
CITY COUNCIL AGENDA

Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, July 12, 2022, at 6:30 p.m. The meeting will be held in person at the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas. **Members of the public can view the meeting via live stream at https://youtu.be/Gceijnn_Lb0**

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 before the meeting begins. 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 comments will be read and 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. 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 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.

4. Deliberate and act on approval of Regular Meeting Minutes of June 28, 2022
5. Deliberate and act on 3rd quarter report from the Rockport-Fulton Chamber of Commerce for Fiscal Year 2021-2022 marketing expenditures.
6. Deliberate and act on 3rd quarter Report from Rockport Center for the Arts for Fiscal Year 2021-2022 marketing expenditures.
7. Deliberate and act on approval of Interlocal Contract between City of Rockport and Town of Fulton for Assistance in Law Enforcement.

8. Deliberate and act on approval for Wastewater Department to purchase 304 John Deere Loader with funds from the 2022 Tax Note.
9. Deliberate and act to confirm Mayoral appointments of City Council liaisons to various boards, committees, and commissions.
10. Deliberate and act to approve Multi-Jurisdictional Interlocal Cooperation Agreement for the application and distribution of disaster-related grant funding.
11. Deliberate and act to approve the placement of a directional sign for the Fulton Mansion to be placed on Maple Street and Broadway Street.
12. Deliberate and act on Resolution authorizing the City Manager to prepare, post, and publish for sale the previous location for City Hall being Lot E/2, Block 2, Doughty and Mathis Outlots Outlot 3, also known as 622 E. Market Street.

Regular Agenda

13. Deliberate and act on second & final reading of an Ordinance amending Chapter 50 Division 4 “Flood Hazard Reduction” of the Code of Ordinances, City of Rockport, Texas, in order to be compliant with Community Rating System requirements; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.
14. Hear and deliberate on proposed amendment to Chapter 106 of the City of Rockport Code of Ordinances, to update the current Tree and Landscape Ordinance.
15. Deliberate and act to re-appoint and appoint members to various City of Rockport boards, committees, and commissions.
16. Reports from Council.

At this time, the City Council will report/update on activities in respective Wards, and all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; 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.

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:

17. 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: 1) Burnside Services, Inc., and 2) Concho Street Drainage Project.

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.

18. 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.

In accordance with the requirements of Texas Government Code Section 551.127, a member of the governing body may participate in this meeting from a remote location. A quorum of the governing body as well as the presiding officer shall be physically present at the above posted location, which shall be open to the public. Those participating remotely shall be visible and audible to the public for all open portions of the meeting. A member of a governmental body who participates in a meeting remotely as provided by law, shall be counted as present at the meeting for all purposes.

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, July 8, 2022, at 11:00 a.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, July 12, 2022

AGENDA ITEM: 4

Deliberate and act on approval of Regular Meeting Minutes of June 28, 2022.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: RNM

BACKGROUND: Please see the accompanying City Council meeting minutes.

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, June 28, 2022

Rockport Service Center, 2751 State Highway 35 Bypass

Members of the public could view the meeting via live stream. Public participation is valued and citizens wishing to express their views on any topic or agenda item could 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 before the meeting begins. Using the same form, citizens could also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The comments were read and summarized in the minutes of the meeting.

On the 28th day of June 2022, the City Council of the City of Rockport, Aransas County, Texas, convened in a Regular Meeting at 6:30 p.m., at the Training Room of the Rockport Service Center 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 Tim Jayroe
Mayor Pro-Tem Andrea Hattman, Ward 4
Council Member Danielle Hale, Ward 2
Council Member Katy Jackson, Ward 1
Council Member Brad Brundrett, Ward 3

CITY COUNCIL MEMBER(S) ABSENT

PLANNING & ZONING COMMISSION MEMBERS PRESENT

Kim Hesley
Thomas Blazek

STAFF MEMBERS PRESENT

Interim City Manager Richard Morton
Assistant to City Manager Kimberly Henry
City Secretary Teresa Valdez
City Attorney Dan Santee – *only in Executive Session via Conference Call*.
Director of Finance Katie Griffin
Parks & Leisure Services Director Rick Martinez
Director of Public Works and Building & Development Services Mike Donoho
Community Planner and Assistant Director of Building & Development Services Carey Dietrich
Information Technology Director Bob Argetsinger
Parks Maintenance Superintendent George Bennett
Communications Director Lee Brown

ELECTED OFFICIALS PRESENT

Opening Agenda

1. Call meeting to order.

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Jayroe at 6:30 p.m. on Tuesday, June 28, 2022, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

Sophia Clarkson, Cobyshane Clarkson, and Karlie Griffin led the Pledge of Allegiance to the U.S. flag.

3. Proclamation: Shirley Hughes Blackman Day.

Mayor Jayroe read a Proclamation declaring July 1, 2022, as Shirley Hughes Blackman Day in Rockport, Texas. Mayor Jayroe presented the Proclamation to Ms. Blackman.

4. Proclamation: Parks and Recreation Month – July 2022.

Mayor Jayroe read a Proclamation declaring July as Parks and Recreation Month in Rockport, Texas. Mayor Jayroe presented the Proclamation to Parks and Leisure Services Director Rick Martinez.

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 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.

Colleen McTernan, 401 Broadway, Fulton, Texas, addressed the Council and stated she was representing the Women's Club of Aransas County as their President. Ms. McTernan said women from Aransas County meet and pay a fee to play games and then the Women's Club gives scholarships. Ms. McTernan expressed frustration over the weekly water issues they have been experiencing at the Women's Club.

Interim City Manager Richard Morton provided Ms. McTernan with his business card and stated he would be glad to discuss this with her.

