopted until such public hearing, if requested, has been held. The action of the City Council in removing the City Manager shall be final. In case of the absence, disability or suspension of the City Manager, the Council may designate a qualified administrative officer of the City to perform the duties of the office. No City Council Member may serve as Acting City Manager.
- (4) The City Manager shall have power to:
 - (a) Appoint, suspend and remove all City employees provided for in this Charter, except as otherwise provided by law, this Charter, or personnel rules adopted pursuant to this Charter.
 - (b) Direct and supervise the administration of all departments, offices and agencies of the City. He shall, when authorized by the City Council, sign contracts, except as otherwise provided by law or this Charter.
 - (c) See that all State laws and City ordinances are effectively enforced.
 - (d) Attend all City Council meetings, with the right to take part in discussion, but he shall not vote.
 - (e) Prepare and accept items for inclusion in the official agenda of all City Council meetings and meetings of boards and commissions.

- (f) Prepare and recommend to the City Council the annual budget and capital program, and administer the budget as adopted by the City Council.
- (g) Prepare and submit to the City Council, within one hundred twenty (120) days of the end of the City's fiscal year, an annual report on the finances and administrative activities of the City, as of the end of the fiscal year. The report of an individual audit, as required by this Charter, shall be incorporated into the annual report submitted by the City Manager.
- (h) Keep the City Council fully advised at least quarterly as to the financial condition and future needs of the City, and make such recommendations concerning the affairs of the City as he or the City Council deems desirable or necessary.
- (i) Make reports as he or the City Council may require concerning the operations of the City departments, offices, or agencies subject to his direction or supervision.
- (j) Perform such other duties as are specified in this Charter or may be required by the City Council, and are consistent with this Charter or State or Federal Law.

Section 4.02 City Secretary.

- (1) The City Council, after consultation with the City Manager, shall appoint or remove a City Secretary.
- (2) The City Secretary shall:
 - (a) Give notice of all legal publications and official public meetings of the City Council in a manner consistent with this Charter and State laws.
 - (b) Attend all official public meetings and hearings of the City Council.
 - (c) Keep the minutes of the proceedings of all official public meetings and hearings of the City Council in a manner prescribed by the Council consistent with applicable law.
 - (d) Act as custodian of all official records of the City Council.
 - (e) Hold and maintain the seal of the City of Rockport, and affix this seal to all appropriate documents.
 - (f) Authenticate by signature and seal, and record all ordinances, resolutions and proclamations of the City.
 - (g) Keep all contracts made by the governing body.
 - (h) Act as coordinator for all boards and commissions as directed by the City Council.
 - (i) Work closely with department heads and the City Manager in day-to-day operations of the City.

- (j) Perform such other duties as may be required and authorized by the City Council, consistent with this Charter and the laws of the State of Texas.

Section 4.03 Municipal Court.

- (1) The City Council shall establish and cause to be maintained a Municipal Court. The Court shall have all the powers and duties as are now, or may be prescribed by the laws of the State of Texas.
- (2) The City Council shall appoint a judge of the Municipal Court and Alternate Judge(s) who shall be competent and duly qualified. The Judges of the Municipal Court shall be appointed to a term of two (2) years and may be appointed to additional consecutive terms upon completion of their terms of office. The appointment of the Judges may be terminated, for just cause, by the City Council. The Judges shall receive compensation as may be determined by the City Council.
- (3) The City Council shall, in the absence or disability of the Appointed Judges of the Municipal Court, appoint an Acting Judge to serve during such absence or disability.
- (4) The Clerk and Deputy Clerks of the Municipal Court shall have the power to administer oaths and affidavits, make certificates, affix the seal of the Court, and perform all acts usual and necessary by the Clerks of said Courts, in conducting the business thereof, including, but not limited to, the keeping of records and accounts of the Municipal Court.
- (5) All costs, fines and penalties imposed by the Municipal Court shall be paid into the City Treasury for the use and benefit of the City, as may be consistent with present and future State laws.

Section 4.04 City Attorney.

- (1) The City Council, after consultation with the City Manager, shall appoint a competent, duly qualified, licensed and practicing attorney in the State of Texas who shall serve as the City Attorney.
- (2) The City Attorney shall:
 - (a) Serve as the legal advisor to the City Council and the City Manager regarding City affairs.
 - (b) Represent the City in litigation and legal proceedings as directed by the City Council and City Manager.
 - (c) Review and provide opinions as requested by the City Council or City Manager on contracts, legal instruments, and ordinances of the City and other items of City business.
- (3) The City Council shall have the right to retain Special Counsel at any time that it may deem necessary and appropriate.

- (4) The City Attorney and Special Counsel shall receive compensation as may be determined by the City Council.
- (5) The City Attorney, with approval of the City Council, may select additional attorneys to act for him and the City in its representation and/or litigation.
- (6) The City Attorney may be removed by a vote of the City Council.
- (7) The term "City Attorney" may refer to an individual or firm.

Section 4.05 City Engineer.

- (1) The City Council, after consultation with the City Manager, may appoint a competent, duly qualified, registered and practicing professional engineer in the State of Texas who shall serve as the City Engineer.
- (2) The term "City Engineer" may refer to an individual or firm.
- (3) The City Engineer shall serve as engineering advisor to the City Council and City Manager, and shall perform such other duties as may be required by the City Council or City Manager.
- (4) The City Council shall have the right to retain special engineering service anytime it may deem necessary and appropriate.
- (5) The City Engineer shall receive compensation as may be determined by the City Council.
- (6) The City Engineer, with the approval of the City Council, may select additional engineers to act for him and the City in serving its engineering needs.
- (7) The City Engineer may be removed by a vote of the City Council.

Section 4.06 Administrative Departments, Offices and Agencies.

- (1) The City Council may, after hearing recommendations of the City Manager, establish, abolish, re-designate or combine departments, offices or agencies in addition to those provided for by this Charter, and may prescribe the functions and duties of such departments, offices and agencies.
- (2) All departments, offices and agencies shall be under the direction and supervision of the City Manager. The City Manager may, with the consent of the City Council, serve as the head of one or more city departments, offices or agencies or appoint one person as the head of two or more of them.

