
CITY COUNCIL AGENDA

Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, April 27, 2021, at 6:30 p.m. The meeting will be held in person with social distancing guidelines and using the video conferencing application ZOOM. A temporary suspension of the Open Meetings Act to allow telephone or video conference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. **Video conferencing capabilities will be utilized to allow individuals to address the City Council. Members of the public can participate in the meeting remotely via Zoom at <https://us02web.zoom.us/j/85644667942> or scan the QR code to the right.**



Due to the COVID-19 pandemic, the attorney general has said: “statutes that may be interpreted to require face-to-face interaction between members of the public and public officials are suspended; provided, however, that the governmental bodies must offer alternative methods of communicating with their public officials.” Public participation is valued and citizens wishing to express their views on any topic or agenda item can electronically submit a citizen participation form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code to the right, or if attending the meeting in person register at the meeting. Using the same form, citizens can also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The Mayor will read the comments and they will be summarized in the minutes of the meeting.



The matters to be discussed and acted upon are as follows:

Opening Agenda

1. Call meeting to order.
2. Pledge of Allegiance.
3. Presentation: Lifeguard Rescue Awards – Joshua Lee, Allison Sanders, Kaylee Skinner & Celeste Stinson.
4. Proclamation: April - Sexual Assault Awareness and Prevention Month.
5. Citizens to be heard.

At this time, comments limited to three (3) minutes will be taken from the audience from persons who have signed the speaker's card located on the table in the back of the Training Room of the Service Center and delivered to the City Secretary before the meeting begins, or written comments received by 4:00 p.m. on the day of the meeting, on any subject matter that is not on the agenda, will be read by the Mayor and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited; disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

6. Deliberate and act on approval of Regular Meeting Minutes of April 13, 2021.
7. Deliberate and act on 2nd quarter Report from Rockport-Fulton Chamber of Commerce for Fiscal Year 2020-2021 marketing expenditures.
8. Deliberate and act on 2nd quarter from Texas Maritime Museum for Fiscal Year 2021-2021 marketing expenditures.
9. Deliberate and act on an Ordinance of the City Council of the City of Rockport, Texas, extending a COVID-19 pandemic Declaration of Local Disaster for the period of April 27 – May 25, 2021; establishing rules and regulations for the duration of the disaster; restricting certain activities; and establishing penalties for violations.
10. Deliberate and act on an Ordinance of the City Council of the City of Rockport, Texas, extending a Declaration of Local Disaster (Winter Storm Uri) for the period of April 27 – May 25, 2021, establishing rules and regulations for the duration of the Disaster; and establishing an effective date.
11. Deliberate and act on an extension of the current Bank Depository and Finances Services Contract with Wells Fargo Bank, N.A. for a one-year period beginning May 1, 2021, and ending April 30, 2022.

Public Hearings

12. Call to Order – Rockport Planning & Zoning Commission.
13. Conduct a Joint Public Hearing with the Planning & Zoning Commission to consider a request for a Conditional Use Permit for food and retail vending, located at 210 Seabreeze Drive; also known as approximately 80.0 acres of land out of portions of the Aransas County Navigation District No.1 Rockport Beach Park and Festival Grounds property located in the city of Rockport, Aransas County, Texas and being a portion of the 102.5 acres Rockport Harbor patent, Abstract 343 and revised August 12, 1953, and recorded in Volume M3, Page 499, Deed Records of Aransas County, Texas, along with a portion of Abstract 357 dated November 6, 1953, containing 604.296 acres and recorded in Volume N-3, Page 178, Deed Records of Aransas County, Texas, with said 80.0 acres being a portion of Abstracts 343 and 357; currently zoned R-1 (1st Single Family Dwelling District).
14. Adjourn – Rockport Planning & Zoning Commission

Regular Agenda

15. Deliberate and act on first reading of an Ordinance amending the official zoning map as stipulated under Article 4.1 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from R-2 (2nd Single Family Dwelling District) for property located at 3361 Loop 1781; also known as 1.628 acres out of 23.462 acres, out of the northerly portion of a 258.53 acre tract, lying West of Loop 1781 and South of Copano Ridge Road, South of and adjacent to Copano Campsite Subdivision, according to the plat recorded in

Volume 2, Page 50, plat records of Aransas County, Texas, and being out of the westerly portion of the Old Modessett Ranch, Joseph Hollis Survey, A-76, City of Rockport, Aransas County, Texas; and 23.462 acres being the same tract described in a deed of record under Clerks File Number 369271, Official Public Records of Aransas County, Texas, to B-1 (General Business District) to build a family-friendly restaurant with a bar and other entertainment amenities; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

16. Deliberate and act on request from Aransas County Sesquicentennial for temporary closure of South Ann Street between East Market Street and North Street, Market Street from South Ann Street to South Austin Street, and South Austin Street from Market Street to Concho Street. on Saturday, June 19, 2021, from 9:00 a.m. to 11:00 a.m., for the Aransas County Sesquicentennial Parade.

17. Deliberate and act on engagement of Denton Navarro Rocha Bernal & Zech and Doucet & Associates for redistricting/reapportionment professional services and authorizing the City Manager to negotiate and execute all necessary documents.

18. Hear and deliberate on status of COVID-19 and response efforts.

19. Reports from Council.

At this time, the City Council will report/update on all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; YMCA Development Committee; Texas Maritime Museum, Fulton Mansion, Rockport Center for the Arts, Aransas County, Aransas County Independent School District, Aransas County Navigation District, Town of Fulton, and Texas Municipal League. No formal action can be taken on these items at this time.

20. Adjournment.

Special Accommodations

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213, ext. 225 or FAX (361) 790-5966 or email citysec@cityofrockport.com for further information. Braille is not available. The City of Rockport reserves the right to convene into executive session under Government Code §§ 551.071-551.074 and 551.086.

Certification

I certify that the above notice of meeting was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas on Friday, April 23, 2021, by 5:00 p.m. and on the City's website at www.cityofrockport.com. I further certify that the following News Media were properly notified of this meeting as stated above: *The Rockport Pilot* and *Corpus Christi Caller Times*.


Teresa Valdez, City Secretary

CITY COUNCIL AGENDA

Regular Meeting: Tuesday, April 27, 2021

AGENDA ITEM: 3

Presentation: Lifeguard Rescue Awards to Joshua Lee, Allison Sanders, Kaylee Skinner, Celeste Stinson

SUBMITTED BY: Rick Martinez, Parks & Leisure Services Director

APPROVED FOR AGENDA: PKC

BACKGROUND: Due to Covid-19 and no in person presentations, the following Lifeguard Rescue Awards were put on hold until restrictions were lifted.

Joshua Lee:

On June 25, 2020, at approximately 1:03 pm, a 6-year-old and his grandfather were attempting to enter the competition pool. The grandfather had a physical disability and as he tried to enter the 6-year boy fell into the water from the steps. The 6-year-old could not swim and he was submerged for a few seconds. Lifeguard Lee entered the water, lifted him, and pulled him out of the water. The boy coughed a few times and Lifeguard Lee determined that the boy did not seem to have any further distress. The grandfather was very thankful for the quick and professional response that Lifeguard Lee demonstrated. Lifeguard Lee's quick action and professional skills prevented a potential drowning.

Allison Sanders:

On September 4, 2020, at approximately 10:30 am, a disabled 80-year-old male, was attempting to enter the competition pool near the steps from a wheelchair. He was able to pull himself off the wheelchair, but he fell facedown into the water and began to struggle and was unable to turn himself upright. Lifeguard Sanders immediately entered the water to perform a water rescue. She was able to turn the distressed swimmer over and proceeded to assist in getting the swimmer to the steps, where he was able to hold onto the railing. After doing an observation, Head Lifeguard Sanders determined that there was no further distress. Her quick action and professional skills prevented a potential drowning.

Kaylie Skinner:

On September 5, 2020, at approximately 4:00 pm, Lifeguard Skinner observed a young boy enter the water from the diving board. The young boy landed on his back and was temporarily motionless. Lifeguard Skinner blew her whistle for assistance. As she attempted to enter the water, the swimmer gained motion, and attempted to swim to the side of the pool but still showed signs of distress. Lifeguard Skinner threw her lifeguard tube to the distressed swimmer and pulled him to the edge of the pool. Lifeguard Skinner made an observation for any difficulties, and other than the boy still hurting from the fall, he was able to recover quickly while under the care of Lifeguard Skinner. Her quick action and professional skills prevented a potential drowning.

Celeste Stinson:

On March 10, 2021, at approximately 4:11 pm, a 9-year-old girl jumped from the high-dive board and went underwater and after surfacing, demonstrated signs of distress and yelled for “HELP”. Lifeguard Stinson immediately initiated the Emergency Alert Protocol and entered the water. Lifeguard Stinson performed an active water rescue since the young girl was panicking and not following her instructions. Lifeguard Stinson was able to get the young girl to the side of the pool and pulled out of the pool. The girl was still out of breath, and after further observation from Lifeguard Stinson, it was determined that she was exhibiting no other distress. Lifeguard Stinson’s quick action and professional skills prevented a potential drowning.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Not an action item.

LIFEGUARD RESCUE AWARD
ROCKPORT COMMUNITY POOL
PRESENTED TO

Lifeguard Josh Lee

Water Rescue

2020 SUMMER SEASON

Rick Martinez

DIRECTOR OF PARKS AND LEISURE

Joe Hubers

PARK MANAGER

LIFEGUARD RESCUE AWARD
ROCKPORT COMMUNITY POOL
PRESENTED TO

Head Lifeguard Allison Sanders

Water Rescue

2020 SUMMER SEASON

Rick Martinez

DIRECTOR OF PARKS AND LEISURE

Joe Sanders

PARK MANAGER

LIFEGUARD RESCUE AWARD
ROCKPORT COMMUNITY POOL
PRESENTED TO

Lifeguard Kaylie Skinner

Water Rescue

2020 SUMMER SEASON

Rick Martinez

DIRECTOR OF PARKS AND LEISURE

Joe Wilkins

PARK MANAGER

LIFEGUARD RESCUE AWARD
ROCKPORT COMMUNITY POOL
PRESENTED TO

Lifeguard Celeste Stinson

Water Rescue

2020-21 WINTER SEASON

Rick Martinez

DIRECTOR OF PARKS AND LEISURE

Joe Hubers

PARK MANAGER

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 27, 2021

AGENDA ITEM: 4

Proclamation: April – Sexual Assault Awareness and Prevention Month.

SUBMITTED BY: Mayor Patrick R. Rios

APPROVED FOR AGENDA: PKC

BACKGROUND: Ms. Ana Sanchez-Brown, Community Educator with The Purple Door, requested the City proclaim April as Sexual Assault Awareness and Prevention Month. The Purple Door is headquartered in Corpus Christi and provides domestic violence and sexual assault services through one shelter and five offices serving the Coastal bend counties of the following counties: Aransas, Bee, Brooks, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, McMullen, Nueces, Refugio, and San Patricio.

Please see the accompanying proclamation for Sexual Assault Awareness and Prevention Month for additional information.

Those needing assistance can contact The Purple Door at 1-800-580-4878. Other resources can be located by going to <https://www.justice.gov/ovw/local-resources>.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Not an action item.

PROCLAMATION

WHEREAS, sexual violence impacts women, children, and men of every age, background, sexual orientation, and belief; and

WHEREAS, in 2015, 6.3 million Texans had experienced some form of sexual assault in their lifetime; and

WHEREAS, in 2015, 80% of Texas victims were sexually assaulted by someone they knew; and

WHEREAS, in 2015, 91% of sexual assault victims in Texas did not report to law enforcement and;

WHEREAS, only 3% of sexual assault perpetrators ever spend a single day in jail; and

WHEREAS, concerns about how the justice system will handle the incident and harmful misconceptions about sexual assault are among the reasons that sexual violence is generally not reported; and

WHEREAS, research in 2020 by Harvard Medical School found that rates of sexual violence have increased during the COVID-19 epidemic and social distancing has reduced victims' access to safely report or connect to resources.

NOW, THEREFORE, I, Patrick R. Rios, Mayor of Rockport, do hereby proclaim April as

Sexual Assault Awareness and Prevention Month

and encourage citizens to **Lose the Ribbon** because **Prevention is Action!** Creating change begins with changing a culture. Challenge harmful norms, beliefs and ideals rooted in oppression, and be a voice for those who have been silenced. We encourage everyone to reach out to The Purple Door for resources on digital advocacy. Follow The Purple Door on Facebook and Instagram @purpledoortx for more ways to get involved.

The Purple Door serves all victims and survivors of domestic and sexual violence in the Coastal Bend with 24/7 safe emergency shelter, safety planning and case management, crisis counseling and intervention, legal advocacy, and a 24-hour hotline at 361.881.8888 or 1.800.580.HURT. All services are confidential, free of charge, and available to those staying at the shelter and those residing elsewhere in the community.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the City of Rockport, Texas, to be affixed the 27th day of April 2021.

CITY OF ROCKPORT, TEXAS

Patrick R. Rios, Mayor

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 27, 2021

AGENDA ITEM: 6

Deliberate and act on approval of Regular Meeting Minutes of April 13, 2021.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: Please see the accompanying minutes of the Regular Meeting of April 13, 2021.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council approve the Minutes, as presented.

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING

6:30 p.m., Tuesday, April 13, 2021

Rockport Service Center, 3751 State Highway 35 Bypass
and

Via Video Conferencing Application ZOOM

A temporary suspension of the Open Meetings Act to allow telephone or video conference public meetings was granted by Governor Greg Abbott. These actions were being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Due to the COVID-19 pandemic, the attorney general has said: “statutes that may be interpreted to require face-to-face interaction between members of the public and public officials are suspended; provided, however, that the governmental bodies must offer alternative methods of communicating with their public officials.” Public participation is valued and citizens wishing to express their views on any topic or agenda item can electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code provided on the Agenda, or if attending the meeting in person register at the meeting. Using the same form, citizens can also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The Mayor will read the comments and they will be summarized in the minutes of the meeting.

On the 13th day of April 2021, the City Council of the City of Rockport, Aransas County, Texas, convened in Regular Session at 6:30 p.m., at the Training Room of the Rockport Service and via video conferencing application ZOOM, and notice of meeting giving time, place, date and subject was posted as described in V.T.C.A., Government Code § 551.041.

CITY COUNCIL MEMBERS PRESENT

Mayor Patrick R. Rios
Mayor Pro-Tem J.D. Villa, Ward 2
Council Member Michael Saski, Ward 1 – *Via: ZOOM*
Council Member Bob Cunningham, Ward 3
Council Member Andrea Hattman, Ward 4

CITY COUNCIL MEMBER(S) ABSENT

PLANNING & ZONING COMMISSION MEMBERS PRESENT

Ric Young
Warren Hassinger
Kim Hesley
G. Maynard Green
Ruth Davis
Diana Severino-Saxon

STAFF MEMBERS PRESENT

City Manager Kevin Carruth
 City Secretary Teresa Valdez
 Director of Public Works & Building Services Mike Donoho
 Community Planner Amanda Torres
 Director of Finance Katie Griffin
 Assistant to City Manager Kimberly Henry
 Parks & Leisure Services Director Rick Martinez
 Chief of Police Greg Stevens
 Information Technology Director Bob Argetsinger
 Police Officer Rachael Marshman

ELECTED OFFICIALS PRESENT**Opening Agenda****1. Call to Order.**

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Rios at 6:33 p.m. on Tuesday, April 13, 2021, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and via video conferencing application ZOOM.

2. Pledge of Allegiance.

Council Member Hattman led the Pledge of Allegiance to the U.S. flag.

3. Proclamation: Fair Housing Month – April.

Mayor Rios proclaimed April as Fair Housing Month in Rockport. Mayor Rios read the Proclamation.

Mayor Rios took a Point of Personal Privilege and presented and read a Proclamation proclaiming April 11-17, 2021 as National Public Safety Telecommunicators Week in Rockport, Texas.

4. Citizens to be heard.

At this time, comments limited to three (3) minutes will be taken from the audience from persons who have signed the speaker's card located on the table in the back of the Training Room of the Service Center and delivered to the City Secretary before the meeting begins, or written comments received by 4:00 p.m. on the day of the meeting, on any subject matter that is not on the agenda, will be read by the Mayor and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited, disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

There were no citizen comments.

Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

5. **Deliberate and act on approval of Regular Meeting Minutes of March 23, 2021.**
6. **Deliberate and act on request from Rockport Center for the Arts for use of the festival site beginning June 21, 2021, through July 8, 2021, for the 52nd Annual Rockport Art Festival.**
7. **Deliberate and act on 2nd quarter Report from Rockport Center for the Arts for Fiscal Year 2020-2021 marketing expenditures.**
8. **Deliberate and act on request from Texas Maritime Museum for: 1) Closure of Chamber Street, from Loop 70 to Navigation Circle on Thursday, May 27, 2021, from 2:00 p.m. to 12:00 a.m., and on Saturday, May 29, 2021, from 8:00 a.m. to 12:00 a.m.; 2) Use of Festival Site for parking; and 3) Permission for beer and wine consumption on the grounds of the Texas Maritime Museum, for the 24th Annual Festival of Wines and Food.**
9. **Deliberate and act on a Resolution of the City of Rockport, Texas, finding that AEP Texas Inc.'s application to amend its distribution cost recovery factors to increase distribution rates within the City should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal Counsel; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and legal counsel.**
10. **Deliberate and act on approval of an Interlocal Cooperation Agreement between Aransas County, Texas, the City of Rockport, and the Aransas County Navigation District for the Bay Shore Drive Resiliency Project and authorizing the Mayor to negotiate and execute all necessary documents.**
11. **Deliberate and act on a Resolution approving a License and Maintenance Agreement between the City of Rockport and the Aransas County Navigation District and authorizing the Mayor to negotiate and execute all necessary documents.**

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

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

Public Hearings

With a quorum of the member present, the meeting of the Rockport Planning & Zoning

Commission was called to order at 6:50 p.m. on Tuesday, April 13, 2021, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas,

Mayor Rios opened the Public Hearings at 6:52 p.m.

- 12. Conduct a Joint Public Hearing with the Planning and Zoning Commission to consider a request to rezone property to B-1 (General Business), located at 3361 Loop 1781; also known as 1.628 acres out of 23.462 acres, out of the northerly portion of a 258.53 acre tract, lying West of Loop 1781 and South of Copano Ridge Road, South of and adjacent to Copano Campsite Subdivision, according to the plat recorded in Volume 2, Page 50, plat records of Aransas County, Texas, and being out of the westerly portion of the Old Modessett Ranch, Joseph Hollis Survey, A-76, City of Rockport, Aransas County, Texas; and 23.462 acres being the same tract described in a deed of record under Clerks File Number 369271, Official Public Records of Aransas County, Texas, to build a family-friendly restaurant with a bar and other entertainment amenities; currently zoned R-2 (2nd Single Family Dwelling District).**

City Manager Kevin Carruth explained the process the City must follow when a zoning change request is brought to the City. Mr. Carruth stated every property owner in the City has the right to submit a request for a zoning change, and as long as they check all the administrative boxes staff has a ministerial duty to move it forward – this does not mean the City likes or dislikes the requested change. Mr. Carruth listed the steps: 1) A Joint Public Hearing between the City Council and the Planning and Zoning Commission; 2) Planning and Zoning Commission meeting to consider the request and make a recommendation to City Council; 3) City Council meeting to consider the first reading of an Ordinance for granting the request or denying the request – if the Planning and Zoning Commission recommended denial it takes a super majority vote of Council to approve the request; and 4) City Council meeting to consider the second and final reading of an Ordinance granted the request for rezoning. Mr. Carruth explained there are four opportunities for the public to provide input on a rezoning request and this is not a fast-track process. Mr. Carruth expressed during this process there are opportunities for vetting, for changes, or the application can be withdrawn, and records show that requests for rezoning are not automatically approved or rubberstamped; often times denied or changed and some approved. Mr. Carruth stated he has seen postings on social media and elsewhere and he did not know whether it was ignorance of the brain or malice of the heart but they beneath this community and not appropriate and if they would allow the process to work it will turn out with what is best for the community.

Mayor Rios said he thinks a lot of people were expecting to come to the Council meeting tonight and see the Council vote on these requests. Mayor Rios stated the Council will not be taking action on the rezoning requests tonight; these are strictly Public Hearings.

Council Member Cunningham stated since these are Public Hearings and the Council cannot take action, neither can they engage with the persons making comments.

Mayor Rios stated this is the process that is followed on all zoning change requests. Mayor Rios said he enjoys the input, he likes hearing from the public, and one of the things that is interesting on this is the amount of input is substantial, but almost 40% of the comments received on Item 13 have come from people who are not residents or taxpayers within the City of Rockport. Mayor

Rios added because of social media, the City has received comments from all over, back East, out West, and many different parts of the country. Mayor Rios expressed as a Council they have to consider the taxpayers and residents of Rockport and he appreciates the input, but the Council is obligated to follow their duty to the citizens of Rockport.

The following addressed the City Council and voiced opposition to the requested rezoning of 3361 Loop 1781 stating it is residential area and if the zoning is changed to B-1 there are other uses allowed such as carnivals and amusement parks which should not be in the middle of a residential area, flooding, traffic – would be a very dangerous place for a driveway, light pollution:

- 1) Brenda Rodriguez – 10 Copano Ridge Road, Rockport, Texas
- 2) Pam Sijansky – 111 Copano Ridge Road, Rockport, Texas
- 3) Mike Lee – 229 Dead Ends Drive, Rockport, Texas
- 4) Shelly Steckler - 3352 Loop 1781, Rockport, Texas
- 5) Rebecca Bagby – 213 Dead Ends Drive, Rockport, Texas

Mayor Rios read comments received from the following in opposition to the rezoning request:

- 1) Sharon Mihalski – 217 Dead Ends Drive, Rockport, Texas
- 2) Victoria Johnson – 230 Sparks Colony Road, Rockport, Texas
- 3) Michael McKain – 90 Copano Ridge Road, Rockport, Texas

The following addressed the City Council and voiced support of the requested rezoning of 3361 Loop 1781 stating the development being built is first class, will increase the property values of everyone in the area, will provide a convenient and family-friendly venue for local residents, and the developer would not do anything that would hurt his clients or homeowners.:

- 1) Bradley Blanton, developer – 529 Oliver Road, Victoria, Texas
- 2) Bradley Pruitt – 3291 Loop 1781, Rockport, Texas

Mayor Rios stated the Planning and Zoning Commission will consider the rezoning request at the Monday, April 19, 2021 meeting, starting at 5:30 p.m. at the Rockport Service Center. Mayor Rios said there is limited seating due to social distancing protocols, but citizens can join the meeting via ZOOM.

13. Conduct a Joint Public Hearing with the Planning and Zoning Commission to consider a request for a Planned Unit Development located at 417 South Fulton Beach Road; also known as 14.10 acres out of a portion of Block 1, a portion of Block 2, and all of Gibbs Street lying between Blocks 1 and 2, Gibbs Addition, City of Rockport, Aransas County, Texas; to develop property as a high-density single family residential subdivision to be sold as a condo regime; currently zoned R-6 (Hotel/Motel District).

The following addressed the City Council and voiced opposition to the rezoning request of 417 South Fulton Beach Road stating too high density of homes being proposed – will take away from the small town charm that Rockport is known for, flooding and wetlands in this area, destruction of the windswept and heritage oaks, increased traffic flow and congestion- streets not designed for heavy traffic, will alter the functioning wetland system affecting Little Bay and its economic value; light and noise pollution, and it does not meet City code requirements for a Planned Unit Development:

- 1) Jennifer Mullins – 427 South Fulton Beach Road, Rockport, Texas
- 2) Elizabeth Lyons – 115 Port Avenue, Rockport, Texas
- 3) Edward Bellion – 1804 Baywood Drive, Rockport, Texas
- 4) Jennifer Vander Pluym – 1909 Shores Lane, Rockport, Texas
- 5) Earl Matthew – 81 Griffith Drive, Rockport, Texas
- 6) Ben Smith, legal counsel for Robert Hewitt – 401 South Fulton Beach Road, Rockport, Texas
- 7) Kyle Alston – 403 Traylor Boulevard, Rockport, Texas
- 8) Kimber Clark – 510 Scott Street, Rockport, Texas
- 9) Charlie Belaire – 1802 Baywood Drive, Rockport, Texas
- 10) Christine Ritter – 1901 Cochran Lane, Rockport, Texas

Mayor Rios read comments received from the following in opposition to the rezoning request:

- 1) Candace Sargent – 214 Portia Avenue, Rockport, Texas
- 2) Teresa Henkel – 2002 Crescent Loop, Rockport, Texas
- 3) Penelope Hong – 2001 Cape Ann Street, Rockport, Texas
- 4) Robert Hewitt – 401 South Fulton Beach Road, Rockport, Texas
- 5) Elizabeth Johns – 45 Primrose Circle, Rockport, Texas
- 6) Kelea Youngblood – 11105 Shady Hollow Drive, Austin, Texas
- 7) Benjamin Clark – 510 Scott Street, Rockport, Texas
- 8) Tommy Williams – 202 Highlands Street, Rockport, Texas
- 9) Judith Brownell – 4 Pelican Drive, Rockport, Texas
- 10) Randall Kiss – 2301D West Market Street, Rockport, Texas
- 11) MaryClare Kane – 38 Primrose Circle, Rockport, Texas
- 12) Marsha Castona – 916 Mission Street, Rockport, Texas
- 13) Debra Wendell Evans – 1309 Mesquite Street, Fulton, Texas
- 14) Ethelyn Kuldell – 113 Palmetto Avenue, Fulton, Texas
- 15) Rita Wendell – 1309 Mesquite Street, Fulton, Texas
- 16) Gail Roaten – Rockport, Texas
- 17) Richard Gibbons – 2011 Silver Moon Drive, Missouri City, Texas
- 18) Pattie Beebe – 2012 Crescent Court, Rockport, Texas
- 19) Kristie Rutledge – 1411 Dana Drive, Rockport, Texas
- 20) Stephen Rice – 51 Lake Shore Circle, Rockport, Texas
- 21) Alex Beebe – 2012 Crescent Court, Rockport, Texas
- 22) Virginia Easton Smith – 1413 Dana Drive, Rockport, Texas
- 23) Sarah Clark – 580 Scott Street, Rockport, Texas
- 24) Patty Albin – 180 Whistler's Cove Road, Rockport, Texas
- 25) DeEtte Porter – 104 Saint Andrews Street, Rockport, Texas
- 26) Kathy Kane – 109 Boardwalk Avenue, Rockport, Texas
- 27) Matthew McCauley – 130 Marion Drive, Rockport, Texas
- 28) Donna Beaty – 1402 North Live Oak Street, Rockport, Texas
- 29) Kit Brooking – 69 Portia Avenue, Rockport, Texas
- 30) Andrew Kane – 2106 Lakeview Drive, Rockport, Texas – Mr. Kane also remarked he did his best to share information with citizens and he was very proud that once again the citizens have shown up in force. Mr. Kane said he was embarrassed of the

Mayor chastising citizens by saying “ignorance of the brain or malice of the heart” and he thought it was inappropriate and wanted to point that out.

Mayor Rios declared he wanted to point out that he did not say that, and this is another instance when Mr. Kane has misquoted the Mayor and there have been other instances.

Mayor Rios informed everyone there will be a meeting of the Planning and Zoning Commission on Monday, April 19, 2021, at 5:30 p.m. to consider this request. Mayor Rios reminded everyone the City Council does not bring proposals or ideas to the table on what to do with property; it is done by property owners and it is their right to come forward and ask for changes.

At 8:25 p.m., Mayor Rios closed the Public Hearing.

At 8:25 p.m., the Rockport Planning & Zoning Commission adjourned.

The City Council took a recess from 8:25 p.m. until 8:35 p.m.

Regular Agenda

- 14. Deliberate and act on second and final reading of an Ordinance extending a moratorium, for 120 days, on the submission, acceptance, processing, and approval necessary for the creation of development plats, construction or facilities related to recreational vehicle (RV) parks for land within the City of Rockport; providing a savings clause; providing a severability clause; finding and determining that the meeting at which the Ordinance was passed was open to the public as required by law; and providing an effective date.**

Mayor Rios said there had been no changes in format or content since Council approved the first reading of the Ordinance on March 23, 2021.

MOTION: Mayor Pro-Tem Villa moved to approve the second & final reading of an Ordinance extending a moratorium, for 120 days, on the submission, acceptance, processing, and approval necessary for the creation of development plats, construction or facilities related to recreational vehicle (RV) parks for land within the City of Rockport; providing a savings clause; providing a severability clause; finding and determining that the meeting at which the Ordinance was passed was open to the public as required by law; and providing an effective date. Council Member Hattman seconded the motion. Motion carried 4:0; Council Member Saski did not respond via ZOOM for the roll call vote.

- 15. Hear and deliberate on draft amendments to Code of Ordinances Chapter 118 - Zoning concerning recreational vehicle parks.**

Community Planner Amanda Torres stated it has become increasingly popular for RV parks development in Rockport and staff recommended a moratorium on this type of development while evaluating the location and regulations dictating the development of RV and manufactured housing parks. Ms. Torres said the City has hired urban planning consulting firm Urban Dynamics, LLC to draft possible revisions to the RV park and manufactured housing regulations.

Bryce Cox, President of Urban Dynamics, LLC gave a PowerPoint presentation (below) via ZOOM on the proposed changes to the regulations.



Recreational Vehicle Park Ordinance

Draft Date: April 1, 2021

Prepared for:
City of Rockport, Texas

Prepared by:
Urban Dynamics LLC
New Braunfels, TX

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Introduction

All text which is red denotes an addition of new text. All text which is ~~red with strikethrough~~ denotes removal of existing text. Black text denotes existing unchanged text. Any existing text which has been omitted shall be considered unchanged. Section headings and italicized text under headings is for document organization and reference only and is not intended to be adopted or codified.

Modifications to Definitions

(The following is text modifying definitions in Sec.118-3 for Manufactured Home Park, RV, and RV Park)

Sec. 118-3. Definitions.

Manufactured Home Park. A parcel or contiguous parcels of land divided into two or more manufactured home spaces and available on a rental basis. ~~May coexist with a Recreational Vehicle Park.~~

~~*Recreational Vehicle. Abbr. RV.* A vehicle which is built on a single chassis; is four hundred (400) square feet or less when measured at the largest horizontal projection; is designed to be self-propelled or permanently towable by a light duty vehicle; and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.~~

~~*Recreational Vehicle. Abbr. RV.* A vehicular unit, which is designed for living or sleeping and/or recreational purposes and equipped with wheels which is either self-propelled, mounted on, or pulled by another vehicle. Examples include but are not limited to a travel trailer, camping trailer, truck camper, motor home, fifth-wheel trailer, or van.~~

~~*Recreational Vehicle Park. Abbr. RV park.* A parcel or contiguous parcels of land divided into two or more recreational vehicle spaces and available on a rental basis. May coexist with a Manufactured Home Park.~~

Establishing the Recreational Vehicle Park District

(The following is text establishing the RV Park District)

Sec. 118-4. Districts and general provisions.

4.1 Districts Established. Zoning districts as herein set forth are established. The city is hereby divided into the following districts:

R-1	1st Single-Family Dwelling District
R-2	2nd Single-Family Dwelling District
R-2B	Zero Lot Line Single-Family District
R-2M	Manufactured Housing District
R-3	Duplex Dwelling District
R-4	1st Multi-Family Dwelling District
R-5	2nd Multi-Family Dwelling District

R-6	Hotel/Motel District
R-7	Residential and Office District
R-8	Recreational Vehicle Park District
B-1	General Business District
B-2	Central Business District
I-1	Light Industrial District
I-2	Heavy Industrial District
P.U.D.	Planned Unit Development District

Reindexing Zoning District Codification

(The following is text for reindexing the section numbering for all the zoning districts to allow all zoning districts to be adjacent to each other when codified into the code of ordinances.)

Sec.118-6.1 R-1 1st Single-Family Dwelling District
 Sec.118-6.2 R-2 2nd Single-Family Dwelling District
 Sec.118-6.3 R-2B Zero Lot Line Single-Family District
 Sec.118-6.4 R-2M Manufactured Housing District
 Sec.118-6.5 R-3 Duplex Dwelling District
 Sec.118-6.6 R-4 1st Multi-Family Dwelling District
 Sec.118-6.7 R-5 2nd Multi-Family Dwelling District
 Sec.118-6.8 R-6 Hotel/Motel District
 Sec.118-6.9 R-7 Residential and Office District
 Sec.118-6.10 R-8 Recreational Vehicle Park District
 Sec.118-6.11 B-1 General Business District
 Sec.118-6.12 B-2 Central Business District
 Sec.118-6.13 I-1 Light Industrial District
 Sec.118-6.14 I-2 Heavy Industrial District
 Sec.118-6.15 P.U.D. Planned Unit Development District

Sec.118-7 through 118-19 *Reserved.*

Recreational Vehicle Park District Regulations

(The following is text for creating the new district base regulations)

Sec. 118-6.10 Recreational Vehicle Park District (R-8)

10.1 Use Regulations. The purpose of this district is to provide for recreational vehicle parks. Land and premises may be used only for:

1. Recreational Vehicle Parks
2. Restaurants, cafes, food catering services.
3. Offices, banks, libraries, museums, etc.
4. Shops (butcher shops, shoe shops, shell shops, etc., including pawn shops that have been licensed to transact business by the Consumer Credit Commissioner under Chapter 371, Finance Code).
5. Bed and breakfast.
6. Religious, educational, and philanthropic institutions

7. Public parks, public buildings (except detention centers, penal and mental institutions).
8. Golf courses and golf clubs, but no commercial miniature courses or driving ranges.

10.2 Area and Yard Regulations.

10.2.1 *Area of the Lot.* The minimum area of the lot shall be 4 acres.

10.2.2 *Width of the Lot.* The minimum width of the lot shall be fifty (50) feet.

10.2.4 *Yard Area and Building Setbacks.*

10.3 *Height of the Building.* No building shall exceed thirty five (35) feet in height. See Article 3 *Definitions* and Article 20 *District area, yard and height regulations.*

10.4 *Parking Regulations.* Parking Regulations for permitted uses are contained in Article 21 [section 118-21]

10.5 *Accessory Use Regulations.* Accessory uses, which are auxiliary or incidental to the primary used of a building or premises, as contained in Article 22

Adding RV Park District to Lot Dimensions Table

(The following text is for adding the new RV Park District to the lot dimensions and setbacks table)

Table 20
(Refer to Exceptions enumerated in Article 20 [section 118-20])

Areas & Densities	R-1	R-2	R-2B	R-2M	R-3	R-4	R-5	R-6	R-7	R-8	B-1	B-2	I-1	I-2
Lot Area Minimum (sq.ft.) – PER LOT	7000	5000	5000	5000	7000	5000	5000	5000	5000	4 acres	n/a	n/a	n/a	n/a
Lot Area Minimum (sq.ft.) – PER DWELLING UNIT	7000	5000	5000	5000	3500	3500	2200	2200 ^{*1}	2200 ^{*2}	n/a	n/a	n/a	n/a	n/a
Lot Width Minimum (ft.)	50	50	50	50	50	50	50	50	50	50	50	n/a	n/a	n/a
Yard, minimum – FRONT	20	25	25	25	25	25	25	25	25 ^{*6}	25	20	n/a	20	20
Yard, minimum – REAR	20	20	10	20	20	20	20	20	10	20	n/a	n/a	n/a	n/a

Yards, minimum – SIDE INTERIOR *3	5	5	10/0	5	5	5	5	5	5	10	n/a	n/a	n/a	n/a
Yards, minimum – SIDE EXTERIOR *3	15	15	15	15	15	15	15	15	15	10	n/a	n/a	n/a	n/a
Living Area (sq.ft.)	800	600	600	600	500	500	500	500	500	n/a	500	n/a	n/a	n/a
Height, Maximum (ft.)	35	35	35	35	35	35	35	45	35	35	45	35	45	45

Addition of Parking Requirements for RV Parks

(The following text is for adding parking requirements for the RV Park Land Use)

Sec. 21.1.1

USE	REQUIREMENT
Recreational Vehicle Park	2 per designated RV space/slip

Addition of Accessory Uses for Recreational Vehicle Park District

(The following text is for establishing accessory uses for the RV Park district and any associated requirements.)

22.1.3 In R-6 ~~and~~, R-7 and R-8 Districts:

1. Any use listed above in 22.1.2, ~~except that~~ 1) servants/guest quarters shall not be located in the R-8 district.
2. Subordinate uses for hotels, motels and bed and breakfast establishments. Such facilities shall include but not be limited to, retail shops, restaurants, clubs and lounges, and shall be wholly or partially within the primary structure and not built or used as a detached structure or facility.
3. Piers, boat docks and related marine facilities may be detached from the main structure and are to be used only by the occupants and their guests.
4. Subordinate uses for Recreational Vehicle Parks may also include the following:
 - a. Temporary boat and trailer parking for occupants only
 - b. Campgrounds
 - c. Park manager living quarters
 - d. Rental RV's and Cabins taking up no more than ten percent (10%) of the total gross area.
 - i. HUD code manufactured housing may be used as rental cabins.

22.2.2 Except, as otherwise allowed in this subsection, fences in R-1 through R-7 districts shall not exceed six (6) feet in height, ~~and fences in R-8 districts shall not exceed eight (8) feet in height.~~ Fences adjacent to city parks or public space shall not exceed eight (8) feet in height. Fences on a property

adjacent to business or industrial districts shall not exceed the maximums allowed for the adjacent district, whichever is higher. For the purpose in this subsection, when a street right-of-way divides two districts, it is considered to be a separation between the districts, and a property on one side of the street is not considered adjacent to the district on the other.

Removal of RV Parks from CUP List

(the following text is for removing rv parks from the list of specific uses that require a conditional use permit.)

Sec.118-23.10

10. ~~Recreational Vehicle~~/Manufactured Housing Parks in any district when complying with ~~recreational vehicle~~/manufactured housing park standards addressed in Article 24 of this ordinance [section 118-24 of this Code].

Modification to Manufactured Housing Parks Special Conditions

(The following text is for removing recreational vehicle references from the Manufactured Housing Parks Special Conditions Sec.118-24.2.13)

24.2.13 ~~Regulation of Recreational Vehicle~~/Manufactured Housing Parks.

1. *General Provisions.* The following general provisions are required for the development or the expansion of ~~RV~~/Manufactured Housing Parks ~~within the R-1 up through and including the R-7 zoning districts.~~

2. Mobile Homes, as defined, are prohibited within ~~RV~~/Manufactured Housing Parks inside the city limits of the City of Rockport unless such mobile home existed prior to annexation. Replacement of an existing mobile home shall be with a HUD-Code Manufactured Home. Replacement of an existing HUD-Code Manufactured Home shall be with a HUD-Code Manufactured Home of equal size, but not less than 320 square feet, or larger, and be a newer model.*

* NOTE: Newer model is defined as a manufactured home with a manufactured date being not more than ten (10) years prior to the calendar year it is to be placed on the property.

3. Upon application, the installation of a ~~Recreational Vehicle~~/Manufactured Home Park shall be permitted as determined appropriate by the City through a conditional-use permit (CUP), including a Planned Unit Development (PUD) that may contain a ~~RV~~/Manufactured Home Park. An application to install a HUD CODE Manufactured Home for use and occupancy as a residential dwelling is deemed approved and granted unless the City denies the application in writing within forty-five (45) days from receipt of the application setting forth the reason.

4. This section shall not affect the applicability of any deed restriction that is otherwise valid.

5. *Specific Provisions.* In addition to CUP approval, land used as a ~~RV~~/Manufactured Home Park shall be developed according to the following criteria.

6. The above described park may include Manufactured Homes, ~~RV's/Travel Trailers and Campgrounds or any combination thereof~~. Other uses, in addition to the uses described herein, shall be conditioned or amended, as the case may be, by Special Permit.

~~7. Parks containing a combination of Manufactured Homes, RV's/Travel Trailers or Campgrounds must designate separate areas for each classification. No mixture of Manufactured Homes, RV's/Travel Trailers, campgrounds or other approved uses is permitted in any designated area (Density control).~~

8. The ~~manufactured housing~~ park area shall consist of at least four (4) acres in size. The number and location of external access drives shall be approved by the Zoning Administrator and the Director of Public Works.

9. Scaled plans and specifications showing details of the proposed park layout shall be submitted and reviewed by city staff prior to any zoning approval and/or building permit activity. Future additions to the park shall be processed in the same manner as an original proposal.

10. There shall be no minimum lot/space area except that each ~~RV~~/Manufactured Housing unit shall be located on each space so that there is at least twenty (20) feet unobstructed clearance between units, side-to-side and end-to-end and ten (10) feet unobstructed clearance between units and adjacent permanent structures or lots. No unit shall be closer than ten (10) feet from any internal road and no closer than twenty (20) feet from any external access road.

11. Manufactured Housing ~~and RV's/Travel Trailers~~ located in the park shall be connected to city water and wastewater systems if available.

12. Interior access drives shall be maintained with a hard surface, with approved drainage and be of sufficient width in each area to conform with the type of unit to be assigned to the area, as determined by the Zoning Administrator. Parking on interior access drives shall be permitted only if sufficient clearance exists for one (1) car passage in addition to parking.

~~13. A service building to provide necessary sanitation and laundry facilities shall be provided. Such building(s) shall be conveniently located and shall provide fixtures as required by the Plumbing Code.~~

~~13 14.~~ The park shall conform to all other City of Rockport regulations and codes ~~relating to planning and zoning, building, gas, mechanical, plumbing, electrical installations and tie downs for windstorm compliance~~. All manufactured housing units unoccupied during hurricane season (June 1 to November 30) must be tied down (see Building Code) ~~or removed from the park~~. Lot spaces shall be labeled with numbers to augment identification by 911 operations. Fire hydrants shall be required as specified by the ~~Director of Public Works~~ City Manager or his/her designee and shall be included in the park layout plans submitted for approval.

~~14 15.~~ Out-side lighting shall be in accordance with the city's Light Nuisance Ordinance.

~~15 16.~~ Storage, collection and disposal of refuse shall be so conducted as to create no health hazard, rodent harborage, insect breeding areas, accident or fire hazard or air pollution. Pets shall be leashed (Animal Control Ordinance).

~~16~~ ~~17~~. The property owner/operator shall at all times operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean, sanitary and orderly condition at all times.

~~17~~ ~~18~~. There shall be at least one (1) recreation area which shall be accessible from all spaces. The site or sites of such recreation area or areas shall total not less than eight percent (8%) of the gross site area of the park.

~~18~~ ~~19~~. The park shall be screened from a public place or public right-of-way and adjacent occupied property by a solid screening fence in accordance with subsection 22.2 of this ordinance. Planted vegetation may be allowed as an alternate screening device by the Tree and Landscape Regulations in Chapter 106, Rockport Code of Ordinances.

Recreational Vehicle Park District Special Conditions

(The following is text for creating special conditions for the Recreational Vehicle Park District)

Sec.118.24.2.14 Regulation of Recreational Vehicle Parks

1. *General Provisions.* The following general provisions are required for the development or the expansion of Recreational Vehicle Parks. Unless otherwise specified in the city's code of ordinances, occupancy of recreational vehicles in the city limits is restricted to recreational vehicle parks.
2. The minimum RV slip/space size shall be forty (40) feet wide by sixty (60) feet deep. Additionally, each RV unit shall be located on each space so that there is at least twenty (20) feet unobstructed clearance between units, side-to-side and end-to-end and ten (10) feet unobstructed clearance between units and adjacent permanent structures. No slip/space shall encroach into required minimum yard setbacks.
3. *Interior Access Drives.*
 - a. Interior access drives shall be of asphalt, concrete or other city approved hard surface, with approved drainage.
 - b. An interior access drive or internal street shall be provided to each RV space. Each street shall have a minimum width of twenty-four (24) feet. The internal streets shall be continuous and connect with other internal streets or with public streets. All dead-end interior drives shall provide a cul-de-sac or other approved turnaround at the dead end. No internal street ending in a cul-de-sac or other approved turn around shall exceed 500 feet in length.
4. *Parking.* The following requirements are in addition to Sec. 118-21 *Parking Regulations* of this ordinance:
 - a. Parking required for each RV space shall be provided adjacent to the space or within a reasonable proximity as to prevent the occurrence of parked vehicles impeding traffic flow or emergency service access.
 - b. Parallel parking along interior access drives or internal streets shall be permitted on only one side of the street for roadways with a minimum width of thirty (30) feet and on both sides of the street for roadways with a minimum width of thirty-six (36). Parallel parking

- is not permitted on roadways with a width less than thirty (30) feet unless otherwise approved by the City Manager or his/her designee.
5. Recreational Vehicles located in the park shall be connected to city water and wastewater systems if available.
 6. Fire hydrants shall be required as specified by the City Manager or his/her designee and shall be included in the park layout plans submitted for approval.
 7. Slips/spaces shall be labeled with numbers to augment identification by emergency service operations. Identification numbering shall be a minimum of three (3) inches tall, in a contrasting color with the background with a reflective finish, placed in a way to be plainly seen from the access road and protected from vehicular damage.
 8. The park shall conform to all other applicable City of Rockport regulations and codes.
 9. Storage, collection, and disposal of refuse shall be conducted as to create no health hazard, rodent harborage, insect breeding areas, accident or fire hazard or air pollution and shall be provided and buffered in accordance with the Vegetation regulation in Chapter 106, Rockport Code of Ordinances.
 10. A service building to provide necessary sanitation and laundry facilities shall be provided. Such building(s) shall be conveniently located and shall provide fixtures as required by the city adopted building codes.
 11. *Total Open Space Requirement.* RV parks shall provide a minimum of twenty percent (20%) open space of the total gross site area of the park. The minimum required open space may be inclusive of the required recreational areas, landscaping buffers, and other natural or landscaped areas.
 12. *Recreation Area Required:*
 - a. There shall be at least one (1) recreation area which shall be easily accessible to all park users.
 - b. *Size of Recreation Area.* Not less than eight percent (8%) of the gross site area of the RV park shall be devoted to recreational facilities, generally provided in a central location. In large parks, this may be decentralized. Recreation areas include space for community recreation buildings and facilities including but not limited to play fields, sports courts, playgrounds, and swimming pools, but not including vehicle parking areas.
 13. *Screening & Buffering.* The following requirements are in addition to regulations in Sec. 118-22.2 *Fence Regulations* and Chapter 106 *Vegetation* of the Rockport Code of Ordinances:
 - a. The park shall be screened from the public right-of-way and adjacent residentially zoned property by a solid screening wall comprised of a durable low-maintenance material traditionally used in wall construction, including but not limited to stone, masonry products, and pre-cast concrete.
 - b. A minimum fifteen (15) foot deep landscaping buffer shall be provided between any public right-of-way and required screening wall. This buffer shall include a mixture of trees, shrubs, planting beds and other living landscaping to soften the visual impact of the screening wall and enhance the street view aesthetics.
 - c. *Alternative screening compliance.* Where existing dense natural vegetation is preserved, the city manager or his/her designee may allow for alternative fencing and landscaping design that provides for year around screening of the RV park from public right-of-ways and adjacent residentially zoned property.
 14. The property owner/operator shall at all times operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean, sanitary and orderly condition at all times.