Mayor Jayroe stated he was moving ahead to Agenda Item 15.

15. Deliberate and act on a Resolution approving continuation of the Aransas County Alliance Local Government Corporation.

Michael Meek, Interim President of the Aransas County Partnership Economic Development Corporation, addressed the Council. Mr. Meek requested Council postpone action on this item because the requested amendments were prepared but they have not been taken to the Aransas County Alliance Local Government Corporation Board for approval.

Mayor Rios suggested the Council postpone this until the Aransas County Alliance Local Government Corporation Board has considered the amendments.

MOTION: Mayor Pro-Tem Hattman moved to postpone consideration of a Resolution approving continuation of the Aransas County Alliance Local Government Corporation, until the Aransas County Alliance Local Government Corporation Board has reviewed the proposed amendments and made a recommendation to Council. Council Member Brundrett seconded the motion. Motion carried unanimously.

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 June 14, 2022, Special Mobile Closed Session Meeting Minutes of June 20, 2022, Special Town Hall Meeting Minutes of June 20, 2022, and Special Meeting Minutes of June 21, 2022.**
- 7. Deliberate and act on a Resolution of the City of Rockport, Texas, authorizing the Rockport Police Department to apply for and operate a Motor Vehicle Crime Prevention Authority Auxiliary Grant Program (MAG) administered by the Texas Department of Motor Vehicle for Fiscal Year 2022, and authorizing the Mayor to act as the authorized official and authorized representative in all matters pertaining to the participation in this grant program.**
- 8. Deliberate and act on approval of First Amendment to the Lease and Improvement Agreement between the City of Rockport and the Rockport Art Association Incorporated.**

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

MOTION: Council Member Jackson moved to approve the Consent Agenda Items, as presented. Council Member Brundrett seconded the motion. Motion carried unanimously.

Public Hearing

- 9. Call to Order – Rockport Planning & Zoning Commission.**

There was not a quorum of the members present, so the meeting of the Rockport Planning & Zoning Commission was not called to order.

- 10. Conduct a Joint Public Hearing with the Planning & Zoning Commission to consider a request to rezone property located at 2922 FM 1781; also known as Spanish Woods Estates #5, Lot 3b, being 1.148 acres, City of Rockport, Aransas County, Texas, to B-1 (General Business District); currently zoned R-1 (1st Single Family Dwelling District).**

A Joint Public Hearing was not conducted.

11. Adjourn – Rockport Planning & Zoning Commission.

The meeting was not called to order so there was no adjournment.

Regular Agenda

12. Deliberate and act on presentation and acceptance of Comprehensive Annual Financial Report for the City of Rockport for Fiscal Year 2020-2021.

Andrew P. Hall, Certified Public Accountant with Park Fowler & Company, addressed the Council and presented the Comprehensive Annual Financial Report for the City of Rockport Fiscal Year 2020-2021. Mr. Hall called the Council's attention to page 84 of the Agenda packet and stated this is the opinion letter and the firm has issued an unmodified opinion. Mr. Hall said the remainder of the report list the detail of the Report. Mr. Hall then called the Council's attention to pages 205-207 of the Agenda packet and explained to Council this is a report necessary if the City receives federal and state financial assistance that exceeds \$150,000; this was primarily driven by FEMA funds received. Mr. Hall said they also issued an unmodified opinion on this. Mr. Hall added findings from the previous year's report had been corrected and it will take two more years before that is removed from the report. Mr. Hall expressed they did not encounter any difficulties in performing the audit; the majority of the adjustments were recommendations of the Finance Department and were entered properly. Mr. Hall concluded by stating a "clean opinion" had been issued.

MOTION: Council Member Jackson moved to accept the Comprehensive Annual Financial Report for the City of Rockport for Fiscal Year 2020-2021. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

13. Hear and deliberate on presentation by Workforce Development Center.

John Jackson, 302 Olympic Drive, addressed the Council and stated an update on the Workforce Development Center was going to be given tonight. Mr. Jackson said a grant was received from the Economic Development Administration to help stimulate the economy after Hurricane Harvey and a Memorandum of Understanding with Del Mar College was executed. Mr. Jackson stated the total cost for the building was \$2.1 million and Aransas County received a \$1 million grant and also matching funds. Mr. Jackson explained the project is a true public/private partnership and the estimated cost in August 2020 was significantly lower than today's estimated cost and they are going to try and raise additional funds or scale down the project. Mr. Jackson added Del Mar is planning to start classes this Summer in another location.

John Strothman with Aransas County addressed the Council and stated the end date for this project is February 9, 2026. Mr. Strothman said the local match amounts are: \$332,883 cash and \$106,548 in-kind. Mr. Strothman stated for the last six months Aransas County has been working to develop plan specifications and budget. Mr. Strothman informed the Council there are five in-kind donors: Del Mar College, Turner Ramirez Architects, City of Rockport, Aransas County Independent School District, and Aransas County. Mr. Strothman said work lists have been developed and they are creating a list of products to get donations. Mr. Strothman stated the Economic Development Administration has to review the plans, specifications and budget,

the City issues building permits and then the project goes out to bid and the plan is to open mid-2023.

Lenora Keas, Executive Vice President and Chief Operating Officer with Del Mar College addressed the Council and gave a PowerPoint presentation (below) on the Aransas County Workforce Development Center.