Section 4.07 Personnel System.

- (1) Personnel rules shall be prepared by the City Manager and presented to the City Council, which may adopt them by ordinance, with or without amendment. The adopted rules shall establish the City as an Equal Opportunity Employer and shall govern the equitable administration of the personnel system of the City.

- (2) The adopted rules shall provide for the following requirements:
 - (a) A pay and benefit plan for all City employment positions.
 - (b) A plan for working hours, attendance policy and regulation, and provision for sick and vacation leave.
 - (c) Procedures for the hearing and adjudication of grievances.
 - (d) Additional practices and procedures necessary to the beneficial and equitable administration of the City's personnel system.
 - (e) A plan for oral and written evaluation annually for all City employees by their immediate supervisor, including evaluation of the City Manager and the City Secretary by the City Council.
- (3) The adopted personnel policies and rules shall be reviewed not less than biennially by the City Manager; a report of said review, to include proposed changes, shall be submitted to Council for consideration.

Article V. CITY ELECTIONS**Section 5.01 City Elections.**

- (1) City elections shall be conducted in accordance with Texas Election Law following procedures prescribed therein.
- (2) The City's General Election shall be held annually on the May uniform election date. However, if state law allows the movement of a City general election to a date other than in May, the City Council may move to such date by ordinance without the need for a charter amendment. The City Council shall be responsible for specification of places for holding such election.
- (3) The City Council may, by resolution, order a special election for purposes consistent with this Charter and laws of the State of Texas. The City Council will fix the time and places for such a special election, and provide all means for holding same.
- (4) Municipal elections shall be conducted by election officials appointed or approved by the City Council, or as prescribed by law. Sample ballots identical in format to those used in the specific election shall be posted in the voting place(s) for the purpose of voter orientation.
- (5) All municipal elections shall be publicized in accordance with the Texas Election Code.

Section 5.02 Filing for Office.

- (1) Candidates for City offices shall file for office with the City Secretary at City Hall.
- (2) Candidates for elective City office shall meet the following qualifications:
 - (a) Shall be at least eighteen (18) years of age at the time of the election for which they are filing.
 - (b) Shall be a qualified voter of the City.
 - (c) Shall have resided within the corporate limits of the City, or recently annexed territory, for at least twelve (12) months prior to the Election Day.
 - (d) Shall have resided in the Ward, or newly created Ward, they are seeking to represent for a least twelve (12) months prior to the Election Day.
 - (e) No candidate may file in a single election for more than one office or position as provided by this Charter.
 - (f) No employee of the City shall continue in such position after filing for an elective office provided for in this Charter.

- (g) A candidate filing for a Council Member position must include a petition along with their application for a place on the ballot for an office which contains signatures of qualified voters equal in number to thirty (30%) percent or fifty (50), whichever is lesser, of those who voted in the last election for that office. If the immediately preceding election for the Council Member position applied for was canceled as provided by law, a petition containing fifty (50) signatures of qualified voters shall be necessary along with the application for a place on the ballot for an office. This requirement shall not be construed to mean the signatures of actual people who voted in the last election.
- (h) A candidate filing for a Mayor position must include a petition along with their application for a place on the ballot for an office which contains signatures of qualified voters equal in number to thirty (30%) percent or one hundred and fifty (150), whichever is lesser, of those who voted in the last election for that office. If the immediately preceding election for the position of Mayor was canceled as provided by law, a petition containing one hundred fifty (150) signatures of qualified voters shall be necessary along with the application for a place on the ballot for an office. This requirement shall not be construed to mean the signatures of actual people who voted in the last election.
- (i) Shall not, at the time of filing or while in office, be in arrears in payment of taxes or other liabilities due the City after the expiration of thirty (30) days following the providing of notice of any delinquency.

Section 5.03 Official Ballots.

- (1) The name of each candidate seeking an elective office, except those who have withdrawn, died, or become ineligible, shall be printed on the official ballot in the form designated by the candidate in accordance with the current edition of the Texas Election Code. If two or more candidates have the same surname, or surnames so similar as to be likely to cause confusion, their residence addresses shall be printed with their names on the ballot.
- (2) The order on the ballot of the names of the candidates shall be determined by lot in a public drawing to be held under the supervision of the City Secretary in accordance with the current edition of the Texas Election Code.
- (3) Procedures for voting by absentee ballot shall be consistent with the current edition of the Texas Election Code.
- (4) An ordinance, bond issue, or Charter amendment to be voted on by the voters of the City shall be presented for voting by ballot title. The ballot title of a measure may be different from its legal title and shall be a clear, concise statement, approved by the City Council, describing the substance of the measure without argument or prejudice. Below the ballot title shall appear the following two statements, one above the other, in the order indicated:

"For adoption of the (ordinance) (bond issue) (amendment)"

"Against adoption of the (ordinance) (bond issue) (amendment)"

Immediately below or to the left of such statements shall appear a square in which the voter may cast his vote by making a mark.

- (5) Procedures for write-in votes shall be consistent with the current edition of the Texas Election Code.

Section 5.04 Official Results.

- (1) The candidate for elective office receiving a plurality of the votes cast shall be declared the winner.
- (2) The returns of every municipal election shall be handled in accordance with the Texas Election Code.

Article VI. INITIATIVE, REFERENDUM AND RECALL**Section 6.01 General Authority.**

- (1) Initiative: The qualified voters of the City shall have power to propose ordinances to the City Council and if the Council fails to adopt an ordinance so proposed without any change in substance, the voters shall adopt or reject it at a City election. Such power shall not extend to the budget or capital program or any ordinance relating to appropriation of money, the levy of taxes or salaries of City officers or employees nor any other matter which a court of law has held to have been withdrawn as a power of initiative.
- (2) Referendum: The qualified voters of the City shall have power to require reconsideration by the Council of any adopted ordinance and, if the Council fails to repeal an ordinance so reconsidered, the voters shall approve or reject it at a City election. Such power shall not extend to the budget or capital program or any emergency ordinance or ordinance relating to appropriation of money or levy of taxes nor any other matter which a court of law has held to have been withdrawn as a power of referendum.
- (3) Recall: The qualified voters of the City shall have power to remove, for cause, any official serving in an elective office.
- (4) Qualified Voter: In the context of eligibility to sign a petition under this Chapter means a registered voter in the City of Rockport.