Mr. Cox reviewed the proposed changes to the regulations. Mr. Cox complimented City staff stating they are very knowledgeable.

Mayor Pro-Tem Villa said as everyone knows, he is not a fan of RV parks in the City, and he thinks the City has too many already.

Council Member Cunningham said the proposed ordinance does not address “grandfathering – where existing RV parks are not affected by this unless they want to expand” and he thinks that should be addressed in the Ordinance. Council Member Cunningham asked if there had been any effort/study to see if the proposed rules are economically feasible in our area.

Ms. Torres stated the proposed ordinance does mention discontinuing of use and that is covered in that section. Ms. Torres answered that staff, and the consultant was not considering economics in this; they considered comments from citizens, especially when staff heard a lot of dissent about RV parks.

Council Member Cunningham said it sounded like this was being driven by the largest RVs and not the standard RV. Council Member Cunningham commented that he wondered how we accommodate the standard RV; this will affect the price point and rule out others – looking to higher end RV parks and let the County have the lower end parks. Council Member Cunningham said the people who have less money will get ruled out with what the park will charge; we are intentionally creating a program oriented toward a higher end.

Mayor Rios stated he thinks this may be an economic boom to the developers who have one of these parks.

Director of Public Works and Building Services Mike Donoho stated the City is trying to establish an ordinance where we take control of the types of RV parks, not discounting what we already have. Mr. Donoho said they should be required to connect to City utilities; they will be quality parks.

City Manager Kevin Carruth said before the City implemented the Moratorium on RV parks, staff was receiving five to six proposals every month. Mr. Carruth stated if we implement changes and the market changes, we know we have stretched it too far. Mr. Carruth added this will ensure the City has better quality RV parks, specifically utilities.

Council Member Cunningham said a lot of the City’s workforce live in RVs. Council Member Cunningham stated he does not have an issues with safety – distance between RVs; he is really focusing on pad sizes – are we expecting too much.

Council Member Hattman stated personally she thinks workforce citizens are focusing on an actual home, not here to keep living in an RV. Council Member Hattman said we are looking at the City and what is best for the whole, and we should not be focusing on RV living for our workforce.

Ms. Torres said she needed guidance from the Council whether to move forward with the proposed

Ordinance. Ms. Torres stated a Public Hearing will be held and the Planning & Zoning Commission will also have to review the proposed Ordinance.

Mayor Rios stated he wanted to move forward with this; we have had a Moratorium long enough.

Mr. Donoho asked that if any of the Council had additional questions or recommendations to provide them to the City Manager and then staff will ask Mr. Cox to address them.

Mayor Pro-Tem Villa stated he agreed with the Mayor; get the ball rolling.

Council Member Hattman said she agreed with moving forward.

Mr. Cox stated he understood what he needed to address. Mr. Cox expressed he appreciated the opportunity to work with the City and the City is lucky they have such smart staff.

16. Deliberate and act on a Resolution determining that conditions exist within the Rockport Cultural Arts District/Heritage District of the City which are detrimental to the public health, safety, and welfare of the community and constitutes a blighted area.

Community Planner Amanda Torres stated the Rockport Cultural Arts District would like to pursue a Downtown Revitalization grant and this Resolution is a requirement of the grant application. Ms. Torres said Mary Afuso, Regional Disaster Recovery Manager with Coastal Bend Council of Governments is assisting with the grant application and she is present tonight if anyone has any questions.

Council Member Cunningham asked if there is an advantage for going through the Coastal Bend Council of Governments.

Ms. Torres answered the Rockport Cultural Arts District had previously worked with the Coastal Bend Council of Governments, so they were continuing to utilize them.

City Manager Kevin Carruth stated this is a new service of the Coastal Bend Council of Governments and we will be the first to utilize this service.

MOTION: Mayor Pro-Tem Villa moved to approve a Resolution determining that conditions exist within the Rockport Cultural Arts District/Heritage District of the City which are detrimental to the public health, safety, and welfare of the community and constitutes a blighted area. Council Member Hattman seconded the motion. Motion carried unanimously.

17. Deliberate and act to authorize an interlocal agreement with the Coastal Bend Council of Governments to provide grant writing, administrative services and fiscal services for the Texas Department of Agriculture Downtown Revitalization Program and authorizing the Mayor to negotiate and execute all necessary documents.

Community Planner Amanda Torres stated since the Coastal Bend Council of Governments is helping develop the grant application an agreement has to be in place for them to access the grant

portal.

MOTION: Mayor Pro-Tem Villa moved to authorize an interlocal agreement with the Coastal Bend Council of Governments to provide grant writing, administrative services and fiscal services for the Texas Department of Agriculture Downtown Revitalization Program and authorizing the Mayor to negotiate and execute all necessary documents. Council Member Hattman seconded the motion. Motion carried unanimously.

18. Deliberate and act on a resolution authorizing the submission of a Texas Community Block Grant program application to the Texas Department of Agriculture for the Downtown Revitalization Program; and authorizing the Mayor of Rockport to act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Department of Agriculture Downtown Revitalization Program.

Community Planner Amanda Torres said this was the formal Resolution authorizing submission of the grant.

MOTION: Council Member Hattman moved to approve a Resolution authorizing the submission of a Texas Community Block Grant program application to the Texas Department of Agriculture for the Downtown Revitalization Program; and authorizing the Mayor of Rockport to act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Department of Agriculture Downtown Revitalization Program. Mayor Pro-Tem Villa seconded the motion.

Mayor Pro-Tem Villa asked if the Resolution had to specifically state the Mayor was authorized representative or could it also state the City Manager?

Mary Afuso, Regional Disaster Recovery Manager with Coastal Bend Council of Governments stated the language is recommended by the granting agency.

Motion carried unanimously.

19. Hear and deliberate on status of COVID-19 and response efforts.

Assistant to the City Manager Kimberly Henry said the County is entering the final week of second doses of vaccinations. Ms. Henry stated some individuals received text messages and emails and were given incorrect information; the correct information is listed on the flyer posted on the City's website. Ms. Henry added that Patricia Arnold with Aransas County is working to get the local pharmacies added to the State list of vaccination sites.

Council Member Cunningham said he saw some guidance from the Centers for Disease Control and Prevention (CDC) that deep cleaning of areas was not necessary. Council Member Cunningham asked if the City was still doing that and why. Council Member Cunningham added that it was recommended to wipe touch points.

Director of Public Works and Building Services Mike Donoho said the City continues to use a mister at lunch and in the evening on touch points and is no longer doing the fogging. Mr. Donoho said most staff are wiping down their own desks, and the City is continuing regular housekeeping.

20. Reports from Council.

At this time, the City Council will report/update on all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Rockport Cultural Arts District, Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; YMCA Development Committee; Texas Maritime Museum, Fulton Mansion, Rockport Center for the Arts, Aransas County, Aransas County Independent School District, Aransas County Navigation District, Town of Fulton, and Texas Municipal League. No formal action can be taken on these items at this time.

Mayor Pro-Tem Villa said he helped at the vaccinations.

Council Member Cunningham said he is in the middle of an election. Council Member Cunningham stated there is a forum on April 14, 2021, at 6:30 p.m. at the Women's Club.

Mayor Rios said he and the City Manager attended the Police Chief's Association Conference in Fort Worth where the City's Police Department received Best Practices Recognition for the second year in a row. Mayor Rios stated the City is 1 in 40 received in the State. Mayor Rios congratulated the Rockport Police Department for the hard work and expressed the City should be very proud of them. Mayor Rios said they also visited with Pete Geren with the Sid Richardson Foundation and presented him with a Hurricane Harvey bowl and City coin for everything they did for the City of Rockport following the hurricane. Mayor Rios added that later that afternoon they met with Bill Baker and Sasha Bass; the Bass Foundation had provided a \$150,000 grant for the rebuilding of the Rockport Center for the Arts.

City Manager Kevin Carruth said Information Technology staff, Bob and Tommy had replaced all the microphones being used for the meetings, and they had also placed a camera at the podium. Mr. Carruth stated they are still tweaking some things, but they had put a lot of work into it.

Executive Session

City Council will hold an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

- 21. Section 551.071 – Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Ameresco.**

An Executive Session was not held.

Open Session

City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

22. Adjournment.

At 9:45 p.m., Council Member Cunningham moved to adjourn. Motion was seconded Mayor Pro-Tem Villa. Motion carried unanimously.

APPROVED:

Patrick R. Rios, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Regular Meeting: Monday, April 27, 2021

AGENDA ITEM: 7

Deliberate and act on 2nd quarter report from the Rockport-Fulton Chamber of Commerce for Fiscal Year 2020-2021 marketing expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: The Rockport-Fulton Chamber of Commerce has been allocated \$330,000.00 in Fiscal Year 2020-2021 Hotel Occupancy Tax (HOT) funds. According to our agreement with the Chamber, HOT funds are paid in advance and a report of the previous quarter's expenditures is required. See the accompanying 2nd quarter HOT expenditure report for additional information.

FISCAL ANALYSIS: Charged to account 6602001. Year to date expenses are \$122,580.83 out of \$370,000.00 budgeted.

STAFF RECOMMENDATION: Staff recommends approval of the Rockport-Fulton Chamber of Commerce Fiscal Year 2020-2021 Hotel Occupancy Tax funds 2nd quarter expenditures and authorization to disburse 3rd Quarter funds in the amount of \$82,500.00, as presented.

Rockport-Fulton Area Chamber of Commerce, Inc.
Rockport Hotel Tax Account
October 1, 2020 through
September 30, 2021

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT 2020 - 2021						
Description of Expense	Approved Budget	1st Quarter Expenses	2nd Quarter Expenses	3rd Quarter Expenses	4th Quarter Expenses	Total
Accounting Fees	1,150.00	-	2,000.00	-	-	2,000.00
Advertising and promotion	250,867.00	12,552.55	76,097.87	-	-	88,650.42
Bank & Card Fees	324.00	94.88	62.29	-	-	157.17
Conference Fees	3,275.00	-	150.00	-	-	150.00
Dues and Subscriptions	1,875.00	2,016.31	-	-	-	2,016.31
Food, beverages and meals	3,165.00	258.37	35.81	-	-	294.18
Mileage and travel	3,253.00	1,000.00	602.26	-	-	1,602.26
Postage and freight	1,365.00	-	-	-	-	-
Printing and publication	5,735.00	83.00	-	-	-	83.00
Prizes, gifts and awards	400.00	-	-	-	-	-
Rentals and fees	500.00	-	-	-	-	-
Supplies	225.00	27.49	-	-	-	27.49
Telephone	900.00	-	-	-	-	-
Web site maintenance	200.00	-	-	-	-	-
Administrative services reimbursement	55,200.00	13,800.00	13,800.00	-	-	27,600.00
Inter Fund Support	1,575.00	-	-	-	-	-
TOTAL REQUESTED	330,009.00	29,832.60	92,748.23	-	-	122,580.83

Description of Administrative Expenses	Current Fiscal Year Administrative Expenses Projection	Fiscal Year Administrative Actual Expenses	Percentage of Fiscal Year Projections
Administrative services reimbursement	55,200.00	27,600.00	50.00%
Totals	55,200.00	27,600.00	50.00%



**Quarterly Report on the Use of
Hotel Occupancy Tax Funds
January-March 2021**

Total Tourist Spending - 2000 to 2019 - 10 Years

Aransas	2000	2007	2010	2013	2015	2016	2017	2018	2019	18-19	00-19
Total Spending	57.8	91.4	96.2	99.0	101.4	98.5	102.1	89.9	98.9	9.9%	2.9%
Visitor Spending	57.8	91.4	96.2	99.0	101.4	98.5	102.1	89.9	98.9	9.9%	2.9%
Non-transportation	53.5	82.1	87.4	88.7	93.9	91.5	93.5	80.1	89.4	11.6%	2.7%
Transportation	4.3	9.3	8.8	10.3	7.5	7.0	8.6	9.8	9.5	-3.5%	4.2%

Total Tourist Spending - 2019

	Direct Travel-Generated Impacts					
	Travel Spending					
	Total Direct Spending (\$000)	Visitor Spending (\$000)	Earnings (\$000)	Employment (Jobs)	Local (\$Million)	State (\$Million)
Aransas	98,855	98,855	35,889	1,248	3,289	5,769

*The dollar figures above are in millions of dollars.

Source: Dean Runyan Associates, 266 page report on Economic Impact of Travel & Tourism for the State of Texas.

<https://static1.squarespace.com/static/5ea0c297db073c065cc8f3a7/t/600b72ea643aa1698764d90a/1611363052747/Texas+Travel+Impact+Report+2019.pdf>



			Harvey			COVID	
Venue Tax	2015	2016	2017	2018	2019	2,020	2,021
Jan	19,291.73	20,517.67	18,584.84	9,395.80	10,710.93	18,226.59	20,530.64
Feb	17,056.41	14,862.15	24,111.58	10,989.07	13,688.02	18,303.80	17,201.09
Mar	18,700.25	24,882.69	27,014.94	8,451.52	12,868.93	24,719.74	24,449.32
Apr	34,822.25	39,051.27	45,019.00	25,783.43	27,787.11	28,441.38	
May	34,601.22	29,974.18	38,150.41	26,644.19	24,441.83	11,144.83	
Jun	39,416.11	43,457.29	39,913.39	19,039.65	34,679.91	45,371.58	
Jul	71,101.27	69,323.92	71,707.64	38,911.54	60,122.74	81,591.75	
Aug	84,116.81	85,220.95	78,603.01	39,534.97	68,230.56	70,289.34	
Sep	60,881.23	44,607.36	23,628.37	30,495.66	41,781.19	74,972.18	
Oct	43,508.17	36,064.77	20,693.21	26,648.66	37,427.96	59,465.74	
Nov	27,465.03	33,854.16	7,101.65	20,180.66	35,157.38	43,802.50	
Dec	35,447.43	18,324.24	8,213.95	16,259.99	22,852.30	30,883.40	
Total	486,407.91	460,140.65	402,741.99	272,335.14	389,748.86	507,212.83	62,181.05
			69,711.36			61,250.13	
			11% down			1.5% up	
* Cash basis accounting							
* Enforcement (rentals) added January 2018							
* Pent Up Demand March 2020 to December 2020 due to COVID							

Visitor Center Numbers

A	B	C	D	E
Visitor Sign-In Log at Rockport-Fulton Visitor Center	Jan-19	Feb-19	Mar-19	1st QT
Visitor Data Distribution				
Outside of 70 Miles*	77.41%	78.25%	87.76%	81.14%
Local**	22.59%	21.75%	12.24%	18.86%
Total	100.00%	100.00%	100.00%	100.00%
Highlights of Tourism > 70+ miles and major metropolitan areas in TX				
Austin	6.45%	1.15%	4.85%	4.15%
Dallas / Ft. Worth	1.49%	2.67%	5.54%	3.23%
Houston	2.48%	4.20%	6.93%	4.54%
San Antonio	6.70%	3.44%	7.39%	5.84%
Total major metro areas (AUS, DFW, HOU, SAT)	17.12%	11.46%	24.71%	17.76%
Tourism from outside of Texas	55.58%	57.63%	51.04%	54.75%
Rural tourism beyond 70 miles	4.71%	9.16%	12.01%	8.63%
Total tourism from beyond 70 miles	77.41%	78.25%	87.76%	81.14%
** Local Visitors < 70 miles				
Rockport and Fulton	20.35%	19.85%	8.78%	16.33%
Corpus Christi	0.50%	0.00%	1.15%	0.55%
Victoria	0.50%	0.00%	0.23%	0.24%
Rural Areas	1.24%	1.90%	2.08%	1.74%
Total	22.59%	21.75%	12.24%	18.86%

Jan-March

1,492 Visitors

- 681 In-state
- 811 Out of state visitors

* See attached visitor origins list.



Strategy - January, February and March

Events Picking Back Up (Events that relate to tourism)

- SesquiCentennial Monument Dedication & Historical Marker Guide Jan. 30
- Sea-A-Bration - Fulton Convention Center Feb. 12
- Unique activities during March such as Crawfish Festival March 13, Market on Market St., Maker's Market in Downtown Rockport, Stroll through Rockport, Master Gardner Plant Sale, Railroad Depot SA Model T Club and others...

Continue Monthly emails

- Tourism News & Events - EBlast - 69,478 emails generated 5,566 opens, 265 click thrus

Continue "outdoor activity" Social Media posts

- Beach, water, Aransas Pathways sites, trails, oystering
- GeoTour

Continue Press Releases where possible

Continue meeting monthly with Local Attraction Representatives

Conducted Annual Marketing Workshop - March 25



Annual Marketing Workshop March 25 - 4-hours of review, discussion, input and direction



Reviewed latest research, analytics, ad campaign and goal status of the 5-year Strategic Plan for Tourism

Jessee Pilgrim, Chair, Pelican Bay Resort, Fulton
 Hannah Miller, Vice Chair, Goin Coastal, Rockport
 Bubba Casterline, County
 Andrea Hattman, City of Rockport
 Kimberly Harris, City of Rockport
 Katie Griffith, City of Rockport
 Robert Mitchell, Chairman of the Board
 Donna Townsend, Chair-Elect, Bars/Retail
 Craig Griffin, Hotel/Restaurant/Retail
 Jatin Bhakta, Hotel/EDC
 Luis Puron, Local Attractions
 Pam Stranahan, History
 Summer Terrell, Short Term Rentals
 Dawn Walker, RV Parks
 Diane Probst, President/CEO
 Sandy Jumper, VP of Marketing & Promotion

Media Buyers:

Brandon Thompson of Helen Thompson Media, San Antonio
 Stacey Schneider of Helen Thompson Media, San Antonio

Marketing Research:

Deb Prost, Prost Marketing Research



Restaurant Weeks - A Taste of Rockport-Fulton



News coverage by Ch. 3, 6 & Rockport Pilot



Click to View - TV Commercial for Restaurants

Restaurant BINGO

Visit a minimum of 10 restaurants to qualify for the Mystery Box Grand Prize! (\$2,000-plus value)



It's fun! Support our restaurants and our students!

Turn in your Bingo Card to the Rockport-Fulton Chamber of Commerce and Visitors Center at 319 Broadway St., Rockport, TX 78382 before 5 p.m. April 30, 2021 for your chance to win the Grand Prize. Winner announced on May 3, 2021.



DONATE TO THE SCHOLARSHIP FUNDRAISER

Give Online Now

Open your phones camera and hold the camera over the below QR code to donate directly to the fund.



Donate Here

Mail Your Donation

Rockport Rotary Scholarship Foundation
P.O. Box 66
Rockport, TX 78381



Strategy - Going Forward - April, May and June

Advertising

- Restaurant Weeks - A Taste of Rockport-Fulton,
- GeoTour Launch Party June 1st
- Ad campaign for summer visitors
- SesquiCentennial Ad Campaign

Focusing on “Things to Do”

- Weekly videos on Social Media with eblast link
- Event Promotion April, May and June
- SesquiCentennial Week - June 12-19
 - County Fair, Founders Breakfast, Parade,
 - 150th in the Fireworks Display for July 4th
- GeoTour Launch Party June 1st



Education and Training

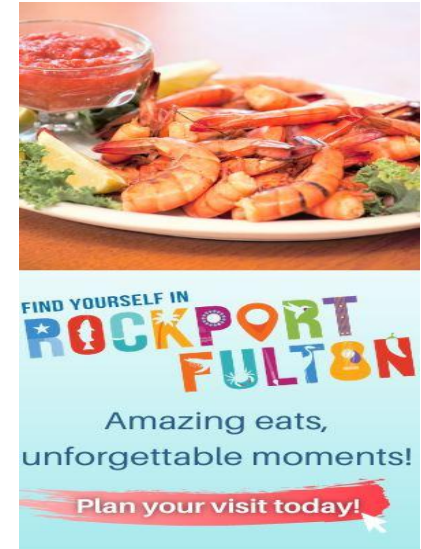
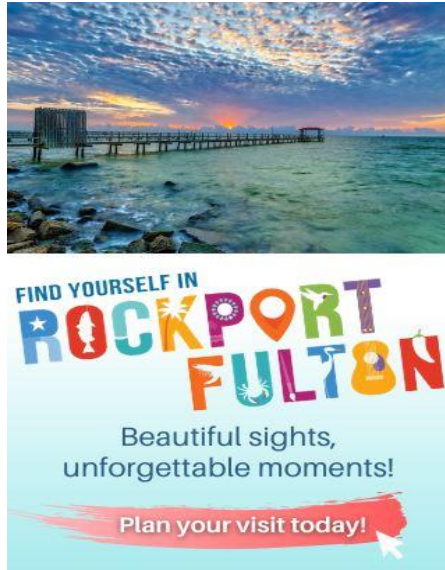
- Charmer Visitor Greeters Training
- Crosstraining Staff
- Hospitality Training
- May Tourism Luncheon



Billboards



Digital Ads



Thank you!

Sandy Jumper, CTE, TDM

VP of Marketing & Promotion

Rockport-Fulton Chamber of Commerce

319 Broadway

Rockport, TX 78382

Diane Probst, CCE

President/CEO

Rockport-Fulton Chamber of Commerce

319 Broadway

Rockport, TX 78382

FIND YOURSELF IN



JANUARY 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
1/26	2	LITTLE ROCK	AR	
1/14	2	SPRINGDALE	AR	
1/18	2	PHOENIX	AZ	
1/27	2	YUMA	AZ	
1/26	1	PALM SPRINGS	CA	
1/28	2	WINDSOR	CO	
1/27	2	COLORADO SPRINGS	CO	
1/20	1	DENVER	CO	
1/15	2	DENVER	CO	
1/28	2	DENVER	CO	
1/21	2	PUEBLO HILLS	CO	
1/26	1	VAIL	CO	
1/22	1	WINDSON	CO	
1/26	1	CRESTVIEW	FL	
1/6	2	CRESTVIEW	FL	
1/8	1	CEDAR RAPIDS	IA	
1/9	1	CEDAR RAPIDS	IA	
1/28	2	CEDAR RAPIDS	IA	
1/15	4	CEDAR RAPIDS	IA	
1/9	1	CENTRAL CITY	IA	
1/4	2	DEMOINES	IA	
1/20	2	DUBUQUE	IA	
1/12	2	FORT DODGE	IA	
1/14	4	MONTICELLO	IA	
1/4	1	PARADISE	IA	
1/29	1	WATERLOO	IA	
1/27	1	CHICAGO	IL	
1/6	2	CHICAGO	IL	
1/7	2	CHICAGO	IL	

JANUARY 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
1/25	1	CHICATO	IL	
1/12	2	FLORA	IL	
1/8	2	GRANITE CITY	IL	
1/26	2	KEWANEE	IL	
1/28	2	LINCOLN	IL	
1/19	1	LOCKPORT	IL	
1/26	1	MACHESNEY PARK	IL	
1/22	1	MORRIS	IL	
1/28	1	HAUBSTADT	IN	
1/11	2	INDIANAPOLIS	IN	
1/29	2	INDIANAPOLIS	IN	
1/7	4	KANSAS CITY	KS	
1/16	2	MANHATTAN	KS	
1/7	2	OLAKA	KS	
1/7	2	TOPEKA	KS	
1/9	2	ANNAPOLIS	MD	
1/4	1	BATTLE CREEK	MI	
1/23	1	DETROIT	MI	
1/25	2	DETROIT	MI	
1/18	1	EAST JORDAN	MI	
1/20	1	LANCING	MI	
1/21	2	SHERIDAN	MI	
1/14	2	SOUTH LYON	MI	
1/26	1	SUE ST. MARIE	MI	
1/26	2	BAUDETTE	MN	
1/29	1	BLAINE	MN	
1/5	2	BUFFALO	MN	
1/9	1	DELUTH	MN	
1/16	2	LAKEVILLE	MN	

JANUARY 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
1/15	1	MIDTOWN	MN	
1/6	2	MINNEAPOLIS	MN	
1/25	2	MINNEAPOLIS	MN	
1/27	2	MINNEAPOLIS	MN	
1/15	3	MINNEAPOLIS	MN	
1/30	3	MINNEAPOLIS	MN	
1/11	8	MINNEAPOLIS	MN	
1/26	2	ONOKA	MN	
1/27	1	PINE	MN	
1/27	2	PLYMOUTH	MN	
1/21	4	REDWOOD FALLS	MN	
1/4	3	SAINT CLOUD	MN	
1/27	2	WINONA	MN	
1/7	1	BRANSON	MO	
1/28	1	COLUMBIA	MO	
1/18	1	KANSAS CITY	MO	
1/26	1	KANSAS CITY	MO	
1/22	2	KANSAS CITY	MO	
1/28	2	KANSAS CITY	MO	
1/8	1	SPRINGFIELD	MO	
1/22	2	SULLIMAN	MO	
1/26	2	TIPTON	MO	
1/21	1	UNIONVILLE	MO	
1/6	2	BILLINGS	MT	
1/20	1	GREAT FALLS	MT	
1/7	1	MISSEULA	MT	
1/27	1	BRUNING	NE	
1/28	3	LINCOLN	NE	
1/28	1	ALBUQUERQUE	NM	

JANUARY 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
1/30	1	ALBUQUERQUE	NM	
1/30	1	SILVER CITY	NM	
1/27	2	LAS VEGAS	NV	
1/29	1	STOUR	OH	
1/20	4	KINGSTON	OK	
1/15	1	LAKE UFULLA	OK	
1/20	1	MUSKOGEE	OK	
1/18	1	OKLAHOMA CITY	OK	
1/13	2	OKLAHOMA CITY	OK	
1/13	2	SEMINOLE	OK	
1/28	2	YUKON	OK	
1/28	2	EUGENE	OR	
1/22	1	ALLENTOWN	PA	
1/19	1	HARRISON TOWNSHIP	PA	
1/6	1	LANCASTER	PA	
1/18	1	CHARLESTON	SC	
1/25	2	BILLINGS	SD	
1/27	1	MADISON	SD	
1/18	1	RAPID CITY	SD	
1/11	2	RAPID CITY	SD	
1/26	2	WATERTOWN	SD	
1/5	1	ALLEN	TX	
1/20	1	ARANSAS PASS	TX	
1/14	1	AUSTIN	TX	
1/22	1	AUSTIN	TX	
1/27	1	AUSTIN	TX	
1/29	1	AUSTIN	TX	
1/6	2	AUSTIN	TX	
1/14	2	AUSTIN	TX	

JANUARY 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
1/15	2	AUSTIN	TX	
1/19	2	AUSTIN	TX	
1/26	2	AUSTIN	TX	
1/18	1	AUSTON	TX	
1/18	2	BELTON	TX	
1/22	1	BURNETTE	TX	
1/29	1	CLEBURNE	TX	
1/14	1	CORPUS CHRISTI	TX	
1/18	1	CORPUS CHRISTI	TX	
1/9	1	DALLAS	TX	
1/23	1	DALLAS	TX	
1/4	2	DRIPPING SPRINGS	TX	
1/7	1	FORT WORTH	TX	
1/18	1	FORT WORTH	TX	
1/11	1	FULTON	TX	
1/26	1	GAINSVILLE	TX	
1/23	1	GALVESTON	TX	
1/12	1	GEORGETOWN	TX	
1/15	2	GEORGETOWN	TX	
1/28	2	GEORGETOWN	TX	
1/14	1	GLEN ROSE	TX	
1/15	2	GLEN ROSE	TX	
1/26	1	GRANBURY	TX	
1/19	2	HORSESHOE BAY	TX	
1/20	1	HOUSTON	TX	
1/22	1	HOUSTON	TX	
1/8	2	HOUSTON	TX	
1/19	2	HOUSTON	TX	
1/26	2	HOUSTON	TX	

JANUARY 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
1/27	2	HOUSTON	TX	
1/22	2	INGLESIDE	TX	
1/6	1	KINGSLAND	TX	
1/15	1	LAMAR	TX	
1/29	2	LEAGUE CITY	TX	
1/18	1	LONGVIEW	TX	
1/14	2	LUBBOCK	TX	
1/29	1	MCKINNEY	TX	
1/9	1	MINEAOLA	TX	
1/14	2	NEW BRAUNSFEL	TX	
1/29	2	NEW BRAUNSFEL	TX	
1/18	1	PORTLAND	TX	
1/4	1	ROCKPORT	TX	
1/5	1	ROCKPORT	TX	
1/6	1	ROCKPORT	TX	
1/18	1	ROCKPORT	TX	
1/18	1	ROCKPORT	TX	
1/19	1	ROCKPORT	TX	
1/19	1	ROCKPORT	TX	
1/27	1	ROCKPORT	TX	
1/28	1	ROCKPORT	TX	
1/28	1	ROCKPORT	TX	
1/29	1	ROCKPORT	TX	
1/29	1	ROCKPORT	TX	
1/30	1	ROCKPORT	TX	
1/11	2	ROCKPORT	TX	
1/13	2	ROCKPORT	TX	
1/20	2	ROCKPORT	TX	
1/29	2	ROCKPORT	TX	

JANUARY 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
1/7	3	ROCKPORT	TX	
1/15	3	ROCKPORT	TX	
1/16	3	ROCKPORT	TX	
1/18	3	ROCKPORT	TX	
1/19	3	ROCKPORT	TX	
1/23	3	ROCKPORT	TX	
1/25	3	ROCKPORT	TX	
1/26	3	ROCKPORT	TX	
1/14	4	ROCKPORT	TX	
1/20	4	ROCKPORT	TX	
1/21	4	ROCKPORT	TX	
1/8	5	ROCKPORT	TX	
1/27	5	ROCKPORT	TX	
1/19	6	ROCKPORT	TX	
1/22	7	ROCKPORT	TX	
1/28	1	ROUND ROCK	TX	
1/5	1	SAN ANTONIO	TX	
1/15	1	SAN ANTONIO	TX	
1/22	1	SAN ANTONIO	TX	
1/25	1	SAN ANTONIO	TX	
1/28	1	SAN ANTONIO	TX	
1/4	2	SAN ANTONIO	TX	
1/5	2	SAN ANTONIO	TX	
1/21	2	SAN ANTONIO	TX	
1/22	2	SAN ANTONIO	TX	
1/22	2	SAN ANTONIO	TX	
1/30	3	SAN ANTONIO	TX	
1/4	5	SAN ANTONIO	TX	
1/11	1	SINTON	TX	

JANUARY 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
1/5	2	VICTORIA	TX	
1/12	2	WESLACO	TX	
1/29	1	WIMBERLY	TX	
1/20	5	SAINT GEORGE	UT	
1/8	2	PORT ANGELES	WA	
1/12	2	SEATTLE	WA	
1/28	1	ANCIGO	WI	
1/26	1	DULUTH	WI	
1/29	2	EAU CLAIRE	WI	
1/6	1	FOND DU LAC	WI	
1/7	1	FOND DU LAC	WI	
1/9	1	FOND DU LAC	WI	
1/18	1	GREEN BAY	WI	
1/19	2	HEARTLAND	WI	
1/18	1	MADISON	WI	
1/25	1	MADISON	WI	
1/27	1	MADISON	WI	
1/19	2	MADISON	WI	
1/20	2	MADISON	WI	
1/4	2	NEW LONDON	WI	
1/18	2	WATERTOWN	WI	
1/6	1	WAUSAUKA	WI	
1/13	2	WEBSTER	WI	
1/26	2	WEBSTER	WI	
TOTAL	403			

FEB 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
2/10	2	NORTH POLE	AK	
2/9	2	BENTONVILLE	AR	
2/10	2	BERRYVILLE	AR	
2/10	2	EUREKA SPRINGS	AR	
2/3	2	GREENVALLEY	AZ	
2/23	1	PHOENIZ	AZ	
2/8	1	ASPEN	CO	
2/5	2	BURLINGTON	CO	
2/3	3	DENVER	CO	
2/22	1	EVERGREEN	CO	
2/24	1	GOLDEN	CO	
2/16	4	GUNNISON	CO	
2/9	1	SAN CLEMENTE	CO	
2/8	1	CLEVELAND	GA	
2/3	2	BURNELL	IA	
2/3	2	CEDAR RAPIDS	IA	
2/10	1	DES MOINES	IA	
2/10	1	ELKADER	IA	
2/25	1	FOREST CITY	IA	
2/3	2	RAPID CITY	IA	
2/5	1	ROCK RAPIDS	IA	
2/1	1	HAYDEN	ID	
2/10	2	CHICAGO	IL	
2/2	1	GERMANTOWN HILL	IL	
2/2	1	JONESBURG	IL	
2/4	2	MASCOUTAH	IL	
2/2	2	KANSAS CITY	KS	
2/1	2	LACYGNE	KS	
2/22	1	OVERLAND PARK	KS	

FEB 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
2/9	2	WICHITA	KS	
2/4	1	LEXINGTON	KY	
2/9	2	LOUISVILLE	KY	
2/8	2	LUBEC	ME	
2/10	2	DETROIT	MI	
2/3	1	GRAND RAPIDS	MI	
2/9	4	GRAND RAPIDS	MI	
2/10	2	JACKSON	MI	
2/4	1	LANSING	MI	
2/26	1	MAISTIQUE	MI	
2/25	1	MARQUETTE	MI	
2/11	2	BAUDETTE	MN	
2/23	2	DETROIT LAKES	MN	
2/9	1	MAPLE LAKE	MN	
2/9	2	MELROSE	MN	
2/1	1	MINNEAPOLIS	MN	
2/2	2	MINNEAPOLIS	MN	
2/4	2	MINNEAPOLIS	MN	
2/5	2	MINNEAPOLIS	MN	
2/5	1	MINNEAPOLIS	MN	
2/10	2	MINNEAPOLIS	MN	
2/11	1	MINNEAPOLIS	MN	
2/22	1	MINNEAPOLIS	MN	
2/24	1	MINNEAPOLIS	MN	
2/25	2	MINNEAPOLIS	MN	
2/23	4	ROMGY	MN	
2/8	2	SAINT CLOUD	MN	
2/2	1	SAINT PAUL	MN	
2/4	2	SAINT PAUL	MN	

FEB 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
2/2	2	WINOKA	MN	
2/24	1	JEFFERSON CITY	MO	
2/4	1	KANSAS CITY	MO	
2/9	2	PRINCETON	MO	
2/5	2	SAINT LOUIS	MO	
2/5	1	SAINT LOUIS	MO	
2/9	3	GREAT FALLS	MT	
2/8	2	MISSOULI	MT	
2/22	2	DENT	ND	
2/22	2	CENTRAL	NE	
2/22	2	HASTINGS	NE	
2/5	1	ALBUQUERQUE	NM	
2/26	2	LAS VEGAS	NV	
2/8	1	RUSSELL	NY	
2/9	2	NORTH RIDGERIDGE	OH	
2/4	1	EDMON	OK	
2/8	2	LAKE TEXAHOMA	OK	
2/5	2	MADIL	OK	
2/4	1	OKLAHOMA CITY	OK	
2/1	2	ERIE	PA	
2/18	1	PITTSBURG	PA	
2/24	2	RAPID CITY	SD	
2/8	1	SIOUX FALLS	SD	
2/2	2	WATERTOWN	SD	
2/4	1	KNOXVILLE	TN	
2/8	2	AMARILLO	TX	
2/5	1	ARANSAS PASS	TX	
2/19	2	ARANSAS PASS	TX	
2/24	1	ARANSAS PASS	TX	

FEB 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
2/1	2	ARLINGTON	TX	
2/1	1	AUSTIN	TX	
2/24	1	BRENNHAM	TX	
2/4	2	CENTER POINT	TX	
2/4	1	CUERO	TX	
2/3	1	DALLAS	TX	
2/3	1	DALLAS	TX	
2/5	1	DALLAS	TX	
2/10	1	DEL RIO	TX	
2/8	1	DELHART	TX	
2/25	1	DENTON	TX	
2/2	2	FARRINGTON	TX	
2/2	1	FULTON	TX	
2/5	1	FULTON	TX	
2/3	2	GALVESTON	TX	
2/27	2	GEORGETOWN	TX	
2/4	2	HOUSTON	TX	
2/5	4	HOUSTON	TX	
2/10	1	HOUSTON	TX	
2/19	2	KELLER	TX	
2/9	4	KERRVILLE	TX	
2/13	2	LEAGUE CITY	TX	
2/5	2	LIVINGSTON	TX	
2/8	1	LONGVIEW	TX	
2/8	2	MIDLAND	TX	
2/9	2	NEW BRAUNFELS	TX	
2/25	1	PORT LAVACA	TX	
2/1	8	ROCKPORT	TX	
2/2	2	ROCKPORT	TX	

FEB 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
2/2	2	ROCKPORT	TX	
2/2	4	ROCKPORT	TX	
2/2	1	ROCKPORT	TX	
2/3	1	ROCKPORT	TX	
2/4	5	ROCKPORT	TX	
2/8	1	ROCKPORT	TX	
2/10	1	ROCKPORT	TX	
2/10	1	ROCKPORT	TX	
2/11	1	ROCKPORT	TX	
2/17	4	ROCKPORT	TX	
2/19	4	ROCKPORT	TX	
2/22	5	ROCKPORT	TX	
2/24	6	ROCKPORT	TX	
2/24	2	ROCKPORT	TX	
2/25	1	ROCKPORT	TX	
2/27	1	ROCKPORT	TX	
2/2	1	SAN ANTONIO	TX	
2/3	3	SAN ANTONIO	TX	
2/3	2	SAN ANTONIO	TX	
2/4	1	SAN ANTONIO	TX	
2/10	1	TEMPLE	TX	
12/12	1	WEST OAKS	TX	
2/3	1	WIMBERLY	TX	
2/10	1	WOODLANDS	TX	
2/10	2	MADISON	WI	
12/12	1	MADISON	WI	
2/24	2	MADISON	WI	
2/22	1	OCONOMOWOC	WI	
2/5	1	PLATTEVILLE	WI	

FEB 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
2/8	2	THREE RIVERS	WI	
2/2	2	UNION GROVE	WI	
2/24	1	CASPER	WY	
2/13	1	CHEYENNE	WY	
TOTAL	262			

MAR 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
3/12	2	CONWAY	AR	
3/30	1	EUREKA SPRINGS	AR	
3/19	2	PHOENIX	AZ	
3/11	1	TUCSON	AZ	
3/19	2	PHELAN	CA	
3/29	2	ASPIN	CO	
3/24	2	COMMERCE CITY	CO	
3/10	2	FORT COLLINS	CO	
3/16	2	SALIDA	CO	
3/2	2	WEST CLIFFE	CO	
3/9	2	WINDSOR	CO	
3/24	1	WINDSOR	CO	
3/23	1	WOODLAND	CO	
3/23	2	HARTFORD	CT	
3/5	2	FLAMINGO	FL	
3/1	1	WEST PALM BEACH	FL	
3/31	2	CLEAR LAKE	IA	
3/8	1	DENISON	IA	
3/17	1	JEFFERSON	IA	
3/9	2	LIVERMORE	IA	
3/18	2	NEW MARKET	IA	
3/25	2	NEW MARKET	IA	
3/29	2	NEW MARKET	IA	
3/22	2	SHENANDOAH	IA	
3/1	2	SPIRIT LAKE	IA	
3/8	1	WATERLOO	IA	
3/8	2	COEUR D'ALENE	ID	
3/26	2	GRANGERVILLE	ID	
3/4	2	CHICAGO	IL	

MAR 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
3/1	2	DURANT	IL	
3/3	1	ELGIN	IL	
3/16	1	FLORA	IL	
3/29	1	MOLINE	IL	
3/4	2	PLANO	IL	
3/12	2	PLANO	IL	
3/27	2	TROY	IL	
3/5	2	ELKHART	IN	
3/2	1	INDIANAPOLIS	IN	
3/15	3	INDIANAPOLIS	IN	
3/24	1	AMERICUS	KS	
3/9	4	CHAPMAN	KS	
3/15	2	LA CROSSE	KS	
3/4	2	NEWTON	KS	
3/30	1	OVERLAND PARK	KS	
3/5	4	SALINA	KS	
3/11	1	BATON ROUGE	LA	
3/13	2	BOSTON	MA	
3/20	2	CHARLOTTE	MI	
3/1	1	DETROIT	MI	
3/26	1	DETROIT	MI	
3/5	3	GAYLORD	MI	
3/5	3	GRAND HAVEN	MI	
3/2	1	LAKE MICHIGAN	MI	
3/11	2	SAND LAKE	MI	
3/22	4	AITKIN	MN	
3/5	2	ALBERT LEE	MN	
3/18	2	BROOK PARK	MN	
3/15	1	CLEARWATER	MN	

MAR 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
3/18	1	EAGAN	MN	
3/15	2	LOWRY	MN	
3/5	2	MAPLEWOOD	MN	
3/2	1	MINNEAPOLIS	MN	
3/22	2	MINNEAPOLIS	MN	
3/23	2	MINNEAPOLIS	MN	
3/24	1	PARK RAPIDS	MN	
3/1	1	PINE RIVER	MN	
3/11	2	PRINSBURG	MN	
3/13	2	SAINT CLOUD	MN	
3/3	2	TWIN CITIES	MN	
3/3	1	WINONA	MN	
3/19	2	ARCHIE	MO	
3/15	1	AVA	MO	
3/2	1	BOLCKOW	MO	
3/11	2	KANSAS CITY	MO	
3/15	3	KANSAS CITY	MO	
3/24	2	KANSAS CITY	MO	
3/15	2	OZARK	MO	
3/5	2	SAINT LOUIS	MO	
3/12	2	STEVENSVILLE	MT	
3/25	7	DICKINSON	ND	
3/1	2	SPRINGFIELD	NE	
3/4	1	ALTON	NH	
3/23	1	CONCORD	NH	
3/20	2	ALAMAGARDO	NM	
3/10	1	ALBUQUERQUE	NM	
3/19	2	ALBUQUERQUE	NM	
3/27	2	LAS CRUSES	NM	

MAR 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
3/26	1	FALLON	NV	
3/8	1	LAS VEGAS	NV	
3/15	2	BOWLING GREEN	OH	
3/12	2	CANTON	OH	
3/26	1	DAYTON	OH	
3/12	1	SPRINGBORO	OH	
3/8	2	LAWTON	OK	
3/9	4	OKLAHOMA CITY	OK	
3/12	2	OKLAHOMA CITY	OK	
3/26	1	PERRY	OK	
3/10	2	SALINA	OK	
3/26	1	TULSA	OK	
3/18	2	OLD FORGE	PA	
3/1	2	PIERRE	SD	
3/29	1	ABILENE	TX	
3/16	1	ADDISON	TX	
3/22	2	AMARILLO	TX	
3/23	2	AMARILLO	TX	
3/25	1	ARANSAS PASS	TX	
3/15	3	ARLINGTON	TX	
3/5	1	AUSTIN	TX	
3/11	1	AUSTIN	TX	
3/18	2	AUSTIN	TX	
3/19	2	AUSTIN	TX	
3/26	2	AUSTIN	TX	
3/4	2	BEAUMONT	TX	
3/5	4	BOERNE	TX	
3/11	1	BROWNWOOD	TX	
3/18	4	CAMERON	TX	

MAR 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
3/18	3	CAMPBELL	TX	
3/31	2	CANYON LAKE	TX	
3/16	7	CEDAR PARK	TX	
3/16	1	CEDAR PARK	TX	
3/26	1	CEDAR PARK	TX	
3/9	2	CORPUS CHRISTI	TX	
3/15	1	CORPUS CHRISTI	TX	
3/20	2	CORPUS CHRISTI	TX	
3/15	2	CROSS PLAINS	TX	
3/27	2	CYPRESS	TX	
3/1	2	DENTON	TX	
3/9	3	ELMENDORF	TX	
3/2	1	FAIRVIEW	TX	
3/19	1	FLORESVILLE	TX	
3/22	2	FLOWER MOUND	TX	
3/16	2	FORT WORTH	TX	
3/16	4	FORT WORTH	TX	
3/24	4	FORT WORTH	TX	
3/24	4	FORT WORTH	TX	
3/29	2	FORT WORTH	TX	
3/11	1	FULTON	TX	
3/8	2	GEORGETOWN	TX	
3/17	2	GRANBURY	TX	
3/3	1	GRANDBERRY	TX	
3/25	2	HIGHLAND VILLAGE	TX	
3/2	2	HOUSTON	TX	
3/4	1	HOUSTON	TX	
3/9	3	HOUSTON	TX	
3/12	3	HOUSTON	TX	

MAR 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
3/15	1	HOUSTON	TX	
3/19	1	HOUSTON	TX	
3/22	2	HOUSTON	TX	
3/26	3	HOUSTON	TX	
3/27	1	HOUSTON	TX	
3/18	2	HUMBLE	TX	
3/29	3	HUNT	TX	
3/25	2	INEZ	TX	
3/15	2	KILLEEN	TX	
3/20	1	KINGSVILLE	TX	
3/12	2	KRUM	TX	
3/31	2	LA PORT	TX	
3/25	2	LAREDO	TX	
3/19	2	LEANDER	TX	
3/8	2	LIVINGSTON	TX	
3/26	1	LIVINGSTON	TX	
3/11	1	LUBBOCK	TX	
3/4	1	MATHIS	TX	
3/5	2	MORTON	TX	
3/10	4	NEW BRAUNFELS	TX	
3/3	2	ODESA	TX	
3/8	1	PAIGE	TX	
3/9	2	PLANO	TX	
3/1	2	PORTLAND	TX	
3/25	2	PORTLAND	TX	
3/10	1	RAYMONDVILLE	TX	
3/12	2	RICHMOND	TX	
3/1	3	ROCKPORT	TX	
3/2	2	ROCKPORT	TX	

MAR 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
3/3	1	ROCKPORT	TX	
3/5	1	ROCKPORT	TX	
3/8	1	ROCKPORT	TX	
3/8	1	ROCKPORT	TX	
3/9	4	ROCKPORT	TX	
3/10	1	ROCKPORT	TX	
3/11	1	ROCKPORT	TX	
3/12	1	ROCKPORT	TX	
3/12	1	ROCKPORT	TX	
3/15	2	ROCKPORT	TX	
3/16	1	ROCKPORT	TX	
3/16	4	ROCKPORT	TX	
3/18	1	ROCKPORT	TX	
3/20	1	ROCKPORT	TX	
3/22	1	ROCKPORT	TX	
3/22	4	ROCKPORT	TX	
3/23	1	ROCKPORT	TX	
3/25	1	ROCKPORT	TX	
3/27	3	ROCKPORT	TX	
3/30	1	ROCKPORT	TX	
3/1	1	SAN ANTONIO	TX	
3/9	2	SAN ANTONIO	TX	
3/10	2	SAN ANTONIO	TX	
3/10	2	SAN ANTONIO	TX	
3/11	3	SAN ANTONIO	TX	
3/12	2	SAN ANTONIO	TX	
3/16	2	SAN ANTONIO	TX	
3/23	2	SAN ANTONIO	TX	
3/29	2	SAN ANTONIO	TX	

MAR 2021				
DATE	NBR IN PARTY	CITY	STATE	COUNTRY
3/3	2	SEGUIN	TX	
3/16	4	SPRING	TX	
3/18	2	SPRING	TX	
3/16	1	TAFT	TX	
3/18	1	TOMBALL	TX	
3/18	1	VAN VLECK	TX	
3/26	1	VICTORIA	TX	
3/9	2	WESTON LAKE	TX	
3/20	10	SALE LAKE CITY	UT	
3/3	1	HARRISON	VA	
3/18	2	MAPLE VALLEY	WA	
3/4	1	DARLINGTON	WI	
3/8	1	DODGEVILLE	WI	
3/25	2	EAU CLAIRE	WI	
3/15	1	FRIENDSHIP	WI	
3/3	4	GREEN BAY	WI	
3/23	2	LANCASTER	WI	
3/3	1	LAVALLE	WI	
3/25	4	MADISON	WI	
3/2	1	MILWAUKEE	WI	
3/16	1	MILWAUKEE	WI	
3/25	2	MONDOVI	WI	
3/3	1	OCONOMOWOC	WI	
3/26	1	OSEOCALA	WI	
3/11	2	SPOONER	WI	
	433			
	51			

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 27, 2021

AGENDA ITEM: 8

Deliberate and act on 2nd quarter report from the Texas Maritime Museum for Fiscal Year 2020-2021 marketing expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: PKC

BACKGROUND: The Texas Maritime Museum has been allocated \$70,000.00 in FY 2020-2021 Hotel Occupancy Tax (HOT) funds. According to our agreement with the Museum, fiscal quarterly financial reports are required to be submitted to the City Council for approval. See the accompanying 2nd quarter HOT expenditure report for additional information.