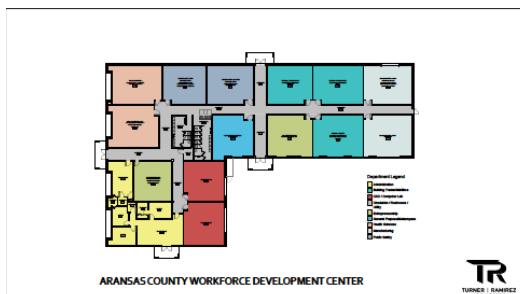
Programs/Areas of Study

Building Trades	Public Safety	Light Industrial / Manufacturing	Health Sciences
Construction Skills Credentials	Computer Science	Drafting and Design	Maritime
	Professional Enrichment	Small Business Entrepreneurship	

Texas Workforce Solutions Top Targeted Occupations 2019-2021

Business	Health Care	Professional Skills & Trades	Public Service
1. Accounts & Auditors 2. Architectural & Civil Drafters 3. Bookkeeping, Accounting & Auditing Clerks 4. Computer User Support Specialists 5. Executive Secretaries & Executive Administrative Assistants	1. Clinical Laboratory Technicians & Technicians 2. Emergency Medical Technicians & Paramedics 3. Licensed Practical & LVNs 4. Medical Assistants 5. Medical Dosimetrists, Medical Records Specialists & Health Technologists	1. Aircraft Mechanics & Service Technicians 2. Automotive Body & Related Repairs 3. Automotive Service Technicians and Mechanics 4. Bus & Truck Mechanics and Diesel Engine Specialists 5. Captains, Mates, & Pilots of Water Vessels	1. Correctional Officers & Jailers 2. Elementary School Teachers 3. Firefighters 4. Middle School Teachers 5. Police & Sheriff's Patrol Officers

https://www.workforcesolutions.org/sites/default/files/2019/07/TWS_Top_2019-2021_TargetedOccupations.pdf



Impact of Inflation Construction and Budget

- Increased cost of materials due to inflation
- Over budget – to be determined
- Actively seeking private and public funds
- Estimated date to open: Summer 2023
- Final plans and specifications complete

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Accreditation

SACSCOC is the body for the accreditation of degree-granting higher education institutions in Southern states. An institution must comply with the standards contained in the Principles of Accreditation: Foundations for Quality Enhancement and with policies and procedures of the Commission.

- Del Mar College to submit request for Off-Campus Site Substantive Change (Sub-C) Requirements by July 1, 2022 (changes to be implemented January 1 through June 30 of subsequent year).
- Compliance includes limited review of substantive change – expansion of programs at Aransas County Workforce Development Center.
- Endorses credit courses taught onsite, transferability and student eligibility for financial aid assistance.



Mayor Jayroe thanked Ms. Keas for the presentation and thanked Del Mar College for staying with us during this long-haul. Mayor Jayroe expressed this will be a blessing godsend for young people trying to stay in the community and raise their families here.

MOTION: Council Member Brundrett moved to accept the presentation. Council Member Jackson seconded the motion. Motion carried unanimously.

14. Deliberate and act on first reading of an Ordinance amending Chapter 50 Division 4 “Flood Hazard Reduction” of the Code of Ordinances, City of Rockport, Texas, in order to be compliant with Community Rating System requirements; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.

Community Planner and Assistant Director of Building & Development Services Carey Dietrich said these are simple revisions to meet required requirements by FEMA to stay in compliance with the Community Rating System.

MOTION: Mayor Pro-Tem Hattman moved to approve the first reading of an Ordinance amending Chapter 50 Division 4 “Flood Hazard Reduction” of the Code of Ordinances, City of Rockport, Texas, in order to be compliant with Community Rating System requirements; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date. Council Member Hale seconded the motion. Motion carried unanimously.

16. Hear and deliberate on proposal to revise or amend Rockport Code of Ordinances Chapter 98, Article VI “Golf Carts, Neighborhood Electric Vehicles”.

Chief of Police Greg Stevens addressed the Council and stated the Police Department is proposing the amendments to the “Golf Carts, Neighborhood Electric Vehicles” Ordinance. Chief Stevens said State law allows golf carts and neighborhood electric vehicles and the City’s Ordinance allows these vehicles to be operated within the City limits beyond golf courses and master planned communities. Chief Stevens explained the City Ordinance also requires such vehicles to be inspected by the Police Department and then permitted. Chief Stevens expressed this inspection and permitting process had become burdensome and he is proposing the City outsource this, much like auto inspections; rather than picking anyone to do that, we would have a list of those who can do those inspections and he is proposing splitting some of this fee. Chief Stevens said the second aspect is whether the City wants to allow “off highway vehicles” (OHVs); these vehicles have grown in popularity throughout the State, especially in Rockport and several of our citizens have begun operating them throughout town. Chief Stevens

expressed he believes it prudent for the City Council to adopt an Ordinance either allowing or prohibiting the operation of OHVs in accordance with State law in the same manner the City has under Chapter 98 with golf carts and neighborhood electric vehicles and to require them to be likewise inspected. Chief Stevens stated his recommendation is to allow the OHVs.

Brief discussion was held among Council and Chief Stevens regarding the number of permits issued each year.

Mayor Jayroe said he had received on Citizen Participation Form on this Agenda item and Mayor Jayroe read the comments:

John Berlet, 1315 South Church Street – he will be opening a electric bike, golf car and scooter business as part of the Blue Zone Resort development on South Church (Loop 70) and he would like to discuss: the current ordinance that requires the carts be off the roads by dusk; establishing a local charging station near Downtown & near Fulton; according to Captain Garcia with the Rockport Police Department he is not aware of significant golf cart accidents; according to his conversation with City employee at Fulton they do not enforce after dark driving; and cities of Port Aransas, Galveston & Bolivar allow after dark driving.