Section 6.02 Petitioners Committee.

- (1) Any ten (10) qualified voters may commence proceedings contemplated by this Article by filing with the City Secretary an affidavit stating that they will constitute the Petitioners' Committee; they will be responsible for preparing, printing and circulating the petition; they will file it in proper form; they will specify the address to which all notices to the Committee are to be sent. The affidavit shall set out in full the proposed initiative ordinance or cite the ordinance sought to be reconsidered, or in the case of recall, will provide a statement of the grounds for removal.
- (2) In the case of recall, the City Secretary shall immediately notify in writing the officer(s) to be removed that the affidavit has been filed and shall inform the officer(s) of its statement of grounds.

Section 6.03 Petition Circulation.

- (1) All petition blanks used for circulation by the members of the Petitioner's Committee or their designees shall be obtained from the City Secretary and be numbered, dated and bear the signature of the City Secretary.

Section 6.04 Form of Petition.

- (1) All pages of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signer of a petition shall personally sign his own name thereto in ink or indelible pencil. After his signature shall be printed name, place of residence within the boundaries of the City, giving name of street and number, or place of residence, and shall also write thereon the day, the month and the year his signature was affixed. All petitions must also contain all information required by Section 277.02 of the Texas Election Code. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered, or in the case of a recall petition, a statement that distinctly and specifically states the ground(s) upon which such petition for removal is predicated. If there is more than one ground, the statement shall specifically state each ground with such certainty as to give the officer(s) sought to be removed notice of such matters with which he is charged.
- (2) Each paper of a petition shall have attached to it when filed the affidavit executed by the circulator thereof stating that he personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his presence, that he believes them to be genuine signatures of the persons whose names they purport to be, and that each signer had an opportunity before signing to read the full text of the ordinance proposed, or sought to be reconsidered, or the identity of the official whose recall is being sought.
- (3) Locations for twenty (20) signatures shall be provided on each blank petition.

Section 6.05 Presentation of Petitions.

- (1) A petition to the City Council for initiative or referendum, containing the signatures of qualified voters equal in number to fifteen (15%) percent of those who voted in the last general municipal election, or one hundred fifty (150), whichever is greater, shall be presented to the City Secretary not later than thirty (30) days following the filing of the affidavit by the Petitioner's Committee.
- (2) A petition to the City Council for recall of the Mayor containing the signatures of qualified voters equal in number to thirty (30%) percent of those who voted in the last election for that office, or three (300) hundred people, whichever is greater, shall be presented to the City Secretary not later than thirty (30) days following the filing of the affidavit by the petitioner's committee.
- (3) A petition to the City Council for recall of a City Council Person containing the signatures of qualified voters equal in number to thirty (30%) percent of those who voted in that Ward in the last election for that office, or fifty (50) people, whichever is greater, shall be presented to the City Secretary no later than thirty (30) days following the filing of the affidavit by the Petitioner's Committee.

Section 6.06 Suspension of Effect of Ordinance for Referendum Petitions.

- (1) When a referendum petition is filed with the City Secretary the ordinance sought to be reconsidered shall be suspended from taking effect unless such suspension will create an immediate breach of public health and safety. Such suspension shall terminate when:
 - (a) There is a final determination of insufficiency of the petition; or
 - (b) The City Council repeals the ordinance; or
 - (c) Upon the certification of election results by the election officials.

Section 6.07 Certification of Petitions and Presentation to the City Council.

- (1) Within ten (10) days after the petition is presented, the City Secretary shall complete a certificate of sufficiency or insufficiency.
- (2) If the petition is certified sufficient, the City Secretary shall present the certificate to the City Council at the next regular City Council meeting. The City Council shall make a final determination of the sufficiency of the petition.
- (3) If a petition has been certified insufficient, the City Secretary shall notify the Committee in his certificate, by registered mail, of the particulars in which it is defective. The Committee may, within two (2) working days after receiving the copy of such certificate, file a request that it be reviewed by the City Council. The City Council shall review the certificate at its next regular meeting following such a request and approve or disapprove it. Such determination shall then be final.
- (4) If a petition is certified insufficient, it may be amended once if the petitioners committee files a notice of intention to amend it with the City Secretary within two (2) working days after having received the copy of the certificate. A supplementary petition must be filed within two (2) weeks after receiving the copy of the certificate. Such a supplementary petition shall comply with all the requirements of Sec. 6.04 of this Article.
- (5) Within five (5) days after the amended petition is filed, the City Secretary shall complete a certificate of sufficiency or insufficiency of the petition, as amended, and shall send a copy of such certificate to the Petitioners' Committee by registered mail as in the case of an original petition. The final determination as to the sufficiency of an amended petition shall be determined in the same manner as prescribed for original petition in this Section, except no petition, once amended, may be amended again.
- (6) A final determination as to the sufficiency of a petition shall be subject to review in a court of competent jurisdiction. A final determination of insufficiency, even if sustained upon court review, shall not prejudice the filing of a new petition for the same purpose.

Section 6.08 Public Hearing on Recall of Officers.

- (1) An elected official whose removal is sought by recall may, within five (5) days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him to present facts pertinent to the charges specified in the petition. Should a request be made, the City Council shall order a public hearing be held not less than five (5) days and no more than fifteen (15) days after receiving such request for a public hearing.

Section 6.09 Action on Initiative and Referendum Petitions.