FISCAL ANALYSIS: Charged to account 6602002. The budgeted amount is \$70,000.00 and YTD expenses are \$37,646.00.

STAFF RECOMMENDATION: Staff recommends Council approve the Texas Maritime Museum's FY 2020-2021 Hotel Occupancy Tax funds 1st quarter expenditures and authorization to disburse 3rd quarter funds in the amount of \$17,500.00, as presented.

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2020-2021						
Description of Expense	Approved Budget	1st Quarter Expenses	2nd Quarter Expenses	3rd Quarter Expenses	4th Quarter Expenses	TOTAL
Advertising Expenses	\$ 23,000	\$ 4,947	\$ 4,750			\$ 9,696
Curatorial Expenses	3,500	1,162	1,423			\$ 2,585
Educational Expenses	5,600	1,770	1,845			\$ 3,616
Office Supply Expenses	5,600	2,902	2,698			\$ 5,600
Website Maintenance	5,000	1,250	1,250			\$ 2,500
TOTAL REQUESTED	\$ 42,700	\$ 12,031	\$ 11,966	\$ -	\$ -	\$ 23,996

Description of Administrative Expenses	Current Fiscal Year Administrative Expenses Projection	Fiscal Year Administrative Actual Expenses	Percentage of Fiscal Year Projections
Salary Expenses	\$ 27,300	\$ 13,650	50%
TOTALS	\$ 27,300	\$ 13,650	50%

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 27, 2021

AGENDA ITEM: 9

Deliberate and act on an Ordinance of the City Council of the City of Rockport, Texas, extending a COVID-19 pandemic Declaration of Local Disaster for the period of– April 27 – May 25, 2021; establishing rules and regulations for the duration of the disaster; restricting certain activities; and establishing penalties for violations.

SUBMITTED BY: City Manager Kevin Carruth

APPROVED FOR AGENDA: PKC

BACKGROUND: Mayor Rios declared the original COVID-19 pandemic state of disaster for the City of Rockport beginning March 16, 2020. *Texas Government Code* Section 418.108(b) states that the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed with the consent of the governing body of the political subdivision. The original Disaster Declaration expired on March 22, 2020, and the table below details the various extensions of the declaration.

Disaster Declaration Extensions
Original Declaration March 16, 2020 to March 22, 2020

Date of Extension	Period Covered by Extension	Extension No.	Ordinance No.
March 20, 2020	March 23, 2020 - April 14, 2020	#1	No. 1782
April 14, 2020	April 14, 2020 – May 4, 2020	#2	No. 1788
April 28, 2020	May 4, 2020 – May 12, 2020	#3	No. 1790
May 12, 2020	May 12, 2020 – May 26, 2020	#4	No. 1792
May 25, 2020	May 26, 2020 – June 9, 2020	#5	No. 1794
June 9, 2020	June 9, 2020 – June 23, 2020	#6	No. 1795
June 23, 2020	June 23, 2020 – July 14, 2020	#7	No. 1797
July 14, 2020	July 14, 2020 – July 28, 2020	#8	No. 1798
July 28, 2020	July 28, 2020 – August 11, 2020	#9	No. 1800
August 11, 2020	August 11, 2020 – September 22, 2020	#10	No. 1802
September 22, 2020	September 22, 2020 – October 27, 2020	#11	No. 1808
October 27, 2020	October 27, 2020 – November 24, 2020	#12	No. 1812
November 24, 2020	November 24, 2020 – January 26, 2021	#13	No. 1814
January 26, 2021	January 26, 2021 – February 23, 2021	#14	No. 1822
February 23, 2021	February 23, 2021 – March 23, 2021	#15	No. 1828
March 23, 2021	March 23, 2021 – April 27, 2021	#16	No. 1834

The proposed Ordinance continues and renews the Disaster Declaration for the period of April 27 – May 25, 2021, and matches other orders that will also be extended.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council adopt the Ordinance extending a COVID-19 pandemic Declaration of Local Disaster for the period of April 27 – May 25, 2021; establishing rules and regulations for the duration of the disaster; restricting certain activities; and establishing penalties for violations, as presented.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS, EXTENDING A COVID-19 PANDEMIC DECLARATION OF LOCAL DISASTER FOR THE PERIOD OF APRIL 27 – MAY 25, 2021; ESTABLISHING RULES AND REGULATIONS FOR THE DURATION OF THE DISASTER; RESTRICTING CERTAIN ACTIVITIES; AND ESTABLISHING PENALTIES FOR VIOLATIONS.

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, on March 5, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and

WHEREAS, on March 11, 2020, the World Health Organization declared that the COVID-19 outbreak should be characterized as pandemic; and

WHEREAS, the Center for Disease Control and Prevention is closely monitoring the growing number of COVID-19 cases that have spread into the United States; and

WHEREAS, over 1,629 cases of COVID-19 have been reported in the United States, including 41 deaths; and

WHEREAS, a large gathering of unidentifiable individuals without necessary mitigation for the spread of infection may pose a risk of the spread of infectious disease; and

WHEREAS, President Trump declared a national emergency on March 13, 2020; and

WHEREAS, Governor Greg Abbott declared a public health disaster on March 13, 2020; and

WHEREAS, the Center for Disease Control recommends that citizens stop handshaking, clean hands at the door, schedule regular hand washing, avoid touching faces and cover coughs and sneezes, disinfect surfaces like doorknobs, tables, desks, and handrails regularly, and increase ventilation by opening windows or adjusting air conditioning; and

WHEREAS, the Center for Disease Control recommends the use of videoconferencing for meetings when possible, and adjusting or postponing large meetings or gatherings; and

WHEREAS, the Center for Disease Control recommends citizens stay home if they are feeling sick or when they have a sick family member in their home; and

WHEREAS, households with vulnerable seniors and those with underlying health conditions should conduct themselves as if they were a significant risk to the person with underlying conditions; and

WHEREAS, the identification of “community spread” cases of COVID-19 in the United States could has signaled that transmission of the virus is no longer limited to those who traveled to China, or had contact with travelers who have visited china; and

WHEREAS, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, a declaration of local disaster includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, and promote the health and safety of Rockport residents; and

WHEREAS, the City of Rockport will work collaboratively with Aransas County to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the emergency management director of the City of Rockport, and may exercise the powers granted to the governor on an appropriate local scale; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources; and

WHEREAS, the Mayor has made a Declaration of Public Health Emergency, and further declared all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and

WHEREAS, the Mayor, under the Texas Disaster Act of 1975, has authorized the use of all available resources of state government and political subdivisions to assist in the City’s response to this situation; and

WHEREAS, the Mayor has determined that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on March 24, 2020, renewed and extended the local state of disaster and public health emergency for the period of March 24 – April 14, 2020, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on April 14, 2020, renewed and extended the local state of disaster and public health emergency for the period of April 14 – May 4, 2020, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on April 28, 2020, renewed and extended the local state of disaster and public health emergency for the period of May 4 – May 12, 2020, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on May 12, 2020, renewed and extended the local state of disaster and public health emergency for the period of May 12 – May 26, 2020, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on May 26, 2020, renewed and extended the local state of disaster and public health emergency for the period of May 26 – June 9, 2020, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on June 9, 2020, renewed and extended the local state of disaster and public health emergency for the period of June 9 – June 23, 2020, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on June 23, 2020, renewed and extended the local state of disaster and public health emergency for the period of June 23 – July 14, 2020, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on July 14, 2020, renewed and extended the local state of disaster and public health emergency for the period of July 14 – July 28, 2020, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on July 28, 2020, renewed and extended the local state of disaster and public health emergency for the period of July 28 – August 11, 2020, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on August 11, 2020, renewed and extended the local state of disaster and public health emergency for the period of August 11 – September 22, 2020, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on September 22, 2020, renewed and extended the local state of disaster and public health emergency for the period of September 22 – October 27, 2020, declared for the City of Rockport, Texas,

pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on October 27, 2020, renewed and extended the local state of disaster and public health emergency for the period of October 27, 2020 – November 24, 2020, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on November 24, 2020, renewed and extended the local state of disaster and public health emergency for the period of November 24, 2020 – January 26, 2021, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on January 26, 2021, renewed and extended the local state of disaster and public health emergency for the period of January 26 – February 23, 2021, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on February 23, 2021, renewed and extended the local state of disaster and public health emergency for the period of February 23 – March 23, 2021, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on March 23, 2021, renewed and extended the local state of disaster and public health emergency for the period of March 23 – April 27, 2021, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

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

- Section 1.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.
- Section 2.** The local state of disaster and public health emergency declared by Mayor Patrick R. Rios for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code is hereby renewed and extended for a period April 27 – May 25, 2021, pursuant to §418.108(b) of the Government Code.
- Section 3.** Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- Section 4.** Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the City of Rockport emergency management plan.
- Section 5.** Pursuant to §418.020(c) of the Government Code, this declaration authorizes the City to commandeer or use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelters for evacuees, subject to compensation requirements.

- Section 6.** Pursuant to §122.006 of the Health and Safety Code, this declaration authorizes the City to take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals, regulating ingress and egress from the City, and fining those who do not comply with the City's rules.
- Section 7.** All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters herein.
- Section 8.** This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 9.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.
- Section 10.** It is officially found, determined, and declared that the meeting at which this Ordinance 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 Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.
- Section 11.** This Ordinance shall be in force and effect from and after its final passage, and any publication required by law.

PASSED, ADOPTED, APPROVED, and EFFECTIVE the 27th day of April 2021.

CITY OF ROCKPORT, TEXAS

Patrick R. Rios, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA

Regular Meeting: Tuesday, April 27, 2021

AGENDA ITEM: 10

Deliberate and act on an Ordinance of the City Council of the City of Rockport, Texas, extending a Declaration of Local Disaster (Winter Storm Uri) for the period of April 27 – May 25, 2021; establishing rules and regulations for the duration of the disaster; and establishing an effective date.

SUBMITTED BY: City Manager Kevin Carruth

APPROVED FOR AGENDA: PKC

BACKGROUND: Mayor Rios declared the original state of disaster for the City of Rockport on February 12, 2021. *Texas Government Code* Section 418.108(b) states that the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City of Rockport.

The original Disaster Declaration expired on February 18, 2021, and the table below details the extensions of the declaration.

Disaster Declaration Extensions Original Declaration February 12, 2021 to February 18, 2021

Date of Extension	Period Covered by Extension	Extension No.	Ordinance No.
February 23, 2021	February 19, 2021 – March 9, 2021	#1	No. 1830
March 9, 2021	March 9, 2021 – April 27, 2021	#2	No. 1832

The proposed Ordinance continues and renews the Disaster Declaration for the period of April 27 – May 25, 2021.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Council approve and adopt An Ordinance of the City Council of the City of Rockport, Texas, extending a Declaration of Local Disaster for the period of April 27 – May 25, 2021; establishing rules and regulations for the duration of the disaster; restricting certain activities; and establishing penalties for violations, as presented.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS, EXTENDING A DECLARATION OF LOCAL DISASTER (WINTER STORM URI) FOR THE PERIOD OF APRIL 27 – MAY 25, 2021; ESTABLISHING RULES AND REGULATIONS FOR THE DURATION OF THE DISASTER; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texas Governor Greg Abbott issued a Disaster Declaration for all 254 Counties due to severe weather from Winter Storm Uri and poses an imminent threat of widespread and severe property damage, injury, and loss of life due to prolonged freezing temperatures, heavy snow, and freezing rain statewide; and

WHEREAS, declaring a state of disaster facilitated and expedited the use and deployment of resources to enhance preparedness and response; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the emergency management director of the City of Rockport, and may exercise the powers granted to the governor on an appropriate local scale; and

WHEREAS, the Mayor, under the Texas Disaster Act of 1975, has authorized the use of all available resources of state government and political subdivisions to assist in the City's response to this situation; and

WHEREAS, the Mayor has determined that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people and to protect or rehabilitate property; and

WHEREAS, Pursuant to §418.108(a) of the Government Code, Mayor Patrick R. Rios, on February 12, 2021, declared a local state of disaster and public health emergency for the City of Rockport, Texas.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on February 23, 2021, renewed and extended the local state of disaster and public health emergency for the period of February 19 – March 9, 2021, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

WHEREAS, Pursuant to §418.108(b) of the Government Code, Mayor Patrick R. Rios, on March 9, 2021, renewed and extended the local state of disaster and public health emergency for the period of March 9 – April 27, 2021, declared for the City of Rockport, Texas, pursuant to §418.108(a) of the Texas Government Code.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted

as a part of the judgment and findings of the City Council.

- Section 2.** The local state of disaster and public health emergency declared by Mayor Patrick R. Rios for the City of Rockport, Texas, pursuant to §418.108(a) of the Government Code is hereby renewed and extended for a period of April 27 – May 25, 2021, pursuant to §418.108(b) of the Government Code.
- Section 3.** Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- Section 4.** Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the City of Rockport emergency management plan.
- Section 5.** All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters herein.
- Section 6.** This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 7.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.
- Section 8.** It is officially found, determined, and declared that the meeting at which this Ordinance 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 Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.
- Section 9.** This Ordinance shall be in force and effect from and after its passage, and any publication required by law.

PASSED, ADOPTED, APPROVED, the 27th day of April 2021.

CITY OF ROCKPORT, TEXAS

Patrick R. Rios, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA

Regular Meeting: Tuesday, April 27, 2021

AGENDA ITEM: 11

Deliberate and act on an extension of the current Bank Depository and Finances Services Contract with Wells Fargo Bank, N.A. for a one-year period beginning May 1, 2021 and ending April 30, 2022.

SUBMITTED BY: Katie Griffin, Director of Finance

APPROVED FOR AGENDA: PKC

BACKGROUND: Section 7.11 of the Code of Ordinances requires the City Council to review proposals for depository services every two to five years. The current depository agreement was approved April 14, 2015, for a three-year term as a part of this process. The contract was extended through April 30, 2019, on good faith, with no council action and extended again by Council Action on April 14, 2020 for a one-year term.

To maintain compliance with the Public Funds Investment Act, the City must have a signed depository contract in place. Extending the Wells Fargo contract with council action meets this compliance requirement.

Wells Fargo and the City of Rockport continue to have a successful business relationship for daily banking activities including daily deposits, payroll and accounts payable. Wells Fargo also provides services for City issued procurement credit cards with an excellent online reporting system.

At the time of the depository contract approval, the chart below was presented demonstrating the comparison between contract proposals.

Depository Proposal Comparison			
Description	1st Community	Prosperity	Wells Fargo
Cost of Service	\$1,504.85	\$0.00	\$2,388.84
Earning Credit	1,252.25	0.00	2,532.39
Net Cost	\$252.60	\$0.00	(\$143.55)
Interest Earned	\$4,119.81	\$4,708.35	\$1,765.63
Other Earnings/ Charges	(117.00)	(1,405.00)	1,000.00
Net Earnings	\$3,750.21	\$3,303.35	\$2,909.18
Difference from Wells Fargo	(\$841.03)	(\$394.17)	\$0.00

As the relationship between the City and Wells Fargo continues to grow, so do the benefits. The 2020 contract extension provided a greater earning potential for funds deposited with Wells Fargo, increasing the Earnings Credit Rate from 0.40% to 0.80%, resulting in an estimated annual savings of \$29,172.

City of Rockport Depository Extension ECR Comparison



	Current Rates				Proposed Rates		
	Balances	Rate	Dollar		Balances	Rate	Dollar
Target Balances	\$ 5,800,000				\$ 4,000,000		
Average Collected Balances Required	\$ 5,800,000				\$ 4,000,000		
Reserve Requirement Rate	0%				0%		
Reserve Requirement Amount	\$ -				\$ -		
Net Available Balances Required	\$ 5,800,000				\$ 4,000,000		
Earnings Credit Rate (ECR) & Allowance		0.40%	\$ 1,804.34			0.80%	\$ 2,630
Less Interest Paid			\$0.00				\$0.00
Net Available Earnings Allowance			\$ 1,804.34				\$ 2,630
Banks Service Fees - Feb 2019 Volumes			\$2,431				\$2,431
Estimated Bank Fees - Annualized			\$29,169				\$29,172
Less Estimated Earnings Allowance- Annualized			\$ 21,652				\$ 31,562
Total Cost to the City after Net Earnings Credit		Shortfall	\$7,517			Surplus	\$ (2,390)
					Benefit From Wells Fargo Extension		
					1st Year Savings		\$ 29,172
					2 Year Extension Savings		\$58,344.00
At the 0.80% Earnings Credit Rate, the estimate is that all monthly fees would be offset with approximately \$4 million in average monthly balances							
Any excess balances -not needed to offset fees- would earn interest at a proposed rate of 0.50%							

Additional benefits associated with the earnings rate change include an annual 1.05% rebate on procurement card purchases in excess of \$1M. Previous rebates were earned at 0.70% on purchase over \$5M.

The terms within the contract extension are the same as approved in April of 2015, with no material changes to the contract. The commitment to maintain 102% pledged collateral on net aggregated collective balance remains a part of the contract.

The City will have to seek new depository proposals next year.

FISCAL ANALYSIS: Wells Fargo is the current bank depository for the City of Rockport. Extending the existing depository contract will have no impact on current operations or current banking expenses. The City's financial software is set up to process several financial transactions electronically with Wells Fargo, including payroll, accounts payable, bond payments, and daily deposits.

RECOMMENDED ACTION: Staff recommends approval of an extension to the current Bank Depository and Finances Services Contract with Wells Fargo Bank, N.A. for a one-year period beginning May 1, 2021, and ending April 30, 2022, as presented.

Master Agreement for Treasury Management Services

The Service Documentation contains the terms under which Wells Fargo Bank, N.A. and the banks, branches or subsidiaries listed in Appendix X (each, “Bank”) provide you treasury management services (“Services”). “You,” “your” or “yours” refer to the Bank customer identified on the Acceptance of Services that is signed when you enroll in Services (“Acceptance”). The terms “we,” “us,” or “our” refer to the Bank. The Bank customer to which the Services will be provided is identified in the Acceptance. Other capitalized terms used in this Master Agreement for Treasury Management Services (“Agreement”) are defined in this document.

You and we agree:

1. **Service documentation.** The Service Documentation contains the terms governing each Service and includes:
 - a. The Service Description (which contains terms and conditions applicable to the specific Service),
 - b. The Acceptance (which indicates your acceptance of the Service Documentation),
 - c. This Agreement (which contains terms and conditions applicable to all Services),
 - d. The account agreement governing the account(s) (each, an “Account”) you use in connection with the Service,
 - e. The Product Enrollment Form (which contains set-up information for each Service in which you are enrolling), and
 - f. User Guides (which include Terms of Use, software, software licenses, price schedules, specifications, instructions, and notices).

The documents and individual provisions of the Service Documentation are intended to be read together as one agreement between you and us. This Agreement and the Service Descriptions for Services you enroll in are posted at our *Commercial Electronic Office*® (CEO®) portal. If there is a conflict among the documents that are part of the Service Documentation, they will govern in the order listed above. Your use of a Service confirms your receipt of, and agreement to be bound by, this Agreement and all Service Documentation.

2. **Services.** You and we will agree upon the Services to be provided. Each Service is subject to the approval by our applicable branch or subsidiary. We will notify you when you have completed all requirements for enrolling in the Service and the Service is ready for you to use.
3. **Changes to services.** We may change (or add to) the terms and fees in the Service Documentation at any time. If an enhancement to a Service or other change requires a change to a Service Description, we will post an updated Service Description on the CEO portal. When required by Applicable Law, we will notify you of the change. If you continue to use a Service after the change takes effect, you will be bound by the change. As used in this Agreement, the term “Applicable Law” means all applicable laws (including common or customary laws), statutes, constitutions, policies, decrees, judgments, treaties, regulations, directives, by-laws, rulings, orders or operating circulars governing our activities and/or any transaction effected under this Agreement, including, but not limited to, the funds transfer system and clearing and settlement house rules.

4. **Term and termination.** Unless a Service is terminated in accordance with the Service Documentation, this Agreement and each Service will continue in effect until terminated by either party upon 30 days' prior written notice to the other party.

We may suspend or terminate any Service:

- a. After we notify you of a breach of any provision of the Service Documentation or any other agreement with us, and you fail to cure the breach (if it can be cured) within 15 days of the date of the notice; or
- b. Without prior notice to you if:
 - i. We reasonably suspect that an Account associated with a Service has been compromised or otherwise subject to irregular, unauthorized, fraudulent, or illegal activity,
 - ii. You become subject to any insolvency or bankruptcy proceeding, or any receivership, liquidation, reorganization, or other similar proceeding, or you enter into any agreement or proceeding for voluntary liquidation, dissolution, composition with or assignment for the benefit of creditors or other winding up,
 - iii. We determine in our sole discretion that continuing to provide a Service may place us at risk of financial loss or result in an unacceptable credit exposure,
 - iv. Any guaranty of your obligations to us ("Guaranty") is terminated, revoked, or its validity contested by the guarantor ("Guarantor"),
 - v. We determine in our sole discretion that a material adverse change has occurred in your ability to perform your obligations under the Service Documentation, or in the ability of a Guarantor to perform its obligations under a Guaranty, or
 - vi. The Account necessary to provide a Service is closed.

The termination of a Service will not affect your or our respective rights with respect to transactions occurring before the termination. We will not be liable to you for any losses or damages you may incur as a result of any termination of any Service or termination or restriction of any CEO portal access rights under section 9(d) below.

5. **Service fees.** You will pay us the fees described in the Service Documentation and any taxes applicable to each Service, however designated, but excluding taxes based on our net income. We may debit your Account for any fees not covered by earnings credits and any taxes that are due, or we may send you an invoice for these amounts, which you will promptly pay. Our charges and fees are in the applicable fee schedule for Services used in connection with your Account.
6. **Security procedures.**
- a. Unless otherwise agreed, you agree that "Security Procedure" is the applicable security procedure described in the Service Documentation for your Initiation Method for the Service, which we will use to verify the authenticity of a Transaction. The term "Initiation Method" refers to the method we offer in the product enrollment form ("Set-up Form") or other Service Documentation for delivering your Transaction instructions to us with respect to the applicable Service and includes any applicable transmission protocols. The term "Transaction" means (i) any funds transfer or payment instruction (including any communication cancelling or amending an instruction), and (ii) any instruction, data or other information which we receive in your name with respect to a funds transfer. The purpose of the Security Procedure is to verify the authenticity of the Transaction. We will not use the Security Procedure to detect an erroneous or duplicate transaction. You will be responsible for any erroneous or duplicate transaction we receive in your name. You agree to be bound by each Transaction, whether or not authorized by you, issued in your name and accepted by us in compliance with the Security Procedure for the Service.
 - b. You agree that each Security Procedure for the Initiation Method in the Set-up Form or other Service Documentation for each of the Services (a) best meets your requirements with regard to the size, type and frequency of your Transactions, and (b) is commercially reasonable. If you have refused to use any standard Security Procedure and elect a non-standard Security Procedure, then you must sign the Non-Standard Security Procedure Elections form.

7. **Confidential information.** Unless otherwise stated in the Service Documentation, “Confidential Information” means all (a) User Guides and Terms of Use, and (b) Security Procedures, passwords, codes, security devices and related instructions. You will not acquire any ownership interest in or rights to Confidential Information as a result of your use of any Service.

You will:

- a. Maintain the confidentiality of the Confidential Information,
- b. Not disclose (or permit your employees or agents to disclose), copy, transfer, sublicense, or otherwise make any of it available to any person or entity, other than your employees who have a need to use the Confidential Information in connection with the applicable Service, and
- c. Not decompile, reverse engineer, disassemble, modify, or create derivative works of any Confidential Information.

You will notify us immediately if you know of or suspect any unauthorized disclosure, possession, use, or knowledge (each, an “Unauthorized Use”) of any Confidential Information. If you (or your employees or agents) are responsible for the Unauthorized Use, you will, at your expense, promptly take all actions, including initiating court proceedings to recover possession and prevent further Unauthorized Use of the Confidential Information. You will also compensate us for any injury caused to us as a result of the Unauthorized Use.

8. **Currency conversion.** When your instructions require us to convert the amount of a payment order from the currency in which the Account is denominated (“Account Currency”) to another currency (“Foreign Currency”), we will do so using the Applicable Exchange Rate in effect at the time we execute your payment order. “Applicable Exchange Rate” means the exchange rate we set and use for you when we convert one currency to another currency and includes a markup over our cost of sourcing the relevant currency. The markup factors include costs incurred, market risks and our desired return. The exchange rate we provide to you may be different from the exchange rates you see elsewhere. Foreign exchange rates are dynamic, and rates fluctuate over time based on market conditions, liquidity, and risks.

If a financial institution designated to receive the funds does not pay the beneficiary specified in the payment order, and the funds are returned to us, we will not be liable to you for a sum greater than the amount of the payment order after we have converted it from the Foreign Currency to the Account Currency using the Applicable Exchange Rate in effect at the time the funds are returned to us. You accept the risks of any change in the Applicable Exchange Rate between the time you request a payment order and the time the payment order is either completed or is unwound due to a cancellation, an amendment, a rejection, or a return.

9. **CEO portal.**

- a. **Description of the CEO portal.** The CEO portal is our electronic banking portal that is accessed via the Internet. Your Authorized Agents (defined below) may use the CEO portal to access (i) Services in which you have separately enrolled (each, an “Accessed Service”) and (ii) third-party sites we may make available through the CEO portal. We offer different channels through which you may access the CEO portal, including personal computers and mobile devices. We may add or eliminate channels at any time. A Service or third party site accessible through one channel may not be accessible through another channel.
- b. **Access to the CEO portal.** When you enroll in the CEO portal, and as we may determine is necessary after enrollment, we will provide Log-On Credentials (defined below) to the persons who are authorized to access the CEO portal on your behalf (each, an “Authorized Agent”). Log-On Credentials mean one or more secure methods we provide to access the Services and may include user IDs, passwords, token IDs, and other methods that we adopt from time to time. We have no obligation to separately verify or authenticate any communication we receive in your name through the CEO portal, whether or not it was actually from an Authorized Agent. You assume the entire risk of (i) unauthorized use of your Log-On Credentials and (ii) unencrypted electronic transmissions.

- c. **Administration of the CEO portal.** We offer two options for administering the *CEO* portal: (i) Administration and (ii) Bank administration.
- i. **Administration.** If you enroll in the Administration option, there are three categories of Authorized Agents: Company Administrator, Administrator, or User. Unless you and we separately agree, we will provide Log-On Credentials only to your initial Company Administrator(s) who will (a) assign Log-On Credentials to other individuals and (b) designate those individuals as one of the following:
- (1) A Company Administrator, who may perform all functions of your initial Company Administrator,
 - (2) An Administrator, who may perform all functions of an Administrator including designating other Administrator(s) and User(s), or
 - (3) A User, who may access the Services designated by a Company Administrator or an Administrator, as well as those Services in which we permit a User to self-enroll.

Each Company Administrator and Administrator has the authority to enroll you in additional Services. In addition to your use of Administration as described in this subsection, you may request that we assign Log-On Credentials to Users that you designate in writing to us. Your designation to us will specify the Services which the User is authorized to access in addition to those Services in which we permit a User to self-enroll.

- ii. **Bank administration.** For the Bank administration option, there is one category of Authorized Agent: Users. We will assign Log-On Credentials to each User you designate.

You will promptly revoke the Log-On Credentials of any Authorized Agent or User when that individual is no longer authorized to access the *CEO* portal. If you notify us in writing to revoke the Log-On Credentials of an Authorized Agent or User, we will have a reasonable time after receiving your written notification to revoke the individual's access.

- d. **Terminating access.** We may terminate or restrict any Authorized Agent's access to any Service through the *CEO* portal if we determine such use:
- i. Does not comply with any term applicable to the *CEO* portal,
 - ii. Is not permitted by Applicable Law,
 - iii. Is not authorized by you or any third party whose authorization we believe is necessary, or
 - iv. Should be denied for your or our protection (without us agreeing to or being required to make this determination in any circumstance).
- e. **Financial information.** Financial market data, quotes, news, research, and other financial information developed by third parties and transmitted to us ("Financial Information") may be available to you at the *CEO* portal. The posting of any Financial Information or any other information or data at the *CEO* portal is not a recommendation by us of any particular Service or transaction. We do not guarantee the accuracy or completeness of any Financial Information, nor are we responsible for (i) the actions or omissions of the third parties developing or transmitting Financial Information or (ii) any decision you make or action you take by relying on any Financial Information.

10. Alerts.

- a. **Non-subscribed alerts.** When you enroll in the *CEO* portal or other channels or Services, you consent to receiving by email or other delivery channels, servicing messages that we determine are important or urgent. You do not need to subscribe to receive such alerts and you do not pay additional service fees.
- b. **Subscribed alerts.** You may also enroll in fee-based alerts for applicable Services so that you can receive messages you subscribe to at the intervals and through delivery channels that you choose.

11. Liability and indemnification.

- a. We are not obligated to honor, in whole or in part, any payment order or other instruction that:
- i. Exceeds the available balance in the Account, unless otherwise provided in the Service Documentation,

Amendment to Master Agreement for Treasury Management Services

Treasury Management Services

Introduction

This Amendment supplements and modifies the Master Agreement for Treasury Management Services (“Master Agreement”) for City of Rockport. “You,” “your” or “yours” refers to the customer identified in the immediately preceding sentence. The terms “we,” “us,” or “our” refer to the Bank. Capitalized terms used but not defined in this Amendment are defined in the Master Agreement. This Amendment constitutes part of the Service Documentation as defined in the Master Agreement. If there is a conflict between this Amendment and the Master Agreement or other Service Documentation, this Amendment will control. Except as expressly modified by this Amendment, all terms and provisions of Master Agreement and Service Documentation will continue to apply with full force and effect.

Amendment

We agree that the Master Agreement governing our relationship with you is amended as follows:

1. The following text is added at the end of Section 3 of the Master Agreement (titled “**Changes to services**”):

“Notwithstanding the immediately preceding paragraph, through the Initial Term End Date (as defined below) Bank will not change the fees for Services reflected on Attachment A, except:

- in order to reflect the impact of any change in Applicable Law;
- in the event your Service usage volume is materially lower than that reflected on Attachment A;
- for changes to Bank’s pricing methodology for Services, including element IDs associated with a Service, so long as the change does not increase the total price of the Services to you (unless permitted under one of the two immediately preceding bullet points).

If you implement additional Services not described on Attachment A prior to the Initial Term End Date, the fees for such additional Services will be as disclosed to you in connection with the implementation of such additional Services.”

2. The following text is added at the beginning of Section 4 (titled “**Term and termination**”) as a new first sentence:

“Subject to the termination provisions below, the initial term of this Agreement will commence on May 1, 2021 and expire on April 30, 2022 (“Initial Term End Date”), and this Agreement may be extended for not more than one (1) additional one-year extension terms by your and our mutual consent.”

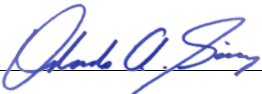
3. The text of Section 12 (titled “**Governing Law**”) is deleted in its entirety and replaced with the following:

“**Governing law.** The Service Documentation will be governed by: (a) U.S. federal law and (b) the law of Texas, without reference to its principles of conflicts of laws (“Governing Law”).”

4. The text of Section 14 (titled “**Jurisdiction**”) is deleted in its entirety and replaced with the following:

“**Jurisdiction.** For any proceedings regarding this Agreement (other than a proceeding subject to arbitration), you and we each hereby irrevocably submits to the jurisdiction of the courts of Texas or the federal courts located there and irrevocably agrees that all claims relating to the proceeding may be heard or determined in those courts.”

WELLS FARGO BANK, N.A.

By: 

Name: Orlando A. Saenz

Title: Relationship Manager

Date: 4-9-2021

CITY OF ROCKPORT

By: _____

Name: _____

Title: _____

Date: _____

Attachment A
Pricing for Specified Treasury Management Services
See Attached



Treasury Management Pro Forma

CITY OF ROCKPORT

Pricing as of March 2021

ANALYSIS SUMMARY

Average Positive Collected Balance	\$	17,153,750.64
Reserve Requirement @ 0.00%	\$	0.00
Investable Balance Available for Services	\$	17,153,750.64
Monthly Analyzed Charges	\$	3,988.27
Earnings Allowance @ 0.25%	\$	3,289.76
Net Monthly Analyzed Charges	\$	698.51
*Monthly Fee Based Charges	\$	0.00
Total Monthly Analyzed Charges	\$	698.51
*Charges not offset by balances		
Investable balance required to offset \$1.00 of analyzed charges	\$	4,800.00
Balance required to offset current month analyzed charges.	\$	19,143,684.00

Note: Balance required can vary monthly based on the month's volume, services, earnings credit rate and pricing

SERVICE DETAILS

WF Code	AFP Code	Service Description	Unit Price	Volume	Service Charges
---------	----------	---------------------	------------	--------	-----------------

BALANCE & COMPENSATION INFORMATION

IAMIB	000230	RECOUPMENT MONTHLY IB	0.12750	17,277	2,202.82
BALANCE & COMPENSATION INFORMATION Subtotal					2,202.82

GENERAL ACCOUNT SERVICES

22051	010000	ACCT MAINTENANCE	0.00000	5	0.00
CK021	010100	DEBITS POSTED	0.00000	32	0.00
22063	010000	DDA STMT W/IMAGE CLASSIC-MTHLY BASE	2.00000	1	2.00
15007	010101	DESKTOP DEPOSIT-DEPOSIT CREDITED	0.00000	68	0.00
GENERAL ACCOUNT SERVICES Subtotal					2.00

DEPOSITORY SERVICES

CK161	100006	CASH DEPOSITED IN WF BRANCH	0.00000	431	0.00
CK199	10001A	POST VERIFY CASH DEPOSITED	0.00000	1,235	0.00
CK066	100404	ADMIN RETURN ITEM-REPAIRED ACH ITEM	2.25000	1	2.25
CK068	100404	ADMIN RETURN ITEM-REPAIRED AS CHECK	3.50000	1	3.50
CK064	100416	CEO RETURN ITEM SERVICE MTHLY BASE	0.00000	1	0.00
CK061	100400	RETURN ITEM - CHARGEBACK	0.00000	2	0.00
70025	109999	SMART DECISION-ELEC CHECK ACH	0.10500	1,216	127.68
70029	109999	SMART DECISION-ELEC CHECK ACH ONUS	0.07000	356	24.92
08052	100006	BRANCH DEPOSIT	0.00000	16	0.00
22723	10001A	BRANCH DEPOSIT POST VERIFY	0.00000	32	0.00
CK464	100453	RETURN ITEM CONVERTED CHK CHGBK IRD	3.00000	1	3.00
002	100225	DEPOSITED CHECK	0.00000	43	0.00
706	100224	DESKTOP DEPOSIT-DEPOSITED ITEM	0.00000	967	0.00
DEPOSITORY SERVICES Subtotal					161.35

WF Code	AFP Code	Service Description	Unit Price	Volume	Service Charges
PAPER DISBURSEMENT SERVICES					
DS191	150122	PAYEE VALIDATION STANDARD-ITEM	0.03500	206	7.21
DS255	151399	WELLSIMAGE PAID CHECK PER ITEM	0.02000	227	4.54
34336	150724	POSITIVE PAY EXCEPTION - CEO IMAGE	2.00000	18	36.00
12812	151352	CEO IMAGE VIEW < 90 DAYS - ITEM	1.00000	4	4.00
12815	151352	CEO IMAGE VIEW > 90 DAYS - ITEM	10.00000	2	20.00
22245	150240	CHECKS PAY TO INDIV BLOCK MO BASE	10.00000	2	20.00
12816	151352	DESKTOP DEPOSIT IMAGES RETRIEVED	0.50000	728	364.00
12908	150310	POS PAY CHECKS WITH NO ISSUE RECORD	0.50000	20	10.00
12903	150310	POSITIVE PAY EXCEPTIONS - ITEM	6.00000	21	126.00
12682	150120	POSITIVE PAY ONLY - ITEM	0.08000	275	22.00
12681	150030	POSITIVE PAY ONLY MONTHLY BASE	20.00000	1	20.00
MD091	150240	PYMT AUTH MAX CHECK MTHLY BASE	10.00000	4	40.00
12910	151355	TRAN SEARCH VIEW CONVERTED CHK ITEM	1.50000	1	1.50
22020	151350	WELLSIMAGE PAID CHECK MONTHLY BASE	0.00000	1	0.00
22202	150100	DDA CHECKS PAID	0.00000	216	0.00
22015	151353	WELLSIMAGE PAID CHECK PER CD	10.00000	1	10.00
		PAPER DISBURSEMENT SERVICES Subtotal			685.25
PAPER DISBURSEMENT RECON SERVICES					
12687	209999	ARP AGED ISSUE RECORDS ON FILE-ITEM	0.01000	772	7.72
		PAPER DISBURSEMENT RECON SERVICES Subtotal			7.72
GENERAL ACH SERVICES					
CK018	250201	ELECTRONIC CREDITS POSTED	0.00000	197	0.00
34340	250400	ACH CEO RETURN SUBSCRIPTION-ACCOUNT	60.00000	1	60.00
34340	250400	ACH CEO RETURN SUBSCRIPTION-ACCOUNT	30.00000	3	90.00
ES280	250000	ACH MONTHLY BASE	3.00000	3	9.00
ES211	250102	ACH FUTURE DATED ITEM	0.05000	2,586	129.30
ES344	250202	ACH RECEIVED ITEM	0.10000	140	14.00
06505	250302	ACH RETURN ADMIN -ELECTRONIC	6.50000	2	13.00
ES240	250310	ACH RETURN ITEM-REDEPOSITED	3.00000	1	3.00
ES801	250501	ACH TRANSMISSION CHARGE	3.00000	9	27.00
70035	250102	SMART DECISION-BRANCH ACH	0.11000	5	0.55
34333	251050	ACH CEO FRAUD FILTER REVIEW MO BASE	5.00000	5	25.00
34335	251053	ACH CEO FRAUD FILTER REVIEW - ITEM	14.00000	6	84.00
34330	250703	ACH CEO SUBSCRIPTION - ACCOUNT	80.00000	1	80.00
34330	250703	ACH CEO SUBSCRIPTION - ACCOUNT	40.00000	3	120.00
		GENERAL ACH SERVICES Subtotal			654.85
WIRE & OTHER FUNDS TRANSFER SERVICE					
ES141	350120	WIRE BOOK TRANSFER CEO/API	0.00000	1	0.00
ES139	350100	WIRE OUT DOMESTIC CEO/API	3.00000	10	30.00
		WIRE & OTHER FUNDS TRANSFER SERVICE Subtotal			30.00

WF Code	AFP Code	Service Description	Unit Price	Volume	Service Charges
INFORMATION SERVICES					
34123	40022Z	CEO ALERTS SERVICE - EMAIL	0.50000	151	75.50
34128	40022Z	CEO ALERTS SERVICE - TEXT	0.75000	9	6.75
34115	400271	CEO PREV DAY REPORTING ITEMS LOADED	0.03000	506	15.18
34100	400052	CEO PREV DAY REPORTING SUBSCRIPTION	10.00000	5	50.00
27707	400340	CEO SEARCH	0.95000	11	10.45
34205	400003	WIRE TRANSFER REPORT BASE-CEO	5.00000	4	20.00
15017	400003	DESKTOP DEPOSIT MONTHLY BASE	15.00000	2	30.00
15003	400231	DESKTOP DEPOSIT REPORT PER ITEM	0.05000	728	36.40
		INFORMATION SERVICES Subtotal			244.28
		Total Analyzed Charges			698.51
		*Total Fee Based Charges			0.00
		Total Service Charges			698.51



Disclosures

We created this proposal for you based on our understanding of your requirements and the services in which you expressed interest. This proposal confirms the deposit and treasury management services and the pricing we plan to provide you based on certain assumptions including projected volumes and other relevant information you provided.

This document is confidential. Please do not share it without first obtaining our written permission. The services and pricing contained in this proposal are valid for 90 days. The pricing is subject to change if the actual volume or scope of services differs from the assumptions upon which we based the pricing.

Please let us know if you believe this proposal does not accurately represent the prices or services we discussed with you. If you have questions about the services in this proposal, please contact your Treasury Management Sales Consultant or visit: www.wellsfargo.com/accountanalysis for additional information about the services.

Regarding your services

Alerts Service

Charges are assessed against the volume of Alerts per user, per company, per month basis. Users are only charged for the first 80 events/alerts per month, per delivery mechanism (email or text). There is no per company cap for billing.

Invoice Manager

Billing Items

- Implementation fee billed 50% at kick-off and 50% at the earliest of go-live or 4 months after business requirements sign-off
- Billing for monthly maintenance begins at the earliest of go-live or 4 months after business requirements sign-off
- Implementation fee does not include fees associated with product customization. These fees, if any, will be determined when business requirements are established and will be billed after customer sign-off and work completion.
- Post office box subject to U.S. Post Office rate increases.

Minimum volume

- In addition to monthly maintenance and per invoice fees, when invoice volume is less than 80% of projected volume, a minimum volume adjustment of \$1.00 per invoice is charged for the difference between actual volume and 80% of projected volume, and is waived for the first 4 months of service after go-live.

Wire Book Transfer

A CEO Wire book transfer is between two accounts initiated via CEO Wires Book Transfer workflow. A Payment Manager Book transfer is charged when the debit and credit accounts are setup in a single CEO Company id and entitled to Book Transfer.

Services with No Volumes

Services listed with zero volume are not included in the estimated monthly analysis fee but are included in the event the service is used in the future.



This message may contain confidential and/or privileged information. If you are not the addressee or authorized to receive this for the addressee, you must not use, copy, disclose, or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by reply email and delete this message. Thank you for your cooperation.