Council Member Jackson stated she already sees golf carts that are not inspected, and now we are going to allow other things on the streets that we are not enforcing already, why?

Chief Stevens said the only thing added would be the OHVs and they need to do a better job of policing, but they get tied up doing other things. Chief Stevens stated they are trying to streamline things to be out and address other issues; patrol and enforce.

Council Member Jackson stated she supported the idea of outsourcing the inspections.

Chief Stevens stated if the Ordinance amendment is adopted the Police Department would do a large public relations campaign, especially with OHVs – grace periods and then warnings.

17. Reports from Council.

At this time, the City Council will report/update on activities in respective Wards, and all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; 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.

Council Member Hale said she met with Communication Director Lee Brown and the Communication Board, and she thanked Ms. Brown for the invite. Council Member Hale said there has been positive progress and she looks forward to that. Council Member Hale stated she is working with the Spanish Woods Subdivision regarding the Joint Public Hearing that was to be held tonight and they are working through the legalities and it is always a good idea to look at how they do business.

Council Member Brundrett stated Memorial Park hosted the Little League All Stars and he thanked the Parks Department for all the maintenance at keeping the Park looking beautiful. Council Member Brundrett said he has received a lot of positive comments about the Park.

Mayor Pro-Tem Hattman said the drainage project in the Rockport County Club will go out for bid in July and hope to have this in front of Council in August. Mayor Pro-Tem Hattman wished everyone a happy Fourth of July and reminded everyone to be safe.

Mayor Jayroe stated he will be addressing the citizens in the Rockport Country Club on August 9th. Mayor Jayroe said it has been a busy week. Mayor Jayroe expressed he learned a lot at the Parliamentary Procedure training conducted on June 21, 2022.

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:

- 13. Section 551.074 Personnel Matters – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager position.**
- 14. 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: 1) Burnside Services, Inc., and 2) Concho Street Drainage Project.**
- 20. Section 551.072 Deliberations about Real Property – to deliberate the purchase, exchange, lease, or value of real property: Natural Gas System.**

At 7:39 p.m., Mayor Jayroe convened the Rockport City Council into an executive session pursuant to Government Code Sections 551.074 Personnel Matters to deliberate the to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: Review of City Manager applications; 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: 1) Burnside Services, Inc., and 2) Concho Street Drainage Project; and Section 551.072 Deliberations about Real Property – to deliberate the purchase, exchange, lease, or value of real property: Natural Gas System.

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.

At 9:13 p.m., Mayor Jayroe reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

MOTION: Council Member Jackson moved to appoint Vanessa Shrauner as the next City Manager with the beginning employment date of August 1, 2022. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

15. Adjournment.

At 9:13 p.m., Council Member Jackson moved to adjourn. Motion was seconded by Mayor Pro-Tem Hattman. Motion carried unanimously.

APPROVED:

Tim Jayroe, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, July 12, 2022

AGENDA ITEM: 5

Deliberate and act on 3rd quarter report from the Rockport-Fulton Chamber of Commerce for Fiscal Year 2021-2022 marketing expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: RNM

BACKGROUND: The Rockport-Fulton Chamber of Commerce has been allocated \$360,000.00 in Fiscal Year 2021-2022 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 3rd quarter HOT expenditure report for additional information.

FISCAL ANALYSIS: Charged to account 6602001. Year to date expenses are \$270,539.62 out of \$360,000.00 budgeted.

STAFF RECOMMENDATION: Staff recommends approval of the Rockport-Fulton Chamber of Commerce Fiscal Year 2021-2022 Hotel Occupancy Tax funds 3rd quarter expenditures and authorization to disburse 4th Quarter funds in the amount of \$90,000.00, as presented.

Rockport-Fulton Area Chamber of Commerce, Inc
 Rockport Hotel Tax Account
 October 1, 2021 through
 September 30, 2022

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT 2021-2022						
Description of Expense	Approved Budget	1st Quarter Expenses	2nd Quarter Expenses	3rd Quarter Expenses	4th Quarter Expenses	Total
Accounting Fees	1,150.00	-	2,250.00	-	-	2,250.00
Advertising and promotion	273,299.76	32,824.00	108,512.54	82,664.55	-	224,001.09
Bank & Card Fees	324.00	95.22	95.67	96.12	-	287.01
Conference Fees	3,275.00	700.00	2,070.00	1,170.00	-	3,940.00
Contract Services	3,333.24	-	-	-	-	-
Event funding assistance	-	-	-	-	-	-
Dues and Subscriptions	1,875.00	720.00	419.00	1,130.00	-	2,269.00
Equipment Lease & Maintenance	-	-	-	-	-	-
Food, beverages and meals	3,165.00	280.11	813.79	748.98	-	1,842.88
Maintenance and repairs	-	-	-	-	-	-
Mileage and travel	3,253.00	597.96	2,155.19	-	-	2,753.15
Postage and freight	1,365.00	-	25.04	23.56	-	48.60
Printing and publication	5,735.00	900.00	-	-	-	900.00
Prizes, gifts and awards	400.00	-	-	-	-	-
Rentals and fees	500.00	-	-	-	-	-
Supplies	225.00	47.89	-	-	-	47.89
Tax and License	-	-	-	-	-	-
Telephone	900.00	-	-	-	-	-
Telephone Internet Service	-	-	-	-	-	-
Utilities	-	-	-	-	-	-
Web site maintenance	6,000.00	-	-	-	-	-
Administrative services reimbursement	55,200.00	13,800.00	13,800.00	4,600.00	-	32,200.00
Inter Fund Support	-	-	-	-	-	-
TOTAL REQUESTED						
	360,000.00	49,965.18	130,141.23	90,433.21	-	270,539.62

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	32,200.00	58.33%
Totals	55,200.00	32,200.00	58.33%



**Quarterly Report on the Use of HOT Funds
2nd Quarter - April thru June 2022**

Straight from the bay right to your plate.