- (1) When an initiative or referendum petition has been finally determined sufficient, the City Council shall promptly consider the proposed initiative ordinance in the manner prescribed for enacting ordinances or reconsider the referred ordinance by voting its repeal. If the City Council fails to adopt a proposed initiative ordinance without any change in substance within sixty (60) days, or fails to repeal a referred ordinance within thirty (30) days after the date the petition was finally determined sufficient, it shall submit the proposed or referred ordinance to the voters of the City not less than thirty (30) days and nor more than sixty (60) days following the failure of the City Council to act as specified herein. Any election order so issued shall comply fully with the Texas Election Code.
- (2) The called election may coincide with a regular City election should such City election fall within the specified period. Special elections on initiated or referred ordinances shall not be held more frequently than once each six (6) months, and no ordinance substantially the same as an initiated ordinance which has been defeated or one substantially the same as a referred ordinance which has been approved at any election may be initiated by the voters within two (2) years from the date of such election. Copies of the proposed or referred ordinance shall be made available at the polls and shall be published at least once in the official newspaper of the City not more than fifteen (15) days immediately preceding the date of the election.

Section 6.10 Calling of Recall Election.

- (1) If the officer whose removal is sought does not resign, then the City Council shall order an election and set the date for holding such recall election. The date selected for the recall election shall be in accordance with the Texas Election Code. Any election order so issued shall comply fully with the Texas Election Code. If after the recall election date is established, the officer vacates the officer's position, the election shall be cancelled. Further, if the date for the recall election extends beyond the officer's term or the limits provided in Section 3.01(1)(d), the election shall be cancelled.

Section 6.11 Withdrawal of Petitions.

- (1) An initiative, referendum or recall petition may be withdrawn at anytime prior to determination of sufficiency by filing with the City Secretary a request for withdrawal signed by at least six (6) members of the Petitioner's Committee. Upon the filing of such request the petition shall have no further force or effect and all proceedings thereon shall be terminated.

Section 6.12 Form of Ballots.

- (1) Ordinances shall be submitted by ballot title, which shall be prepared in all cases by the City Attorney. The ballot title may be different from the legal title of any such initiated or referred ordinance and it shall be a clear, concise statement, without argument or prejudice, descriptive of the substance of such ordinance. Unless otherwise required by law, immediately below the ballot title shall be printed the following two statements, one above the other, in the order indicated:

"For adoption of the ordinance" and

"Against adoption of the ordinance"

- (2) Ballots used at recall elections shall, with respect to each person whose removal is sought, submit the question:

"Shall (name of person) be removed from the office (name of office) by recall?"

Immediately below each such question there shall be printed the two following statements, one above the other, in the order indicated.

"For the removal of ... by recall."

"Against the removal of... by recall."

Section 6.13 Results of Election.

- (1) If a majority of qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the City Council. If conflicting ordinances are approved at the same election, the one receiving the greater number of affirmative votes shall prevail.
- (2) An ordinance adopted by initiative may be repealed or amended at anytime after the expiration of two (2) years by a majority vote of the City Council.
- (3) If a majority of the electors voting on a referred ordinance vote against the ordinance, it shall be considered repealed upon certification of the election results. If a majority of the qualified electors voting on a referred ordinance vote for the ordinance, the ordinance shall be considered in effect.
- (4) An ordinance repealed by referendum may be reenacted at anytime after the expiration of two (2) years by a majority vote of the City Council.

- (5) If a majority of the votes cast on the question of recall at a recall election shall be against the removal of the elected official named on the ballot, he shall continue in office for the remainder of his unexpired term, subject to recall as before within the limitations of Sec. 6.14 below. If a majority of the votes cast on the questions of recall at a recall election shall be for the removal of the elected official named on the ballot, he shall, regardless of any technical defects in the recall petition, be deemed removed from office upon official canvas of said election and the vacancy shall be filled in accordance with the provisions of this Charter for the filling of vacancies.

Section 6.14 Limitations and Restrictions.

- (1) No recall petition shall be filed against any officer of the City within six (6) months after his election or appointment, or within six (6) months of such a petition being filed and found insufficient, nor within one (1) year after an election for such officer's recall.
- (2) In no instance shall an officer removed from office by recall election serve in an elective office of the City within a period of three (3) years following the date of the election at which he was removed from office.
- (3) Unless successfully withdrawn, no petition shall again be filed on a proposed or referred ordinance of substantially the same content within a period of two (2) years of the failure of the petition at a City election.

Section 6.15 Failure of City Council to Call an Election.

- (1) In case all of the requirements of this Charter have been met and the City Council shall fail or refuse to receive an initiative, referendum or recall petition, or order such initiative, referendum of [or] recall election, or discharge other duties imposed upon said City Council by the provisions of this Charter with the reference to initiative, referendum or recall, then any qualified voter in the City may seek judicial relief to have any of the provisions of this Charter pertaining to initiative, referendum or recall carried out by the proper official.

Article VII. MUNICIPAL FINANCE**Section 7.01 Fiscal Year.**

- (1) The fiscal year of the City shall begin on the first day of each October and end on the last day of September of each calendar year. The fiscal year shall constitute the budget and accounting year of the City government.

Section 7.02 Submission of Budget.

- (1) On or before the first regular scheduled meeting in August of each year, the City Manager shall submit to the City Council a proposed budget for the ensuing fiscal year and budget message. The City Council shall review the proposed budget and make any appropriate changes prior to publishing the final budget.

Section 7.03 Budget.

- (1) The City Manager shall submit an annual budget not later than thirty (30) days prior to the date the City Council sets its tax levy for the fiscal year. The budget shall consist of the following:
 - (a) A budget message prepared by the City Manager, outlining fiscal policy for the City government with explanations of significant changes in expenditures, revenues, and fiscal conditions from previous years.
 - (b) A budget summary with supporting schedules to show a balanced relationship between the total proposed expenditures and the total anticipated income for the fiscal year.
 - (c) Detailed estimates of all proposed expenditures and estimates of anticipated revenues and other income, showing the corresponding expenditures for each item for the current fiscal year and the last preceding fiscal year with explanations of increases or decreases recommended as compared with appropriations for the current fiscal year.;
 - (d) Statements of the bonded debt redemption and interest requirements.
- (2) The City Council shall make available in the City Secretary's offices the budget, as presented to the City Council, open to public inspection by anyone interested and posted on the City's internet website until a budget has been finally adopted.
- (3) City Council action:
 - (a) The City Council shall hold a public hearing on the proposed budget as submitted at the time and place so advertised. The City Council shall set the hearing time, date, and location in accordance with state law. Any person may attend and may participate in the hearing.
 - (b) At a regular or special meeting, at the conclusion of the public hearing, the City

Council may adopt the budget, in accordance with state law, with or without amendment. A vote to adopt the budget must be recorded, in accordance with state law.