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- ii. Does not comply with the Service Documentation or our applicable policies, procedures, or practices made available to you,
 - iii. We have reason to believe may not have been duly authorized, should not be honored for our or your protection, or involves funds subject to a hold, dispute, restriction, or legal process, or
 - iv. Would possibly result in us not complying with Applicable Law.
- b. Neither we nor our software vendors make any express or implied representations or warranties with respect to the Services or any software used in connection with the Services, including any warranty as to the merchantability or fitness for a particular purpose, other than those expressly set forth in the Service Documentation.
- c. Any claim, action, or proceeding against us for losses or damages arising from a Service, must be brought within one year from the date of the act or omission, except as otherwise stated in the account agreement governing the Account.
- d. We will have no liability for our failure to perform or delay in performing a Service if the failure or delay is due to circumstances beyond our reasonable control. If we determine that any funds transfer or communications network, Internet service provider, or other system used to provide a Service is unavailable, inaccessible, or otherwise unsuitable for use by you or us, we may, upon notice to you, suspend or discontinue the affected Service.
- e. We will only be liable to you for actual damages incurred as a direct result of our failure to exercise reasonable care in providing the Services. Reasonable care requires only that we follow standards that do not vary unreasonably from the general standards followed by similarly situated banks. Our policies and procedures are general internal guidelines for our use and do not establish a higher standard of care for us than otherwise established under Applicable Law. A mere clerical error or an honest mistake will not be considered a failure by us to perform any of our obligations. Our liability to you will be limited to an amount not greater than 10 times our fees incurred in the calendar month immediately before the calendar month in which the loss or damages were incurred (or, if no fees were incurred in that month, our fees incurred in the month in which the losses or damages were incurred).
- f. Except in the case of our negligence or intentional misconduct, you will indemnify and hold us, our directors, officers, employees and agents ("Representatives") harmless from all losses or damages that arise out of:
 - i. The performance of a Service in compliance with the Service Documentation, including any warranty we are required to make to a third party in connection with a Service,
 - ii. An act or omission of any of your agents, couriers, or Authorized Agents, and
 - iii. If the Service includes a license or sublicense of any software, any use or distribution of the software by you or any person gaining access to the software through you that is inconsistent with the license or sublicense.

You will promptly provide us with written proof of loss, and notify us if you become aware of any third party claim related to a Service. You will cooperate fully (and at your own expense) with us in recovering a loss. If we reimburse you, we or our designee will be subrogated to all of your rights (i.e., we will be entitled to assert any legal rights you had relating to the claim).

- g. Except as expressly provided otherwise in the Service Documentation, neither party nor its Representatives will be liable to the other party for:
 - i. Any special, consequential, incidental (including court costs and attorneys' fees), indirect, or punitive losses or damages, or
 - ii. Business interruption, loss of profits, loss of business, loss of revenue, loss of goodwill, loss of opportunity, loss or injury to reputation, or loss of anticipated savings, whether any claim is based on contract or tort, or whether the likelihood of these losses or damages was known to the other party and regardless of the form of the claim or action.
- h. When you send payments on behalf of your third party customers, you agree you are solely liable to your customers for any and all losses those customers may suffer. We exclude all and any liability of whatever nature (including those losses detailed in subsection g above) arising out of your relationship with your customer.

12. **Governing law.** The Service Documentation will be governed by: (a) U.S. federal law and (b) the law of (i) the U.S. state in which the office of Bank that maintains the Account is located or, if there is no such state or no account associated with such Service, (ii) the State of New York, without reference to its principles of conflicts of laws ("Governing Law").
13. **Arbitration agreement.** Upon demand by you or us, any dispute or claim arising out of or relating to this Agreement, or the breach thereof, must be submitted to arbitration administered by the American Arbitration Association ("AAA") under its Commercial Arbitration Rules, and must be heard before three arbitrators if the amount in dispute is U.S. \$5,000,000 or more or its equivalent in any other currency, and before one arbitrator for amounts in dispute of less than U.S. \$5,000,000 or its equivalent in any other currency. Arbitration will proceed in a location selected by AAA in the state of the applicable Governing Law, and if there is no such state, the place of arbitration must be New York, NY. The language of the arbitration must be English. Judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. This arbitration requirement does not limit the right of you or us to: (a) exercise self-help remedies including setoff or (b) obtain provisional or ancillary remedies such as injunctive relief or attachment, before, during or after the pendency of any arbitration proceeding. This exclusion does not constitute a waiver of the right or obligation of you or us to submit any dispute to arbitration hereunder, including those arising from the exercise of the actions detailed in (a) and (b) of this section.
14. **Jurisdiction.** For any proceedings regarding this Agreement (not subject to arbitration as provided in this Agreement), you hereby irrevocably submit to the jurisdiction of the courts of the Borough of Manhattan, New York City, in the State of New York or the federal courts located there and irrevocably agree that all claims in relating to the proceeding may be heard or determined in those courts.
15. **Miscellaneous.**
- a. **Severability.** Any portion of the Service Documentation which is inconsistent with Applicable Law or Governing Law will be deemed modified and applied in a manner consistent therewith, and we will incur no liability to you as a result of the inconsistency or modification and application to any dispute regarding the Service Documentation. If any portion or provision of the Service Documentation is deemed unenforceable, it will not affect the enforceability or validity of the remaining Service Documentation nor the enforceability or validity of that portion or provision under the law of any other jurisdiction.
 - b. **Entire agreement.** The Service Documentation (and any documents referred to therein):
 - i. Constitutes the entire agreement between you and us regarding the Services we provide for all Accounts opened with us, and
 - ii. Supersedes and extinguishes all prior agreements, understandings, representations and warranties of any nature (including requests for proposals and other sales material), whether oral or written, between you and us relating to any of our Services (including any other Master Agreement for Treasury Management Services, but excluding the current Commercial Account Agreement or Global Commercial Account Agreement, as applicable).
 - c. **Electronic agreement.** To facilitate execution, the Service Documentation may be executed by a party in the form of an "Electronic Record" (as defined in the Electronic Signatures in Global and National Commerce Act at 15 U.S.C. §7001 et seq. ["ESIGN Act"]). The Service Documentation may be executed in as many counterparts as may be required to reflect all parties' approval, and all counterparts will collectively constitute a single agreement. An "Electronic Signature" (as defined in the ESIGN Act) that can be authenticated will constitute an original and binding signature of a party. The fact that a document is in the form of an Electronic Record or is signed using an Electronic Signature will not, in and of itself, be grounds for invalidating such document.
 - d. **No waiver.** Neither our failure nor any delay by us in exercising any right or remedy will be deemed to be a waiver of the right or remedy. No course of dealing or waiver of any right on one occasion will constitute a modification of the Service Documentation or be a waiver of that right on a subsequent occasion.
 - e. **Third party beneficiaries.** Except as otherwise provided in the Service Documentation, no person or entity other than the parties to this Agreement will be deemed to be a third party beneficiary under the Service Documentation.

- f. **Financial condition.** You will provide us promptly upon our request any existing financial statements or other information pertaining to your financial condition or any previously unprepared financial statements which we may require you to prepare and/or to be audited or reviewed by independent certified public accountants acceptable to us.
- g. **Your representations and warranties.** You represent and warrant that: (i) you will not use any Service in a manner that would violate any Applicable Law by you or us; (ii) if you employ an agent in connection with its use of any Service, you represent and warrant to us that: (1) your governing body has duly authorized the agent; (2) you will exercise appropriate controls to ensure each authorized agent does not exceed the authority granted to it; and (3) you will preserve the confidentiality of the Log-On Credentials and immediately notify us if you become aware or suspect that any Log-On Credential may have been compromised.
- h. **Use of names.** You and we will not use each other's name or refer to our relationship in any solicitation, marketing material, advertisement, news release, or other written, online or oral communication without specific prior written consent for each such use or release, except that we may use your name as a reference in service proposals if we obtain your prior written approval for such use.
- i. **Notices and communications.** Either party may provide notice to the other party by mail, personal delivery, or electronic transmission.
 - i. You will notify us promptly in writing of any change in your name, Address, legal status, or any other changes relevant to the conduct of the Account or affecting your business relationship with us.
 - ii. The term "Address" as used in this Agreement refers to a mailing or electronic address.
 - iii. You will use the Address where your relationship manager or other manager is located and will address any notice to the attention of the manager.
 - iv. Each party will have a reasonable time after receipt of any notice to act on it.
 - v. Any communication or notice to us from your agent about your use of a Service will be deemed to be a communication from you, and you authorize us to communicate with your agent about any such communication or Service.
 - vi. We are entitled to rely on any communication or notice from you that we believe in good faith was authorized by your authorized representative or Authorized Agent and, we will have no obligation to verify or authenticate an identity of a sender or signature on any notice or communication, except as expressly provided in the Service Documentation.

16. Survival. Sections 7, 9, 11 - 15 will survive termination of the Services and this Agreement.

APPENDIX X
Applicable Branches or Subsidiaries of Bank

1. Wells Fargo Bank, N.A. – London Branch
2. Wells Fargo Bank, N.A. – Cayman Islands Branch

CITY COUNCIL AGENDA

Regular Meeting: Tuesday, April 27, 2021

AGENDA ITEM: 13

Conduct a Joint Public Hearing with the Planning & Zoning Commission to consider a request for a Conditional Use Permit for food and retail vending, located at 210 Seabreeze Drive; also known as approximately 80.0 acres of land out of portions of the Aransas County Navigation District No.1 Rockport Beach Park and Festival Grounds property located in the city of Rockport, Aransas County, Texas and being portion of the 102.5 acre Rockport Harbor patent, abstract 343 and revised August 12, 1953, and recorded in volume M3, page 499, deed records of Aransas County, Texas along with a portion of abstract 357 dated November 6, 1953, containing 604.296 acres and recorded in volume N-3, page 178, deed record of Aransas County, Texas with said 80.0 acres of portion of abstract 343 and 357; currently zoned R-1 (1st Single Family Dwelling District).

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA: PKC

BACKGROUND: Property owner Aransas County Navigation District, on behalf of its retail vendor Goin' Coastal, has submitted an application seeking a request for a Conditional Use Permit to allow for food and retail vending, located at 210 Seabreeze Drive; also known as approximately 80.0 acres of land out of portions of the Aransas County Navigation District No.1 Rockport Beach Park and Festival Grounds property located in the city of Rockport, Aransas County, Texas and being portion of the 102.5 acre Rockport Harbor patent, abstract 343 and revised August 12, 1953, and recorded in volume M3, page 499, deed records of Aransas County, Texas along with a portion of abstract 357 dated November 6, 1953, containing 604.296 acres and recorded in volume N-3, page 178, deed record of Aransas County, Texas with said 80.0 acres of portion of abstract 343 and 357; currently zoned R-1 (1st Single Family Dwelling District).

The buildings were already constructed, but not yet occupied, when they were reported as a violation. A picture of the buildings is on the following page. A stop work order has been issued until the CUP process can be completed.

A Public Notice regarding this item was published in *The Rockport Pilot* in the Saturday, April 10, 2021, edition and mailed out to eighteen property owners within a 200-foot radius of the property. No letters for or against the request were received.

Please see the accompanying zoning change request application and Section 118-23 of Code of Ordinances for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: No action required, public hearing only.



STAFF REPORT

Building & Development Services | Amanda Torres, Community Planner
 2751 SH 35 Bypass, Rockport, TX 78362
 Phone: (361) 790-1125, x. 226 | Email: communityplanner@cityofrockport.com

**PROPERTY ADDRESS/LOCATION**

210 Seabreeze

APPLICANT/PROPERTY OWNER

Aransas County Navigation District

PUBLIC HEARING DATE

Tuesday, April 27, 2021

P&Z DATE

Monday, May 3, 2021

CITY COUNCIL DATE(S)1st Reading - Tuesday, May 11, 20212nd Reading – Tuesday, May 25, 2021**BRIEF SUMMARY OF REQUEST**

Property owner Aransas County Navigation District on behalf of its retail vendor, Goin' Coastal, has submitted an application seeking a request for a Conditional Use Permit to allow for food and retail vending, located at 210 Seabreeze Drive; also known as approximately 80.0 acres of land out of portions of the Aransas County Navigation District No.1 Rockport Beach Park and Festival Grounds property located in the city of Rockport, Aransas County, Texas and being portion of the 102.5 acre Rockport Harbor patent, abstract 343 and revised August 12, 1953, and recorded in volume M3, page 499, deed records of Aransas County, Texas along with a portion of abstract 357 dated November 6, 1953, containing 604.296 acres and recorded in volume N-3, page 178, deed record of Aransas County, Texas with said 80.0 acres of portion of abstract 343 and 357; currently zoned R-1 (1st Single Family Dwelling District).

A public notice regarding this item was published in The Rockport Pilot in the Saturday, April 10, 2021 edition and mailed out to eighteen property owners within a 200-foot radius of the property. No letters for or against the request were received.



MAP SOURCE: Pictometry

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-1 1 st Single Family Dwelling District	Park	North: Little Bay; B-1 General Business, businesses East: R-2 2 nd Second Family Dwelling District, single-family residences South: Aransas Bay West: B-1 General Business, harbor area/businesses	None	80 acres

STAFF RECOMMENDATION**APPROVE****APPROVE WITH CONDITIONS****DENY****COMPATIBILITY with the ZONING ORDINANCE & FUTURE LAND USE MAP**

Any future development will meet all requirements as indicated in the R-1 1st Single Family Dwelling District, Section 118-23 *Conditional Use Permit*, and conditions as will be outlined in the recommended adopting ordinance.

This land use can be compatible with the land use associated with this area as indicated in the Future Land Use Map.

PROPERTY HISTORY

Compatibility with the planned development (or other controlling documents); traffic/parking; public works/utilities; engineering/flood plain/soil; building code/fire or design

The property is within the Special Flood Hazard Area. Building permits and inspections will be issued through the City Building Department.

ATTACHMENTS (CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING PETITION/
APPLICATION FORM

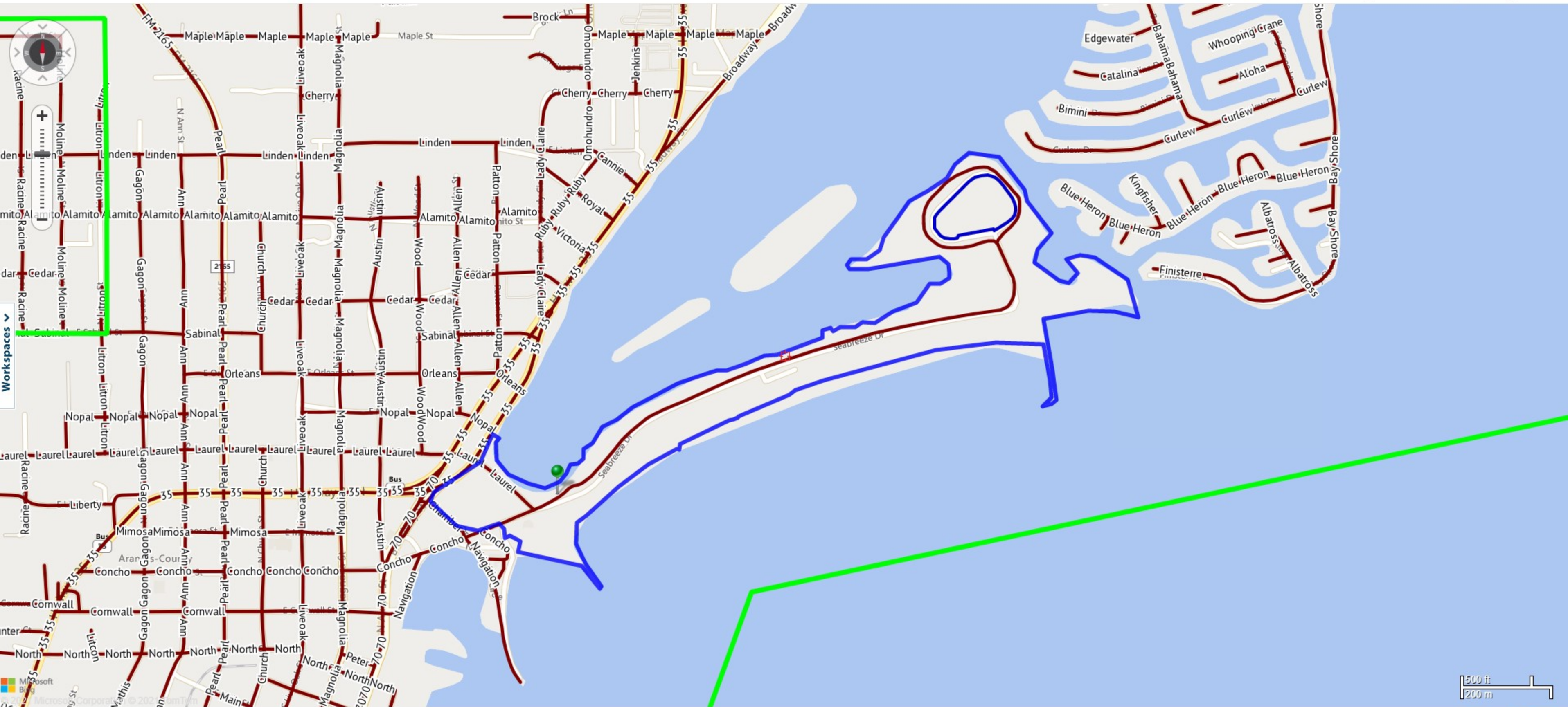
LEGAL NOTICE

LEGAL DESCRIPTION

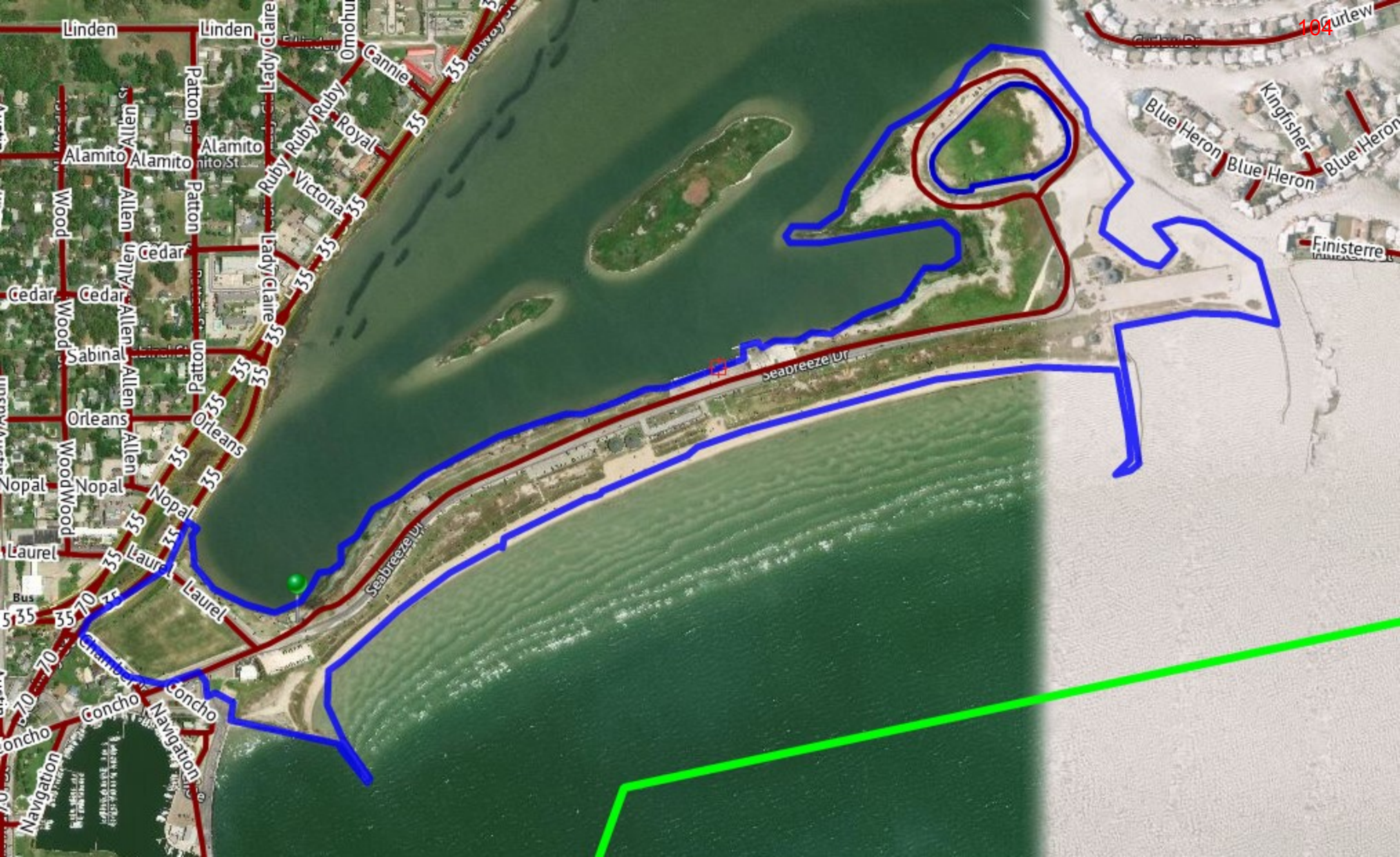
PUBLIC COMMENTS

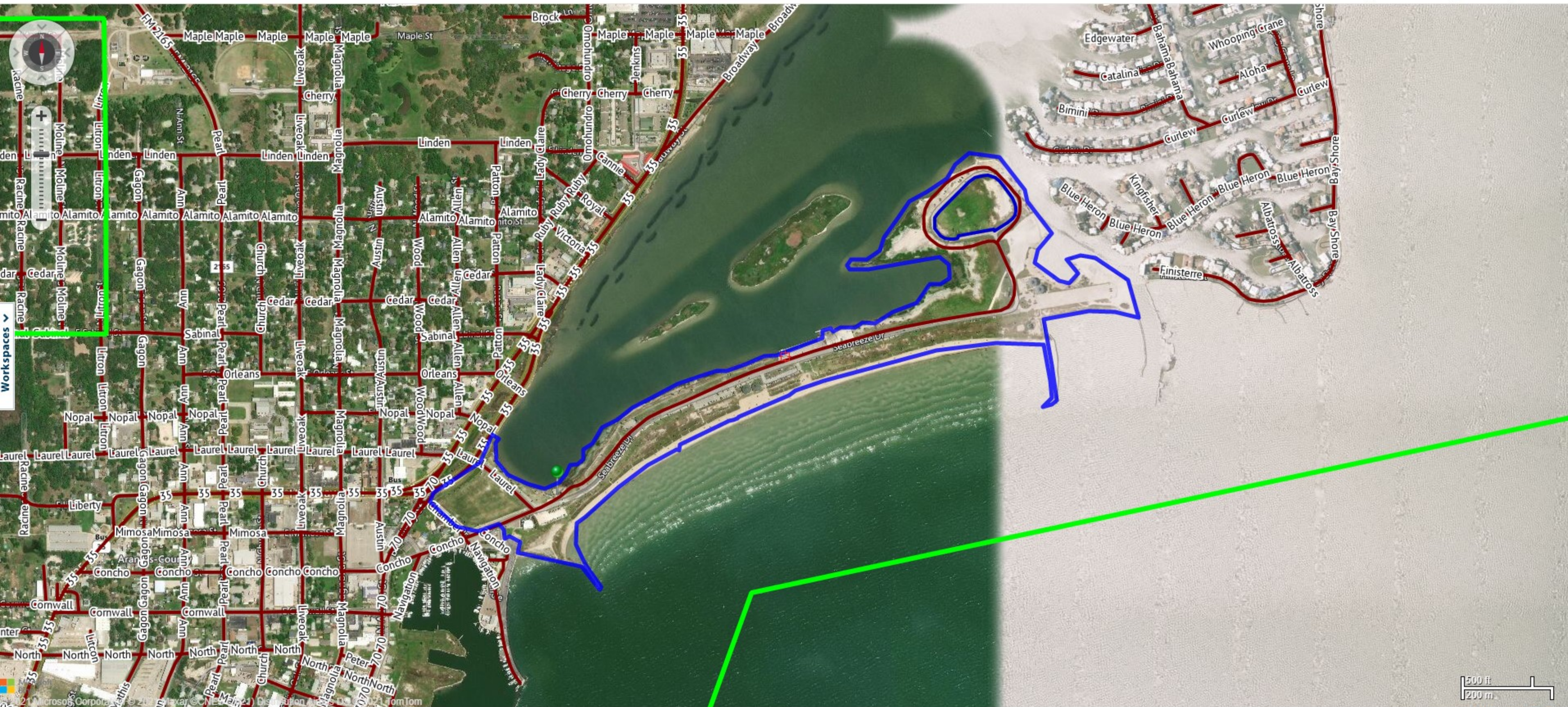
AGENCY COMMENTS

RESPONSE TO
STANDARDS**OTHER (DESCRIBE)**

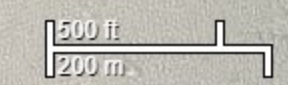


Workspaces

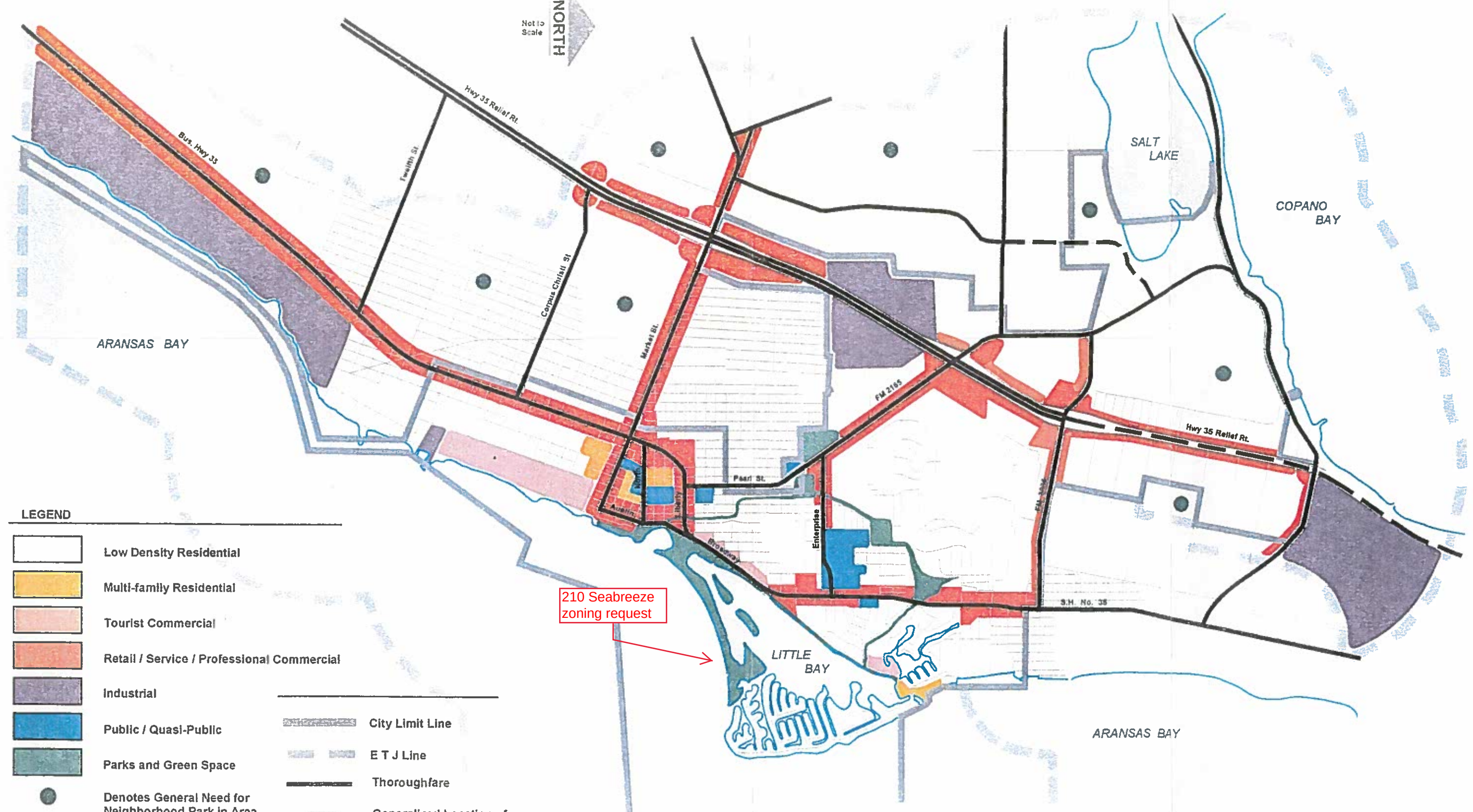




Workspaces



Note: A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries



LEGEND

- | | | | |
|--|--|--|---|
| | Low Density Residential | | City Limit Line |
| | Multi-family Residential | | ETJ Line |
| | Tourist Commercial | | Thoroughfare |
| | Retail / Service / Professional Commercial | | Generalized Location of Future Thoroughfare |
| | Industrial | | |
| | Public / Quasi-Public | | |
| | Parks and Green Space | | |
| | Denotes General Need for Neighborhood Park in Area | | |

City of Rockport, Texas
Future Land Use Plan w / ETJ

Article I. Zoning Ordinance*

Sec. 118-23. Conditional use permit.

23.1 *General.* A Conditional-Use Permit (CUP) shall be obtained for certain uses, which would become harmonious or compatible with neighboring uses through the application and maintenance of qualifying conditions and located in specific locations within a zone, but shall not be allowed under the general conditions of the zone as stated in this Code. The granting of a CUP has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district. The CUP requirement for a use in a district does not constitute an authorization or an assurance that the use will be permitted. Uses requiring a CUP are listed within a zoning district and in subsection 23.10 of this article. Uses not listed within a zoning district that may be eligible for a CUP shall be administered through this article.

23.2 *Applications.* All CUP applications shall be submitted to the code official on a form provided by the city consistent with the provisions herein. All applications shall be accompanied by maps, drawings, statements or other documents in support of the request. An application fee shall be collected at the time of submittal. Said fee shall be: One Hundred Dollars and no cents (\$100.00) for the first acre of land or fraction thereof, plus Ten Dollars and no cents (\$10.00) per acre or fraction thereof over the first acre.

23.3 *Public Hearing.* Prior to the approval, approval with conditions or denial of a CUP, public hearings shall be held in accordance with the provisions of Article 26 of this ordinance [[section 118-26](#) of this Code]. Upon the completion of said proceedings, the Commission shall render a recommendation(s) to the City Council. Decisions of the City Council shall be final.

23.4 *Review Criteria.* An application for a CUP shall be permitted to be approved, approved with conditions or denied. Each application for a CUP shall be submitted with enough data and information to be consistent with the criteria listed below:

1. That such use is necessary or desirable and provides a service or facility that contributes to the general well-being of the surrounding area.
2. That such use shall not adversely affect adjacent properties.
3. That such use is compatible with the existing or allowable uses of adjacent properties.
4. That such use can demonstrate that adequate public facilities, including roads, drainage, potable water and sanitary sewer, and police and fire protection exist or will exist to serve the requested use at the time such facilities are needed.
5. That such use can demonstrate adequate provision for maintenance of the use in question along with any associated structures.
6. That such use has minimized, to the degree possible, adverse effects on the natural environment.
7. That such use will not create undue traffic congestion.
8. That such use will not adversely affect the public health, safety or welfare.
9. That such use conforms to all applicable provisions of this Code.
10. That such use is consistent with all applicable provisions of the comprehensive plan.

23.5 *Expiration.* A CUP shall be considered exercised when the use has been established. When such CUP is not exercised, or is abandoned, or is discontinued for a period of 1 year from the date of granting thereof, it shall be considered expired and shall not be reestablished unless authorized by the City Council with recommendation(s) from the Planning & Zoning Commission.

23.6 *Annual Review.* Subsequent to the issuance of a CUP, a review shall be conducted annually by the Code Official to determine that the terms of the CUP are being met.

23.7 *Revocation.* A CUP shall be revoked when the applicant fails to comply with conditions imposed by the permit. Said CUP shall not be reestablished unless authorized by the City Council with recommendation(s) from the Planning & Zoning Commission.

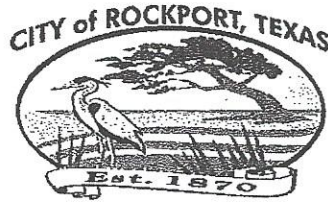
23.8 *Existing Conditional-Use Permit.* Any amendment sought to an existing CUP shall be considered as a new application and shall comply with this article.

23.9 *Existing Special Permit.* Any amendment sought to an existing Special Permit existing prior to (date of amending ordinance inserted here), shall be considered as a new application and shall comply with this article as a CUP. Such amendment(s) may not preclude or nullify the conditions to any Special Permit previously issued unless requested by the applicant. Annual review shall be in accordance with subsection 23.6.

23.10 *Specific uses requiring a CUP.* The following listed uses will require a CUP approval prior to issuance of a building permit. These uses are also listed within their respective zoning district.

1. Permanent or long term (more than 30 days) public entertainment facilities or uses. Such facilities or uses shall include, but not be limited to, amusement parks, carnivals, animal shows, marine life shows, dance/theatrical productions or natatoriums. This provision is listed in a B-1 district).
2. Private, child nurseries or pre-kindergarten schools in R-1 through R-7 districts.
3. Retail shops, restaurants, clubs and lounges in R-6 and R-7 districts when not built within a hotel or office building.
4. Meat, fish or shellfish processing plant in a B-1 district.
5. Penal institutions and detention centers in R-7 districts only. A listed use out-right in a B-1 district.
6. Bed and Breakfast accommodations in R-1 through R-3 districts.
7. The keeping and raising of farm animals in all districts pursuant to the city's animal control ordinance. Agricultural land annexed into the city as R-1 zoning is exempt where such uses are existing uses.
8. Radio, television or communications tower in an R-7 district, provided Federal Communications Commission and Federal Aviation Administration permit requirements are met (refer to Article 24 [[section 118-24](#)] for Special Conditions).
9. Outdoor welding operations when located in a B district only.
10. Recreational Vehicle/Manufactured Housing Parks in any district when complying with recreational vehicle/manufactured housing park standards addressed in Article 24 of this ordinance [[section 118-24](#) of this Code].
11. Adult entertainment in B and I districts.

(Ord. No. 1027, art. 23, 4-9-96; Ord. No. 1601, § 1, 3-26-13)



CITY OF ROCKPORT
ZONING AND LAND DEVELOPMENT APPLICATION

INSTRUCTION: Please fill out completely. If more space is needed, attach additional pages. Please print or use typewriter.

A. REQUESTING: Rezoning [] Conditional Permit ☒

Planned Unit Development (P.U.D.) by Conditional Permit []

B. ADDRESS AND LOCATION OF PROPERTY 210 SEABREEZE
DRIVE, ROCKPORT, TX.

C. CURRENT ZONING OF PROPERTY: R1

D. PRESENT USE OF PROPERTY: RECREATION, BOAT LAUNCH, BIRD & NATURE RESERVE, SHORT TERM EVENT RENTAL, VENDORS

E. ZONING DISTRICT REQUESTED: _____

F. CONDITIONAL USE REQUESTED: ADD ADDITIONAL VENDOR for BEACH RELATED ITEMS, SUNSCREEN, TEE SHIRTS, ETC.

G. LEGAL DESCRIPTION: (Fill in the one that applies)

• Lot or Tract _____ Block _____

• Tract ENTIRE BEACH FACILITY of the _____
 Survey as per metes and bounds (field notes attached)

VENDORS ARE MOBILE & CAN RELOCATE BASED ON TRAFFIC

• If other, attach copy of survey or legal description from the Records of Aransas County or Appraisal District.

H. NAME OF PROPOSED DEVELOPMENT (if applicable) SHAWN MILLER is operation / vendor

I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): affected LESS THAN 1 ACRE (900 SQF)

J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT:
 (Please be specific)

ADD OF VENDOR OTHER THAN FOOD or DRINK

(BEACH) RELATED supply - TEE SHIRTS, SUN SCREEN HAT'S, FLIP/FLOPS, ETC.

- K. OWNER'S NAME: (Please print) ARANSAS County Navigation
 ADDRESS: 911 NAVIGATION Circle, Rockport, TX.
 CITY, STATE, ZIP CODE: Rockport, TX. 78382
 PHONE NO 361-729-6661
- L. REPRESENTATIVE: (If Other Than Owner) KEITH BARRETT
 ADDRESS: 911 NAVIGATION Circle
 CITY, STATE, ZIP CODE: Rockport, TX. 78382
 PHONE NO CELL / 361-385-0525

NOTE: Do you have property owner's permission for this request?
 YES ☒ NO ☐

M. FILING FEE:

REZONING	\$150.00 + \$10.00 PER ACRE
PLANNED UNIT DEVELOPMENT	\$200.00 + \$10.00 PER ACRE
P.U.D. REVISION	\$200.00 + \$10.00 PER ACRE
CONDITIONAL PERMIT	\$150.00 + \$10.00 PER ACRE

(Make check payable to the City of Rockport)

- Submit application and filing fee to the Department of Building & Development, City of Rockport; 2751 S.H. 35 Bypass, Rockport, Texas 78382.

Signed: 

(Owner or Representative)

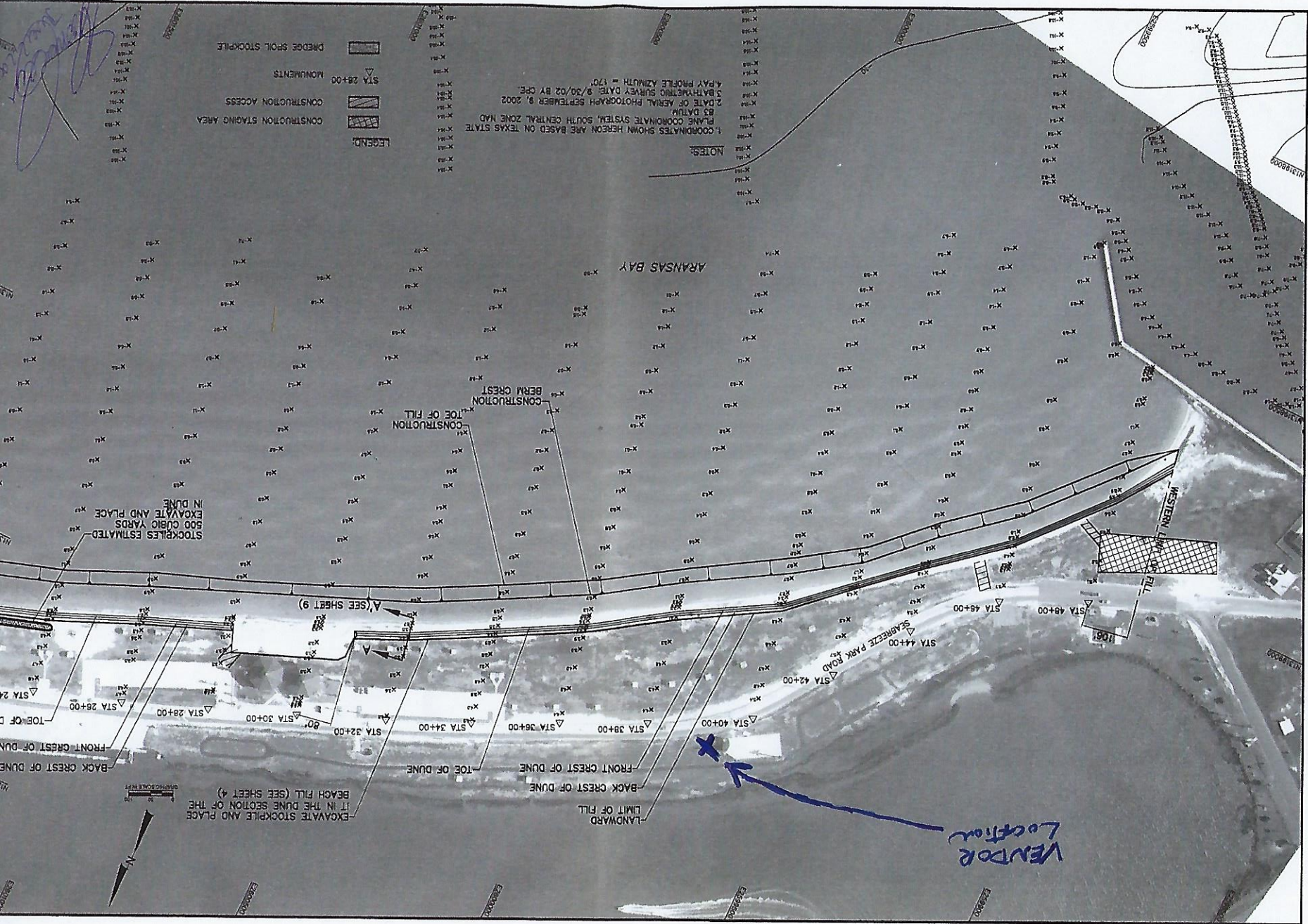
(FOR CITY USE)

Received by: _____ Date: _____ Fees Paid: \$ _____

Submitted Information (_____ accepted) (_____ rejected) by: _____

If rejected, reasons why: _____

Receipt No. _____



BEACH PARK – FESTIVAL GROUNDS
DESCRIPTION

APRIL 7, 2021

BEING THE DESCRIPTION OF APPROXIMATELY 80.0 ACRES OF LAND OUT OF PORTIONS OF THE ARANSAS COUNTY NAVIGATION DISTRICT NO. 1 ROCKPORT BEACH PARK AND FESTIVAL GROUNDS PROPERTY LOCATED IN THE CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS AND BEING A PORTION OF THE 102.5 ACRE ROCKPORT HARBOR PATENT, ABSTRACT 343 AND REVISED AUGUST 12, 1953, AND RECORDED IN VOLUME M3, PAGE 499, DEED RECORDS OF ARANSAS OCUNTY, TEXAS ALONG WITH A PORTION OF ABSTRACT 357 DATED NOVEMBER 6, 1953, CONTAINING 604.296 ACRES AND RECORDED IN VOLUME N-3, PAGE 178, DEED RECORDS OF ARANSAS COUNTY, TEXAS WITH SAID 80.0 ACRES OF PORTION OF ABSTRACT 343 AND 357 BEING GENERALLY DESCRIBED BY BOUNDS AS FOLLOWS;

SAID 80.0 ACRE PARCEL BEING BOUND ON THE SOUTHWEST BY THE CENTERLINE OF CHAMBER DRIVE; ON THE LOWER SOUTHEAST SIDE BY THE CENTERLINE OF SEABREEZE DRIVE ADJACENT TO THE FESTIVAL GROUNDS;

THENCE IN A NORTHEASTERLY DIRECTION TO THE ENTRANCE GATE OF THE ROCKPORT BEACH PARK;

THENCE TURNING IN A SOUTHEASTERLY DIRECTION PERPENDICULAR TO SEABREEZE DRIVE TO THE SHORELINE OF ARANSAS BAY;

THENCE ALONG AND WITH THE MEANDERS OF THE SHORELINE OF ARANSAS BAY IN AN EASTERLY DIRECTION TO BE SHORELINE OF LEGGETT LIGHTS ENTRANCE CHANNEL;

THENCE IN THE NORTHWESTERLY DIRECTION, ALONG AND WITH THE MEANDERS OF THE SHORELINE OF LEGGETT LIGHTS CHANNEL TO THE SOUTHEASTERLY SHORELINE OF THE ROCKPORT SKI BASIN;

THENCE ALONG AND WITH THE MEANDERS OF THE SOUTHEAST SHORELINE OF THE ROCKPORT SKI BASIN TO THE SOUTHWEST SHORELINE OF THE ROCKPORT SKI BASIN ADJACENT TO THE EAST LAUREL STREET;

THENCE IN A NORTHWESTERLY DIRECTION ALONG AND WITH THE SOUTHWEST SHORELINE OF THE ROCKPORT SKI BASIN AJACENT TO EAST LAUREL STREET TO ITS INTERSECTION WITH THE EAST ROW LINE OF THE NORTHBOUND PORTION OF TEXAS STATE HIGHWAY NO. 35 BUSINESS;

THENCE IN A SOUTHWESTERLY DIRECTION ALONG AND WITH ROW LINE OF THE NORTHBOUND LANE OF TEXAS STATE HIGHWAY NO. 35 BUSINESS TO THE INTERSECTION OF THE CENTERLINE OF CHAMBER DRIVE AND CONTAINING APPROXIMATELY 80.0 ACRES OF LAND, MORE OR LESS.

210407EBFN

ARANSAS COUNTY NAVIGATION DISTRICT
CONCESSION CONTRACT

1. The parties to this Contract are the **Aransas County Navigation District** (District) and **Sharon Miller d/b/a Goin' Coastal Outfitters** (Concessionaire). Exhibit A to this Contract contains further information regarding Concessionaire.
2. The District hereby grants to Concessionaire, and Concessionaire hereby accepts, a concession license to sell goods, as described below, at a designated location authorized by the Harbor Master within the District's property. The goods include t-shirts and Rockport and Rockport Beach merchandise. Concessionaire is permitted to sell only the described goods. No product may be sold or otherwise dispensed in a glass container anywhere within the District's property.
3. The term of this Contract shall commence at 12:01 a.m. on March 1, 2021, and shall expire at 11:59 p.m. on February 28, 2023.
4. Concessionaire agrees to pay a license fee of \$134.00 per month in advance. All payments are due at the District office on or before the last day of each month during the term of this Contract and during any extension of renewal hereof. If any payment owed to the District is not paid on or before the due date, the Concessionaire shall owe and pay promptly a late fee in the amount of 10% of the monthly fee and an additional late fee of the same amount for every subsequent 30-day period that said payment continues to be unpaid.
5. Concessionaire shall be open for business during reasonable hours every day and, at a minimum, shall be open for business from 1:00 p.m. to sundown every Friday, Saturday and Sunday, except when public access to the Beach has been closed or substantially limited for any reason.
6. Concessionaire is permitted to sell the goods from a self-contained, mobile food-vending trailer, as authorized in paragraph (2) of the concession contract. All concession locations are subject to change at the discretion of the Harbor Master, upon 5 days notice to the Concessionaire. Every substantial change from that described and permitted herein shall be subject to the approval of the Harbor Master. Concessionaire's trailer, stand, cart, equipment and other property shall not remain on the District's property overnight. Concessionaire shall not attach or anchor its trailer, stand, cart or any other equipment to the District's lands in such a manner as to be permanent or to constitute a fixture to the District's property.
7. The prices of all goods for sale shall be clearly posted by the Concessionaire at its location. Setting of prices shall be at the discretion of the Concessionaire.