Enjoy the best our waters have to offer.
Discover fresh seafood all prepared in the distinct culinary style of our local chefs.



FIND YOURSELF IN
ROCKPORT
GO NOW **FULTON**

ROCKPORT-FULTON

Rockport-Fulton is a year-round Gulf Coast getaway with an impressive array of attractions and fun-filled events. You'll find long sandy beaches and anglers casting a line from boats and piers, catching everything from flounder and redfish to speckled trout. Voted Top 5 in the nation for "Best Coastal Small Town" by readers of USA Today, the area has received many accolades. Among them, Rockport Beach was also voted #1 in Texas, and Aransas Wildlife Refuge was voted the #1 Refuge for Birding in the country.

Nature, history, art, and outdoor fun come together here, drawing in visitors of all ages and interests. Recently named a designated Cultural Arts District, Rockport is home to an art center, streets lined with art galleries and exceptional shops, fascinating historic sites, Texas' first Blue Wave Beach, the official Maritime Museum of Texas, Fulton Mansion, and many other attractions. Fulton is alive with nightlife and seafood restaurants along the beach road. Aransas Pathways offers adventures in hiking, biking, kayaking, and history.

The area is abundant with protected natural landscapes and wildlife. Endangered whooping cranes migrate here every winter. More than 400 other bird species also stop at the Aransas Wildlife Refuge and Goose Island State Park—home to The Big Tree. Coastal fun, exciting explorations, and endless attractions await. Find Yourself in Rockport-Fulton soon!

Rockport-Fulton.org
361-729-6445

Thank you for subletting space in your inbox for occasional sponsored messages like this which we always mark "Sponsored content." You'll get some great offers, and the San Antonio Report gets to keep the lights on.



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FULTON

The Best Spots for RV Campers in the U.S.

These 30 RV getaway spots are ranked based on cost, amenities, internet speed, pet policies, air quality, and more. It's time to plan your road trip.

SAMANDA DORGER • JUN 16, 2022 7:00 AM EDT

13

USA TODAY NAMES
ROCKPORT AMONG BEST SMALL
COASTAL TOWNS, AGAIN!



NEWS

Gulf Coast city named No. 7 most affordable US beach town

Robin Bradshaw, Texas Digital Reporter

June 14, 2022

f



Sam Champion
mentioned Rockport
Beach on GMA

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- **Specific factors probed in the research include:**
 - When you think of leisure travel destinations or locations you might like to go to for a travel getaway or a family vacation, that is, destinations within a 3-hour drive of San Antonio, where would you think or choose to go? (Unaided)
 - Incidence of actually traveling to Corpus Christi, South Padre Island, Port Aransas, North Padre Island, Mustang Island and Rockport-Fulton in the recent past (Aided)
 - Image of Rockport-Fulton as a Texas coastal travel and tourism destination (Open-ended)
 - Which of the following applies to you relative to your travel planning for Summer/Fall of 2021 (Drive, fly, distance, stay home, predisposed to visit the Texas Coast)
 - Likelihood to visit Rockport – Fulton in the near future

KEY FINDINGS 2022

SAN ANTONIO CONSUMERS

20

- San Antonio consumers were asked to type in which leisure travel destinations or location they might want to travel to for a getaway or family vacation within a 3-hour drive of San Antonio: (Unaided)
 - Beach destinations continue to dominate and increase overall
 - Rockport – Fulton has seen steady increases over the past 3 years from 3% to 8%
 - References to the Hill Country is now up to 17% from the low teens
 - Corpus Christi increased to 25%, Austin to 16%, Port A to 12%, Lakes/State Parks increased to 11%
 - For the first time, consumers mentioned a generic reference to traveling for family fun (3%) and another 3% referenced going to a casino
- Consumers were presented with a list of coastal places and asked to indicate which they have traveled to in the past year: (Aided)
 - Rockport-Fulton: Visitation had achieved 19% penetration from San Antonio pre-storm. In 2019, the incidence rate was less than half that (9%) and subsequently has steadily increased, now at 15%
 - Corpus Christi: Half had visited pre-storm. In 2019, the incidence dropped to 33%. The incidence rate then increased to the low 40s and has remained there since
 - Port Aransas: Visitation to Port A had dropped from 35% pre-Harvey to 17% in 2019 wave, and has now increased back to nearly 30%
 - North Padre: About 14% claim to have traveled to North Padre pre-Harvey. The 2019 measurement showed a 5% incidence. The incidence has since ranged from 9% to 13%
 - Mustang Island: The incidence rate of having visited Mustang Island pre-Harvey was 20%. In the March 2019 wave, 8% had returned. The percentage since then has ranged from 11% to 15%
 - South Padre: Pre-Harvey, 31% of the SA market reported visiting South Padre. In March 2019, the incidence was 12%. The percentage has now increased back up to 27%
- Likelihood to travel to Rockport – Fulton in the near future has increased with 65% predisposed to visit vs. 59% last year. Specifically, almost three in ten are "very likely" to visit (vs. 26% last wave) and nearly four in ten "somewhat likely," versus 33% last wave