- (c) The City Council shall adopt or amend the budget by ordinance on one (1) reading. Adoption of the budget shall constitute appropriation of the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed.
 - (d) The final approved budget must be filed with the City Secretary in accordance with state law and posted on the City's internet website for at least one year.
- (4) If the City Council fails to adopt the budget by the twenty-seventh (27th) day of September, the amounts appropriated for the operation during the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the City Council adopts a budget for the ensuing fiscal year. The levy of property tax normally approved, as part of the budget adoption will be set such that tax receipts for the budgeted year shall equal the tax receipts of the current fiscal year.

Section 7.04 Amendments After Adoption.

- (1) If, during the fiscal year, the City Manager certifies that there are revenues available for appropriation in excess of those estimated in the budget, the City Council may carry the excess into the next fiscal year, or, by ordinance, may make supplemental appropriations to retire indebtedness or to fund emergency appropriations.
- (2) At anytime in any fiscal year, the City Council may make emergency appropriations to meet a pressing need for public expenditure for other than regular or recurring requirements affecting life, health, property, or the public peace. Such appropriations shall be by ordinance adopted by the City Council.
- (3) No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced by any amount required by law to be appropriated or by more than the amount of the unencumbered balance.

Section 7.05 Capital Program.

- (1) The City Manager shall submit a five (5) year capital program in conjunction with the annual budget. The capital program shall include:
 - (a) A summary of its contents;
 - (b) A list of all capital improvements which are proposed;
 - (c) Cost estimates, method of financing and recommended time schedules; and
 - (d) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

Section 7.06 Public Records.

- (1) Copies of the budget and capital program, as adopted, shall be public records and shall be made available to the public upon request.

Section 7.07 Lapse of Appropriations.

- (1) Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if three (3) years pass without any disbursement from or encumbrance of the appropriations. Any funds not expended, disbursed or encumbered shall be deemed excess funds.

Section 7.08 Borrowing.

- (1) The City shall have the right to issue and refund general obligation bonds, revenue bonds, and other evidence of indebtedness as is now permitted or as may be hereafter authorized to be issued by a home-rule municipality in the State of Texas.
- (2) The City may borrow funds on the credit of the City for a term not to exceed one year provided that such obligations are scheduled to be retired by the end of the budget year in which they were issued.

Section 7.09 Purchasing.

- (1) The City Council may, by ordinance, confer upon the City Manager general authority to contract for expenditure without further approval of the City Council for all budgeted items not exceeding limits set by the City Council or state law. All contracts for expenditures involving more than the set limits must be approved in accordance with state law. The City Council or City Manager in such cases as he the City Manager is authorized to contract for the City, shall have the right to reject any and all bids.
- (2) Emergency contracts as authorized by law and this Charter may be negotiated by the City Council or City Manager if given authority by the City Council in accordance with state or federal law. Such emergency shall be declared by the City Manager and approved by the City Council or may be declared by the City Council.

Section 7.10 Administration of Budget.

- (1) No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the City Manager or the City Manager's designee first certifies that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds there from are or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegally. Such action shall be cause for removal of any officer who knowingly authorized or made such payment or incurred such obligation, and the officer shall also be liable to the City for any amount so paid. However, this prohibition shall not be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds, time warrants, certificates of indebtedness, or certificates of obligation, or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, providing that such action is made or approved by ordinance.

Section 7.11 Depository.

- (1) All monies received by any person, department or agency of the City for or in connection with the affairs of the City shall be deposited promptly in the City depository or depositories, which shall be designated by the City Council in accordance with such regulations and subject to such requirements as to security for deposits and interest thereon as may be established by City's Investment Policy and State Law. The governing body shall designate by resolution the bank, credit union or savings association to serve as the City's depository for the municipality's funds. The governing body shall review, approve, execute and deliver any depository service contract for a term of two (2) years or as soon as practicable but not greater than a five (5) year period. Disbursement of funds shall be in accordance with the City's policy and state law. In selecting a depository, the services, cost of services, credit worthiness, earnings potential and collateralization by the institutions shall be considered. All time and demand deposits in any depository shall be insured or collateralized at all times in accordance with state law.

Section 7.12 Financial Report.

- (1) The City Manager shall submit to the City Council at its second formal meeting each month the financial condition of the City by budget item, budget estimates versus accruals for the preceding month and for the fiscal year-to-date. The financial records of the City will be maintained in accordance with Governmental Accounting Standards Board (GASB) and Generally Accepted Accounting Principals (GAAP).

Section 7.13 Independent Audit.

- (1) As soon as practicable after the close of each fiscal year but no later than 120 days, an independent audit shall be made of all accounts of the City government by a certified public accountant selected by the governing body, who has no personal interest, directly or indirectly, in the financial affairs of the City government, or any of its officers. The governing body shall appoint an independent auditor whose contract shall be reviewed and reconsidered at the end of five (5) years. The annual financial statement, including the auditor's opinion on the statement shall be posted on the City's internet website for at least two years following publication.

Article VIII. TAX ADMINISTRATION**Section 8.01 Power to Tax.**

- (1) The City shall have the power to levy, assess and collect taxes of every character and type for any municipal purpose not prohibited by the Constitution and laws of the State of Texas as now written or hereafter amended.
- (2) The City shall have the power to grant tax exemptions in accordance with the laws of the State of Texas.

Section 8.02 Tax Collections.

- (1) The City Council shall determine annually the method of collection of taxes by either executing a contract for services as allowed by state law or any appointment of a City Tax Collector.