8. Concessionaire shall not commence operations until Concessionaire has obtained all health and other permits and licenses required by state, local, or District laws, rules, or regulations in connection with the Concessionaire's business, and has obtained all insurance coverages required by this Contract, and satisfactory proof thereof has been delivered to the District.

9. The Concessionaire shall maintain all of its equipment in a good, clean, safe, and sanitary condition. Every good dispensed shall be in a safe and sanitary condition and not past its expiration date, if applicable. Although failure of the Concessionaire to comply with this requirement will be a breach of this Contract, the District does not hereby assume any liability to Concessionaire or to any third party for any loss or injury caused by any goods, service, or equipment dispensed by the Concessionaire.

10. Concessionaire shall keep its location clean and shall pick up all trash from its operation that is blown onto other areas of the property. Concessionaire shall provide public trash receptacles at its location. The Concessionaire shall at the end of each day, and additionally as may be necessary, transfer all waste to the District's waste dumpsters. No hazardous substance shall be deposited in a District receptacle. Concessionaire shall not cause or allow any environmental waste or contamination of the District's lands or waters from the Concessionaire's operations.

11. The District agrees to provide water service to Concessionaire by means of a metered connection to the District's water line, so long as District has potable water available at that location. The District's obligation is subject to availability of the service at the Location and the District shall have no liability for any interruption of service from any cause. Concessionaire agrees to pay for all services at the rates established by the District and in accordance with the periodic statements from the District.

12. Concessionaire shall comply with all laws, regulations, and rules applicable to its operation, goods, services or equipment, and with all rules promulgated by the District. The use of all fuels and other flammable products are subject to inspection and approval by the Harbor Master. The Concessionaire may not keep at its location or anywhere within the Beach any explosive or hazardous materials, other than fuel for its normal operations.

13. The District shall have access to and the right to inspect the Concessionaire's location, trailer, stand, cart, or other equipment at any time during normal business hours and, in addition, at any time the Harbor Master determines, within his discretion, that there may be an urgent need to inspect or take action to prevent injury to persons or property.

14. **Rockport and Rockport Beach merchandise** The District will not grant a concession to a third party to vend within the Beach any t-shirts and while this Contract remains in force. However, the District reserves the right to allow persons

who rent the pavilions or other facilities within the Beach to provide or have catered to their guests any such goods in connection with the events for which the facilities are rented.

15. Neither the Concessionaire nor any of Concessionaire's employees, agents, guests, or invitees shall consume alcoholic beverages or illegal drugs, or be under the influence of such, while on duty or conducting business within the Beach. Concessionaire shall ensure that all employees and representatives of the Concessionaire who are on the District's property are of good character and fit to have contact with members of the public who will be present on the property.

16. Concessionaire shall have the right to display at the location reasonable signage identifying or advertising the Concessionaire's business. Concessionaire shall not have or allow any other signage on the premises without specific written approval of the Harbor Master. Concessionaire may engage in advertising relative to the concession consistent with a dignified image in the operation and maintenance of the Beach. If the Concessionaire wishes to conduct any special activity or event, the Concessionaire shall obtain the Harbor Master's approval in advance for the event and any related advertising or publicity. Concessionaire agrees to remove any lighting, signage, equipment, or any other item placed on the District's lands or mounted on Concessionaire's equipment, and to cause any activity occurring on the District's lands to cease, if the Harbor Master determines such item or activity to be a public nuisance or hazard to any person or property.

17. The Concessionaire shall maintain in force policies of insurance with not less than the following coverage limits during the term of this Contract:

Liability insuring personal injury per person	\$ 300,000
Aggregate personal injury per occurrence	\$ 600,000
Loss to Property: property damage per occurrence	\$ 100,000
Products liability insurance covering all claims for property damage or personal injury caused by any defects in goods, services, or equipment dispensed by Concessionaire, if not included within the coverage stated above, per person	\$ 300,000

The District shall be named as an additional insured on all policies of insurance. All policies shall provide for advance notice to the District of any changes or cancellations in coverage. Concessionaire shall deliver or cause to be delivered to the District office certificates or declarations of insurance or other satisfactory proof of the insurance coverages prior to commencement of operations under this Contract and shall maintain

on file with the District satisfactory evidence of the continuation of such coverage during the term of this Contract.

18. Concessionaire represents that it is familiar with the conditions of the Beach and of the designated location and accepts the use of the designated location and any other location hereafter designated as is, with all faults. The Concessionaire shall indemnify, hold harmless, and defend the District against every claim or cause of action arising from or relating to the operations of the Concessionaire or the acts or omissions of the Concessionaire or of any of the Concessionaire's employees, agents, representatives, guests, or invitees. Concessionaire shall give the District immediate notice of any claim that in any way directly or indirectly affects either the Concessionaire or the District.

19. A. The District shall have the right to immediately terminate this Contract upon written notice to the Concessionaire on the following grounds:

- i. any payment owed to the District under this Contract is more than 30 days past due;
- ii. there occurs a material breach or default by Concessionaire of any provision of this Contract;
- iii. the Concession is abandoned, consisting of the failure to be open for business at the designated location for 5 consecutive calendar days or a total of 5 days within any 14 day period;
- iv. the Concessionaire becomes the subject, voluntarily or involuntarily, of a proceeding in bankruptcy or Concessionaire includes this Contract in an assignment for the benefit of its creditors.

B. Either party may terminate this Contract at any time without any requirement for cause, upon not less than 60 days written notice to the other party.

20. The District shall have the right at its discretion to take possession of, remove, and store any goods, equipment, or other property of Concessionaire, at Concessionaire's expense, if the property is left within the Beach after the posted closing time, or the property has not been removed immediately after this Contract expires or is terminated, or the Harbor Master determines the property is creating an immediate hazard to persons or property. The District will make a good faith effort to give oral or written notice to Concessionaire of the District's action. If such property has not been reclaimed by the Concessionaire within 15 days after the District's action, the District shall have the right, without any further notice to Concessionaire, to sell any or all of the property in any commercially reasonable manner and to discard or donate to charity any property which the District deems not to have any substantial marketability or market value. The District shall have a lien on all such property for payment of any amounts owed by Concessionaire to the District, and the District may apply any proceeds from the sale first to the cost of preparing the items of property for sale, then to the costs of sale, then to satisfy amounts owed by the Concessionaire to the District.

under this Contract or otherwise, and then any balance will be available to be claimed by the Concessionaire.

21. The failure of the District to insist upon the strict performance of any of the terms, covenants, or conditions of this Contract shall not be deemed to be a waiver of any further or future breach or default.

22. The performance by either party hereunder shall be excused during a period in which that party's performance has been rendered impossible or impracticable as a result of an act of God, war, civil commotion, or other emergency condition beyond the control of the party. In the event Concessionaire's trailer, stand, cart, or a substantial portion of the Concessionaire's goods or equipment are destroyed or damaged by fire, windstorm, lightning, other casualty, or vandalism, to an extent that the Concessionaire cannot reasonably continue operations, the Concessionaire shall have the right to request, and upon request shall be allowed, to suspend operations for not more than 90 days within which to repair or replace its property as necessary to commence normal operations. The concession fee shall be waived during said period.

23. Every notice to the District shall be addressed to the Harbor Master, delivered at his business office in Rockport, Texas, during office hours. Every notice to Concessionaire shall be deemed delivered when delivered in hand or by mail to the Concessionaire, Concessionaire's Agent, or to any officer of Concessionaire, or to the Concessionaire's address as shown on Exhibit A.

24. Concessionaire shall pay before delinquent all ad valorem taxes, if any, assessed by or for the benefit of the District, Aransas County, or other taxing authorities on Concessionaire's personal property used in connection with the concession.

25. A. Concessionaire's rights under this Contract are not assignable without express written permission of the District, which permission may be withheld by the District with or without cause at the District's discretion.

B. Concessionaire shall obtain the District's approval, in writing, before making any material change in ownership or control of the Concessionaire, as listed in Exhibit A, which approval may be withheld at the District's discretion. Concessionaire shall notify the District of any material change in ownership or control by operation of law, as soon as Concessionaire learns that the change probably will occur, or if Concessionaire has no advance knowledge of the change, no later than the 10th day after such change has occurred. A material change in ownership or control means a change of ten percent or more of the ownership of the Concessionaire or a change in the principal officers, the directors, or a partner.

C. If Concessionaire is an entity other than an individual sole proprietor, it shall be an event of default if Concessionaire's, or Concessionaire's general partner's,

certificate of authority expires or is suspended or terminated by the State under which Concessionaire or the partner was created.

26. Concessionaire shall be liable to the District for any damages, expenses, and attorney fees caused by Concessionaire's breach of this Contract.

27. The rights and privileges granted to the Concessionaire under this Contract are in the nature of a license only. The Concessionaire is not, and shall not be deemed to be, a lessee, employee, contractor, agent, or partner, of the District. Concessionaire is solely responsible for the actions, health, and safety of the Concessionaire's employees, agents, suppliers, guests, and invitees.

28. This Contract shall be interpreted under and governed exclusively by the laws of the State of Texas, without regard to any conflict of law rules under which the laws of another state or forum might otherwise apply. Jurisdiction and venue of any action or proceeding arising from or relating to this Contract shall exclusively lie in a Texas State court of appropriate jurisdiction sitting in Aransas County.

29. This Contract constitutes the entire agreement between the District and Concessionaire relating to the subject of this Contract. This Contract is not intended, and shall not be interpreted or deemed, to waive any governmental or sovereign immunity of the District or of any official, officer, or employee of the District. All exhibits to this Contract are fully incorporated herein by reference.

ARANSAS COUNTY NAVIGATION DISTRICT

Executed this 19th day of Jan, 2021

By: [Signature]

Name:

Title: Chairman

CONCESSIONAIRE: SHARON MILLER D/B/A GOIN' COASTAL OUTFITTERS

Executed this 2 day of March, 2021

By: [Signature]

Name: Sharon Miller, Owner

LMC:5/2/13

APPLICATION FOR CONCESSION CONTRACT (EXHIBIT "A")

The below identified individual or company (Applicant) hereby applies for a Concessionaire License to vend or rent goods, services, or equipment on property of the Aransas County Navigation District (the District), as described herein. Applicant authorizes and gives permission to the District to request and obtain a civil, criminal, and financial background check on Applicant and all officers, directors, agents, and on-site managers identified in this Application, and to use any information obtained for the purpose of evaluating this Application and Applicant's fitness to be granted a license and to operate the business described.

DESCRIPTION OF PROPOSED BUSINESS: Concession business, t-shirts along with Rockport and Rockport Beach merchandise.

INFORMATION ABOUT CONCESSIONAIRE:

Name: Sharon Miller d/b/a Goin' Coastal Outfitters

Type of Entity [e.g., individual sole proprietor, partnership, corporation, limited liability corporation, or limited partnership]: Sole ownership

If Concessionaire is not an individual:

Name of the State in which the entity was organized

Attach a copy of the documents by which Concessionaire was organized, such as Articles of Organization, Charter, Partnership Agreement, Bylaws, or Company Agreement

Address & Phone numbers:

Principal office of Concessionaire:

Owners: Sharon Miller (361) 230-0414

Directors: Same

Officers: Same

103 S. Austin St. Rockport, TX 78382

If Concessionaire is not a sole proprietor, the following person is an Agent designated and authorized by Concessionaire to receive all notices and to act and speak for Concessionaire in all respects affecting this Contract:

Name: N/A

Address:

Telephone No.:

Fax No.:

Email Address:

If different than the above named Agent, identify the person on-site and responsible for management of the premises:

CONCESSIONAIRE:

By: Sharon Miller

Name: Sharon Miller

Exhibit A



JOINT PUBLIC HEARING Rockport City Council and Planning & Zoning Commission

NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, April 27, 2021, at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request for a Conditional Use Permit for food and retail vending, located at 210 Seabreeze Drive; also known as approximately 80.0 acres of land out of portions of the Aransas County Navigation District No.1 Rockport Beach Park and Festival Grounds property located in the city of Rockport, Aransas County, Texas and being a portion of the 102.5 acres Rockport Harbor patent, Abstract 343 and revised August 12, 1953, and recorded in Volume M3, Page 499, Deed Records of Aransas County, Texas, along with a portion of Abstract 357 dated November 6, 1953, containing 604.296 acres and recorded in Volume N-3, Page 178, Deed Records of Aransas County, Texas, with said 80.0 acres being a portion of Abstracts 343 and 357; currently zoned R-1 (1st Single Family Dwelling District).

The meeting will be held in person with social distancing guidelines and using the video conferencing application ZOOM. A temporary suspension of the Open Meetings Act to allow telephone or video conference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. **Video conferencing capabilities will be utilized to allow individuals to address the Planning & Zoning Commission and City Council. Members of the public can participate in the meeting remotely by using the ZOOM address that will be provided on the City Council Agenda of April 27, 2021, and posted on the City's website www.cityofrockport.com.**

Due to the COVID-19 pandemic, the attorney general has said: "statutes that may be interpreted to require face-to-face interaction between members of the public and public officials are suspended; provided, however, that the governmental bodies must offer alternative methods of communicating with their public officials." Public participation is valued and citizens wishing to express their views during the Joint Public Hearing can electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation>, or if attending the meeting in person register at the meeting. Using the same form, citizens can also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The Mayor will read the comments and they will be summarized in the minutes of the meeting.

The City encourages citizens to participate and make their views known at this Joint Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125.

POSTED the 8th day of April 2021, on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and on the website www.cityofrockport.com.

PUBLISHED in *The Rockport Pilot* in the Saturday, April 10, 2021, Edition, in accordance with the City of Rockport Code of Ordinances.

CITY OF ROCKPORT, TEXAS


Teresa Valdez, City Secretary

<u>Property ID</u>	<u>Property Owner</u>	<u>Situs Address</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>ZIP</u>
33724	Wells Fargo Bank	511 Hwy 35 N	333 Market St 10th Floor	San Francisco	CA	94105
32559	Wells Fargo Bank	501 Hwy 35 N	333 Market St 10th Floor	San Francisco	CA	94105
49726	Hoopes Associates LTD	417 Broadway	406 E. 85th St	New York	NY	10028
33720	Jeff & Anne Hunt	409 Broadway	2204 Island Wood Rd	Austin	Tx	78733
25306	Michael & Christine Seger	29 Finisterre	1909 Albany Ave	Lubbock	Tx	79407
25307	Jeremy & Mary Fernandes	31 Finisterre	9612 Rockbrook Dr	Dallas	Tx	75220
25232	Katherine Noble	44 Blue Heron	PO Box 2339	Rockport	Tx	78382
25231	Shelley Gatlin	46 Blue Heron	46 Blue Heron	Rockport	Tx	78382
25230	Natalie Harrison	48 Blue Herron	83 Williamsburg Ln	Houston	Tx	77024
25229	Dawn & Joshua Jakubik	50 Blue Heron	303 Corbin Dr	Magnolia	Tx	77354
69904	Michael & Laura Heinrich	56 Blue Heron	223 Park Hill Dr	San Antonio	Tx	78212
69903	Michael & Kathrine Grella	60 Blue Heron	PO Box 10706	Midland	Tx	79702
25220	Chumley Revocable Trust	68 Blue Heron	300 Cliffside Dr	San Antonio	Tx	78231
25219	Chumley Revocable Trust	63 Blue Heron	300 Cliffside Dr	San Antonio	Tx	78231
25122	Lawrence & Lisa Glasgow	72 Curlew Dr	3407 Dartmouth Ave	Dallas	Tx	75205
25123	Susan Oakley	70 Curlew Dr	103 Woodmere	Victoria	Tx	77904
25221	Stephen & Lynda Powers	66 Blue Heron	66 Blue Heron Dr	Rockport	Tx	78382
25121	Gaye Tullos	74 Curlew Dr	2151 Troon Rd	Houston	Tx	77019

CITY COUNCIL AGENDA

Regular Meeting: Tuesday, April 27, 2021

AGENDA ITEM: 15

Deliberate and act on first reading of an Ordinance amending the Official Zoning Map as stipulated under Article 4.1 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from R-2 (2nd Single Family Dwelling District) for property located at 3361 Loop 1781; also known as 1.628 acres out of 23.462 acres, out of the northerly portion of a 258.53 acre tract, lying west of Loop 1781 and south of Copano Ridge Road, south of and adjacent to Copano Campsite Subdivision, according to the plat recorded in Volume 2, Page 50, Plat Records of Aransas County, Texas, and being out of the westerly portion of the Old Modessett Ranch, Joseph Hollis Survey, A-76, City of Rockport, Aransas County, Texas; said 23.462 acres being the same tract described in a deed of record under Clerk's File Number 369271, Official Public Records of Aransas County, Texas; to B-1 (General Business District) to build a family-friendly restaurant with a bar and other entertainment amenities; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA: PKC

BACKGROUND: Developer Bradley Blanton has submitted an application seeking a request to rezone property located at 3361 Loop 1781; also known as 1.628 acres out of 23.462 acres, out of the northerly portion of a 258.53 acre tract, lying West of Loop 1781 and South of Copano Ridge Road, South of and adjacent to Copano Campsite Subdivision, according to the plat recorded in Volume 2, Page 50, plat records of Aransas County, Texas, and being out of the westerly portion of the Old Modessett Ranch, Joseph Hollis Survey, A-76, City of Rockport, Aransas County, Texas; said 23.462 acres being the same tract described in a deed of record under Clerks File Number 369271, Official Public Records of Aransas County, Texas, to B-1 (General Business District) to build a family-friendly restaurant with a bar and other entertainment amenities, currently zoned R-2 (2nd Single Family Dwelling District).

A Public Notice regarding this item was published in *The Rockport Pilot* in the Saturday, March 27, 2021 edition and mailed out to forty-five property owners within a 200-foot radius of the property. Two letters for and twenty-three letters against the request have been received. A Joint Public Hearing was held on Tuesday, April 13, 2021. The applicant spoke in favor of the request and one person submitted online public comment in favor. Seven people spoke against the request at the meeting or via online public comment. Twelve additional letters against the request were received after this meeting and prior to the Planning & Zoning Commission meeting.

Overall, the owners of **37%** of the area of land within the 200-foot notification area have indicated opposition to the project. Section 118-26.2 of the Zoning Ordinance states:

26.2 *Twenty Percent Rule.* If a protest against such proposed amendment, supplement, change or modification shall be presented to the City Secretary, duly signed and acknowledged by the owners of twenty percent or more, either of the area of lots or land

immediately adjoining the same extending 200 feet therefrom, such amendment, supplement, change or modification shall not become effective except by favorable vote of three-fourths of the members of the City Council.

Concerns brought up by the public include not being compatible to adjacent land uses, noise, impact on habitat, and traffic safety issues at that location. All immediate adjacent land uses are single-family residential, and the 2008 Future Land Use Map indicates this area as low-density residential.

The Planning & Zoning Commission met on Monday, April 19, 2021, and recommended **denial** of the request. Please see the accompanying zoning change request application and Section 118-15 of Code of Ordinances for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Given the reasons above, staff recommends **denial** of the first reading of an Ordinance amending the Official Zoning Map as stipulated under Article 4.1 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from R-2 (2nd Single Family Dwelling District) for property located at 3361 Loop 1781; also known as 1.628 acres out of 23.462 acres, out of the northerly portion of a 258.53 acre tract, lying west of Loop 1781 and south of Copano Ridge Road, south of and adjacent to Copano Campsite Subdivision, according to the plat recorded in Volume 2, Page 50, Plat Records of Aransas County, Texas, and being out of the westerly portion of the Old Modessett Ranch, Joseph Hollis Survey, A-76, City of Rockport, Aransas County, Texas; said 23.462 acres being the same tract described in a deed of record under Clerk's File Number 369271, Official Public Records of Aransas County, Texas; to B-1 (General Business District) to build a family-friendly restaurant with a bar and other entertainment amenities; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AS STIPULATED UNDER ARTICLE 4.1 OF THE CITY OF ROCKPORT ZONING ORDINANCE NUMBER 1027 BY CHANGING THE ZONING OF LAND FROM R-2 (2ND SINGLE FAMILY DWELLING DISTRICT) FOR PROPERTY LOCATED AT 3361 LOOP 1781; ALSO KNOWN AS 1.628 ACRES OUT OF 23.462 ACRES, OUT OF THE NORTHERLY PORTION OF A 258.53 ACRE TRACT, LYING WEST OF LOOP 1781 AND SOUTH OF COPANO RIDGE ROAD, SOUTH OF AND ADJACENT TO COPANO CAMPSITE SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGE 50, PLAT RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING OUT OF THE WESTERLY PORTION OF THE OLD MODESETT RANCH, JOSEPH HOLLIS SURVEY, A-76, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS; SAID 23.462 ACRES BEING THE SAME TRACT DESCRIBED IN A DEED OF RECORD UNDER CLERKS FILE NUMBER 369271, OFFICIAL PUBLIC RECORDS OF ARANSAS COUNTY, TEXAS; TO B-1 (GENERAL BUSINESS DISTRICT) TO BUILD A FAMILY-FRIENDLY RESTAURANT WITH A BAR AND OTHER ENTERTAINMENT AMENITIES; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a request to re-zone property was received in the office of the Building Department, Rockport, Texas; and

WHEREAS, On March 22, 2021, notice was posted on the bulletin boards at the City of Rockport Service Center, 2751 State Highway 35 Bypass, and on the City's website www.cityofrockport.com; and

WHEREAS, on March 25, 2021, notice was mailed to affected property owners within 200' of subject property; and

WHEREAS, on March 27, 2021, the City caused to be published "Notice of Joint Public Hearing" in the official newspaper of the City notifying area residents and the public in general to participate and make their views known regarding this request; and

WHEREAS, on April 13, 2021, at 6:30 p.m., the Rockport City Council and the Planning & Zoning Commission did hold a Joint Public Hearing; and

WHEREAS, on April 19, 2021, the Planning & Zoning Commission did meet and said Commission voted to recommend to City Council to accept and **deny** this request to re-zone property, located at 3361 Loop 1781 from R-2 (2nd Single Family

Dwelling District) to B-1 (General Business District) to build a family-friendly restaurant with a bar and other entertainment amenities.

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

SECTION 1 – AMENDMENT

That, pursuant to Article 4 of the City of Rockport Zoning Ordinance Number 1027, the current zoning of land located at 3361 Loop 1781; also known as 1.628 acres out of 23.462 acres, out of the northerly portion of a 258.53 acre tract, lying West of Loop 1781 and South of Copano Ridge Road, South of and adjacent to Copano Campsite Subdivision, according to the plat recorded in Volume 2, Page 50, plat records of Aransas County, Texas, and being out of the westerly portion of the Old Modessett Ranch, Joseph Hollis Survey, A-76, City of Rockport, Aransas County, Texas; said 23.462 acres being the same tract described in a deed of record under Clerks File Number 369271, Official Public Records of Aransas County, Texas; be changed from R-2 (2nd Single Family Dwelling District) to B-1 (General Business District).

SECTION 2 - REPEALER

Any previously adopted ordinances, and any subsequent amendments to them, which are in conflict with this ordinance, are hereby repealed.

SECTION 3 - SEVERABILITY

It is the intention of the City Council of the City of Rockport that if any phrase, sentence, section or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

SECTION 4 - EFFECTIVE DATE

This ordinance shall become effective immediately upon adoption by second and final reading.

APPROVED on first reading the ____ day of _____ 2021.

CITY OF ROCKPORT, TEXAS

Patrick R. Rios, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED, PASSED and ADOPTED on second and final reading, the __ day of _____
2021.

CITY OF ROCKPORT, TEXAS

Patrick R. Rios, Mayor

ATTEST:

Teresa Valdez, City Secretary

STAFF REPORT

Building & Development Services | Amanda Torres, Community Planner
 2751 SH 35 Bypass, Rockport, TX 78362
 Phone: (361) 790-1125, x. 226 | Email: communityplanner@cityofrockport.com



PROPERTY ADDRESS/LOCATION

3361 Loop 1781

APPLICANT/PROPERTY OWNER

Bradley Blanton/J.S.A. Engineering

PUBLIC HEARING DATE

Tuesday, April 13, 2021

P&Z DATE

Monday, April 19, 2021

CITY COUNCIL DATE(S)

1st Reading - Tuesday, April 27, 20212nd Reading – Tuesday, May 11, 2021

BRIEF SUMMARY OF REQUEST

Developer Bradley Blanton has submitted an application seeking a request to rezone property located at 3361 Loop 1781; also known as 1.628 acres out of 23.462 acres, out of the northerly portion of a 258.53 acre tract, lying West of Loop 1781 and South of Copano Ridge Road, South of and adjacent to Copano Campsite Subdivision, according to the plat recorded in Volume 2, Page 50, plat records of Aransas County, Texas, and being out of the westerly portion of the Old Modessett Ranch, Joseph Hollis Survey, A-76, City of Rockport, Aransas County, Texas; said 23.462 acres being the same tract described in a deed of record under Clerks File Number 369271, Official Public Records of Aransas County, Texas, to B-1 (General Business District) to build a family-friendly restaurant with a bar and other entertainment amenities, currently zoned R-2 (2nd Single Family Dwelling District).

A public notice regarding this item was published in The Rockport Pilot in the Saturday, March 27, 2021 edition and mailed out to forty-five property owners within a 200-foot radius of the property. Two letters for and twenty-three letters against the request have been received. A Joint Public Hearing was held on Tuesday, April 13. The applicant spoke in favor of the request and one person submitted online public comment in favor. Seven people spoke against the request at the meeting or via online public comment. Ten additional letters against the request were received after this meeting and prior to the Planning & Zoning Commission meeting.



MAP SOURCE: Pictometry

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-2 2 nd Single Family Dwelling District	Undeveloped	North: Outside city limits, single-family homes South: R-1 1 st Single-Family Dwelling, undeveloped East: R-1 1 st Single-Family Dwelling, single-family homes West: R-1 1 st Single-Family Dwelling, undeveloped, single-family homes	Developer currently working on water/sewer/drainage improvements.	1.628 acres

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

COMPATIBILITY with the ZONING ORDINANCE & FUTURE LAND USE MAP	PROPERTY HISTORY
Any future development will meet all setback requirements of the B-1 General Business District if approved. The 2008 Future Land Use Map indicated this area as low-density residential.	<i>Compatibility with the planned development (or other controlling documents); traffic/parking; public works/utilities; engineering/flood plain/soil; building code/fire or design</i> The property is partially within the Special Flood Hazard Area. Commercial plans including parking, drainage, building design, etc. will need to conform to the approved zoning district, if zoning is approved.

ATTACHMENTS
(CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING PETITION/
APPLICATION FORM

LEGAL NOTICE

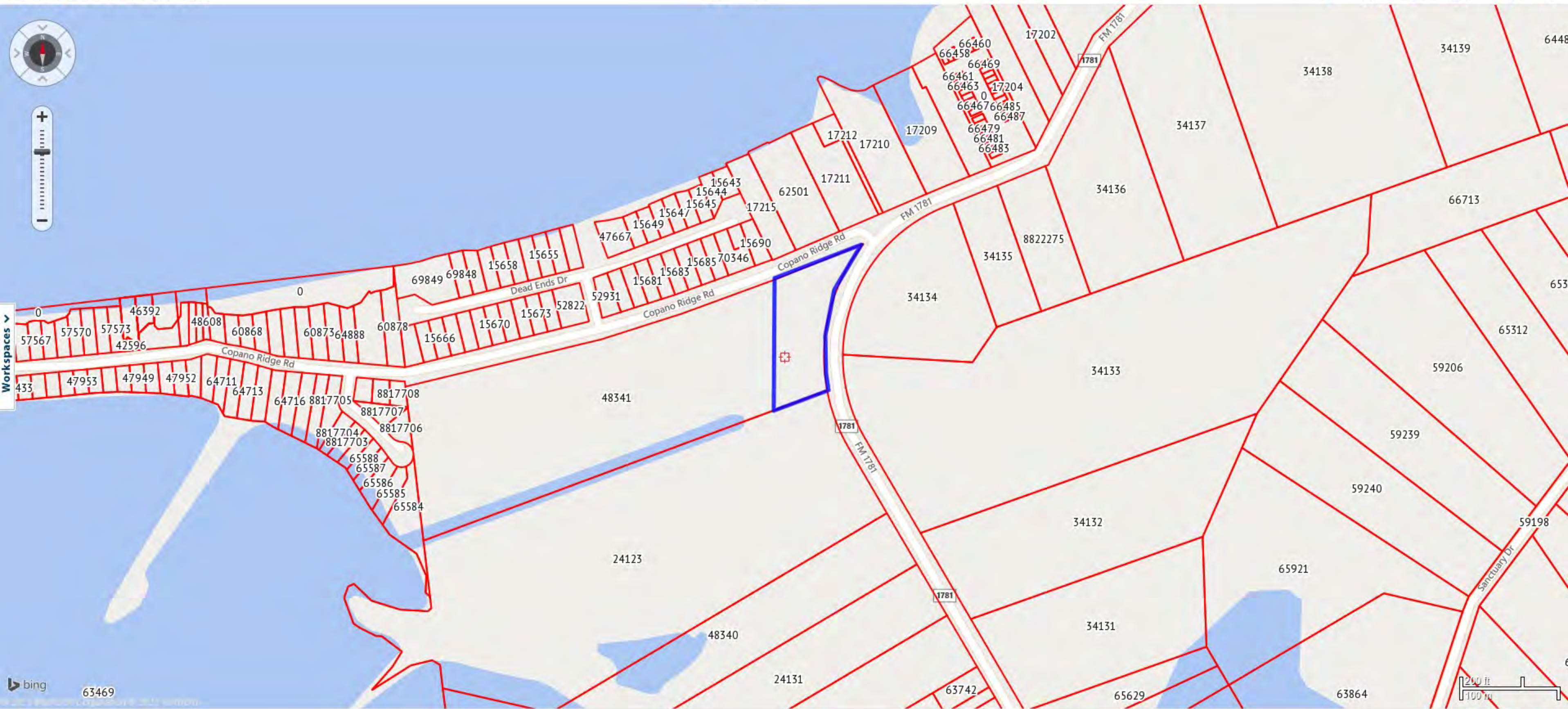
LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

OTHER (DESCRIBE)



Workspaces ▾



Workspaces

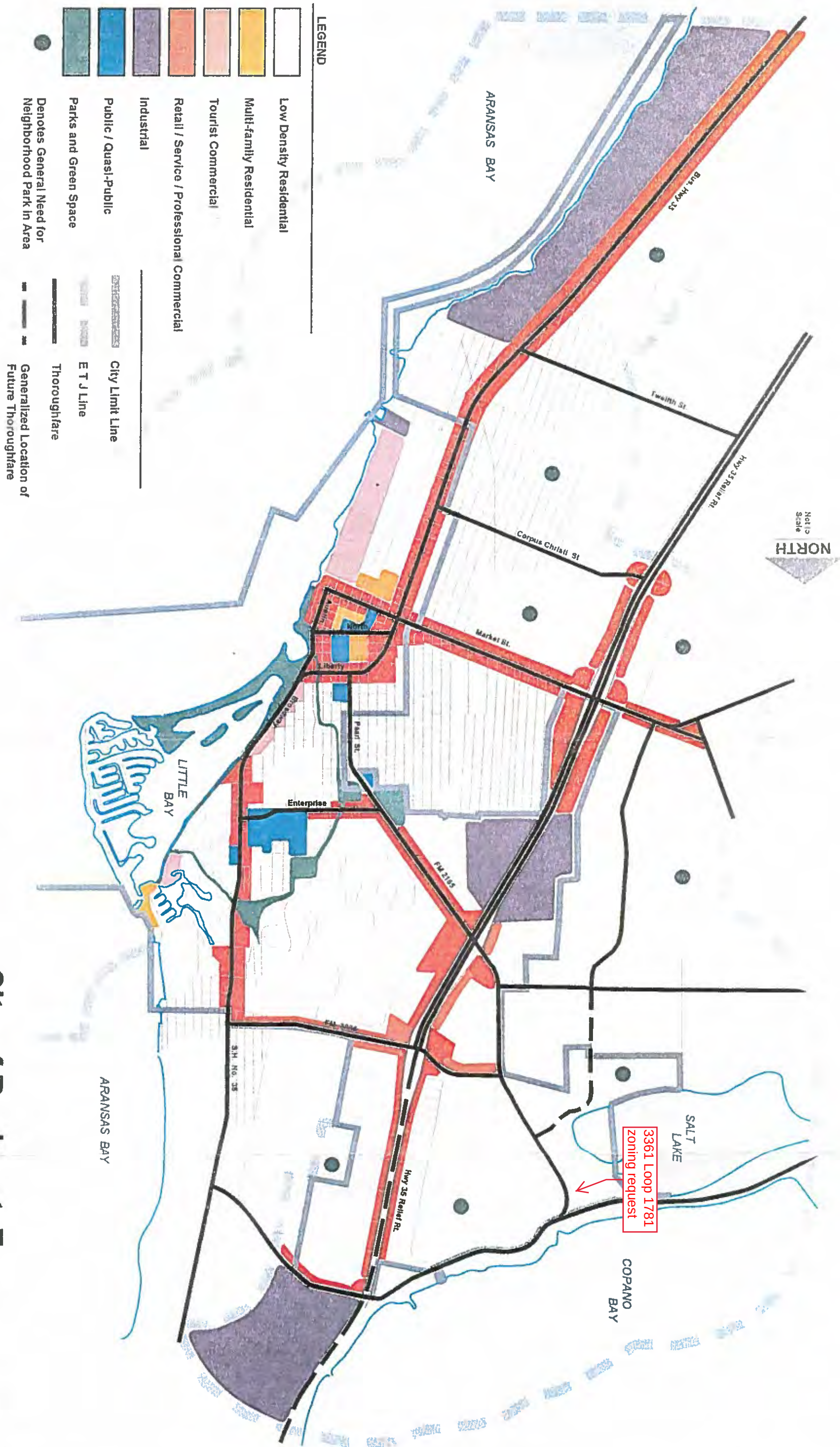
bing

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Workspaces ▾

Note: A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries



Article I. Zoning Ordinance*

Sec. 118-15. B-1 General Business District.

15.1 *Use Regulations.* The purpose of this district is to provide suitable locations for a wide variety of business and mercantile uses. In addition to the previous listed uses in R-1 through R-7 districts, land and premises may be used for:

1. Restaurants, cafes, food catering services.
2. Offices, banks, libraries, museums, etc.
3. Service stations, car washes, laundromats.
4. Malls, shopping centers, retail stores.
5. Shops (butcher shops, shoe shops, shell shops, etc., including pawn shops that have been licensed to transact business by the Consumer Credit Commissioner under Chapter 371, Finance Code).
6. Grocery stores, convenience stores, markets.
7. Retail markets (seafood/meat) and bait stands.
8. Entertainment facilities (theaters, bowling alleys, pool halls, clubs and lounges, etc.
9. Sales, service and repair shops (radio, television, shoe repair, tool repair and rental, lawn mower repair, auto and boat repair shops, etc).
10. Personal service shops (beauty salons, barber shops, tailoring and dressmaking shops, etc).
11. Storage buildings, auto storage yards.
12. Animal hospitals, boarding kennels and grooming shops.
13. Mortuaries and funeral homes.
14. Agricultural services, greenhouses and landscaping services.
15. Outdoor welding, fabricating operations, by CUP.
16. Permanent or long term (more than 30 days) public entertainment facilities or uses, by CUP. Such uses may include, but not be limited to, amusement parks, carnivals, circuses, marine life shows, dance/theatrical productions and natatoriums.
17. Fish houses, seafood processing plants, by CUP.
18. Adult entertainment, by CUP.

15.2 *Area and Yard Regulations.*

15.2.1 *Area of the Lot.* None required for non-dwelling uses. For dwelling uses, See [[section 118-20](#)] Table 20.

15.2.2 *Width of the Lot.* The minimum width of the lot shall be fifty (50) feet. See [[section 118-20](#)] Table 20.

15.2.3 *Area of the Building.* For a primary use structure, the minimum floor area shall be five hundred (500) square feet. See [[section 118-20](#)] Table 20.

15.2.4 *Yard Area and Building Setbacks.* See [[section 118-20](#)] Table 20

15.3 *Height of the Building.* No building shall exceed forty five (45) feet in height. See Article 3 [[section 118-3](#)] Definitions and Article 20 [[section 118-20](#)].

15.4 *Parking Regulations.* Parking regulations for permitted uses as contained in Article 21 [[section 118-21](#)].

15.5 *Accessory Use Regulations.* Accessory uses, which are auxiliary or incidental to the primary use of a building or premises, as contained in Article 22 [[section 118-22](#)].

(Ord. No. 1027, art. 15, 4-9-96)



CITY OF ROCKPORT
ZONING AND LAND DEVELOPMENT APPLICATION

INSTRUCTION: Please fill out completely. If more space is needed, attach additional pages. Please print or use typewriter.

- A. REQUESTING: Rezoning [X] Conditional Permit []
Planned Unit Development (P.U.D.) by Conditional Permit []
- B. ADDRESS AND LOCATION OF PROPERTY 3361 LOOP 1781,
ROCKPORT, TEXAS
- C. CURRENT ZONING OF PROPERTY: R-2
- D. PRESENT USE OF PROPERTY: Newly Constructed Subdivision
- E. ZONING DISTRICT REQUESTED: B-1
- F. CONDITIONAL USE REQUESTED: _____
- G. LEGAL DESCRIPTION: (Fill in the one that applies)
- Lot or Tract _____ Block _____
 - Tract _____ of the _____
Survey as per metes and bounds (field notes attached)
 - If other, attach copy of survey or legal description from the Records of
Aransas County or Appraisal District.
- H. NAME OF PROPOSED DEVELOPMENT (if applicable) _____
Sunset Shores Subdivision
- I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): 1.628 Acres out of the 23.462
acres proposed as Sunset Shores Subdivision
- J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT:
(Please be specific)
- The developer would like to build a family-friendly restaurant with bar, with
entertainment areas such as sand volleyball courts, cornhole courts, a
swimming pool, and a small stage.

K. OWNER'S NAME: (Please print) Bradley Blanton, SOTE, LLC
ADDRESS: 529 Oliver Road
CITY, STATE, ZIP CODE: Victoria, TX 77904
PHONE NO 361-649-8328

L. REPRESENTATIVE: (If Other Than Owner) Brandi Karl / J. Schwarz & Assoc
ADDRESS: 411 S. Pearl St.
CITY, STATE, ZIP CODE: Rockport, TX 78382
PHONE NO 361-774-4534

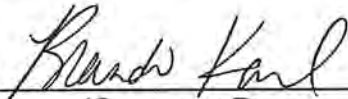
NOTE: Do you have property owner's permission for this request?
YES X NO

M. FILING FEE:

REZONING	\$150.00 + \$10.00 PER ACRE
PLANNED UNIT DEVELOPMENT	\$200.00 + \$10.00 PER ACRE
P.U.D. REVISION	\$200.00 + \$10.00 PER ACRE
CONDITIONAL PERMIT	\$150.00 + \$10.00 PER ACRE

(Make check payable to the City of Rockport)

- Submit application and filing fee to the Department of Building & Development, City of Rockport; 2751 S.H. 35 Bypass, Rockport, Texas 78382.

Signed: 
(Owner or Representative)

(FOR CITY USE)

Received by: _____ Date: _____ Fees Paid: \$ _____

Submitted Information (_____ accepted) (_____ rejected) by: _____

If rejected, reasons why: _____

Receipt No. _____

EXHIBIT "A"

MARCH 19, 2021

BEING THE DESCRIPTION OF 1.628 ACRES OF LAND OUT OF 23.462 ACRES OF LAND OUT OF THE NORTHERLY PORTION OF A 258.53 ACRE TRACT, LYING WEST OF LOOP 1781 AND SOUTH OF COPANO RIDGE ROAD, SOUTH OF AND ADJACENT TO COPANO CAMPSITE SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGE 50, PLAT RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING OUT OF THE WESTERLY PORTION OF THE OLD MODESSETT RANCH, JOSEPH HOLLIS SURVEY, A-76, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, AND SAID 23.462 ACRES BEING THE SAME TRACT DESCRIBED IN A DEED OF RECORD UNDER CLERKS FILE NUMBER 369271, OFFICIAL PUBLIC RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 1.628 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN, at a 5/8" steel rebar found at the point of intersection of the South R.O.W. line of Copano Ridge Road, and the Westerly R.O.W. line of Loop 1781, and being the Northeast corner of said 23.462 acre tract, and being the NORTHEAST corner and PLACE OF BEGINNING of this survey;

THENCE, along and with the Westerly R.O.W. line of Loop 1781, along a circular curve to the left with a central angle of $30^{\circ}23'40''$, a radius of 756.35 feet, a chord of 396.54 feet, a tangent of 205.46 feet, for an arc length of 401.23 feet to a 5/8" steel rebar set in the North R.O.W. line of Proposed Tiki Drive, and being the SOUTHEAST corner of this survey;

THENCE, North $86^{\circ}26'22''$ West, crossing said 23.462 acre tract, along and with the North R.O.W. line of Proposed Tiki Drive, a distance of 39.05 feet to a 5/8" steel rebar set at the point of curvature of a circular curve to the left with a central angle of $20^{\circ}04'25''$, a radius of 400.0 feet, a tangent of 70.80 feet, a chord of 139.42 feet, and an arc length of 140.14 feet to a 5/8" steel rebar set at the point of tangency and being an INTERIOR corner of this survey;

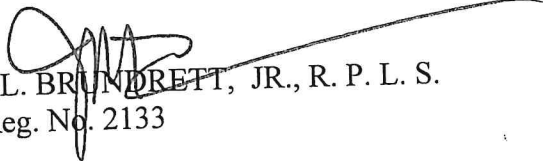
THENCE, South $73^{\circ}29'09''$ West, along and with the North R.O.W. line of Proposed Tiki Drive, a distance of 4.89 feet to a 5/8" steel rebar set for the SOUTHWEST corner of this survey;

THENCE, North $16^{\circ}30'51''$ West, crossing said 23.462 acre tract, a distance of 218.78 feet to a 5/8" steel rebar set in the South R.O.W. line of Copano Ridge Road, and being the NORTHWEST corner of this survey;

THENCE, North $69^{\circ}03'21''$ East, along and with the South R.O.W. line of Copano Ridge Road, a distance of 54.84 feet to a 5/8" steel rebar found for an angle point and INTERIOR corner of this survey;

THENCE, North $67^{\circ}00'51''$ East, along and with the South R.O.W. line of Copano Ridge Road, a distance of 381.54 feet to the PLACE OF BEGINNING of this survey, and containing 1.628 acres or 70,895 square feet of land, more or less.

Unless this Field Note description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility or liability for its accuracy.


J.L. BRUNDRETT, JR., R. P. L. S.
Reg. No. 2133



SEE ACCOMPANYING FIELD NOTES EXHIBIT "B"
FILENAME: 210319BB1

210319BB1FN

LEGAL DESCRIPTION

EXHIBIT "B"

1.628 ACRES OF LAND

OUT OF 23.462 ACRES OF LAND OUT OF THE NORTHERLY PORTION OF A 258.53 ACRE TRACT, LYING WEST OF LOOP 1781 AND SOUTH OF COPANO RIDGE ROAD, SOUTH OF AND ADJACENT TO COPANO CAMPSITE SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGE 50, PLAT RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING OUT OF THE WESTERLY PORTION OF THE OLD MODESETT RANCH, JOSEPH HOLLIS SURVEY, A-76, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, AND SAID 23.462 ACRES OF LAND BEING DESCRIBED IN A DEED OF RECORD UNDER CLERKS FILE NUMBER 369271, OFFICIAL PUBLIC RECORDS OF ARANSAS COUNTY, TEXAS.

PREPARED FOR:
BRADLEY BLANTON
C/O BRANDI KARL

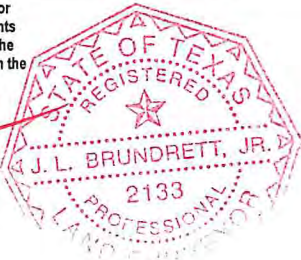
DATE: MARCH 19, 2021 FILE NAME: 210319BB1
SCALE: 1" = 60' REVISED DATE:

THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD HAZARD MAP DATED 2-17-16, AND FOUND THAT THE PROPERTY DESCRIBED HEREIN IS X (OR) IS NOT X LOCATED IN A "SPECIAL FLOOD HAZARD AREA".
ZONE "X" & AE, BASE ELEVATION N/A & 7', PANEL NO. 0230G, COMMUNITY NO. 485504
THIS INFORMATION IS BASED ON SCALING THE LOCATION OF THIS SURVEY ON THE FEMA MAP AND IS INTENDED TO BE USED TO DETERMINE INSURANCE RATES ONLY, AND NOT TO IDENTIFY SPECIFIC FLOODING CONDITIONS.

PLAT BEARING USED FOR DIRECTIONAL CONTROL UNLESS OTHERWISE SHOWN.
SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS OR OWNERSHIP OF TITLE EVIDENCE. SURVEYOR DID NOT REVIEW EXCEPTIONS IN SCHEDULE "B" OF THE TITLE COMMITMENT TO DETERMINE WHETHER THEY DO OR DO NOT AFFECT SUBJECT PROPERTY.

COPYRIGHT NOTICE
ANY COPY OF THIS DRAWING MUST BEAR THE SURVEYOR'S ORIGINAL SEAL AND SIGNATURE IN RED INK OR THE DRAWING IS AN UNAUTHORIZED REPRODUCTION WHICH MAY HAVE BEEN ALTERED OR CHANGED WITHOUT THE SURVEYOR'S KNOWLEDGE OR CONSENT.
THIS ORIGINAL WORK IS PROTECTED UNDER COPYRIGHT LAWS, TITLE 17, UNITED STATES CODE SECTIONS 101 & 102. ALL VIOLATORS WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE LAW.