KEY FINDINGS 2022

SAN ANTONIO CONSUMERS

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- Consumers were asked to provide a description of their image of Rockport-Fulton as a Texas coastal travel and tourism destination. Generally positive responses were provided:
 - Good/Nice/Like/beautiful/picturesque (38%) overall with specific references to fishing (15%), beach (7%), family destination (7%), good seafood (6%), would like to go (6%), saw ad (5%)
 - Other Rockport – Fulton amenities and activities appear to be getting traction as well (festivals, birding, history/culture/museum, pier, bike path, live music, shopping) (1-3% each)
- Consumers provided a few negative responses as well (2%-3% each):
 - Boring – not much to do
 - Appeals to an older demographic
 - Dirty – trash – seaweed
 - Still rebuilding from hurricane
 - Crowded
 - Need better hotels
 - No waves
 - Prefer Port Aransas
 - Hot/Humid
 - Expensive
- The vast majority of San Antonio consumers plan to drive vs. fly/and stay closer to home in 2022 (66%):
 - About one in five (20%) plan to engage in a "staycation" and enjoy Fiesta Texas, SeaWorld, Riverwalk, and other San Antonio activities
 - As well, 25% plan to fly to a destination

Highlights of April, May and June

- **Spring Fling Media Event** - Texas Outdoor Writers Association
- **Target SA Survey Results** – SA steady increase to 8%
- **Find Yourself in Rockport-Fulton Foodie Trail** - 200 Downloads, YouTube Videos tracking well
- **May Tourism Luncheon with THLA's Scott Joslove**
- **GeoTour** - Now up to 663 favorites, tracking well
- **State Co-op Advertising** - Provided at no cost with an EDA grant
- **Marketing and Promotion** - Press releases, working with media to present happenings, and updates on the website.
- **Local meetings** - Local Attractions, Aransas Pathways, GeoTour, Venue Committee, Hotel & Lodging Council, Tourism Development Council





The Spring Fling Outdoor Writers Event held each April continues to yield very good articles featuring the Rockport-Fulton area in the news. This year, the media was interested in the traveling Spanish explorer. They fished and visited local attractions and Aransas Pathways sites. |



Pictured, l to r, Craig Griffin, Mayor Rios, Judge Mills, Sandy Jumper, Sam Lalamia, Mayor Cole, and the Meinhausen girls.



Billboards - 8 locations – 1 in SA, 1 in Austin, 1 in CC, 2 in Houston, 1 in Victoria, 1 in Waco, and 1 in Dallas

Print publications – Tex Monthly, Tex Highways, Tex Parks and Wildlife Deadlines are soon here as well.

Digital Media - Heavy Geotargeting areas. All receiving good solid responses.

Evaluation Metrics - Venue Tax

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Venue Tax	Harvey			COVID			Freeze/Flood	
	2015	2016	2017	2018	2019	2020	2021	2022
Jan	19,291.73	20,517.67	18,584.84	9,395.80	10,710.93	18,226.59	20,530.64	29,730.03
Feb	17,056.41	14,862.15	24,111.58	10,989.07	13,688.02	18,303.80	17,201.09	21,590.45
Mar	18,700.25	24,882.69	27,014.94	8,451.52	12,868.93	24,719.74	24,449.32	31,866.47
Apr	34,822.25	39,051.27	45,019.00	25,783.43	27,787.11	28,441.38	64,972.23	68,525.18
May	34,601.22	29,974.18	38,150.41	26,644.19	24,441.83	11,144.83	57,099.84	52,128.77
Jun	39,416.11	43,457.29	39,913.39	19,039.65	34,679.91	45,371.58	77,307.65	
Jul	71,101.27	69,323.92	71,707.64	38,911.54	60,122.74	81,591.75	113,895.00	
Aug	84,116.81	85,220.95	78,603.01	39,534.97	68,230.56	70,289.34	124,772.65	
Sep	60,881.23	44,607.36	23,628.37	30,495.66	41,781.19	74,972.18	79,486.08	
Oct	43,508.17	36,064.77	20,693.21	26,648.66	37,427.96	59,465.74	58,742.23	
Nov	27,465.03	33,854.16	7,101.65	20,180.66	35,157.38	43,802.50	51,263.18	
Dec	35,447.43	18,324.24	8,213.95	16,259.99	22,852.30	30,883.40	37,265.56	
Total	486,407.91	460,140.65	402,741.99	272,335.14	389,748.86	507,212.83	726,985.47	203,840.90
						219,772.64	19,587.78	
						43.32%up	10.63%up	
* Cash basis accounting								
* Enforcement (rentals) added January 2018								
* Pent Up Demand began March 2020 due to COVID								

Visitor Sign-In Log at Rockport-Fulton Visitor Center	Jan-22	Feb-22	Mar-22	1st QT	Apr-22	May-22	Jun-22
Visitor Data Distribution							
Outside of 70 Miles*	94.97%	96.06%	82.83%	91.29%	89.59%	77.52%	
Local**	5.03%	3.94%	17.17%	8.71%	10.41%	22.48%	
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	0.00%
*Highlights of Tourism > 70+ miles and major metropolitan areas in TX							
Austin	2.40%	2.95%	3.88%	3.08%	9.90%	4.65%	
Dallas / Ft. Worth	0.24%	2.55%	3.88%	2.22%	6.25%	5.81%	
Houston	3.12%	2.36%	3.88%	3.12%	4.69%	6.98%	
San Antonio	1.92%	4.32%	4.71%	3.65%	4.17%	13.57%	
Total major metro areas (AUS, DFW, HOU, SAT)	7.68%	12.18%	16.35%	12.07%	25.01%	31.01%	
Tourism from outside of Texas	79.14%	77.00%	51.52%	69.22%	50.00%	18.22%	
Rural tourism beyond 70 miles	8.15%	6.88%	14.96%	10.00%	14.58%	28.29%	
Total tourism from beyond 70 miles	94.97%	96.06%	82.83%	91.29%	89.59%	77.52%	0.00%
** Local Visitors < 70 miles							
Rockport and Fulton	2.39%	1.38%	13.85%	5.87%	8.33%	19.77%	
Corpus Christi	1.92%	0.79%	1.66%	1.46%	1.04%	1.15%	
Victoria	0.00%	0.00%	0.00%	0.00%	0.00%	0.78%	
Rural Areas	0.72%	1.77%	1.66%	1.38%	1.04%	0.78%	
Total	5.03%	3.94%	17.17%	8.71%	10.41%	22.48%	0.00%

Notes regarding Foreign Visitors:

In 2022, we had visitors from: Canada, Germany, Philippines.