Section 8.03 Assessment of Property for Tax Purposes.

- (1) The City shall accept the appraisal rolls from the Aransas County Appraisal District. These rolls shall be the basis for the setting of a tax rate by the City Council.

Section 8.04 Taxes: When Due and Payable.

- (1) All taxes due in the City of Rockport on real and personal property shall be payable at a location or locations as designated by the City Council, and may be paid at anytime after the tax rolls for the year have been completed and approved. Taxes shall be paid before February 1 and all taxes not paid prior to that date shall be deemed delinquent, and shall be subject to penalty and interest as provided by V.T.C.A., Tax Code Section 33.01 as enacted or as amended. The City Council may authorize discounts for the payment of taxes prior to January 1 as allowed by state law.
- (2) Failure to levy and assess taxes through omission in preparing the appraisal rolls shall not relieve the person, firm or corporation so omitted from obligation to pay such current or past due taxes as shown to be payable by recheck of the rolls and receipts for the years in question, omitting penalty and interest.

Section 8.06 Tax Liens, Liabilities and Suits.

- (1) All taxable property located in the City on the 1st day of January of each year shall stand charged from that date with a special lien in favor of the City for taxes due thereon. All persons purchasing any of said property after the 1st day of January in any year shall take same subject to the liens herein provided. In addition to the liens herein provided, on the 1st day of January of any year, the owner of property subject to taxation by the City shall be personally liable for the taxes due thereon for that year. The City shall have power to sue for and recover personal judgment for taxes without foreclosure, or to foreclose its lien or liens, or to recover both personal judgment and foreclosure. In any such suit where it appears that the description of any property in the City appraisal rolls is insufficient to identify such property, the City shall have the right to plead a good description of the property to be assessed, to prove the same, and to have its judgment foreclosing the tax lien or for personal judgment against the owners for such taxes.

Section 8.07 Other Rules and Regulations.

- (1) Except as otherwise provided by law or this Charter, the City Council shall have the power to provide, by ordinance, such rules, regulations and procedures not in conflict with the laws of the State of Texas, to enforce the collection by and payment to the City Tax Collector as the City Council may deem appropriate and may provide such penalties for the failure to pay such taxes as the City Council may deem necessary.

Article IX. BOARDS AND COMMISSIONS**Section 9.01 Authority, Composition and Procedures.**

- (1) The City Council shall create, establish or appoint, as may be required by the laws of the State of Texas or this Charter, or deemed desirable by the City Council, such boards, commissions and committees as it deems necessary to carry out the functions and obligations of the City. The City Council shall, by ordinance or resolution, prescribe the purpose, composition, function, duties, accountability and tenure of each board, commission and committee where such are not prescribed by law or this Charter.
- (2) Individuals who are qualified voters in the City may be appointed to serve on one (1) or more board, commission or committee. The City Council may, by ordinance or resolution, consolidate the functions of the various boards, commissions or committees provided for in this Charter. Except as otherwise provided in this Charter, members of any such board, commission or committee shall serve without compensation but may be reimbursed for actual expenses as approved by the City Council.
- (3) All boards, commissions or committees of the City shall keep and maintain minutes of any proceedings held and shall submit a written report of such proceedings to the City Council.
- (4) No officer of the City nor any person who holds a compensated appointive position with the City shall be appointed to any board, commission or committee created or established by this Charter other than in an advisory capacity.
- (5) Any member of a board, commission or committee who is absent from three (3) consecutive regular meetings without explanation acceptable to a majority of the other members shall forfeit his position on the board, commission or committee.

Article X. PLANNING AND ZONING COMMISSION**Section 10.01 Organization.**

- (1) There is hereby established a Planning and Zoning Commission which shall consist of seven (7) members who shall be appointed by the City Council for overlapping three (3) year terms. Each member shall be a qualified City voter. Any vacancy occurring during the unexpired term of a member shall be filled by the City Council for the remainder of the unexpired term. The Commission shall elect from its members a Chairman, Vice Chairman and Secretary to serve for one (1) year beginning in July of the year elected. The Commission shall meet at least once each month when practicable. The Council should strive to balance Commission membership to represent best each Ward and all major areas.

Section 10.02 Duties and Powers.

- (1) The Commission shall be responsible to act as an advisory board to the City Council. The Commission shall:
 - (a) Review all current and proposed ordinances and amendments pertaining to planning, zoning, platting and subdividing property and make recommendations to the City Council for action to be taken.
 - (b) Make, amend, extend and add to the Comprehensive Plan for the physical development of the City.
 - (c) Submit annually to the City Manager, not less than one hundred twenty (120) days prior to the beginning of the budget year, an annual update to any Capital Improvement Program as developed from the Comprehensive Plan regarding land use issues. The update may identify new or additional capital improvements as well as revisions of the project priorities by year.
 - (d) Keep public records of its findings and determinations.
- (2) The Commission shall have full power to:
 - (a) Exercise the authority of the Zoning Commission as provided by State law, this Charter and City ordinances.
 - (b) Administer rules and recommendations pertaining to subdivisions and to platting in territories within the City limits and its extraterritorial jurisdiction.

Section 10.03 The Comprehensive Plan.

- (1) The Comprehensive Plan for the physical development of the City including its ETJ shall contain the Commission's recommendations for the growth, development and beautification of the City. The Commission may recommend approval to the City Council the Comprehensive Plan as a whole or in parts and with any amendment thereto.

Section 10.04 Procedure.

- (1) All rules and regulations recommended for approval by the Planning & Zoning Commission for the Comprehensive Plan shall be forwarded to the City Manager who shall submit them to the Council with his recommendations if any. The Council may adopt or reject any such rules or regulations. If any rules or regulations should be rejected, the Planning & Zoning Commission may modify them and submit such modified rules and regulations to the City Manager. The City Manager shall again forward such changes to the Council. The adoption of the Plan or of any such part or amendment shall be by ordinance, but before adoption of the Plan or any such part or amendment, the City Council and the Commission shall hold at least one (1) joint public hearing on the proposed action.

Section 10.05 Legal Effect of the Comprehensive Plan.