I, J.L. Brundrett, Jr., A Registered Professional Land Surveyor in the State of Texas, do hereby certify to the named recipients that this plat drawing correctly reflects the results of an on the ground survey conducted by me or under my supervision on the foregoing property and that there are no visible easements, intrusions, or protrusions (except as shown hereon).



J.L. BRUNDRETT, JR., R.P.L.S. REG. NO. 2133
TEPELS FIRM NO. 10004800



411 S. Pearl St., P.O. Box 2322
Rockport, Texas 78381
361-729-6479
361-729-7933
jerryb@gsurveyor.com
www.gsurveyor.com

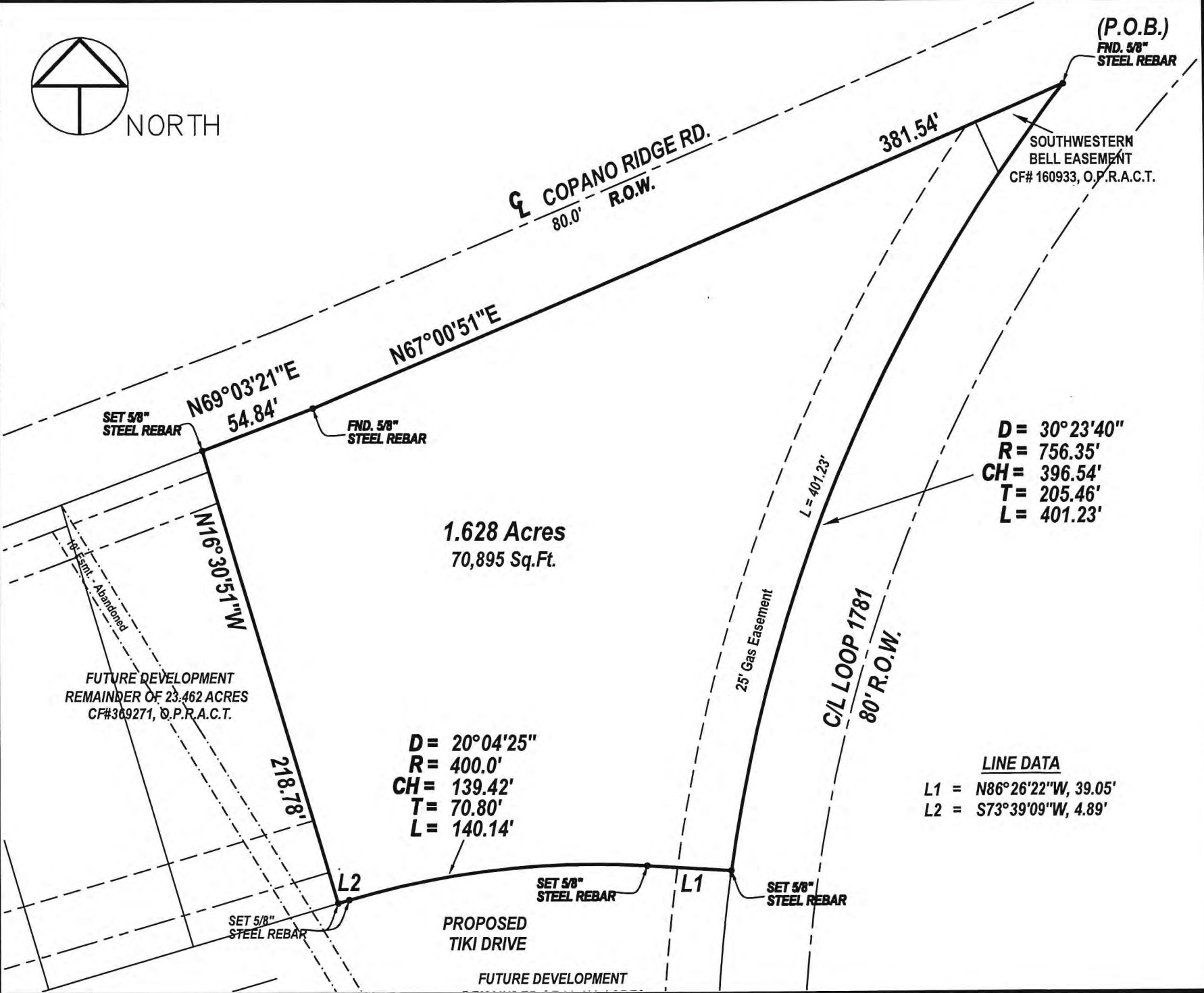


EXHIBIT "A"

MARCH 19, 2021

BEING THE DESCRIPTION OF 1.628 ACRES OF LAND OUT OF 23.462 ACRES OF LAND OUT OF THE NORTHERLY PORTION OF A 258.53 ACRE TRACT, LYING WEST OF LOOP 1781 AND SOUTH OF COPANO RIDGE ROAD, SOUTH OF AND ADJACENT TO COPANO CAMPSITE SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGE 50, PLAT RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING OUT OF THE WESTERLY PORTION OF THE OLD MODESETT RANCH, JOSEPH HOLLIS SURVEY, A-76, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, AND SAID 23.462 ACRES BEING THE SAME TRACT DESCRIBED IN A DEED OF RECORD UNDER CLERKS FILE NUMBER 369271, OFFICIAL PUBLIC RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 1.628 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN, at a 5/8" steel rebar found at the point of intersection of the South R.O.W. line of Copano Ridge Road, and the Westerly R.O.W. line of Loop 1781, and being the Northeast corner of said 23.462 acre tract, and being the NORTHEAST corner and PLACE OF BEGINNING of this survey;

THENCE, along and with the Westerly R.O.W. line of Loop 1781, along a circular curve to the left with a central angle of 30°23'40", a radius of 756.35 feet, a chord of 396.54 feet, a tangent of 205.46 feet, for an arc length of 401.23 feet to a 5/8" steel rebar set in the North R.O.W. line of Proposed Tiki Drive, and being the SOUTHEAST corner of this survey;

THENCE, North 86°26'22" West, crossing said 23.462 acre tract, along and with the North R.O.W. line of Proposed Tiki Drive, a distance of 39.05 feet to a 5/8" steel rebar set at the point of curvature of a circular curve to the left with a central angle of 20°04'25", a radius of 400.0 feet, a tangent of 70.80 feet, a chord of 139.42 feet, and an arc length of 140.14 feet to a 5/8" steel rebar set at the point of tangency and being an INTERIOR corner of this survey;

THENCE, South 73°29'09" West, along and with the North R.O.W. line of Proposed Tiki Drive, a distance of 4.89 feet to a 5/8" steel rebar set for the SOUTHWEST corner of this survey;

THENCE, North 16°30'51" West, crossing said 23.462 acre tract, a distance of 218.78 feet to a 5/8" steel rebar set in the South R.O.W. line of Copano Ridge Road, and being the NORTHWEST corner of this survey;

THENCE, North 69°03'21" East, along and with the South R.O.W. line of Copano Ridge Road, a distance of 54.84 feet to a 5/8" steel rebar found for an angle point and INTERIOR corner of this survey;

THENCE, North 67°00'51" East, along and with the South R.O.W. line of Copano Ridge Road, a distance of 381.54 feet to the PLACE OF BEGINNING of this survey, and containing 1.628 acres or 70,895 square feet of land, more or less.

Unless this Field Note description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility or liability for its accuracy.




J.L. BRUNETT, JR., R. P. L. S.
Reg. No. 2133

SEE ACCOMPANYING FIELD NOTES EXHIBIT "B"
FILENAME: 210319BB1

210319BB1FN

LEGAL DESCRIPTION

EXHIBIT "B"

1.628 ACRES OF LAND

OUT OF 23.462 ACRES OF LAND OUT OF THE NORTHERLY PORTION OF A 258.53 ACRE TRACT, LYING WEST OF LOOP 1781 AND SOUTH OF COPANO RIDGE ROAD, SOUTH OF AND ADJACENT TO COPANO CAMPSITE SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGE 50, PLAT RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING OUT OF THE WESTERLY PORTION OF THE OLD MODESETT RANCH, JOSEPH HOLLIS SURVEY, A-76, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, AND SAID 23.462 ACRES OF LAND BEING DESCRIBED IN A DEED OF RECORD UNDER CLERKS FILE NUMBER 369271, OFFICIAL PUBLIC RECORDS OF ARANSAS COUNTY, TEXAS.

PREPARED FOR:
BRADLEY BLANTON
C/O BRANDI KARL

DATE: MARCH 19, 2021 FILE NAME: 210319BB1
SCALE: 1" = 60' REVISED DATE:

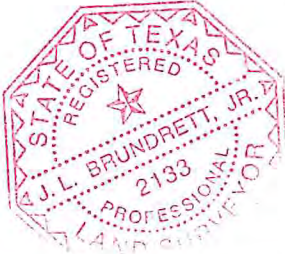
THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD HAZARD MAP DATED 2-17-16, AND FOUND THAT THE PROPERTY DESCRIBED HEREIN IS X (OR) IS NOT X LOCATED IN A "SPECIAL FLOOD HAZARD AREA".
ZONE "X" & AE, BASE ELEVATION N/A & 7', PANEL NO. 0230G, COMMUNITY NO. 485504
THIS INFORMATION IS BASED ON SCALING THE LOCATION OF THIS SURVEY ON THE FEMA MAP AND IS INTENDED TO BE USED TO DETERMINE INSURANCE RATES ONLY, AND NOT TO IDENTIFY SPECIFIC FLOODING CONDITIONS.

PLAT BEARING USED FOR DIRECTIONAL CONTROL UNLESS OTHERWISE SHOWN.
SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS OR OWNERSHIP OF TITLE EVIDENCE. SURVEYOR DID NOT REVIEW EXCEPTIONS IN SCHEDULE "B" OF THE TITLE COMMITMENT TO DETERMINE WHETHER THEY DO OR DO NOT AFFECT SUBJECT PROPERTY.

COPYRIGHT NOTICE
ANY COPY OF THIS DRAWING MUST BEAR THE SURVEYOR'S ORIGINAL SEAL AND SIGNATURE IN RED INK OR THE DRAWING IS AN UNAUTHORIZED REPRODUCTION WHICH MAY HAVE BEEN ALTERED OR CHANGED WITHOUT THE SURVEYOR'S KNOWLEDGE OR CONSENT.
THIS ORIGINAL WORK IS PROTECTED UNDER COPYRIGHT LAWS, TITLE 17, UNITED STATES CODE SECTIONS 101 & 102. ALL VIOLATORS WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE LAW.

I, J.L. Brundrett, Jr., A Registered Professional Land Surveyor in the State of Texas, do hereby certify to the named recipients that this plat drawing correctly reflects the results of an on the ground survey conducted by me or under my supervision on the foregoing property and that there are no visible easements, intrusions, or protrusions (except as shown hereon).

J.L. BRUNDRETT, JR., R.P.L.S. REG. NO. 2133
TBPELS FIRM NO. 10004800

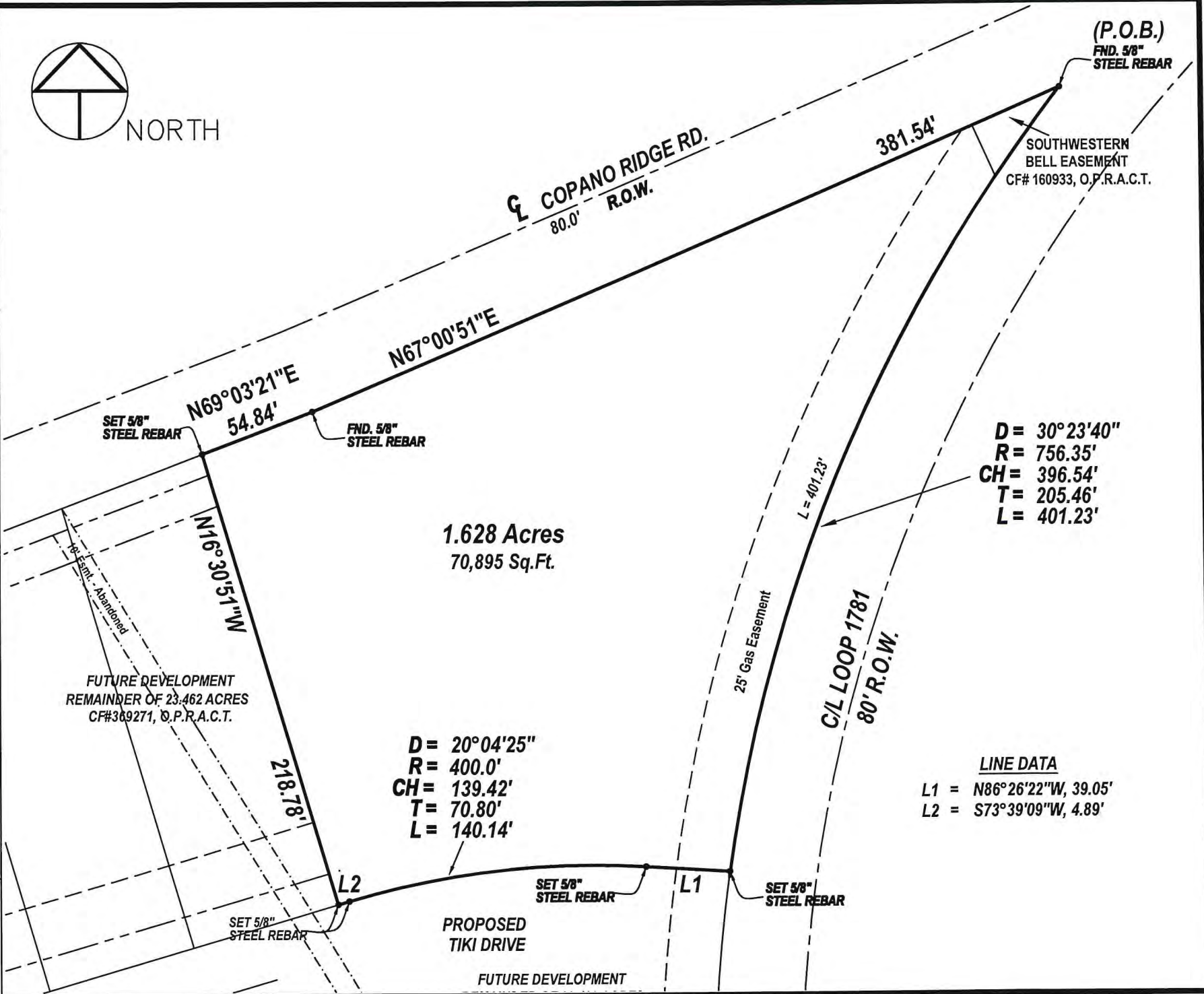


Griffith & Brundrett
Surveying & Engineering, Inc.

411 S. Pearl St., P.O. Box 2322
Rockport, Texas 78381
361-729-6479
361-729-7933
jerryb@gbssurveyor.com
www.gbssurveyor.com



NORTH





JOINT PUBLIC HEARING Rockport City Council and Planning & Zoning Commission

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The City encourages citizens to participate and make their views known at this Joint Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125.

POSTED the 22nd day of March 2021, on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and on the website www.cityofrockport.com.

PUBLISHED in *The Rockport Pilot* in the Saturday, March 27, 2021, Edition, in accordance with the City of Rockport Code of Ordinances.

CITY OF ROCKPORT, TEXAS


Teresa Valdez, City Secretary

Property ID	Property Owner	Situs Address	Mailing Address	City	State	ZIP	Acreage	Percentage
17210	Helen Jean Nelson	3401 Loop 1781	PO Box 134	Pettus	Tx	78146	2.5941	4.47%
17212	James D Jr & Robbie Ward	4-R Copano Ridge Rd	361 Copano Ridge Rd	Rockport	Tx	78382	0.3744	0.64%
17211	James Dr Jr & Robbie Ward	4 Copano Ridge Rd	361 Copano Ridge Rd	Rockport	Tx	78382	1.6883	2.91%
62501	Gary & Michael Coffen	8 Copano Ridge Rd	8 Copano Ridge Rd	Rockport	Tx	78382	1.9652	3.38%
17215	Brenda & Johnny Rodriguez	10 Copano Ridge Rd	26343 Monring Cypress Ln	Cypress	Tx	77433	0.9528	1.64%
15690	Arnold & Jane Sivek	12 Copano Ridge Rd	785 Mary Blvd	New Braunfels	Tx	78130	0.2962	0.51%
15688	Arnold & Jane Sivek	105 Dead Ends Dr	785 Mary Blvd	New Braunfels	Tx	78130	0.1267	0.22%
70346	Linda & Emil Ploch	16 Copano Ridge Rd	16 Copano Ridge Rd	Rockport	Tx	78382	0.3801	0.65%
15686	Linda & Emil Ploch	18 Copano Ridge Rd	16 Copano Ridge Rd	Rockport	Tx	78382	0.2534	0.44%
15685	Roger & Jeanne Borlinghaus	120 Copano Ridge Rd	101 N Sierra Woods Dr	Rockport	Tx	78382	0.2534	0.44%
15684	Felicia & Jeffery Saenz	22 Copano Ridge Rd	3135 Sable Crk	San Antonio	Tx	78259	0.2534	0.44%
15683	Cary & Kelle Buresh	24 Copano Ridge Rd	8539 Santa Clara Dr	Dallas	Tx	75218	0.2534	0.44%
15682	Arnold & Jane Sivek	26 Copano Ridge Rd	785 Mary Blvd	New Braunfels	Tx	78130	0.2493	0.43%
15681	David Tyner	28 Copano Ridge Rd	1323 Water St	Rockport	Tx	78382	0.2438	0.42%
15680	Henri & Pauline Knipper	30 Copano Ridge Rd	710 E 8th St	Georgetown	Tx	78626	0.2383	0.41%
15679	Robert Eller	32 Copano Ridge Rd	1020 Desert Rose Cv	Kyle	Tx	78640	0.2328	0.40%
52931	Cary & Kelle Buresh	34 Copano Ridge Rd	8539 Santa Clara Dr	Dallas	Tx	75218	0.2703	0.47%
52822	Magda Augustine	101 Copano Parkway	101 Copano Parkway	Rockport	Tx	78382	0.4601	0.79%
15675	Glenn & Jeannine Pytlik	209 Dead Ends Dr	209 Dead Ends Dr	Rockport	Tx	78382	0.23	0.40%
15673	Wayne & Zarchy Granata	213 R Dead Ends Dr	619 W Petaluma Blvd	San Antonio	Tx	78221	0.23	0.40%
15672	Karl & Sharon Mihalski	217 Dead Ends Dr	2245 Pecan Orchard Rd	League City	Tx	77573	0.23	0.40%
15671	Henry & Joyce Manger	221 Dead Ends Dr	1309 E Street	Floreville	Tx	78114	0.23	0.40%
15670	Kenneth & Jenine Ortega	225 Dead Ends Dr	319 Killarney Dr	San Antonio	Tx	78223	0.23	0.40%
15669	Michael & Sandy Lee	229 Dead Ends Dr	1018 Clydeville	San Antonio	Tx	78216	0.23	0.40%
15668	Duane & Paula Lyssy	52 Copano Ridge Rd	PO Box 473	Falls City	Tx	78113	0.23	0.40%
15667	Carol Stumpf	54 Copano Ridge Rd	54 Copano Ridge Rd	Rockport	Tx	78382	0.23	0.40%
15666	Michael & Debra Roland	56 Copano Ridge Rd	2581 Canyon Hts	Spring Branch	Tx	78070	0.23	0.40%
15665	Michael Curry	58 Copano Ridge Rd	PO Box 695	Ingleside	Tx	78362	0.23	0.40%
15664	Dain Waters	60 Copano Ridge Rd	116 Barbie Ct	Lakeway	Tx	78734	0.3212	0.55%
60878	Chad Stinson & Kelly Hirsch	62-A Copano Ridge Rd	PO Box 2561	Rockport	Tx	78382	0.534	0.92%
60877	Roxann Day	64-A Copano Ridge Rd	PO Box 2510	Rockport	Tx	78382	0.3816	0.66%
8817708	Inc Cschuco	41 Copano Ridge Rd	13703 Pebble Oak Dr	San Antonio	Tx	78231	0.1642	0.28%

8817709	Inc Cschuco	43 Copano Ridge Rd	13703 Pebble Oak Dr	San Antonio	Tx	78231	0.1642	0.28%
8817710	Twala Eller & Keith Redburn	45 Copano Ridge Rd	902 W. Stayton Ave	Victoria	Tx	77901	0.1642	0.28%
8817707	KT Kat Mar LLC	104 Linda Ln	PO Box 1204	Rockport	Tx	78381	0.2423	0.42%
8817706	Melissa Pittman	106 Linda Ln	PO Box 552	Rockport	Tx	78381	0.2461	0.42%
65584	Chad & Kelly Stinson Wayne & Co	119 Linda Ln	PO Box 2561	Rockport	Tx	78381	0.9344	1.61%
65585	Melissa Myers	117 Linda Ln	PO Box 552	Rockport	Tx	78381	0.5084	0.88%
65586	Melissa Myers	115 Linda Ln	PO Box 552	Rockport	Tx	78381	0.5596	0.96%
65587	Melissa Pittman	113 Linda Ln	PO Box 552	Rockport	Tx	78381	0.2184	0.38%
65588	Melissa Pittman	111 Linda Ln	PO Box 552	Rockport	Tx	78381	0.2126	0.37%
65589	Karen Bordovsky	109 Linda Ln	135 Evening View Pt	Ingram	Tx	78025	0.2106	0.36%
8817703	Kristen Young	107 Linda Ln	6330 Waltway Dr	Houston	Tx	77008	0.2186	0.38%
34134	Jefrey Steckler	3352 Loop 1781	3352 FM 1781	Rockport	Tx	78382	6.665	11.48%
34133	Capital Fagan INC	3282 Loop 1781	PO Box 366698	Bonita Spring	FL	34136	32.933	56.72%

TOTAL ACREAGE OF ADJACENT PROPERTY: **58.0644**

TOTAL ACREAGE FROM PROPERTY OWNERS IN OPPOSITION: **21.2685**

PERCENTAGE OF LAND OF PROPERTY OWNERS IN OPPOSITION: **37%**



JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

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The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125.

CITY OF ROCKPORT, TEXAS

/s/ Teresa Valdez, City Secretary

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: Roxann Day
Address: 64A Copano Ridge Rd.

City/State: Rockport, TX

() IN FAVOR (X) IN OPPOSITION

Phone: 512/423-3344

REASON: NOT the highest
and best use for this
property! Stay
residential!

Roxann Day
Signature
See map on reverse side.



Citizen Participation Form

Rockport City Council

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

Date of meeting:

First Name:

Last Name:

Address:

City:

State:

Zip:

If you wish to be contacted please provide the following:

Phone Number:

Email Address:

Company/Organization represented, if any:

Residence:

☒ Inside City Limits

☐ Outside City Limits

Speaker Status:

☐ Speaker

☒ Non-Speaker

Type of Participation:

☐ Citizens to be heard

☒ Specific Agenda Item

Representing

Applicant?

☐ Yes ☐ No

Agenda Item to be addressed:

(If not speaking under Citizens to be heard.)

If Applicable

☐ In Support

☒ In Opposition

Statement to be read into record:

The area around this address is a quiet and peaceful area but that is close enough to businesses and restaurants in the main Rockport area. The negative change that would result to the intersection of Copano Ridge Road and Loop 1781 as well as the noise that inevitably surrounds a restaurant/bar would be detrimental to that area. The existing homes in the area as well as the new homes planned in the property of 3361 Loop 1781 want to enjoy the quiet bay / fishing atmosphere that this community has always enjoyed. For those of us that want to maintain the quiet integrity of this area of Rockport, I hope that the City Council votes in opposition of this zoning request.

(Statements are limited to 2,000 Characters.)

 Receive an email copy of this form.

Email Address:

smihalski@comcast.net

This field is not part of the form submission.

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) 149
MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY
35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

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Printed Name: Glenn + Jeannine Pytlík

Address: 209 Dead Ends Drive

City/State: Rockport, Texas 78382

() IN FAVOR ☒ IN OPPOSITION

Phone: 203-214-3347

REASON: We do not want
the zoning to be
Changed to a
business zone

Jeannine Pytlík
Signature

See map on reverse side.



JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

150

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CITY OF ROCKPORT, TEXAS
/s/ Teresa Valdez, City Secretary

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Printed Name: Jeffrey Stecker
Address: 3352 Loop 1781 City/State: Rockport, Tx 78382
() IN FAVOR ☒ IN OPPOSITION Phone: 361-319-0465

REASON: I have lived on my property for 20 years. I did not move here to live across from a bar w/ live music. This site is also on a curve. People drive through our fence all the time.

Signature

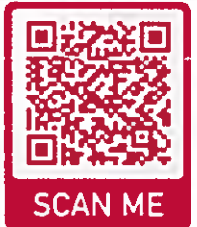
[Signature]
See map on reverse side.



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Printed Name: Robert L. Eller
Address: 32 Copano Ridge Rd

City/State: Rockport, Texas

() IN FAVOR (X) IN OPPOSITION

Phone: 512-825-9847

REASON: This area is already a high traffic area with no enforcement. Area has a lot of visitors with kids running around.

Signature

See map on reverse side.

All we need is someone drinking too much and killing one of the kids.
Don't say it will not happen, you read it in the news all the time. There are more suitable places in town for a venue like this. Not a neighborhood with one way in and one way out.

152
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Printed Name: Wayne M Kirkpatrick

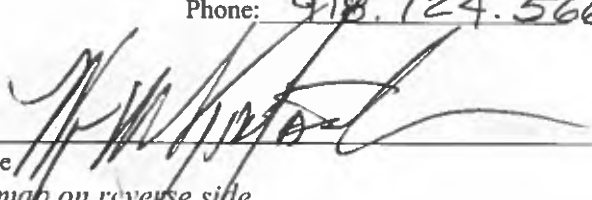
Address: 119 Linda Lane

City/State: Rockport, TX

() IN FAVOR ☒ IN OPPOSITION

Phone: 918.724.5662

REASON:

Signature 

See map on reverse side.



JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

153

NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, April 13, 2021, at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request to rezone property to B-1 (General Business), located at 3361 Loop 1781; also known as 1.628 acres out of 23.462 acres, out of the northerly portion of a 258.53 acre tract, lying West of Loop 1781 and South of Copano Ridge Road, South of and adjacent to Copano Campsite Subdivision, according to the plat recorded in Volume 2, Page 50, plat records of Aransas County, Texas, and being out of the westerly portion of the Old Modessett Ranch, Joseph Hollis Survey, A-76, City of Rockport, Aransas County, Texas; said 23.462 acres being the same tract described in a deed of record under Clerks File Number 369271, Official Public Records of Aransas County, Texas, to build a family-friendly restaurant with a bar and other entertainment amenities; currently zoned R-2 (2nd Single Family Dwelling District).

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The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125.

CITY OF ROCKPORT, TEXAS

/s/ Teresa Valdez, City Secretary

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Printed Name: GARY COFFEN MICHAEL COFFEN

Address: 3 Copano Ridge Road City/State: Rockport TX 78382

() IN FAVOR ☒ IN OPPOSITION

Phone: 361.386.0366

REASON:

*** See Attached**

Signature

See map on reverse side.

Attachment for Joint Public Hearing Form – Meeting April 13, 2021 – 6:30pm

March 31, 2021

Attn: Building Department – City of Rockport, Texas – Planning and Zoning Commission

From: Gary Coffen / Michael Coffen – 8 Copano Ridge Road, Rockport, Texas 78382

Re: Proposed Change of Zoning Request – Corner Loop 1781 and Copano Ridge Road

Dear Planning and Zoning Commission and fellow Citizens of Rockport, Texas:

Please consider this letter our official notice of opposition regarding the request for a zoning change for the property (1.628 acres out of 23.462 acres) located at the corner of Loop 1781 and Copano Ridge Road.

Our residence is located at 8 Copano Ridge Road. We watched from start to finish the subdivision development that is now occupying the 23.462 acres. The request for the zoning change is for a 1.628-acre breakout that will be utilized by a "Family-Friendly Restaurant with a Bar and Other Entertainment Amenities". In looking at the survey for the individual lots on the 23.462 acres, the survey stops short of the corner of Loop 1781 and Copano Ridge Road. This leads us to believe this is where the "Family Friendly Restaurant/Bar/Entertainment Amenities" will be located. It was not designated as such on the official City Notice so we have no way to be sure but simple speculation and survey markers lead us to this conclusion. Our residence Front Door will be almost exactly 200 feet from the start of this "Family Friendly Restaurant/Bar/Entertainment Amenities" facility. The fact that the developer put in the request for a "Family Friendly Restaurant /Bar/Entertainment Amenities" leaves the door open for future interpretation of a Bar serving Bar Cuisine and the "Family Friendly" part gets left behind. There is no such thing as a Family Friendly Bar.

Our major concerns other than our front door will be 200 feet from a fully functioning Bar, are as follows:

1. The infrastructure of the intersection of Loop 1701 and Copano Ridge Road is already stretched with the continuous overbuilding on Copano Ridge Road. We have witnessed several accidents and many more "close calls" at this intersection. It will only get worse with the addition of the many houses coming from just this neighborhood alone, much less a "Family Friendly Restaurant/Bar/Entertainment Amenities".
2. What exactly are Entertainment Amenities? With our residence 200 feet away, Bar/Entertainment Amenities can only end in Noise complaints for outside entertainment as it will eventually evolve into. It has happened all over Rockport with the start of a simple sandwich shop to a full-on Bar/Entertainment Amenities. Once the zoning change is made, there is no going back.
3. Our property consists of right at 2 acres. We finally completed upgrades after 3 years since the Hurricane demolished our previous residence located on the same 2 acres. The cost has been several hundred thousand dollars in rebuilding and renovations to the land itself in addition to the new home. We purposely had the architect lay the house out on a North/South pattern which allows the prevailing South Wind to blow through the property and allow us to occasionally open windows to allow the breeze inside. With a fully functioning "Family Restaurant/Bar" 200 feet from our door, we will now be able to allow the waft of unattended dumpsters from both holiday weekends as well as weekdays and weekends.
4. A Fully functioning "Family Restaurant/Bar" will require a commercial lighting package for the outside parking. This lighting will again be 200 feet from our front door resulting in a guaranteed nuisance.
5. Our property was purchased in 1992. We are full time residents fully contributing to the economy of Rockport and Aransas County. Our contributions have not only been the regular support of local business but through a 5-figure tax payment that has never been delinquent.

Please take all of our above concerns serious when it comes time to make your decision and we hope you will be able to see this project from our point of view.

Respectfully Submitted,


Gary Coffen


Michael Coffen

8 Copano Ridge Road – Rockport, Texas 78382



JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

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CITY OF ROCKPORT, TEXAS

/s/ Teresa Valdez, City Secretary

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Printed Name: KARL & SHARON MIHALSKI

Address: 217 DEAD ENDS DR. City/State: ROCKPORT TX

() IN FAVOR (X) IN OPPOSITION

Phone: 281.853.4132

REASON: WISH FOR THIS AREA TO REMAIN 100% RESIDENTIAL.
THIS AREA OF ROCKPORT IS QUIET. THERE IS NO NEED
FOR A RESTAURANT IN THIS AREA.

Signature

Karl Mihalski
See map on reverse side.



JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

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CITY OF ROCKPORT, TEXAS

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Printed Name: Melissa Pittman

Address: 111 Linda Lane

City/State: Rockport, TX

() IN FAVOR (X) IN OPPOSITION

Phone: 361-463-1786

REASON:

Very large area
zoned business

Melissa J Pittman
Signature

See map on reverse side.



JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

157

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Printed Name: Melissa Pittman
Address: 117 Linda Lane

City/State: Rockport Tx

() IN FAVOR (X) IN OPPOSITION

Phone: 361-463-1786

REASON:

Too close to a residential area

Melissa Pittman
Signature

See map on reverse side.



JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

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SCAN ME

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SCAN ME

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Printed Name: Melissa Pittman
Address: 106 Linda Lane

City/State: Rockport TX

() IN FAVOR (X) IN OPPOSITION

Phone: 361-463-1786

REASON:

*Very large
area rezoned
to Business*

Melissa Pittman
Signature

See map on reverse side.



JOINT PUBLIC HEARING

Rockport City Council and Planning & Zoning Commission

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Printed Name: Melissa Pittman

Address: 115 Linda Lane

City/State: Rockport TX

() IN FAVOR (☒) IN OPPOSITION

Phone: 361-463-1786

REASON:

*Bar too close
to housing
neighborhood*

Melissa Pittman

Signature

See map on reverse side.



JOINT PUBLIC HEARING

Rockport City Council and Planning & Zoning Commission

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Printed Name: Melissa Pittman

Address: 113 Linda Lane

City/State: Rockport, TX

() IN FAVOR (☒) IN OPPOSITION

Phone: 361-463-1786

REASON:

*Do not want
businesses that
close to houses*

Melissa Pittman
Signature

See map on reverse side.



Citizen Participation Form

Rockport City Council

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

Date of meeting:

First Name:

Last Name:

Address:

City:

State:

Zip:

If you wish to be contacted please provide the following:

Phone Number:

Email Address:

Company/Organization represented, if any:

Residence:

☒ Inside City Limits

☐ Outside City Limits

Speaker Status:

☐ Speaker

☒ Non-Speaker

Type of Participation:

☒ Citizens to be heard

☐ Specific Agenda Item

Representing

Applicant?

☐ Yes ☒ No

Agenda Item to be addressed:

(If not speaking under Citizens to be heard.)

If Applicable

☒ In Support

☐ In Opposition

Statement to be read into record:

own 43 acres adjacent to the property owned by Bradley Blanton and I am in favor of the zoning changes he is requesting. Mr Blanton's proposal has merit from a number of perspectives. The neighborhood he is building is first class and rivals many of the properties in Rockport. It will increase the property values of everyone in the area. The restaurant he is planning to build will also be first class and will provide a convenient and family-friendly venue for local residents to get a bite to eat..

I see no reason to not approve his proposal.

Bradley Fluitt

(Statements are limited to 2,000 Characters.)

☐ Receive an email copy of this form.

Email Address:

This field is not part of the form submission.



JOINT PUBLIC HEARING Rockport City Council and Planning & Zoning Commission

112

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SCAN ME

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SCAN ME

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CITY OF ROCKPORT, TEXAS
s/ Teresa Valdez, City Secretary

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78381. ANY INFORMATION PROVIDED BECOMES PUBLIC RECORD.

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See attached

See attached

Bradley Flutt
3291 Loop 1781
Rockport, Tx 78282

in favor 210-867-9725

Reason:

signature: Bradley Flutt

I own the 43 acres to the south of Mr. Blanton's property and I am in favor of ^{the} rezoning change. Mr. Blanton's proposal has merit ~~in~~ from a number of perspectives. He has built a neighborhood that is first class and will increase the value of everyone's property in the area. ~~This~~ This restaurant will also be first class and I have no doubt. It will also provide a convenient venue for local residents to have a family oriented place to get a bite to eat.

I see no reason to not approve his ~~proposal~~

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Printed Name: Johnny Rodriguez Brenda Rodriguez
Address: 10 Copas Ridge Rd City/State: Rockport, TX

() IN FAVOR (X) IN OPPOSITION Phone: 281-793-8872

REASON:

See Letter

Johnny Rodriguez Brenda Rodriguez
Signature
See map on reverse side.

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Printed Name: Michael V Lee
Address: 229 Deadend Ln. Rockport TX 78382 City/State: _____

() IN FAVOR (X) IN OPPOSITION Phone: 210-621-4124

REASON:

No BARS.

Michael V Lee
Signature
See map on reverse side.



JOINT PUBLIC HEARING

Rockport City Council and Planning & Zoning Commission

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CITY OF ROCKPORT, TEXAS

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Printed Name: Lou Menendez
 Address: 631 Copano Ridge Road City/State: Rockport, TX
 () IN FAVOR ☒ IN OPPOSITION Phone: (361) 463-8971

REASON:

Signature
 See map on reverse side.



JOINT PUBLIC HEARING

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Printed Name: Lawrence Mahan

Address: 627 Copano Ridge Rd

City/State: Rockport TX

Phone: 361-318-0563

() IN FAVOR ☒ IN OPPOSITION

REASON:

Bars belong in
town - Road already
too dangerous -

Signature [Signature]

See map on reverse side.



JOINT PUBLIC HEARING

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Printed Name: Billy R. Sijan
Address: 111 Copano Ridge Road City/State: Rockport TX
() IN FAVOR ☒ IN OPPOSITION Phone: 361 205 5512

REASON:

It's bad enough
with weekend rentals

AND B+B'S IN OUR

neighborhood

This will make it worse.

Signature

See map on reverse side.



JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

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Printed Name: Pamela Sijansky
 Address: 111 Copano Ridge

City/State: Rockport, TX 78382

() IN FAVOR (X) IN OPPOSITION

Phone: 361-205-5512

REASON:

This is a family residential area.

Pamela Sijansky
 Signature
 See map on reverse side.

We do not need this. It is bad enough we have turned into a week-end vacation housing & we who have lived here since 1994 have to put up with parties and drunks every week ends!



JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

170

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Printed Name: Magda Augustine
Address: 101 Copano Pkwy Drive City/State: Rockport Tx
() IN FAVOR ☒ IN OPPOSITION Phone: 361-450-0520

REASON:

Magda Augustine
Signature
See map on reverse side.

Johnny & Brenda Rodriguez
 10 Copano Ridge Rd.
 Rockport, TX 78382

We strongly voice our Opposition to the proposed rezoning to B-1 at location 3361 Loop 1781 for the following reasons.

- 1) The proposed business would be located around 200' from our property generating noise, traffic, potentially outdoor music and lights late into the night for an area that is normally a quiet and tranquil residential environment. Other entertainment amenities is so broad that a "Gentleman's Club" or a Carnival type atmosphere can open up in a residential neighborhood. As you well know, there is a new subdivision about to be built in that general area which will dramatically affect its property values once this business turns out to be just a BAR or any other type of business. The prevailing winds will drive all of the Kitchen smoke day and night right into our properties resulting in an undesirable situation for us living there. Not to mention, the smell from the dumpsters where food will be discarded and the noise from dump trucks picking up the dumpsters during their pickup times. Liquor consumption on the premises where it is a primarily quite residential area and where families come and vacation can lead an array of problems.
- 2). The proposed location is at a rather sharp curb that can be dangerous for normal ingress to Copano Ridge Rd, not to mention ingress and egress from the proposed business specially after liquor consumptions.
- 3). The property being located in the county the restrictions are even less than being in the city limits.
- 4). There are no other like businesses or other retail business in this residential area. Businesses rely on other commercial businesses to drive traffic to their business. Once rezoned its done and can allow any type business that falls into the B-1 General Business classification to open.
- 5). If B-1 General Business is approved it will change the landscape of the residential community of which families once came to enjoy.

Please consider what we have spent to improve our properties and the potential of a downside effect of such a business to our Home Values. We are already dealing with a Trailer Park that was allowed to be built right next to our property which has resulted in some undesirable and uncomfortable encounters some involving drugs.



Citizen Participation Form

Rockport City Council

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

Date of meeting:

First Name:

Last Name:

Address:

City:

State:

Zip:

If you wish to be contacted please provide the following:

Phone Number:

Email Address:

Company/Organization represented, if any:

Residence:

☐ Inside City Limits

☒ Outside City Limits

Speaker Status:

☐ Speaker

☒ Non-Speaker

Type of Participation:

☐ Citizens to be heard

☒ Specific Agenda Item

Representing

Applicant?

☐ Yes ☐ No

Agenda Item to be addressed:

(If not speaking under Citizens to be heard.)

If Applicable

☐ In Support

☒ In Opposition

Statement to be read into record:

As full time residents, we have been concerned by the increasing traffic on 1781 & Copano Ridge Road over the last few years, as well as the traffic, noise and lights from the short term rentals in the area. Adding a restaurant and bar with an outdoor entertainment venue will further exacerbate these issues in our residential community, in addition to creating new problems. No one would want to spend \$200k on a lot and \$500k to build a new home to be next to a restaurant & bar with all of the parking, noise, traffic, lighting and other problems that go along with commercial properties, not to mention decreased house values for those families who currently own and live adjacent or proximate to the proposed venue site.

With all of the new RV parks and storage facilities, in addition to all the new single and multi-family housing developments going in around town and in Aransas County, we are losing what makes Rockport and Aransas County a unique place to live. There's enough property zoned for business and Tourist/Commercial in town. It should be in the Downtown Entertainment district, not in a residential neighborhood.

Thank you for your consideration.

(Statements are limited to 2,000 Characters.)

 Receive an email copy of this form.

Email Address:

mckainmail@gmail.com

This field is not part of the form submission.



JOINT PUBLIC HEARING

Rockport City Council and Planning & Zoning Commission

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CITY OF ROCKPORT, TEXAS

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Printed Name:

Address:

City/State:

Phone:

() IN FAVOR

(X) IN OPPOSITION

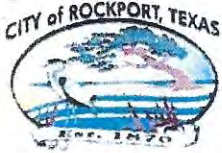
REASON:

We drove in from San Antonio TX. & were told at the door it was full to capacity. We could not enter. We are not in favor of the change.

Signature

See map on reverse side.

Teresa Valdez



JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

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CITY OF ROCKPORT, TEXAS
/s/ Teresa Valdez, City Secretary

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Printed Name: Thomas Powell
Address: 633 Copano Ridge Rd

City/State: Rockport, Tx 78043

() IN FAVOR ☒ IN OPPOSITION

Phone: 210-305-3548

REASON:

ATTACHED

Thomas Powell
Signature

See map on reverse side.

Vote no on the proposed rezoning.

This is a residential area. Everyone bought this property in this area knowing it was residential. Because it was zoned residential we built or bought our homes here knowing the entrance to the area would be residential and reflect the quality of the neighborhood. This should not change.....

As head of a zoning commission for several years I have seen this before. I'm sure some of you on this board have also seen it before.. A request to rezone always comes with all kinds of reasons, promises and assurances that everyone's concerns will be taken care of. SOME MUCH B,S,

The only reason to rezone the area like this is for the owner to make a fast dollar by selling the property for any business that will pay the price or using it themselves without regard to their neighbors.. This will usually be second rate auto repair or collision repair shops with old, dismantled or wrecked cars around the property or equally undesirable businesses at the entrance drive to our homes.

A family restaurant is another favorite hidden agenda item.. This will shortly need a liquor license to serve drinks to the customers with their meals. Well, now we have a bar and grill. This will soon become a beer joint. Parking all over the place. Drunks on the local roads, Lost 2:00 AM drunks driving through our neighborhood streets raising hell.

We already have a couple unsightly residential lots being used for non-residential profit purposes on our entrance drive. We don't need any more.

The bottom line is these properties we bought as residential properties [not business properties] and should remain so, We are depending on you as members of the zoning board to protect our properties as you would your property.

Thomas J Powell

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Planning & Zoning Commission



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Printed Name: DOUGLAS D & ELIZABETH VESTAL City/State: ROCKPORT, TX
Address: 2402 DEAD EALDS DR Phone: 210-289-9890

() IN FAVOR () IN OPPOSITION

REASON: A restaurant is needed in this area. Live drive thru after a good meal.

Signature: Elizabeth Vestal

See map on reverse side.

I believe Mr. Benton will not jeopardize his high end architecture

with a drive or a dining bar atmosphere. He is a professional

developer and neighbor.

mailing address 6349 E SH97

Rockport, TX 78064

From: [Shelly Steckler](#)
To: [Amanda Torres](#); [Teresa Valdez](#); [JD Villa](#)
Subject: ADDITIONAL Public Hearing Notice- Letters received for opposition of rezoning of 3361 Loop 1781
Date: Monday, April 19, 2021 2:03:10 PM
Attachments: [Citizens_to_be_heard_Boards_and_Commissions_3xMxxSAxlxGMHXhm.pdf](#)
[Citizens_to_be_heard_Boards_and_Commissions_MMxAASxAlxGROV9c.pdf](#)
[Protest_Zoning.pdf](#)
[20210419112459859.pdf](#)
[20210419112519558.pdf](#)

WARNING: This email is from an external source. Do not click links or open attachments without positive sender verification of purpose. Never enter Username, Password or sensitive information on linked pages from this email. If you are unsure about the message, please forward to itstaff@cityofrockport.com for assistance.

Hi Amanda,

Please see the attached ADDITIONAL Public Hearing Notices in opposition to the rezoning of 3361 Loop 1781 of which were either given to me or emailed via the link on the city website. Please recalculate the additional property owners signatures within the 200ft. There should be 26 signatures in protest. Please include my email with the additional protest letters and give it to the P&Z and City Council.

I would also like to mention that there are many neighbors in opposition that are not in the 200ft radius that will be affected by this rezone and are in opposition. I would like the P&Z & City council to be aware of these taxpayers' protest and their letters should be included in the packet. I have included some of their names and addresses below:

John & Ruth Battiato-206 Dead Ends Dr.
 Arthur Brown-230 Dead Ends Dr.
 Edward Minalski-222 Dead Ends Dr.
 Pamela & Billy Sijansky-111 Copano Ridge Road
 Michael McKain-90 Copano
 Lou Menendez-631 Copano Ridge
 Laurence Mahan-627 Copao Ridge
 Donnie & Liz Vestal-242 Copano Ridge
 John & Ruth Battiato-206 Dead End
 Rebecca & Donnal Bagby-218 Dead Ends Dr

It is to my understanding that we do not get to speak at this meeting, therefore, I would like to reiterate why we are in opposition.

1. The entrance to the bar/restaurant will be on a dangerous curve on Loop 1781/FM 1781 and very close to the already dangerous intersection of Loop 1781 and Copano Ridge Rd.