1st quarter 26

91.29% visitors from outside 70 miles

69.22% of visitors from outside Texas

Most visitors from San Antonio at 3.65% then Houston, followed by Austin.

Visitor Center Numbers: April 312, May 436, June 371+ = Total 1,119 Visitors

July-August-September Upcoming Highlights ...

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- **GeoTour – 1st Anniversary July 9**
- **Our Journey Exhibit - Opening Aug. 25 at 10 a.m.**
- **HummerBird Celebration - Sept. 15-18**
- **Seafair Weekend - Oct. 7-9**





EDA grant was²⁸ available for destinations to apply for.

Matched with co-op advertising with the state of Texas.

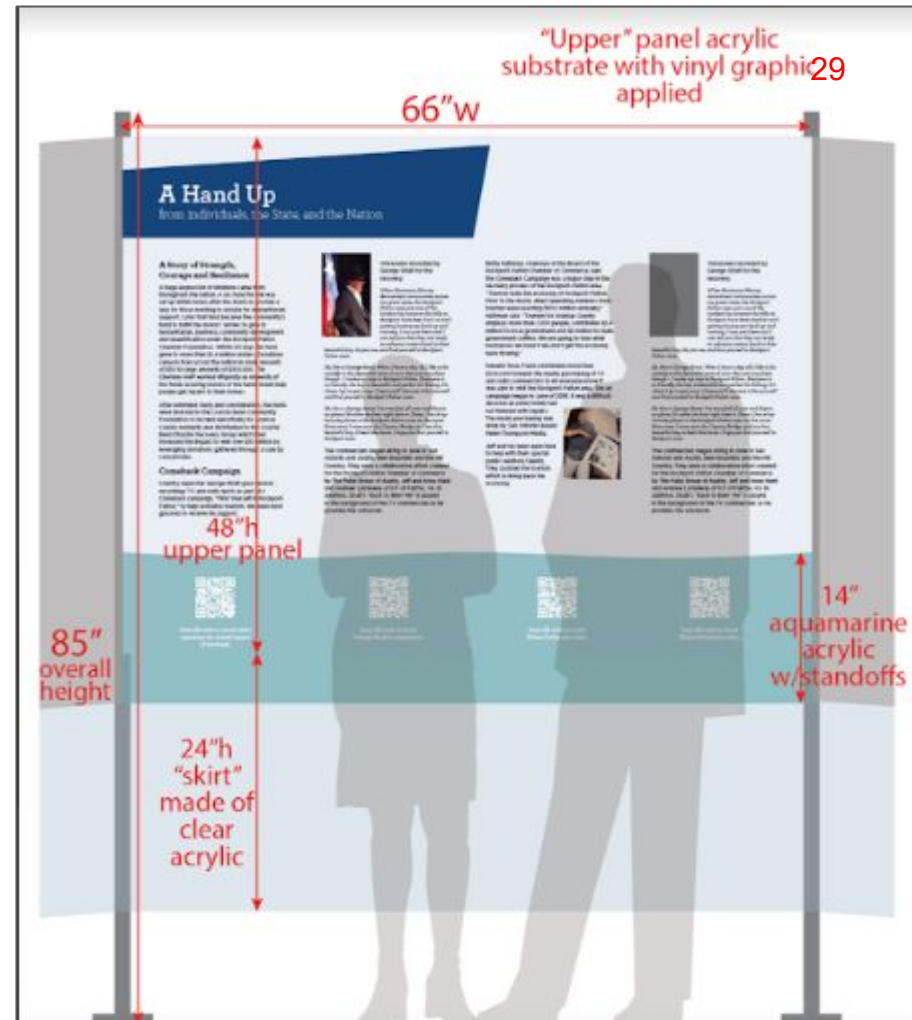
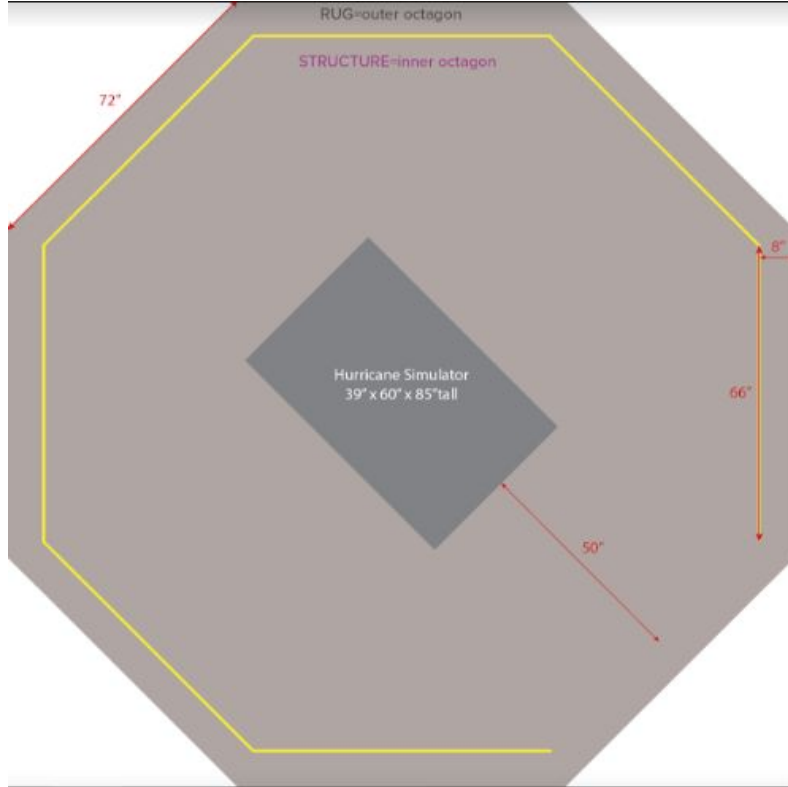
We received several promotions. Will be working with the state to supply materials.