- (1) Following adoption by the Council of the Comprehensive Plan, it shall serve as a guide to all future Council action concerning land use and development regulations and expenditures for capital improvements. Any proposal, which deviates from the Comprehensive Plan, shall not be authorized until and unless the location and extent thereof shall have been submitted to and accepted by the Commission. In case of disapproval, the Commission shall communicate its reasons to the Council, which shall have the power to overrule such disapproval and upon such overruling, the Council or the appropriate office, department or agency shall have authority to proceed. The failure of the Commission to act within thirty (30) days after the date of official submission to the Commission shall be deemed accepted, unless a longer period is granted by the Council or submitting official.

Article XI. UTILITY AND PUBLIC SERVICE FRANCHISES AND LICENSES**Section 11.01 Authority.**

- (1) The City shall have the power to buy, own, sell, construct, lease, maintain, operate and regulate public services and utilities and to manufacture, distribute and sell the output of such services and utility operations.

Section 11.02 Ordinance Granting Franchise.

- (1) Any ordinance granting, renewing, extending or amending a public service or utility franchise must be read at two (2) separate meetings of the City Council and shall not take effect until thirty (30) days after the final reading. Within seven (7) days following the first reading of the ordinance, the text or the summary of the ordinance shall be published once in a newspaper designated as the official newspaper of the City, with the expense of such publication borne by the prospective franchisee. Copies of the proposed ordinance, in the form required for adoption, shall be available at the city offices and shall be furnished to the citizens upon request to the City Secretary before the first (1st) reading, if amended, shall be available and furnished in amended form for as long as the proposed ordinance is before the City Council.
- (2) No franchise shall be granted for a term of more than twenty (20) years from the date of the grant, renewal or extension of any franchise.
- (3) No franchise may be exclusive.

Section 11.03 Transfer of Franchise.

- (1) No public service or utility franchise is transferable, except with the approval of the City Council. However, the franchisee may pledge franchise assets as security for a valid debt or mortgage.

Section 11.04 Franchise Value not to be Allowed.

- (1) Franchises granted by the City are of no value in fixing rates and charges for public services or utilities within the City and in determining just compensation to be paid by the City for property which the City may acquire by condemnation or otherwise.

Section 11.05 Right of Regulation.

- (1) In granting, amending, renewing and extending public service and utility franchises, the City reserves unto itself all the usual and customary rights, including, but limited to, the following rights:
 - (a) To repeal the franchise by ordinance for failure to begin construction or operation with the time prescribed, or for failure to comply with terms of the franchise.
 - (b) To require all extensions of service within the City limits to become part of the aggregate property of the service and operate subject to all obligations and reserved

rights contained in this Charter. Any such extension is considered part of the original grant and terminable at the same time and under the same conditions as the original grant.

- (c) To require expansion and extension of facilities and services and to require maintenance of existing facilities to provide adequate service at the highest level of efficiency.
- (d) To require reasonable standards of service and quality of products and prevent rate discrimination.
- (e) To impose reasonable regulations and restrictions to insure the safety and welfare of the public.
- (f) To examine and audit accounts and records and to require annual reports on local operations of the public service or utility.
- (g) To require the franchisee to restore, at franchisees' expenses, all public or private property to a condition as good as or better than before disturbed by the franchisee for construction, repair or removal.
- (h) To require the franchisee to furnish to the City, within a reasonable time, at the franchisee's expense, a general map outlining current location, character, size, length, depth, height and terminal of all facilities over and under the property within the City and its extraterritorial jurisdiction.
- (i) To require compensation, rent or franchise fees to be paid to the City.

Section 11.06 Regulation of Rates.

- (1) The City Council has the power to fix and regulate the rates and charges of all utilities and public services, consistent with state statutes.
- (2) Upon receiving written request from a utility or public service requesting a change in rates, or upon a recommendation from the City that rates for services provided by or owned by the City be changed, the City Council shall call a public hearing for consideration of the change.
- (3) The City, public service or utility must show the necessity for the change by any evidence required by the City Council, including, but not limited to, the following:
 - (a) Cost of its investment for service to the City;
 - (b) Amount and character of expenses and revenues connected with rendering the service;
 - (c) Copies of any reports or returns filed with any state or federal regulatory agency within the last three (3) years; or

- (d) Demonstration that the return on investment is within state and federal limitation.
- (4) If not satisfied with the sufficiency of evidence, the City Council may hire rate consultants, auditors and attorneys to investigate and, if necessary, litigate requests for rate changes, the expense of which shall be reimbursed to the City by the franchisee.

Section 11.07 Licenses.

- (1) The City shall have the power to license, levy and collect fees in order to license any lawful business, occupation or calling subject to control pursuant to the police powers of the State of Texas and for any other purpose not contrary to the Constitution and Laws of the State of Texas.

Article XII. GENERAL PROVISIONS**Section 12.01 Public Records.**

- (1) All records of the City shall be open to inspection except for those that are closed to the public by law. The records may be examined and copied in the City offices during normal office hours in accordance with state law.

Section 12.02 Official Newspaper.

- (1) The City Council shall declare biannually an official newspaper of general circulation in the City to service for a two (2) year period. All ordinances, notices and other matters required by this Charter, City ordinance, of the Constitution and Laws of the State of Texas shall be published in the official newspaper or in accordance with state law.

Section 12.03 Nepotism.

- (1) No person related within the second (2nd) degree by affinity or within the third (3rd) degree by consanguinity to the Mayor or any City Council member or the City Manager shall be employed or appointed to any positions in the City. This shall not apply to any person continuously employed prior to the election or appointment of the person related in the above degree.

Section 12.04 Oath.

- (1) All elected and appointed officers of the City shall take and sign the 'Oath of Office' based on those prescribed for State elective and appointive offices, respectively, in the Constitution of the State of Texas.

Section 12.05 Prohibitions and Penalties.