As it stands now without the additional traffic from the bar/restaurant plus the consumption of alcohol will add an additional element of danger to this already dangerous intersection on a curve. As a property owner on the curve I know first hand how dangerous this intersection is. At Least once a year someone drives through our fence. It is a hazard everyday for me to go check my mail. And Copano Ridge is not much safer. My husband Jeff Steckler was hit by a car as a

[illegible]



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Printed Name: CAROL STUMPF

Address: 54 Copano Ridge

City/State: Rockport TX

() IN FAVOR (X) IN OPPOSITION

Phone: 210-268-6855

REASON:

Signature

See map on reverse side.



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Printed Name: Kelly Stinson + Chad Stinson
Address: 62A Copano Ridge Rd 78382 City/State: TX

() IN FAVOR ☒ IN OPPOSITION

Phone: 361 332 9290

REASON:

Signature

See map on reverse side.



JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

183

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Printed Name: Linda Ploch
Address: 16 Copano Ridge RR City/State: TX Rockport

() IN FAVOR (X) IN OPPOSITION Phone: 361 557-1201

REASON:

Linda L Ploch
Signature

See map on reverse side.



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Printed Name: Helen J Nelson
 Address: 3401 Loop 1781

City/State: Rockport Tex 78382

() IN FAVOR ☒ IN OPPOSITION

Phone: 361-375-2105

REASON:

Helen J Nelson
 Signature

See map on reverse side.



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Printed Name: John & Ruth Battiato (husband & wife)
 Address: 206 Dead Ends Drive City/State: Rockport, TX

() IN FAVOR ☒ IN OPPOSITION

Phone: (210) 544-8405

REASON:

J M Battiato
 Signature

See map on reverse side.

4/16/21

The proposed establishment will increase traffic congestion, the likelihood of drunken driving. There is no need to open this neighborhood to commercial development.

Property ID	Property Owner	Situs Address	Mailing Address	City	State	ZIP	Acreage	Percentage
17210	Helen Jean Nelson	3401 Loop 1781	PO Box 134	Pettus	Tx	78146	2.5941	4.47%
17212	James D Jr & Robbie Ward	4-R Copano Ridge Rd	361 Copano Ridge Rd	Rockport	Tx	78382	0.3744	0.64%
17211	James Dr Jr & Robbie Ward	4 Copano Ridge Rd	361 Copano Ridge Rd	Rockport	Tx	78382	1.6883	2.91%
62501	Gary & Michael Coffen	8 Copano Ridge Rd	8 Copano Ridge Rd	Rockport	Tx	78382	1.9652	3.38%
17215	Brenda & Johnny Rodriguez	10 Copano Ridge Rd	26343 Monring Cypress Ln	Cypress	Tx	77433	0.9528	1.64%
15690	Arnold & Jane Sivek	12 Copano Ridge Rd	785 Mary Blvd	New Braunfels	Tx	78130	0.2962	0.51%
15688	Arnold & Jane Sivek	105 Dead Ends Dr	785 Mary Blvd	New Braunfels	Tx	78130	0.1267	0.22%
70346	Linda & Emil Ploch	16 Copano Ridge Rd	16 Copano Ridge Rd	Rockport	Tx	78382	0.3801	0.65%
15686	Linda & Emil Ploch	18 Copano Ridge Rd	16 Copano Ridge Rd	Rockport	Tx	78382	0.2534	0.44%
15685	Roger & Jeanne Borlinghaus	120 Copano Ridge Rd	101 N Sierra Woods Dr	Rockport	Tx	78382	0.2534	0.44%
15684	Felicia & Jeffery Saenz	22 Copano Ridge Rd	3135 Sable Crk	San Antonio	Tx	78259	0.2534	0.44%
15683	Cary & Kelle Buresh	24 Copano Ridge Rd	8539 Santa Clara Dr	Dallas	Tx	75218	0.2534	0.44%
15682	Arnold & Jane Sivek	26 Copano Ridge Rd	785 Mary Blvd	New Braunfels	Tx	78130	0.2493	0.43%
15681	David Tyner	28 Copano Ridge Rd	1323 Water St	Rockport	Tx	78382	0.2438	0.42%
15680	Henri & Pauline Knipper	30 Copano Ridge Rd	710 E 8th St	Georgetown	Tx	78626	0.2383	0.41%
15679	Robert Eller	32 Copano Ridge Rd	1020 Desert Rose Cv	Kyle	Tx	78640	0.2328	0.40%
52931	Cary & Kelle Buresh	34 Copano Ridge Rd	8539 Santa Clara Dr	Dallas	Tx	75218	0.2703	0.47%
52822	Magda Augustine	101 Copano Parkway	101 Copano Parkway	Rockport	Tx	78382	0.4601	0.79%
15675	Glenn & Jeannine Pytlik	209 Dead Ends Dr	209 Dead Ends Dr	Rockport	Tx	78382	0.23	0.40%
15673	Wayne & Zarchary Granata	213 R Dead Ends Dr	619 W Petaluma Blvd	San Antonio	Tx	78221	0.23	0.40%
15672	Karl & Sharon Mihaliski	217 Dead Ends Dr	2245 Pecan Orchard Rd	League City	Tx	77573	0.23	0.40%
15671	Henry & Joyce Manger	221 Dead Ends Dr	1309 E Street	Floresville	Tx	78114	0.23	0.40%
15670	Kenneth & Jenine Ortega	225 Dead Ends Dr	319 Killarney Dr	San Antonio	Tx	78223	0.23	0.40%
15669	Michael & Sandy Lee	229 Dead Ends Dr	1018 Clydeville	San Antonio	Tx	78216	0.23	0.40%
15668	Duane & Paula Lyssy	52 Copano Ridge Rd	PO Box 473	Falls City	Tx	78113	0.23	0.40%
15667	Carol Stumpf	54 Copano Ridge Rd	54 Copano Ridge Rd	Rockport	Tx	78382	0.23	0.40%
15666	Michael & Debra Roland	56 Copano Ridge Rd	2581 Canyon Hts	Spring Branch	Tx	78070	0.23	0.40%
15665	Michael Curry	58 Copano Ridge Rd	PO Box 695	Ingleside	Tx	78362	0.23	0.40%
15664	Dain Waters	60 Copano Ridge Rd	116 Barbie Ct	Lakeway	Tx	78734	0.3212	0.55%
60878	Chad Stinson & Kelly Hirsch	62-A Copano Ridge Rd	PO Box 2561	Rockport	Tx	78382	0.534	0.92%
60877	Roxann Day	64-A Copano Ridge Rd	PO Box 2510	Rockport	Tx	78382	0.3816	0.66%
8817708	Inc Cschuco	41 Copano Ridge Rd	13703 Pebble Oak Dr	San Antonio	Tx	78231	0.1642	0.28%

8817709	Inc Cschuco	43 Copano Ridge Rd	13703 Pebble Oak Dr	San Antonio	Tx	78231	0.1642	0.28%
8817710	Twala Eller & Keith Redburn	45 Copano Ridge Rd	902 W. Stayton Ave	Victoria	Tx	77901	0.1642	0.28%
8817707	KT Kat Mar LLC	104 Linda Ln	PO Box 1204	Rockport	Tx	78381	0.2423	0.42%
8817706	Melissa Pittman	106 Linda Ln	PO Box 552	Rockport	Tx	78381	0.2461	0.42%
65584	Chad & Kelly Stinson Wayne & C	119 Linda Ln	PO Box 2561	Rockport	Tx	78381	0.9344	1.61%
65585	Melissa Myers	117 Linda Ln	PO Box 552	Rockport	Tx	78381	0.5084	0.88%
65586	Melissa Myers	115 Linda Ln	PO Box 552	Rockport	Tx	78381	0.5596	0.96%
65587	Melissa Pittman	113 Linda Ln	PO Box 552	Rockport	Tx	78381	0.2184	0.38%
65588	Melissa Pittman	111 Linda Ln	PO Box 552	Rockport	Tx	78381	0.2126	0.37%
65589	Karen Bordovsky	109 Linda Ln	135 Evening View Pt	Ingram	Tx	78025	0.2106	0.36%
8817703	Kristen Young	107 Linda Ln	6330 Waltway Dr	Houston	Tx	77008	0.2186	0.38%
34134	Jeffrey Steckler	3352 Loop 1781	3352 FM 1781	Rockport	Tx	78382	6.665	11.48%
34133	Capital Fagan INC	3282 Loop 1781	PO Box 366698	Bonita Spring	FL	34136	32.933	56.72%

TOTAL ACREAGE OF ADJACENT PROPERTY: 58.0644

TOTAL ACREAGE FROM PROPERTY OWNERS IN OPPOSITION: 14.257

PERCENTAGE OF LAND OF PROPERTY OWNERS IN OPPOSITION: 25%



Citizen Participation Form Boards and Commissions

Citizens are encouraged to watch Boards and Commission meetings online rather than in person due to concerns related to the spread of COVID-19. Citizens wishing to address the Boards and Commissions may submit comments on any topic or agenda item electronically by utilizing this Citizen Participation Form. All form must be received by 3:00 p.m. on the date of the meeting and will be provided for the record.

Date of meeting:

First Name:

Last Name:

Address:

City:

State:

Zip:

If you wish to be contacted please provide the following:

Phone Number:

Email Address:

Company/Organization represented, if any:

Residence:

☐ Inside City Limits

☒ Outside City Limits

Speaker Status:

☐ Speaker

☒ Non-Speaker

Type of Participation:

☐ Citizens to be heard

☒ Specific Agenda Item

Representing

Applicant?

☒ Yes ☐ No

Agenda Item to be addressed:

(If not speaking under Citizens to be heard.)

If Applicable

☐ In Support

☒ In Opposition

Statement to be read into record:

Do not want the traffic

(Statements are limited to 2,000 Characters.)

☐ Receive an email copy of this form.

Email Address:

This field is not part of the form submission.



Citizen Participation Form

Boards and Commissions

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First Name:

Last Name:

Address:

City:

State:

Zip:

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Phone Number:

Email Address:

Company/Organization represented, if any:

Residence:

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☒ Outside City Limits

Speaker Status:

☒ Speaker

☐ Non-Speaker

Type of Participation:

☒ Citizens to be heard

☐ Specific Agenda Item

Representing

Applicant?

☐ Yes ☐ No

Agenda Item to be addressed:

(If not speaking under Citizens to be heard.)

If Applicable

☐ In Support

☒ In Opposition

Statement to be read into record:

We are opposing any ordinances trying to commercialize property in or near our residence. We are looking to move to (Rockport) and We've had this property since 1996 looking to have enjoyable life on the water. But still struggling to improve our property from hurricane Harvey. I'm not looking forward to being a part of a commercial zone
Sincerely Arthur BROWN

(Statements are limited to 2,000 Characters.)

☒ Receive an email copy of this form.

Email Address:

1art.brown@gmail.com

This field is not part of the form submission.



Citizen Participation Form

Rockport City Council

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Date of meeting:

First Name:

Last Name:

Address:

City:

State:

Zip:

If you wish to be contacted please provide the following:

Phone Number:

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Company/Organization represented, if any:

Residence:

☐ Inside City Limits

☒ Outside City Limits

Speaker Status:

☐ Speaker

☒ Non-Speaker

Type of Participation:

☐ Citizens to be heard

☒ Specific Agenda Item

Representing

Applicant?

☒ Yes ☐ No

Agenda Item to be addressed:

(If not speaking under Citizens to be heard.)

If Applicable

☐ In Support

☒ In Opposition

Statement to be read into record:

I am opposed to the request to re-zone the property in question.
3361 Loop 1781.

(Statements are limited to 2,000 Characters.)

☐ Receive an email copy of this form.

Email Address:

This field is not part of the form submission.



JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

194

NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, April 13, 2021, at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request to rezone property to B-1 (General Business), located at 3361 Loop 1781; also known as 1.628 acres out of 23.462 acres, out of the northerly portion of a 258.53 acre tract, lying West of Loop 1781 and South of Copano Ridge Road, South of and adjacent to Copano Campsite Subdivision, according to the plat recorded in Volume 2, Page 50, plat records of Aransas County, Texas, and being out of the westerly portion of the Old Modessett Ranch, Joseph Hollis Survey, A-76, City of Rockport, Aransas County, Texas; said 23.462 acres being the same tract described in a deed of record under Clerks File Number 369271, Official Public Records of Aransas County, Texas, to build a family-friendly restaurant with a bar and other entertainment amenities; currently zoned R-2 (2nd Single Family Dwelling District).

The meeting will be held in person with social distancing guidelines and using the video conferencing application ZOOM. A temporary suspension of the Open Meetings Act to allow telephone or video conference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. **Video conferencing capabilities will be utilized to allow individuals to address the Planning & Zoning Commission and City Council. Members of the public can participate in the meeting remotely by using the ZOOM address that will be provided on the City Council Agenda of April 13, 2021, and posted on the City's website www.cityofrockport.com.**



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The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125.

CITY OF ROCKPORT, TEXAS

/s/ Teresa Valdez, City Secretary

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name:

Address: James Don Ward Jr. City/State: 4 Copano Ridge Rd, 361 Copano Rd Rockport, TX 78382

() IN FAVOR () IN OPPOSITION

Phone: _____

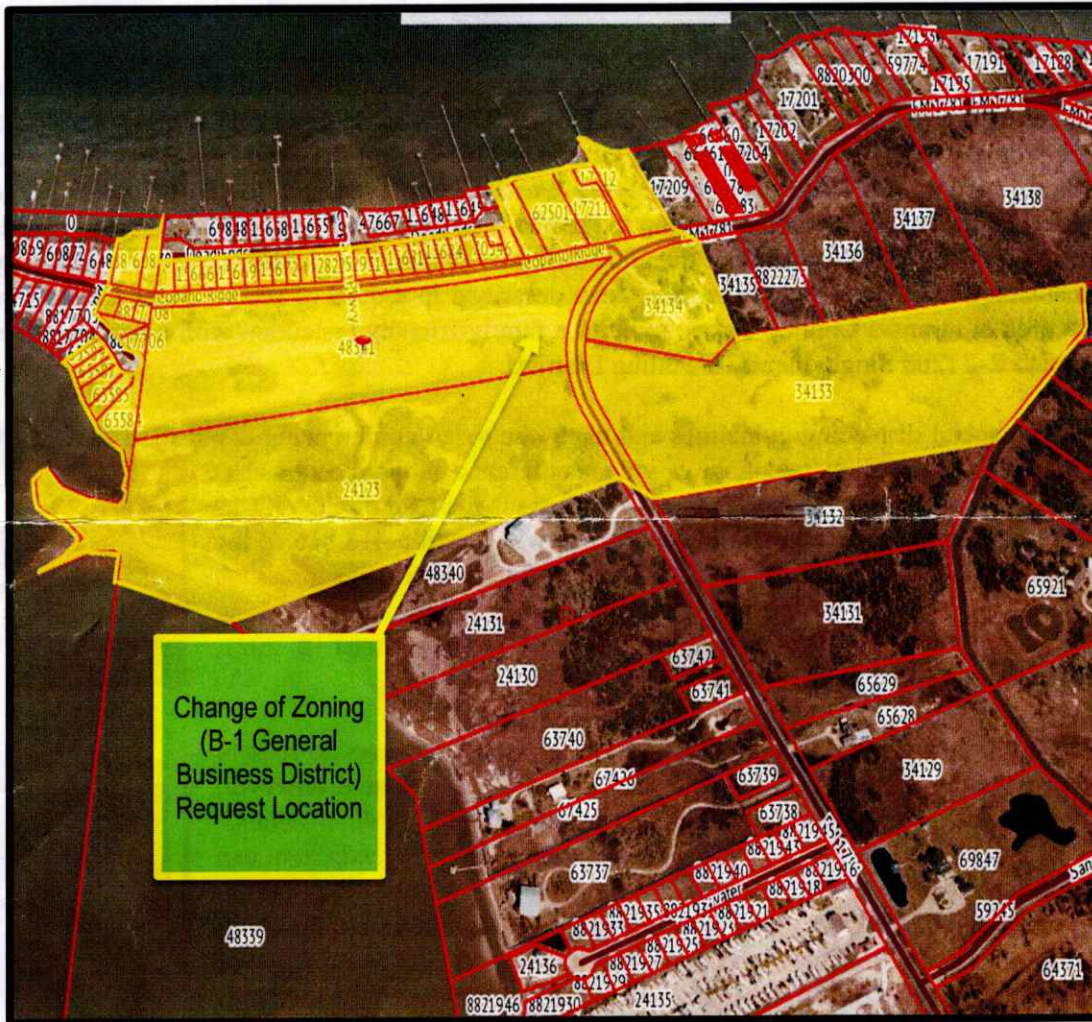
REASON:

Signature

See map on reverse side.

Location Map of Proposed Change of Zoning Request

(Subject property indicated by a blue border. Notice area indicated in yellow.)



FAQ

Why am I receiving this notice?

Texas law requires that property owners within 200 feet of a zoning request be notified of the possible change to the property.

What do I do now?

It is your right to either object or support the proposed request. If you wish to do so, simply fill out this letter and return it to the City of Rockport by mail:

ATTN:

**Building Department
City of Rockport
2751 SH 35 Bypass
Rockport, TX 78382**

If you have any questions regarding this notice, please contact Amanda Torres, Community Planner, at 361-790-1125, ext. 226.



City of Rockport
Building & Development Department
2751 S.H. 35 Bypass
Rockport, TX 78382

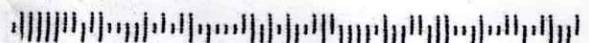
SAN ANTONIO TX 780
RIO GRANDE DISTRICT
27 MAR 2021 PM 4 L



James Dr Jr & Robbie Ward
361 Copano Ridge Rd
Rockport, Tx 78382

SITUS ADDRESS: 4 Copano Ridge Rd

78382-96336





JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

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Printed Name: ROBBIE G. Ward
Address: 4 Copano Ridge, 361 Copano Ridge City/State: Rockport, Tx 78382

() IN FAVOR () IN OPPOSITION

Phone: _____

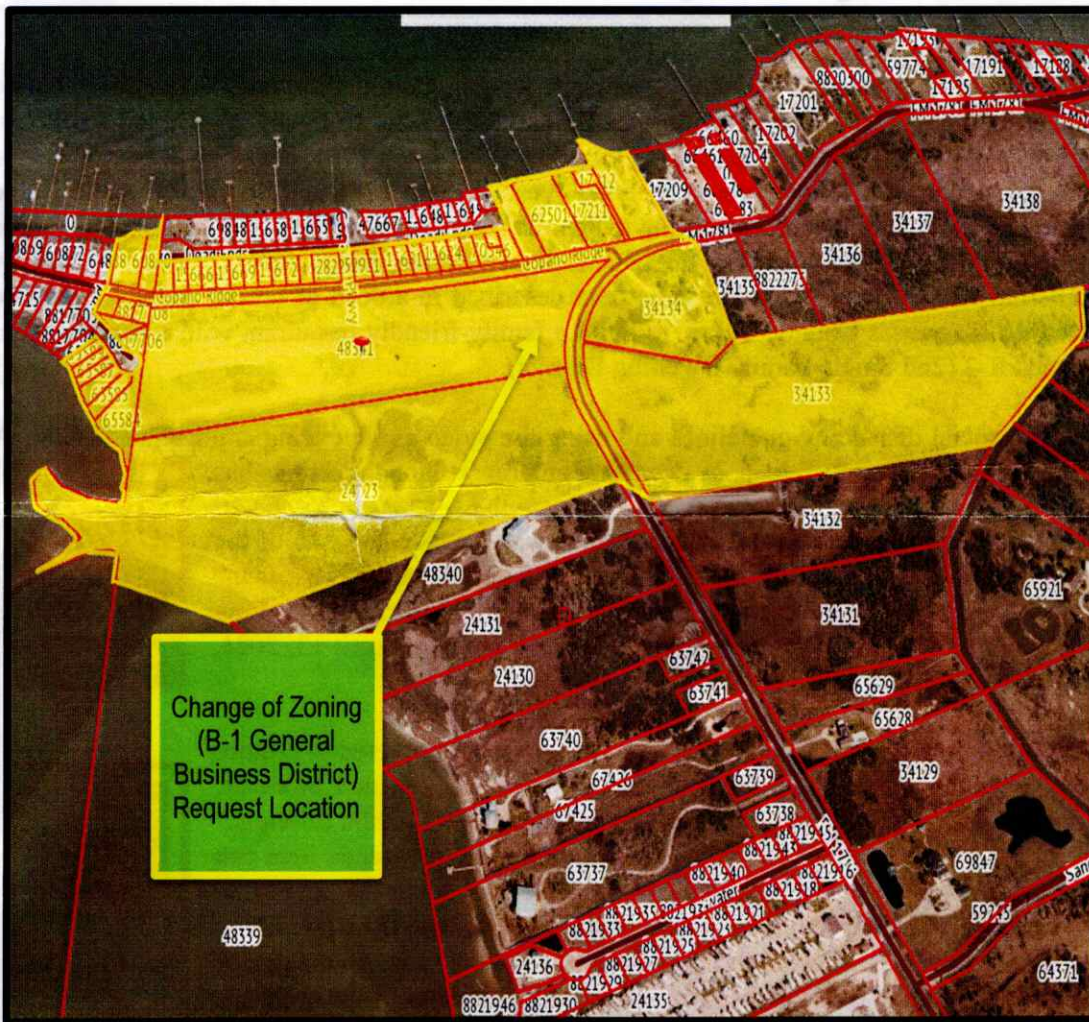
REASON:

Signature

See map on reverse side.

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City of Rockport
Building & Development Department
2751 S.H. 35 Bypass
Rockport, TX 78382

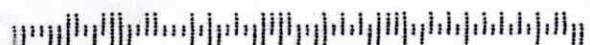


James D Jr & Robbie Ward
361 Copano Ridge Rd
Rockport, Tx 78382



SITUS ADDRESS: 4-R Copano Ridge Rd

7838239633 H001





JOINT PUBLIC HEARING
Rockport City Council and
Planning & Zoning Commission

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SCAN ME

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SCAN ME

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Printed Name: ROGER BORLINGHAUS

Address: 101 N. SIERRA WOODS DR.

City/State: Rockport, TX 78382

() IN FAVOR ☒ IN OPPOSITION

Phone: (361) 727-0089

REASON:

I DON'T WANT A BAR
ACROSS THE STREET FROM
MY PROPERTY.

Roger Borlinghaus
Signature

See map on reverse side.



JOINT PUBLIC HEARING

Rockport City Council and Planning & Zoning Commission

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CITY OF ROCKPORT, TEXAS
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Printed Name: MICHAEL CURRY

Address: 58 COPANO RIDGE ROAD

City/State: Rockport, TX 78382

Phone: 713-828-2517

☒ IN FAVOR () IN OPPOSITION

REASON:

Signature

See map on reverse side.

ZONING CASE: 3361 LOOP 1781 (B-1)
JOINT PUBLIC HEARING SUMMARY
APRIL 13, 2021

1. **Brenda Rodriguez, 10 Copano Ridge:** Mrs. Rodriguez stated she was strongly opposed to the request. This is a residential area and this is a business where there is no other like it around. If the business fails, the land can be sold to someone else to develop for example, public entertainment facilities, such as a carnival. This is such an upscale community that it would be unfair to people buying the lots to not know that they were adjacent to a property zoned General Business.
2. **Bradley Blanton, applicant:** Mr. Blanton stated he was the developer of the thirty-nine lots and had a lot of investment there. He planned on putting on a family-friendly restaurant that will not have any obnoxious sounds or concert intentions. He is promoting ICF construction and would be ready to serve the community. The corner needs a City light and plans on putting one there as well. He has a partner that is experienced in the restaurant industry. He said he was at 67 Copano Ridge if anyone had any questions.
3. **Pam Sijansky, 111 Copano Ridge:** Mrs. Sijansky said she was against the re-zoning. She has been at her location since 1995 and agreed with Mrs. Rodriguez. The whole neighborhood should stay a neighborhood.
4. **Sharon Mihalski, 217 Dead Ends:** Online letter was read into the record. (See attached letters.)
5. **Victoria Johnson, 230 Sparks Colony:** Online comment stated she was against the request.
6. **Bradley Fluitt, 3291 Loop 1781:** Online letter was read into the record. (See attached letters.)
7. **Mike Lee, 229 Dead Ends:** Mr. Lee said he paid taxes but had no representation. He bought his property with lots of birds and habitat. He said ponds on that property were filled, and he hadn't seen any new infrastructure put on the subdivision property. He is concerned about heavy rains and flooding. Builders have come back for zoning and abused it. His vote is no.
8. **Shelly Steckler, 3352 Loop 1781:** Mrs. Steckler said she lived directly across the street from the proposed bar/restaurant. People going to the proposed business would be coming out on the curb. She states that they are always issues on this intersection. A bar would exacerbate that problem.
9. **Rebecca Bagby, 218 Dead Ends:** Mrs. Bagby says she has been a resident since 1993. She stated that Ms. Steckler had a point and that a bar was a recipe for disaster.

CITY COUNCIL AGENDA

Regular Meeting: Tuesday, April 27, 2021

AGENDA ITEM: 16

Deliberate and act on request from Aransas County Sesquicentennial Committee for temporary closure of South Ann Street between East Market Street and North Street, Market Street from South Ann Street to South Austin Street, and South Austin Street from Market Street to Concho Street. on Saturday, June 19, 2021, from 9:00 a.m. to 11:00 a.m., for the Aransas County Sesquicentennial Parade.

SUBMITTED BY: Pam Stranahan, Vice President of the Sesquicentennial Committee

APPROVED FOR AGENDA: PKC

BACKGROUND: The Aransas County Sesquicentennial Committee has submitted a request for street closures for the Aransas County Sesquicentennial Parade on June 19, 2021. Over the last few years parades have not been allowed on Austin Street due to safety concerns related to the narrowness of the travel lane, the width of many of the parade entries, and the closeness of spectators and streetlights to parade vehicles. In lieu of Austin Street, parades have been using Magnolia Street.

See the accompany request for additional information.



FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council either reaffirm Magnolia Street as the dedicated parade route or reestablish Austin Street as an alternative route. If Austin Street is determined to be an acceptable route, Staff recommends approval temporary closure of South Ann Street between East Market Street and North Street, Market Street from South Ann Street to South

Austin Street, and South Austin Street from Market Street to Concho Street. on Saturday, June 19, 2021, from 9:00 a.m. to 11:00 a.m., for the Aransas County Sesquicentennial Parade, as presented.



April 8, 2021

Teresa Valdez
City of Rockport
Rockport, TX 78382

Re Aransas County Sesquicentennial request for parade

Dear Teresa:

We would like to request that the City of Rockport

- A. Deliberate and take action on the request from the County Sesquicentennial Committee for permission for

Street closures for parade route Sat. June 19, 2021, 10 AM.

STREET CLOSURES

S. ANN ST. BETWEEN E. MARKET ST AND NORTH ST. (for line-up)

PARADE WILL COME OUT ONTO MARKET AND PROCEED EAST CROSSING

S. PEARL ST..... S. CHURCH ST..... S. LIVE OAK ST..... S. MAGNOLIA ST. AND WILL

GO NORTH ON AUSTIN ST. CROSSING ST. MARY'S ST..... MAIN ST..... WHARF ST...
NORTH ST..... CORNWALL ST..... AND WILL GO WEST ON CONCHO ST. AND
DISBAND IN THE OLD H.E.B. PARKING LOT.

MARKET AT BUS. 35 east side

S. ANN AT E.MARKET ST. AND NORTH ST.

S. PEARL ST.

S. CHURCH

S. LIVE OAK

S. MAGNOLIA

AUSTIN STREET

ST. MARY'S

MAIN

WHARF

NORTH

CORNWALL

CONCHO



Thank you for your assistance and support.

Please let me know what other contacts we should make before this event.

Pam Stranahan, Vice President of the Sesquicentennial Committee

pamwheatstranahan@gmail.com

361 460-4638

CITY OF ROCKPORT
APPLICATION FOR PARADE PERMIT

The undersigned; in accordance with the provisions Chapter 86 of the Code of Ordinances, City of Rockport, Texas, hereby makes application for a Parade Permit:

Applicant Name: GEORGE RIEKERS Telephone No. OFFICE 727-0022 CELL 463-3298

Applicant Address: 802 E MARKET ST. ROCKPORT, TX 78382
(Street Address) (City/State/Zip)

If applicant is applying on behalf of a firm, corporation, association, or other entity, please attach a copy of the resolution of the governing board or body of such firm, corporation, association, or other entity indicating its sponsorship of the parade and authorizing the applicant to act in its behalf in securing a permit therefore.

This application must be accompanied by, those parades sponsored by a firm, corporation, association, or other entity, a copy of the resolution of the governing board or body of such firm, corporation, association, or other entity indicating its sponsorship of the parade and authorizing the applicant to act in its behalf in securing a permit therefore.

The name, address and telephone number of the person(s) to be responsible for:

Organizing parade: GEORGE RIEKERS 361-463-3298
(Name) (Address) (Telephone #)
 Conducting parade: GEORGE RIEKERS 361-463-3298
(Name) (Address) (Telephone #)
 Cleaning animal waste: _____
(Name) (Address) (Telephone #)

Date 6-19-21, time 10:00 AM proposed for commencement of the
 Parade and estimated duration: 1 (hrs) - (minutes).

State the location point for assembly of parade: E MARKET + S. ANN

State the location for disassembly of parade: S. LIVE OAK + E MIMOSA

Description of the specific Parade route listing all streets to be utilized and direction of flow from the point of commencement to termination: ATTACHED

Type of Parade: Commercial Non-commercial ☒

Note: A "commercial parade" means a parade sponsored other than by a nonprofit organization, the purpose of which is to advertise a product, whether tangible or intangible, to advertise or promote an exhibition or theatrical performance or otherwise operate to the pecuniary benefit of the sponsor.

If Commercial Parade, described the product, good or service to be advertised: _____

State the estimated number of persons to participate in the parade: A LITTLE TOO EARLY
EST. 100-150

State the estimated number of participants by category:

Vehicles _____	Floats _____	Motorized displays _____
Animals _____	Type of Animals _____	
Marching Units _____	Bands _____	Color Guards _____
Drum & Bugle Segments _____	Drill Teams _____	
Others not listed: _____		

I hereby certify that all information contained in this application is true and correct under penalty of law. If further acknowledge by any signature below that I have received a copy of Code of Ordinances Chapter 86 "Streets, Sidewalks, and Other Public Places" Article V. "Parades". I understand that, pursuant to aforesaid Code of Ordinances, the Chief of Police may, in the public interest, place reasonable conditions on any such permit relating to the time, place or manner of conduct of the parade and that the permit may be suspended or revoked, among other things, for violation of such conditions.

Signed: George Riekers Signed: _____

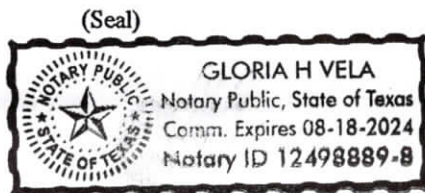
Signed: _____

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF ARANSAS §

BEFORE ME, the undersigned authority, on this day personally appeared George Riekers
_____ known to me to be the
person(s) whose name is subscribed to the foregoing application, and upon oath deposes and states that all facts
contained therein are true and correct.



Gloria Vela
Notary Public in and for the State of Texas
Commission Expires: 8-18-2024
Printed Name: Gloria H Vela

TO: COMMANDER LARRY SINCLAIR:

ARANSAS COUNTY SESQUICENTENNIAL (150) BIRTHDAY PARADE

PARADE TO FORM JUNE 19TH AT 9:00 AM ON S. ANN ST. NORTH & SOUTH SIDE FACING E. MARKET ST.
PARADE TO COME OUT ON E. MARKET ST AT 10:00 AM AND PROCEED EAST TO AUSTIN ST.
CROSSING S. PEARL ST – S. CHURCH ST. – S. LIVE OAK ST. – S. MAGNOLIA ST. TO AUSTIN ST.
TURN NORTH CROSSING ST. MARY'S ST – MAIN ST. – WHARF ST. – NORTH ST – CORNWALL ST. –
CONCHO ST. – PROCEED ON AUSTIN ST PASSING THE WEST SIDE OF THE CHAMBER OF COMMERCE
(REVIEW STAND) AND GO WEST ON MIMOSA S. IN FRONT OF THE OLD H.E.B. AND CONTINUE ON
MIMOSA ST - CROSSING MAGNOLIA ST – S. LIVE OAK S. AND DISBAND AT THE OLD COURTHOUSE
PARKING LOT AT MAGNOLIA & MIMOSA.

WE WILL NEED STREETS BLOCKED AT LIVE OAK AND 35 – MAGNOLIA AND 35 - AUSTIN AND 35 –
AND LOOP 70 AND 35, WE WOULD LIKE THEM BLOCKED AT 9:45 AND 9:30 AT BUS 35 & MARKET ST.
WE ALSO REQUEST NO PARKING ~~ON THE EAST SIDE OF AUSTIN ST. IF YOU FEEL IT SAFER, NO PARKING~~
~~ON AUSTIN ST AT ALL UNTIL AFTER PARADE HAS PASSED.~~

WE ANTICIPATE THE PARADE TO LAST 1 HOUR.

THANK YOU GEORGE RIEKERS 463-3298

2020

Texas Coast Real Estate Mail - Fwd: parade for sesquicentennial

1 Gmail

Jim Godfrey <jim@rockport-tx.com>

/d: parade for sesquicentennial

message

n Farley <pamtropicalsmoothie@gmail.com>
 George Rieckers <jim@rockport-tx.com>

Tue, Nov 17, 2020 at 1:03 PM

Forwarded message

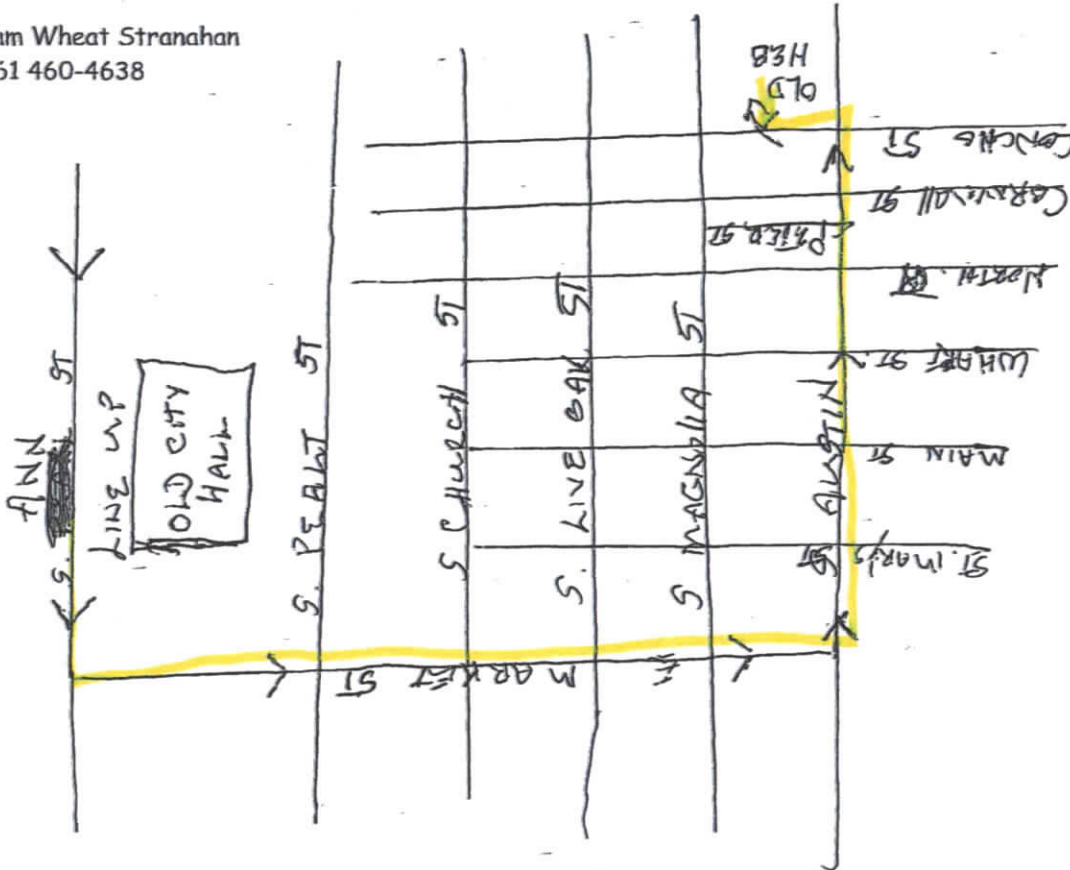
From: Pam Stranahan <pamwheatstranahan@gmail.com>
 Date: Tue, Nov 17, 2020 at 11:52 AM
 Subject: parade for sesquicentennial
 To: pam farley <pamtropicalsmoothie@gmail.com>

Jim - I am approaching the City of R for permission to put up street banners for the sesqui and can include a request for the parade route at the same time.

Do you have a plan for the route and what street closures we should request?

I can drop by Tropical Smoothie and discuss at your convenience next week - let me know a good time for you.

Jim Wheat Stranahan
 361 460-4638



STREET CLOSURES

S. ANN ST. BETWEEN E. MARKET ST AND NORTH ST. (for line-up)

PARADE WILL COME OUT ONTO MARKET AND PROCEED EAST CROSSING

S. PEARL ST..... S. CHURCH ST..... S. LIVE OAK ST..... S. MAGNOLIA ST. AND WILL

**GO NORTH ON AUSTIN ST. CROSSING ST. MARY'S ST..... MAIN ST..... WHARF ST...
NORTH ST..... CORNWALL ST..... AND WILL GO WEST ON CONCHO ST. AND
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S. CHURCH

S. LIVE OAK

S. MAGNOLIA

AUSTIN STREET

ST. MARY'S

MAIN

WHARF

NORTH

CORNWALL

CONCHO

I HOPE THIS IS WHAT YOU NEED . THIS IS GOING TO BE A FUN PARADE.

EVERYONE WANTS THE PARADE ON AUSTIN STREET. SOME WANTED TO SIGN TWICE.

GEORGE office 361 727-0022 cell 361 463 9832

Thank You,

A handwritten signature in cursive script, appearing to read "George".

MARKET ST.

**ARANSAS COUNTY SESQUICENTENNIAL
(150) BIRTHDAY CELEBRATION PARADE**

WE, THE FOLLOWING BUSINESS' UNDERSTAND AND ARE ALRIGHT WITH THE PARADE PASSING IN FRONT OF OUR BUSINESS CAUSING THE STREET TO BE CLOSED FOR APPROXIMATELY AN HOUR AND A HALF. AS SOON AS THE PARADE PASSES THE STREET WILL OPEN BACK UP.

The Parade will start at 10:00 AM on Saturday, June 19th at the old City Hall. It will go down Market St. to Austin St and head north to the Chamber of Commerce. We have designed this parade to be a fun and a memorable one with antique vehicles, floats from the Wildlife Refuge, Goose Island, Etc. We expect quite a few spectators who we hope will browse your shops and spend their money.

NAME

BUSINESS NAME

JIM GODFREY

TEXAS COAST REAL ESTATE

Abbie Johnson

Albert Johnson Builder

Hannah Walter

Baker A/C & Heating

Pammy Butler

Habitat for Humanity of Aransas County

Domingo Hernandez

Mac's Barbecue

**ARANSAS COUNTY SESQUICENTENNIAL
(150) BIRTHDAY CELEBRATION PARADE**

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NAME

BUSINESS NAME

Beth Doughly	Coast & Cottage
Jamie Haldeman	New Beginnings ^{your favorite store}
Janine Sims	The Coastal Mercantile
Bonnie Carlisle	The Coastal Mercantile
Kacie Mahlmann	Randy Maui ✓
Michelle McMahon	Rockport Daily Grind
Melissa Wilson	The Strand
Sharan Miller	Goin' Coastal Outfitters
Linda Mayes	Oh My!
Sandy Reese	Wind Way Gallery
L. Horton	Texas By Design
L. Rogers	Inner Charlie Jewelry

ARANSAS COUNTY SESQUICENTENNIAL (150) BIRTHDAY CELEBRATION PARADE

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NAME

BUSINESS NAME

Tina Surber for Casey Whatley Rockport Livin'

Marsha Reid

Sassy

Deborah James

Sea Shell Shoppe ☺

Jacquie McCrea

Altitudes & Latitudes ☺

Ruben SAZON

The Jeweler by the sea

Taffy & Candy

Christy Combs

Treasure Islander

Bea Fluit

Rock Bottom

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, April 27, 2021

AGENDA ITEM: 17

Deliberate and act on engagement of Denton Navarro Rocha Bernal & Zech and Doucet & Associates for redistricting/reapportionment professional services and authorizing the City Manager to negotiate and execute all necessary documents.

SUBMITTED BY: City Manager Kevin Carruth

APPROVED FOR AGENDA: PKC

BACKGROUND: The redistricting timeline has been pushed back because the release of 2020 census data has been delayed from March 2021 to at least September 2021. In the past, the City has performed redistricting in-house. This time, however, it is likely that Rockport's population will exceed 10,000, which will place additional requirements upon the City that it did not have in the past. In addition, there are not sufficient staff resources available to properly take on this important task.

The City's legal counsel, Denton Navarro Rocha Bernal and their associate firm, Doucet & Associates, are experienced at this task. Please see the accompanying PowerPoint presentation and proposal for details.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council approve the engagement of Denton Navarro Rocha Bernal & Zech and Doucet & Associates for redistricting/reapportionment professional services and authorizing the City Manager to negotiate and execute all necessary documents, as presented.

Municipal Redistricting and Reapportionment



T. Daniel Santee
Partner

DENTON NAVARRO ROCHA BERNAL & ZECH
A Professional Corporation

2517 N. Main Avenue
San Antonio, Texas 78212
www.rampagelaw.com

Fax (210) 225-4481
Office (210) 227-3243
tdsantee@rampagelaw.com

Legal Standards

Mandatory Criteria

1. One Person, One Vote
2. Protection of Racial Minorities

How Often

Census updates the population information for the City, showing need to redo the districts to balance them

Legal Standards

Discretionary Criteria

1. Compactness and Contiguity
2. Following Lines of Political Units
3. Following Geographical Boundaries
4. Continuity
5. Communities of Interest

Mandatory Criteria

One Person/One Vote.

- Total population of the city / Districts
- 10% Deviation
 - Not a safe harbor

The Balanced District

Equal in population to other districts

- 1 person, 1 vote (Equal Protection Clause, 14th Amendment, *Baker v. Carr* (1962))
 - Boundaries drawn so that “as nearly as practicable” there is “equal representation for equal numbers of people.” (*Wesberry v. Sanders*, 376 U.S. 1 (1964))
 - Total Population, not voter population (*Evenwel v. Abbott*, 136 S. Ct. 1120 (2016))
- 10% rule (*Gaffney v. Cummings*, 412 U.S. 735 (1973))
 - The difference in size between smallest and largest districts should be $\leq 10\%$
 - Discrimination can still occur within the 10% rule (*Larios v. Cox*, 300 F. Supp. 2d 1320 (N.D. Ga. 2004), *aff'd*, 542 U.S. 947, 2004 (mem.))

Population Deviations Allowed

- Population deviations are allowed if they're based on justifiable, legitimate reasons that effect good policy (*Reynolds v. Sims*, 377 U.S. 533 (1964), *Karcher v. Daggett*, 462 U.S. 725 (1983))
- Courts call these reasons “traditional redistricting principles”

Calculating Deviation

Ideal Size	District 1 Total Population	District 2 Total Population	District 3 Total Population	District 4 Total Population	Deviation
10,000	9,500	10,000	10,200	10,300	8%
	↓	↓	↓	↓	
	500 Less	Exact	200 more	300 more	
	↓	↓	↓	↓	
	-5.00%	0.00%	+2.00%	+ 3.00%	

$$+3.00\% + (-5.00\%) = 8.00\%$$

Highest Positive Percent + Highest Negative Percent = Maximum Deviation [(Total Population – Ideal Size) / Ideal] * 100]

Mandatory Criteria

No Discrimination

- Not *packed*: Doesn't push minority voters into few super-concentrated districts to dilute voice
 - Example: *Shaw v. Reno* (1993) - First Congressional District in NC was already predominantly African American before 2010, then redrawn to include additional nearby concentrations of African American voters.

Mandatory Criteria

No Discrimination

- Not *cracked*: Doesn't split minorities into small pieces across several districts to dilute voice
 - Example: *Rucho v. Common Cause* (2019) – NC drew a heavily partisan-gerrymandered map that cracked Democrats into districts where they were in the minority.