- (1) Equality of rights under the law shall not be denied or abridged with respect to appointment to or removal from any position because of race, sex, age, national origin, disability, political or religious opinions or affiliations.
- (2) No person who seeks appointment or promotion with respect to any City position shall, directly or indirectly, give, render or pay any money, service or other valuable thing to any person for, or in connection with, his test, appointment or promotion.
- (3) No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment or attempt to commit any fraud preventing the impartial execution of the personal provisions, rules and regulations of this Charter.
- (4) No person who holds any compensated non-elective City position shall make, solicit or receive any contribution for any candidate for public office in the City, or take part in the management, affairs or political campaign of such candidate. He may exercise his rights as a citizen to express his opinion and to cast his vote.

- (5) Any person who willfully engages in any of the above-prohibited activities shall be ineligible for appointment or election to a position in the City for a period of five (5) years. If he is an officer or employee of the City at the time of the violation, he shall immediately forfeit his office or position.

Section 12.06 Assignment, Execution and Garnishment.

- (1) Property, real and personal, belonging to the City shall not be liable to be sold or appropriated under writ or execution of cost bill. Funds belonging to the City in the hands of any person, firm or corporation, shall not be liable to garnishment, attachment or sequestration; nor shall the City be liable to garnishment, attachment or sequestration; nor shall the City be liable to the garnishment on account of any debt it may owe or funds or property it may have on hand owing to any person. Neither the City nor any of its officers or agents shall be required to answer any such writ of garnishment on any account whatever.
- (2) The City shall not be obligated to recognize any assignment of wages or funds by its employees, agents or contractors unless otherwise prescribed by law.

Section 12.07 Security and Bond.

- (1) It shall not be necessary in any action, suit or proceeding in which the City is a party for any bond, undertaking or security to be demanded or executed by or on behalf of the City in any state court. All such actions shall be conducted in the same manner as if such bond, undertaking or security had been given as required by law.

Section 12.08 Power to Settle Claims.

- (1) The City Council shall have the power to compromise and settle any and all claims and lawsuits of every kind and character, in favor of, or against, the City, including suits by the City to recover delinquent taxes.

Section 12.09 Service of Process Against the City.

- (1) All legal processes against the City shall be served upon the Mayor or City Secretary.

Section 12.10 Judicial Notice.

- (1) This Charter shall be deemed a public act, may be read in evidence without pleading of proof, the judicial notice shall be taken thereof in all courts and places.

Section 12.11 Emergency Powers of the Mayor.

- (1) Whenever it comes to the knowledge of the Mayor his designee that any malignant, infectious and contagious disease or epidemic is prevalent in the City or probably will become so, or in the case of public calamity arising by reason of flood, hurricane, tornado, fire or any other disaster, when it appears that action may become necessary before the Council can be convened to consider such action, he shall have the power to take all steps and use all measures necessary to avoid, suppress or mitigate such disease and prepare for and relieve distress caused by flood or resulting from hurricane, tornado, fire or any other disaster.

Section 12.12 Severability.

- (1) If any section or part of this Charter is held invalid by a court of competent jurisdiction, such holding shall not invalidate or impair the validity, force or effect of any other section or part of this Charter.

Section 12.13 Gender of Wording.

- (1) The masculine gender of the wording throughout this Charter shall always be interpreted to mean either sex.

Section 12.14 Amendment of Charter.

- (1) Amendments to this Charter may be framed and submitted to qualified voters of the City in the manner provided by Chapter 9, V.T.C.A., Local Government Code now in effect or as now written or hereafter amended.
- (2) Any petition submitted by at least five (5%) percent of the qualified voters of the City seeking submission to the voters of one or more proposed charter amendment shall be started, circulated, certified and presented consistent with the procedural rules of Article VI of this Charter.
- (3) A petition submitted as contemplated by this section shall be filed with the city secretary no later than thirty (30) days following the date of filing of the required affidavit by the Petitioners' Committee. To be considered for placement on a ballot at the next uniform election date, a petition must be certified and presented to the City Council at least forty-five (45) days before that uniform election date.

Section 12.15 Charter Review Commission.

- (1) The City Council, as hereafter provided, shall appoint, a Charter Review Commission of five (5) citizens of the City which shall:
 - (a) Inquire into the operation of the City government under the Charter and determine whether any provisions require revision. To this end, public hearings may be held. The Commission may compel the attendance of any officer or employee of the City and require submission of any City records it deems necessary to conduct the hearings;

- (b) Propose any recommendation(s) it deems desirable to insure compliance with the Charter by the government;
 - (c) Propose amendments to the Charter to improve the effective application to current conditions; and
 - (d) Report its findings and present its recommendations, if any, to the City Council.
- (2) The City Council shall receive and have posted at a place convenient to the public in the City Hall any report presented by the Commission; shall consider any recommendations made, may order any amendments suggested to be submitted to the voters of the City in the manner provided by Chapter 9, V.T.C.A., Local Government Code as now written or hereafter amended.
- (3) The term of office of the Commission shall be for not more than six (6) months, at the end of which time a report shall be presented to the City Council and all records of proceedings of the Commission shall be filed with the City Secretary and become a public record.
- (4) A Commission contemplated by this section shall be appointed by the City Council no less than every five (5) years subsequent to the date of the last charter amendment election held by the City.

Section 12.16 Rearranging and Numbering.

- (1) The City Council shall have the power, by ordinance; to renumber and rearrange all articles, sections and paragraphs of this Charter or any amendments thereto, as it is deemed appropriate. Upon the passage of any such ordinance a copy thereof, certified by the City Secretary, shall be forwarded to the Secretary of State for filing.



AGENDA MEMO

DEPARTMENT: City Manager

TO: Mayor and City Council

FROM: Vanessa Shrauner, City Manager

MEETING DATE: September 23, 2025

CATEGORY: Presentation

CAPTION:

City Manager's Monthly Update

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FUNDING IMPACT:

STAFF RECOMMENDATION:

STRATEGIC INITIATIVES:

Presentation

ATTACHMENTS:

None

APPROVAL/REVIEW:

Shelley Goodwin, City Secretary

Date: September 16, 2025

Vanessa Shrauner, City Manager

Date: September 17, 2025