EXAMPLE

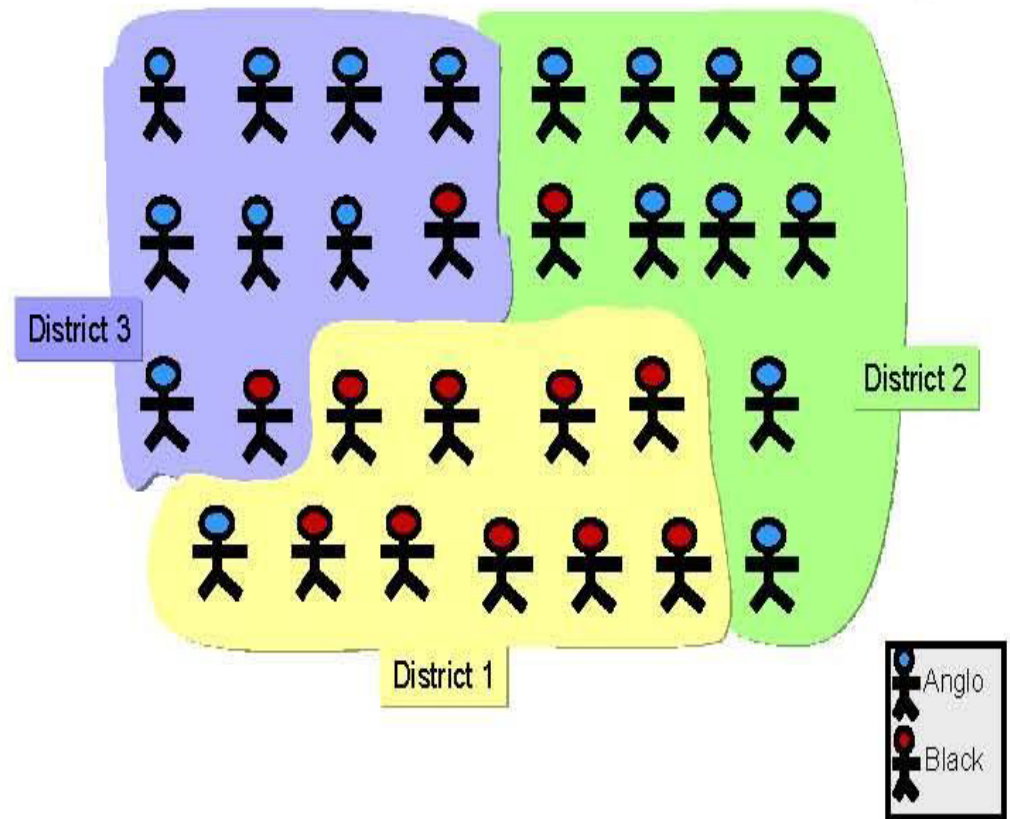
Packing Minority in District

Packing Minority in District

District 1 = 90%

District 2 = 10%

District 3 = 10%



EXAMPLE

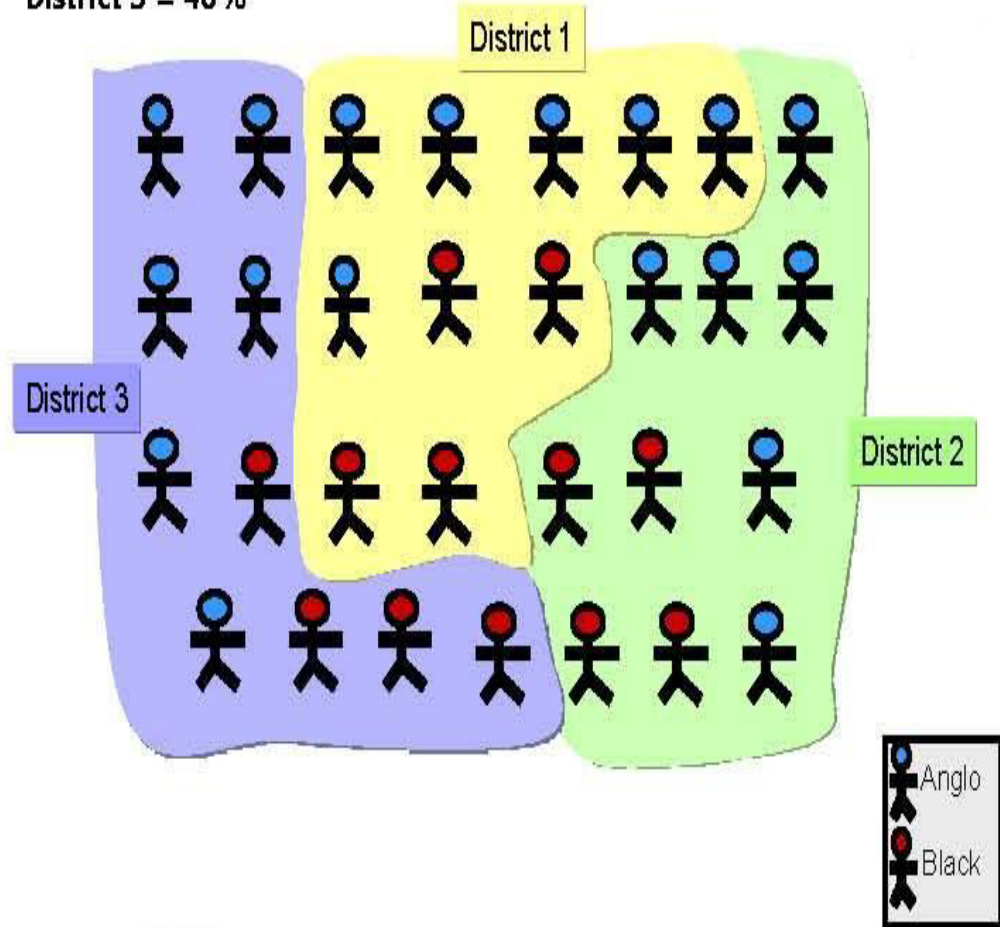
Cracking Minority in District

Cracking Minority in District

District 1 = 40%

District 2 = 40%

District 3 = 40%

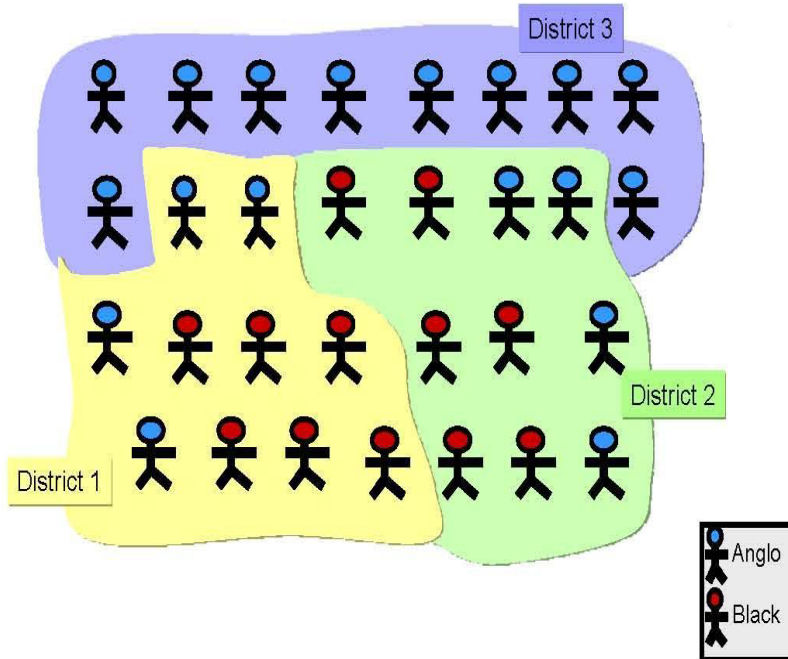


Preferred Minority in District

District 1 = 60%

District 2 = 60%

District 3 = 0%



Preferred Outcome

Impermissible Redistricting Factors

- Using race as a predominant factor
 - Exception: If there is racially polarized voting, a minority opportunity district may be needed to prevent vote dilution
 - *Gingles* Test:
 - Is the minority group sufficiently numerous and compact to be able to form a majority?
 - Does the group tend to vote similarly?
 - Does the majority vote differently from the minority, usually to defeat minority's candidate?
- Using partisan reasons as a proxy for race

Example: Impermissible Redistricting

Race cannot be the predominant reason for a district's shape

- Example: HD90, *Abbott v. Perez* (2018)
 - 2011 – Legislature increased the district's Latino population in an effort to make it a Latino opportunity district. It also moved Como, which is predominantly African-American, out of the district.
 - Como residents and their House rep objected
 - Legislature moved Como back, decreasing Latino population
 - Legislature moved more Latinos into the district
 - State argued use of race as predominant factor was permissible because it had “good reasons to believe” that this was necessary to satisfy the Voting Rights Act
 - Supreme Court found Texas did not satisfy its burden to prove the action was narrowly tailored

Discretionary Criteria

Contiguity

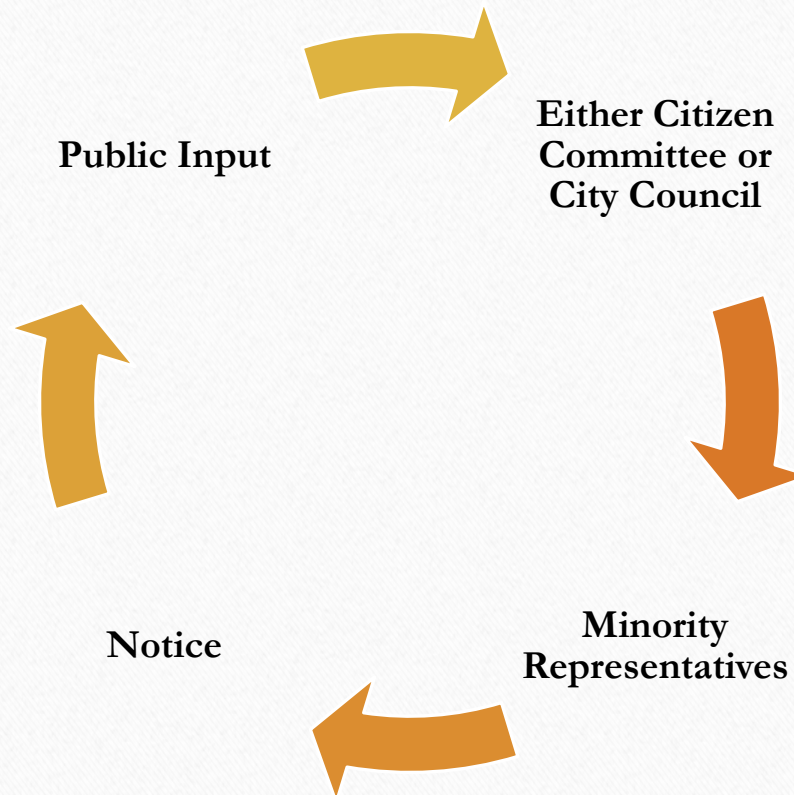
- A district is contiguous if all of the lines that create it are connected.
- A district consisting of two or more unconnected areas is not contiguous.

Discretionary Criteria

Compactness

- geographic – shape of the district
- functional – based on factors
 - Following Lines of Political Units
 - Following Geographical Boundaries
 - Communities of Interest
 - Travel within the District

Process



Citizen Input

- Ensures more inclusive representation of neighborhoods and communities of interest
- Should give more weight to residents of a district (avoid districts drawn by non-residents)
- Consider allowing citizens to work out their differences as participants in drafting the integrated plan
- Broadens participation
- City staff and consultants can oversee and facilitate citizen discussions
- Can be led by City Council or a Committee

Mapping and Adoption

- Maps of the current district will be reviewed with the new census data
- New proposed maps will be drawn based upon census data and citizen input
- The Redistricting Committee, if appointed, will forward a recommendation to City Council
- City Council will adopt new district maps by ordinance

Timing

A change in a boundary of a territorial unit of a political subdivision other than a county from which an office of the political subdivision is elected is not effective for an election unless the date of the order or other action adopting the boundary change is more than three months before election day.

---Tex. Elec. Code, § 276.006

Primary Team

- Denton Navarro Rocha Bernal & Zech
 - T. Daniel Santee & Clarissa Rodriguez | SA
 - Charles E. Zech & Megan R. Santee | AUS
- Doucet & Associates
 - John Barnard
 - Chris Terry
 - Spencer Padgett

Questions?

T. Daniel Santee
Partner

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SA | AUS | RGV | TxGC



San Antonio | Austin | Rio Grande Valley | Texas Gulf Coast
2517 N. Main Avenue | San Antonio, Texas 78212-4685
V 210-227-3243 | F 210-225-4481

March 9, 2021

Re: Redistricting/Reapportionment

Denton Navarro Rocha Bernal & Zech, P.C. is pleased to submit this Proposal for Qualifications for Redistricting/Reapportionment services.

Our Firm focuses its practice on the representation of local governments and providing legal services in all areas of local government law, including the need for those clients divided into single member districts to redistrict/reapportion based upon their population after each census. We are ready to begin work analyzing your current districts in preparation for the release of the new census numbers. We will evaluate and compare the existing population distribution to the new data after release and coordinate with the City to develop a process for the City Council to redraw district boundaries in a manner that complies with state and federal law.

In these efforts, we are very excited to be partnering with Doucet & Associates, Inc. for the geospatial expertise needed to accomplish this project in the most accurate and efficient manner. Doucet will utilize geographic information systems technology to analyze and present the necessary data points to compare the existing maps and population distribution with those we are able to develop through the process.

If you have not already selected a team to assist you in the redistricting/reapportionment process, we would appreciate the opportunity to work with you. You may call (210) 227-3243, email tdsantee@rampagelaw.com, or write to 2517 N. Main Avenue, San Antonio, TX 78212 for any questions you may have about the process or our team and to get your city on our schedule. Attached is information and rates for both our firm as well as our partner, Doucet.

Sincerely yours,

DENTON NAVARRO ROCHA BERNAL & ZECH
A Professional Corporation



T. DANIEL SANTEE



GENERAL COUNSEL SERVICES RELATED TO REDISTRICTING/REAPPORTIONMENT

Submitted by

**Charles E. Zech, Partner/Shareholder
T. Daniel Santee, Partner/Shareholder
Clarissa M. Rodriguez, Partner/Shareholder**

San Antonio Office
2517 North Main Avenue
San Antonio, Texas 78212-4685
Phone (210) 227-3243
Fax (210) 225-4481

Rio Grande Valley Office
701 East Harrison
Suite 100
Harlingen, Texas 78550-9165
Phone (956) 421-4904
Fax (956) 421-3621

Austin Office
2500 W William Cannon Drive
Suite 609
Austin, Texas 78745-5320
Phone (512) 279-6431
Fax (512) 279 6438

Texas Gulf Coast
2228 Mechanic Street
Suite 304
Galveston, TX 77550
Phone (832) 632-2102
Fax (832) 632-2134

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- B. PROPOSED TEAM**
- C. PRINCIPAL SHAREHOLDERS**
- D. QUALIFICATIONS AND EXPERIENCE**
- E. FEE SCHEDULE**



San Antonio | Austin | Rio Grande Valley | Texas Gulf Coast

2517 N. Main Avenue | San Antonio, Texas 78212-4685

V 210-227-3243 | F 210-225-4481

A. ABOUT US

Denton Navarro Rocha Bernal & Zech, P.C. (the “Firm”) is a Texas based Firm. The Firm has been providing legal services to local government entities for over 30 years. The Firm is a professional corporation incorporated in June 1990, established by Lowell F. Denton. The Firm’s mission statement, from its inception, is to maintain a public law practice which provides local governmental entities, its officials and employees, with the highest quality legal services at competitive rates in its city attorney, general counsel and litigation defense areas of practice.

The Firm employs 19 attorneys, with its four offices strategically located to serve communities throughout the entire State of Texas. The Firm is owned by nine shareholders:

Principal Shareholders

Lowell Denton – San Antonio/Texas Gulf Coast
 Ricardo Navarro – Rio Grande Valley
 Patrick Bernal – San Antonio
 Charles E. Zech – Austin

Shareholders

Clarissa Rodriguez – San Antonio
 T. Daniel Santee – San Antonio
 Scott Tschirhart – Austin
 Rob Drinkard – Rio Grande Valley
 Rebecca Hayward – Rio Grande Valley

The Firm has four office locations. They are:

San Antonio Office:
 2517 N. Main Avenue
 San Antonio, Texas 78212
 (210) 227-3243

Redistricting/Reapportionment 2021

Rio Grande Valley Office:
701 East Harrison, Suite 100
Harlingen, Texas 78550
(956) 421-4904

Austin Office:
2500 W. William Cannon Drive, Suite 609
Austin, Texas 78745
(512) 279-6431

Texas Gulf Coast:
2228 Mechanic Street, Suite 304
Galveston, TX 77550
(832) 632-2102

B. PROPOSED TEAM

We propose retention of the Firm as its General Counsel for redistricting/reapportionment and Doucet & Associates for the related Geospatial Services. T. Daniel Santee and Clarissa Rodriguez will provide services out of the San Antonio office; Charles Zech and Megan R. Santee will provide services out of the Austin office; and Rebecca Hayward and Allison Bastian-Rodriguez will provide services out of the Rio Grande Valley office. Other attorneys in our Firm will help as needed to ensure the most efficient representation.

SAN ANTONIO



T. Daniel Santee, II is a Partner/Shareholder. Mr. Santee earned his Bachelor of Arts-Psychology from Baylor University in 1991, and his Juris Doctor from St. Mary's University School of Law in 1994. He was admitted to the State Bar of Texas in 1995. He has 25 years of legal experience, 23 years of municipal legal experience and 21 years economic development legal experience. He is experienced in local government and municipal law, Texas Public Information Act, Open Meetings Act, ordinance and resolutions drafting, and municipal prosecuting, with expertise in land use, ordinance and code provisions, and economic development performance agreements. Mr. Santee is admitted to practice before the United States District Court Northern District of Texas. He holds merit certification for distinguished service in municipal law.



Clarissa M. Rodriguez is a Partner/Shareholder. Ms. Rodriguez earned her Bachelor of Arts in Speech Communication from Texas A&M University in 1998, her Master of Public Administration from the University of Texas at San Antonio in 2001, and her Juris Doctor from Drake University School of Law in 2006. She was admitted to the State Bar of Texas in 2006. She has 14 years of legal experience and 10 years of municipal and economic development legal experience. Ms. Rodriguez is experienced in local government and municipal law, Texas Public Information Act, Open Meetings Act, ordinance and resolutions drafting, and municipal prosecuting, with expertise in civil litigation, employment issues, ordinance drafting, land use, municipal infrastructure issues, premises liability, personal injury, and constitutional issues. Ms. Rodriguez is admitted to practice before the United States District Court, Southern District of Texas, the United States District Court, Western District of Texas, and the Fifth Circuit Court of Appeals.

AUSTIN



Charles E. Zech is a Partner/Shareholder. Mr. Zech earned his Bachelor of Business Administration from Southwest Texas State University in 1995, his Juris Doctor from St. Mary's School of Law in 1998, and his Master of Public Administration from Texas State University in 2008. He was admitted to the State Bar of Texas in 1998. Mr. Zech served in the United States Navy. He has 22 years of legal experience, 19 years of municipal legal experience, and 19 years of economic development legal experience. Mr. Zech is experienced in local government and municipal law, Texas Public Information Act, Open Meetings Act, ordinance and resolutions drafting, with expertise in interpreting, defending, reviewing, and analyzing charters, municipal land use, contracts, and Chapter 380 economic development agreements. Mr. Zech is admitted to practice before all County and District Courts of Texas, the Texas Supreme Court, the United States District Court, Western District of Texas, and the United States Global District Court, Northern District of Texas. Mr. Zech also has 2 years of experience as a Deputy City Manager.



Megan R. Santee is a Senior Associate. Mrs. Santee earned her Bachelor of Arts from Baylor University in 1991, and her Juris Doctor from Texas A&M University School of Law in 1997. She was admitted to the State Bar of Texas in 1997. She has 11 years of municipal legal experience and 6 years of economic development legal experience. She is experienced in litigation, appeals, local government and municipal law, Texas Public Information Act, Open Meetings Act, ordinance and resolution drafting, and municipal prosecuting, personnel policies, briefing and motions, employment issues, purchasing, economic development, planning, and land use issues. Ms. Santee is admitted to practice before the U.S. District Court Northern District of Texas and the United States Court of Appeals Fifth Circuit. Ms. Santee also has 8 years of collective prior municipal management experience as the Executive Director of a Municipal Housing Authority, Assistant Director of Planning

and Community Development and as a Director of Public Works. She also has legal experience as a Briefing Attorney for the Eleventh District Court of Appeals and with wills and estates and oil and gas leasing.

RIO GRANDE VALLEY



Rebecca S. Hayward is a Partner/Shareholder. She earned her Bachelor of Arts from Texas A & M International University in Laredo, Texas in 2008 and her Juris Doctor from Ave Maria School of Law in Naples, Florida in 2011. She was admitted to the State Bar of Texas in 2012. She has 6 years of municipal law experience. She is experienced in local government and municipal law, with expertise in civil litigation, labor and employment law, public sector labor negotiations, and municipal prosecution. Ms. Hayward is admitted to practice before the United States District Court Southern District of Texas, the United States District Court Western District of Texas, and the United States Fifth Circuit Court of Appeals.



Allison A. Bastian-Rodriguez is an Associate. She earned a Bachelor of Arts in Visual Communication from the University of Oklahoma in 1994 and her Juris Doctor from Oklahoma City University in 2007. She was admitted to the State Bar of Texas in 2007. She has over 11 years of municipal legal experience. Ms. Bastian-Rodriguez serves on the State Bar Real Estate Forms Committee. She is experienced in local government and municipal law, Texas Public Information Act, Open Meetings Act, ordinance and resolutions drafting, and municipal prosecuting, with expertise in real estate transactions, regulation of land use, election law and contracts for municipalities and governmental entities. Ms. Bastian-Rodriguez is admitted to practice before all courts in the state of Texas and the Texas Supreme Court.

C. PRINCIPAL SHAREHOLDERS



Lowell F. Denton is the Founding Partner/Shareholder. Mr. Denton earned his Bachelor of Arts from Baylor University and his Juris Doctor from Baylor University School of Law in 1978. He was admitted to the State Bar of Texas in 1978. He has 42 years of municipal legal and civil litigation experience. He is experienced in local government and municipal law, with expertise in civil litigation, land use, civil rights (including police and employee litigation), public sector labor negotiation, civil service, first amendment, voting rights issues, and religious freedom claims. Mr. Denton is Board Certified in Civil Trial Law by the Texas Board of Legal Specialization. He is admitted to practice before the United States Supreme Court, Supreme Court State of Texas, United States Court of Appeals Fifth Circuit, United States District Courts for the Southern District of Texas, Western District of Texas, and Northern District of Texas. Mr. Denton has been recognized

as a Texas Super Lawyer each year since 2008 for Government, Cities, Municipalities, Employment and Labor.



Ricardo J. Navarro is a Partner/Shareholder and Managing Partner of the Rio Grande Valley office. Mr. Navarro earned his Bachelor of Arts from the University of Texas at Austin in 1978 and his Juris Doctor from the University of Texas School of Law in 1984. He was admitted to the State Bar of Texas in 1985. He has 36 years of legal experience. He is experienced in local government and municipal law, with expertise in civil litigation in state and federal courts, labor and employment law, municipal and county civil service law and practice, public sector labor negotiations, and general counsel representation of local government entities. Mr. Navarro is admitted to practice before the United States Supreme Court, the United States Court of Appeals Fifth Circuit, and the United States District Courts for the Southern and Western Districts of Texas.



Patrick C. Bernal is a Partner/Shareholder. Mr. Bernal earned his Bachelor of Arts from Texas A&M University in 1979, his Master of Public Affairs from the University of Texas at Austin in 1983, and his Juris Doctor from the University of Texas School of Law in 1983. He was admitted to the State Bar of Texas in 1983. He has 37 years of municipal legal experience. Mr. Bernal is experienced local government and municipal law, with expertise in litigation in state and federal courts, local government defense, employment law, land use, annexation, flooding, civil rights, torts, contracts, personal injury and property damage claims. Mr. Bernal is admitted to practice before the Fifth Circuit Court of Appeals, and for the Western and Southern Districts of Texas.



Charles E. Zech is a Partner/Shareholder. Mr. Zech earned his Bachelor of Business Administration from Southwest Texas State University in 1995, his Juris Doctor from St. Mary's School of Law in 1998, and his Master of Public Administration from Texas State University in 2008. He was admitted to the State Bar of Texas in 1998. Mr. Zech served in the United States Navy. He has 22 years of legal experience, 19 years of municipal legal experience, and 19 years of economic development legal experience. Mr. Zech is experienced in local government and municipal law, Texas Public Information Act, Open Meetings Act, ordinance and resolutions drafting, with expertise in interpreting, defending, reviewing, and analyzing charters, municipal land use, contracts, and Chapter 380 economic development agreements. Mr. Zech is admitted to practice before all County and District Courts of Texas, the Texas Supreme Court, the United States District Court, Western District of Texas, and the United States Global District Court, Northern District of Texas. Mr. Zech also has 2 years of experience as a Deputy City Manager.

D. OTHER SERVICES AND EXPERIENCE

The Firm provides legal advice and assistance to local governments, their employees and public officials in just about every conceivable area of activity. Our experience and

abilities often place the Firm in a position to provide prompt and thorough responses to initial inquiries to assist in the recognition of potential liabilities and the reduction of risk associated with the operation of a Texas local government in today's legal environment.

Because our law Firm is focused on representing governmental entities, their officials and employees, we believe we have comprehensive understanding of administrative and regulatory law fields relevant to the scope of work.

To that extent, we provide the following general overview of our expertise:

1. **Annexation:** The Firm assists cities with annexation, both in the annexation process as well as defending lawsuits brought by property owners challenging annexations. Our firm, led by Mr. Bernal, was successful in striking down an unconstitutional state law which would have prevented the City of San Antonio from annexing certain portions of its IH- 10 corridor. Mr. Zech, in his role as City Attorney, was personally involved in the first lawsuit brought under the new annexation regulations in 2001 which resulted in a successful mediation of said suit.
2. **Bidding and Procurement:** The Firm has a depth of experience in advising and presenting at conferences on all aspects of bidding and procurement. Attorneys Dan Santee has recently presented on this area of law and best practices for the variety of options available. Additionally, Attorney Megan Santee served as a Director of Public Works who dealt with bidding and procurement for large scale projects with insight and the same perspective as your employees.
3. **Contracts:** The Firm has a depth of experience in the negotiation, drafting and review of numerous types of contracts including economic development agreements, contracts for the sale of goods and services, such as architectural and engineering services, independent contractor agreements and information technology services, franchise agreements, easement and rights-of-way access agreements, real estate purchase/sale agreements, and many others. As the sole in house City Attorney for the City of New Braunfels, and as City Attorney for the City of Abilene, Mr. Zech and Mr. Santee respectively were involved in every RFP and RFQ proposal that was solicited, negotiated and drafted for their communities. Mr. Zech and Mr. Santee have all negotiated multiple types of contracts to include construction contracts (including the modification of AIA agreements), contracts for placement of Wi-Fi in a community, airport contracts, hangar agreements and leases, sale of water contracts, franchise agreements for use of streets and other rights-of-way, multitudes of economic development and other development agreements, and routine purchasing and competitive bid negotiations.

4. **Election Procedures:** Municipal elections involve general and special elections, which may include referendums. The Firm has assisted with legal guidance on regular general elections and cancellations, if necessary. In the event there is a need for a referendum, the Firm has experience in assisting with the language for such referendums and ballot language. Working with the City Secretary is key in ensuring the elections are efficient and done properly for the City. The Firm also has experience in advising about legal implications for initiatives and referendums, prior to and post elections.
5. **Eminent Domain:** The Firm has established uniform procedures for eminent domain procedures. While each situation is different, the Firm has streamlined the condemnation processes and procedures from the negotiation phase to special commissioner proceedings in order to ensure cost efficiency.
6. **Experience with City Councils, Boards and Commissions:** Because the Firm represents only governmental entities, every lawyer in our Firm has experience dealing with City Councils and the various boards and commissions that exist within local government.
7. **Human Resources/Personnel Law:** Where the area of personnel is concerned, we are regularly called upon by the Texas Municipal League Intergovernmental Risk Pool to protect and defend municipalities and their officials in everything from employment claims resulting from EEOC investigations, to state and federal employment and civil rights claims. To round out our experience, we are proud to share that a Westlaw case search reveals over 200 appellate and federal court decisions currently available where lawyers of our Firm zealously represented local government in many of these areas.

All attorneys with DNRB&Z routinely advise cities on the hiring, discipline, termination, ADA and other employment issues involving city employees. Attorney Clarissa Rodriguez has extensive experience in revisions to personnel policy manuals and personnel training on various topics and advising on human resources issues on a daily basis. The Firm both counsels and successfully defends local governments in this practice area. The Firm combines our experience from multi-city comprehensive City Attorney and Special Project representation with our varied litigation practice and experience to provide a “best practice” approach to our clients in an effort to avoid potential liability and risk through improving internal practices and policies.

8. **Real Estate Matters/Land Use:** Various members of DNRB&Z have extensive experience with platting and zoning, including representing City Councils and Planning and Zoning Commissions, as well as Boards of Adjustment. Mr. Santee

personally represented the City of Abilene's Planning and Zoning Commission during his 18 years as an attorney for the City. Mr. Zech and Mr. Santee all have over 15 years' experience in representing Zoning Boards of Adjustment. The team also has extensive experience in negotiating sale and purchase of properties in compliance with state law.

9. **Municipal Litigation:** DNRB&Z offers litigation defense services to our city clients which has included representation in cases involving EEOC discrimination claims, whistleblower claims, personal injury and property damage, First Amendment and defamation, land use/vested rights claims, federal and state overtime pay, FMLA claims, ADEA and ADA claims, labor contract arbitrations, as well as negotiations of collective bargaining/meet and confer agreements, annexation and extra territorial jurisdiction challenges. DNRB&Z is approved litigation defense counsel for both the Texas Municipal League Intergovernmental Risk Pool and the Texas Association of Counties Risk Pool.
10. **Open Government:** Part of a City Attorney's responsibility is assisting Elected and Appointed Officials and their Boards and Commissions with agendas and postings under the Texas Open Meetings Act and the Texas Public Information Act. Our attorneys are very familiar with both Acts and deal with questions from our City Councils and their Boards and Commissions on a daily basis regarding compliance.

The Firm routinely counsels cities on issues relating to the Texas Open Meetings Act and the Texas Public Information Act. Our attorneys and staff are experienced in handling requests for public information, meeting statutory deadlines associated with those requests, and advocating before the Office of the Attorney General. The Firm has developed processes and procedures to streamline and assist clients with efficient legal compliance and responding to these requests.

11. **Ordinances and Resolutions:** All members of DNRB&Z have experience with drafting of ordinances, legislative findings, incorporation of code provisions and codification, including ordinance updates, amendments or creation of new ordinances based on City Council direction and policy decisions. The attorneys have experience in an extensive scope of topics, including but not limited to sexually oriented business ordinances, budget amendments, zoning ordinances, storm water ordinances, subdivision regulation ordinances, rental property registration and many others. Along with ordinances, the Firm is able to draft Resolutions as directed by Council or as needed for legal compliance, including any as necessary for Interlocal Agreements. The Firm also assists with setting annual tax rates through the necessary Board actions working with the Board and other governmental entities.

- 12. Training:** The Firm offers training sessions to our Elected and Appointed Officials on the laws that govern their conduct and impact city operations including conflict of interest statutes, mandatory financial disclosure, open meetings, public information, nepotism, competitive bidding, land use regulations, ethics, legislative updates, etc. These statutes apply specifically to Elected and Appointed Officials and often have civil and criminal penalties. The Firm can also provide general training for City employees and Elected and Appointed Officials on such areas as planning and zoning, personnel matters including sexual harassment, ethics, tax increment financing, economic development, procurement, and other areas affecting governmental entities. The Firm also presents legal training at the Alamo Area Council of Governments Conference for Newly Elected Officials. Additionally, the Firm holds an annual event called HogWild, which is a training seminar for municipal officials and employees, where various municipal topics are presented including annual legislation and case law updates.
- 13. Utilities:** Various attorneys in the Firm have routinely advised cities on legal issues related to municipal utilities. Mr. Santee routinely advised the City of Abilene on municipal utility issues. Lawyers in the Firm have negotiated multiple water contracts in the purchase and lease of water rights and negotiations with the deployment of the small cell ordinance regulations. In its capacity of City Attorney for the City of Schertz, the Firm plays an important role in the Schertz Seguin Local Government Corporation, which was specifically created for the purpose of water acquisition and distribution for its community. Mr. Ruiz was the general counsel of a public utility where he managed various sales of real properties and water systems. He also briefed District staff and the Board regarding legal questions and factual issues concerning the acquisition and disposition of real and personal property. Mr. Ruiz drafted, reviewed and negotiated water purchase agreements and purchase and sale agreements. Mr. Ruiz represented the Cities of Taft and Gregory along with the Seaboard WSC at the PUC and SOAH regarding a CCN amendment filed by an adjoining WSC.
- 14. Zoning and Development:** The Firm has extensive experience with all aspects of zoning and development to include PIDs, MUDs, MDD's as well as Planning and Zoning Commissions. Our attorneys are regular speakers for TML and at the UT Land Use Conference on zoning and development topics and provide training specifically in this area for public officials through the Alamo Area Council of Governments.

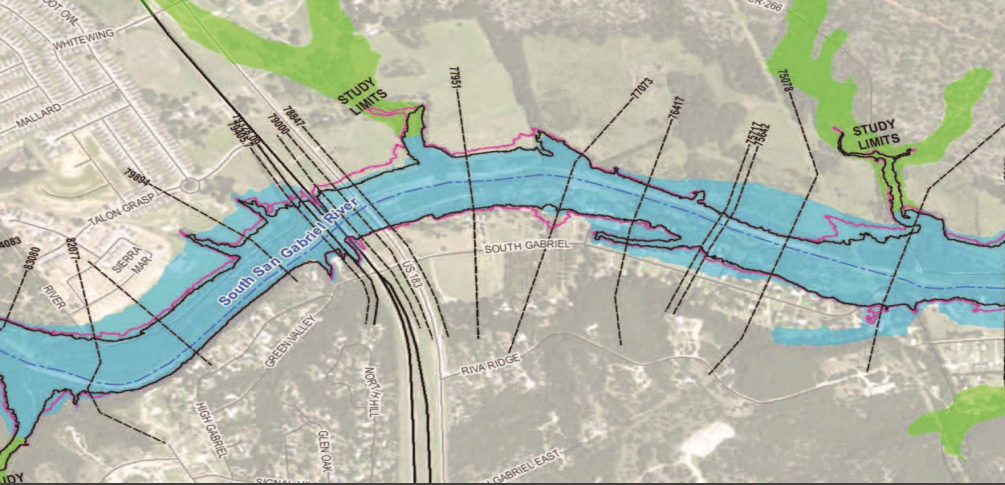
E. FEE SCHEDULE

For existing clients we will bill under the terms of our current engagement.

We bill on the tenth of an hour. Our invoices are due on receipt and are past due after thirty days.

Unless identified, all staff member support time is provided at no charge. All related travel or other expenses are always charged “at cost” with no “mark-up” and all related mileage is charged by multiplying the actual miles traveled by the then current IRS rate. Copy rates are .20 cents per page, color copies are .70 cents per page, and fax rates are .50 cents per page. We do not charge Westlaw, Lexis, or any other online research fees. All invoices shall be sent to the City Secretary for the City unless directed otherwise.

The fees proposed by Doucet & Associates are included in their submittal that follows.



Qualifications Statement



Overall Experience of the Firm

Overview

The *Doucet Difference* is demonstrated in how we communicate and coordinate with our team and public agencies to successfully permit, design, and build your project. We maintain a professional respectful relationship with each individual and entity associated with a project.

Driven by our strong management and technical leadership, The Doucet Team has designed and completed well over a hundred Capital Improvement and Public utilities projects for various Central Texas municipalities. Our firm has a proven track record in complying with project program, schedule and budget requirements as evidenced in our management of our engineering services rotation contracts and the continued selection (repeat services) of Doucet as a prime consultant.

Brief History

Doucet & Associates, Inc. (Doucet) was founded by Amy and John Doucet in 1992 with a mission to build a civil engineering and land surveying firm that creates a positive difference in the lives of our clients, employees and communities we serve. Our headquarters are located in South Austin with offices in Houston, San Antonio, North Austin (Williamson County), and Gonzales, TX. We are a registered HUB in the State of Texas, a Woman-Owned Small Business with the U.S. Small Business Administration, and SBE and WBE-certified through the SCTRCA (South-Central Texas Regional Certification Agency.)

Doucet has 80+ employees with technical leaders that are well-versed in project management, water resources, civil engineering, land planning, surveying, transportation, and GIS systems.

Professional Firm Registrations

- Texas Board of Professional Engineers Firm No. F-3937
- Texas Board of Professional Land Surveying Firm No. 10105800
- Certified HUB VID#: 1742638150900 / Exp. Date: June 1st, 2021
- SBE and WBE-Certified through SCTRCA / #219119966 / Exp. Date: 11/30/2021
- DBE and WBE-Certified through the City of Austin

Number of years of corporate experience: 28 years (since June 19, 1992)

Number of total employees: 85

HUB Certificate:

Texas Historically Underutilized Business (HUB) Certificate



Certificate/VID Number:	1742638150900
File/Vendor Number:	34729
Approval Date:	01-JUN-2017
Scheduled Expiration Date:	01-JUN-2021

The Texas Comptroller of Public Accounts (CPA), hereby certifies that

DOUCET & ASSOCIATES, INC.

has successfully met the established requirements of the State of Texas Historically Underutilized Business (HUB) Program to be recognized as a HUB. This certificate printed 19-FEB-2020, supersedes any registration and certificate previously issued by the HUB Program. If there are any changes regarding the information (i.e., business structure, ownership, day-to-day management, operational control, business location) provided in the submission of the business' application for registration/certification as a HUB, you must immediately (within 30 days of such changes) notify the HUB Program in writing. The CPA reserves the right to conduct a compliance review at any time to confirm HUB eligibility. HUB certification may be suspended or revoked upon findings of ineligibility.

Firm Software Proficiencies

ArcGIS

AutoDesk Civil 3D Bentley

Microstation Bentley

StormCAD Bentley

FlowMaster Bentley GeoPak

Carlson Survey Trimble Business Center

HEC-HMS

Civil3D

EPA SWMM

Global Mapper Context

Capture Pix4D

HEC-FDA

HEC-GeoRAS

HEC-RAS
(Steady, Unsteady, & 2D)

HEC-RTS
(Realtime Simulation) HEC-SSP

Infracore

Innovyze InfoWorks SD/RS/ICM (2D)

Leica Infinity

Leica Cyclone TopoDOT

Lument RT

Navisworks

OrbitGT

PCSWMM (2D)

Staff Experience



John Barnard, RPLS - Director of Geospatial Services

John Barnard is a leader in the geospatial sector with 25 years of experience across a variety of markets including land development, asset transaction, energy and transportation. John builds and leads teams to perform a wide range of GIS mapping, UAS data collection, boundary surveys, engineering design surveys, bathymetric surveys and construction control surveys for private and public sector clients.

John earned his Bachelor Degree in Geography from the University of Texas at Austin and completed geomatics coursework at Austin Community College where he later served on the adjunct faculty. John is currently serving the Texas Board of Professional Engineers and Land Surveyors as chairman of the Cut-off Score Exam Committee and the Texas Society of Professional Land Surveyors as Past-President.



Chris Terry, RPLS - Geospatial Division Manager, San Antonio

Chris Terry, RPLS, Geospatial Division Manager at Doucet has over 14 years of experience in the geospatial field supporting planning and infrastructure for local, regional and state public sector clients throughout the State of Texas. Chris holds a BS degree in Geographic Information Science – Geomatics.

In his role as Geospatial Division Manager, he is well versed in the applications of legal principles utilized in boundary delineation and research. Mr. Terry's experience includes the collection and evaluation of existing spatial data utilizing AutoCAD Civil 3D, ArcGIS, Bentley Microstation & Geopak, Leica Cyclone, Leica Infinity, and Trimble Business Center software.



Garrett Cavauiolo, RPLS - Geospatial Division Manager, Austin

Mr. Cavauiolo is a Registered Professional Land Surveyor and Geospatial Division Manager at Doucet. He has over 14 years of experience in providing geospatial services for public and private sector clients throughout Texas and the Northeast United States. Garrett holds a BA degree in Environmental and Physical Geography.

His extensive field and office experience with a multitude of different types of projects and geospatial software systems give him the foresight to see what is needed to successfully complete a variety of projects accurately and efficiently.



Spencer Padgett - GIS Specialist

Spencer is a GIS professional holding an M.S. in Geographic Information Systems Technology and a B.S. in Regional Development. He has over 4 years' experience as a professional GIS technician for a wide range of projects and is able to effectively acquire, analyze, edit, store, and present spatial and non-spatial data. He is experienced in Python, coordinate system and datum transformations, data conversion, attribute editing, and converting CAD data into a GIS format. He regularly creates cartographic designs and map-making products in print and electronic format for various projects.


Colin Slagle, PE, CFM - Division Manager, Water Resources

Colin Slagle has more than 22 years of experience in public works, water resources, and environmental engineering including advanced GIS applications. He has been with Doucet since 2018 and serves as the Division Manager within our Public Works/Water Resources Department. Colin also serves as the Texas Floodplain Management Association (TFMA) Director of Region 5 (Central Texas) and provides regional planning assistance to cities, counties, and special purpose districts across Texas. His expertise includes land conservation studies, floodplain mapping, large-scale flood and watershed protection planning studies, grant application support and management, feasibility studies, City/County engineering services, development review, general civil design, advanced hydrologic and hydraulic (H&H) modeling techniques, streambank stabilization, dam safety analysis and design, water quality planning, stormwater management master planning (detention systems, storm drains, pumping systems, erosion and sedimentation controls), CIP development and implementation, and flood early warning systems (FEWS). Colin is highly-proficient with ESRI ArcMap as well as many GIS-based water resource modeling and mapping software and products.


Alex Chan, PE, CFM - Project Engineer II

Alex Chan, PE, CFM has 8 years of diverse water resources work in the public and private sectors. He has been with Doucet since 2014 and serves as a Project Engineer in the Public Works/Water Resources Department. He is an experienced hydrologic and hydraulic modeler using ESRI ArcMap and GIS-based modeling software, and has designed local storm drain projects, detention basins, water quality facilities and worked on large watershed modeling and regional stormwater management programs. Alex uses ArcMap and GIS-based software in the design of storm sewer systems, water quality/detention ponds and other water quality facilities, and to perform drainage studies and runoff calculations for large and small watersheds. He also assists with due diligence for projects including floodplain and utility mapping, city code/regulations, legal documentation, and site plan permits.


Alex Balcom, EIT - Engineer Associate

Alexandra Balcom, EIT has 2 years of public works and water resources experience in the public and private sectors. She has been with Doucet since 2019 and serves as a Project Engineer in the Public Works/Water Resources Department. She is experienced in floodplain mapping and modeling using ESRI ArcMap and GIS-based modeling software, as well as other water resources, large-scale planning, and public works applications of GIS. Alexandra uses ArcMap and GIS-based software in the design of storm sewer systems, water quality/detention ponds and other water quality facilities, and to perform drainage studies and runoff calculations for large and small watersheds. She also assists with due diligence for projects including floodplain and utility mapping, city code/regulations, legal documentation, and site plan permits.


Claire Stephenson, MS - Engineer Associate

Claire Stephenson received her Master of Science Degree in Water Management & Hydrological Sciences from Texas A&M University with a Certificate in GIS in 2020. She has been with Doucet since 2019 and serves as a Project Engineer in the Public Works/Water Resources Department. She is experienced with GIS applications related to land conservation planning, floodplain modeling and mapping, water quality planning, and other public works and water resources projects. Claire is highly-proficient with ESRI ArcMap as well as many GIS-based water resource modeling and mapping software and products.



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Fax: 512.583.2601

Doucetengineers.com
TBPLS Firm No. 10105800

Schedule A

Doucet & Associates 2020 Fee Schedule (effective 3/30/2020)

<u>Personnel</u>	<u>Hourly Fee</u>	<u>Personnel</u>	<u>Hourly Fee</u>
Principal Engineer (PE)	\$250.00	Principal Surveyor (RPLS)	\$250.00
Senior Project Manager	\$230.00	Project Manager (RPLS)	\$210.00
Project Manager	\$200.00	Project Coordinator	\$140.00
Senior Project Engineer (PE)	\$185.00	Survey Specialist	\$130.00
Project Engineer III	\$170.00	Survey Technician	\$105.00
Project Engineer II	\$160.00	GIS Specialist	\$130.00
Project Engineer I	\$145.00	GIS Technician	\$100.00
Engineer Associate II	\$130.00	LiDAR Specialist	\$130.00
Engineer Associate I	\$115.00	LiDAR Technician	\$100.00
Sr. Construction Manager	\$150.00	Aerial Mapping Specialist	\$130.00
Construction Manager	\$110.00	Aerial Mapping Technician	\$100.00
Program Manager	\$110.00	Utility Specialist	\$130.00
Sr. Civil Technician	\$140.00	Utility Technician	\$100.00
Civil Technician	\$125.00	Field Coordinator	\$140.00
Assistant Civil Technician	\$115.00	Field Specialist	\$110.00
		Crew of 1	\$115.00
Senior Planner (AICP)	\$170.00	Crew of 2	\$160.00
Project Planner	\$155.00	Crew of 3	\$210.00
Staff Planner	\$115.00	Division Administrator	\$100.00
Planning Technician	\$105.00	LiDAR Scanner	\$100.00/hr
		Drone	\$600.00/hr
Sr. Operations Assistant	\$100.00	Ground Targets	\$25/ea
Operations Assistant	\$ 75.00	Concrete Monuments	\$250/ea
		ATV/Boat/Sonar	\$100/day
Expert Witness	\$525.00	Mileage	Current IRS rate

D&A reserves the right to periodically adjust our fee schedule.

Reimbursable Expenses

Direct non-salary expenses incurred and not applicable to general overhead are billed at cost plus fifteen percent (15%) for administrative and handling charges. Please note that physical backup for reimbursable expenses will not be included with invoices unless a written request to do so is submitted to D&A's accounting department.

Reimbursable Expenses include, but are not limited to, the following:

Travel and lodging, including out of town transportation by D&A's vehicles at standard rates; mail, delivery, courier and express charges; legal and accounting fees (including attorney's fees charged by D&A's attorney for review or negotiation of any certificates or similar documents requested by Client or a lender doing business with Client); in-house reproduction costs (to be charged at prevailing commercial rates); subconsultants; photographs; environmental fees; late fees caused by Client; charges incurred in stopping or resuming work in accordance with this Agreement; use or rental of special equipment or instruments and other direct non-salary expenses necessary to complete the contract.

COMMITMENT YOU EXPECT.
EXPERIENCE YOU NEED.
PEOPLE YOU TRUST.

CITY COUNCIL AGENDA
Regular Meeting: April 27, 2021

AGENDA ITEM: 18

Hear and deliberate on status of COVID-19 and response efforts.

SUBMITTED BY: City Manager Kevin Carruth

APPROVED FOR AGENDA: PKC

BACKGROUND: Staff and Council will discuss recent activities and developments in the COVID-19 pandemic.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Not an action item.