Received offerings at no cost.



Our Journey Exhibit....

Thursday, Aug. 25 at 10 a.m.



Print Creative



FIND YOURSELF IN
ROCKPORT FULTON

Digital Creative

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FIND YOURSELF IN
ROCKPORT
FULTON

Outdoor

32



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



CITY COUNCIL AGENDA
Regular Meeting: Tuesday, July 12, 2022

AGENDA ITEM: 6

Deliberate and act on 3rd quarter Report from Rockport Center for the Arts for Fiscal Year 2021-2022 marketing expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: RNM

BACKGROUND: The Rockport Center for the Arts has been allocated \$250,000 in Fiscal Year 2021-2022 Hotel Occupancy Tax (HOT) funds. According to our agreement with Rockport Center for the Arts, fiscal quarterly reports are required to be submitted to the City Council for approval. See the accompanying 3rd quarter HOT Expenditure Report for additional information.

FISCAL ANALYSIS: Charged to account 6602040. The budgeted amount is \$250,000 and year to date expenses are \$182,886.37.

RECOMMENDATION: Staff recommends Council approve the Rockport Center for the Arts Fiscal Year 2021-2022 Hotel Occupancy Tax funds 3rd quarter expenditures and authorization to disburse 4th quarter funds in the amount of \$62,500.00, as presented.



ROCKPORT
CENTER
FOR THE ARTS

THE
ROCC
ROCKPORT
CONFERENCE
CENTER



Hotel Occupancy Tax Grant Report for the City of Rockport
April to June 2022

City of Rockport Hotel Occupancy Tax Report

FY2022 Detail of Marketing Expenditures per Quarter

Approved HOT Expense Category	Approved Budget Amount per HOT Category	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Total	Variance
		Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Expenditures	by Expense
		2021	2022	2022	2022	by Line Item	Cstegory
A. Promotion of the Arts:							
Advertising	\$ 37,000.00	\$ 622.50	\$ 1,142.50	\$ 13,451.89		\$ 15,216.89	\$ 21,783.11
Art Fair	\$ 10,000.00	\$ -	\$ 11,653.87	\$ 153.00		\$ 11,806.87	\$ (1,806.87)
Art Loop	\$ 4,000.00	\$ -	\$ 4,000.00	\$ -		\$ 4,000.00	\$ -
Art Festival	\$ 30,000.00	\$ -	\$ 1,100.00	\$ 18,967.41		\$ 20,067.41	\$ 9,932.59
Exhibitions	\$ 30,000.00	\$ 12,712.33	\$ 4,500.69	\$ 7,672.60		\$ 24,885.62	\$ 5,114.38
Film Festival	\$ 4,000.00	\$ 3,110.00	\$ 307.50	\$ 275.00		\$ 3,692.50	\$ 307.50
Sculpture Garden	\$ 7,000.00	\$ -	\$ 6,489.60	\$ 1,090.00		\$ 7,579.60	\$ (579.60)
Workshops & Classes	\$ 14,000.00	\$ 6,338.09	\$ 3,970.11	\$ 1,512.61		\$ 11,820.81	\$ 2,179.19
A. Promotion of the Arts Sub Total	\$136,000.00	\$ 22,782.92	\$ 33,164.27	\$ 43,122.51		\$ 99,069.70	
B. Promotion of Convention Tourism:	\$114,000.00	\$ -	\$ 14,543.72	\$ 69,272.95		\$ 83,816.67	\$ 30,183.33
A. + B. Total Funds Used		\$ 22,782.92	\$ 47,707.99	\$ 112,395.46		\$ 182,886.37	
Total Requested / Approved	\$ 250,000.00	\$ 62,500.00	\$ 62,500.00	\$ 62,500.00		\$ 187,500.00	
Quarterly Variance		\$ 39,717.08	\$ 14,792.01	\$ (49,895.46)			

Compelling Visual Arts Programming



thoughtfully handcrafted

April 8 - May 8 | Reception April 9, 5-7PM

Work by Splinter Group of Austin, TX

Alex Lohn

Alessandro Maria

Shota Yamaguchi | SYD Furniture

James Felton Graham | J Felton Design

Adam Owens

Adam Tablemaker

Bruce Koach

Brian Shimansky | Shimansky Design

Rhodes Hinman

Phillip Hernandez | Domi Goods

Mark Macek

Michael Maximo

Mathew Hedgpath Smith | Hedgpath Works

Ivan Walker



REFINEMENT

WORK BY ERIN CUNNINGHAM

April 8 - May 8 | Reception April 9, 5-7PM

Erin Cunningham utilizes material combinations, such as cast metals, and the female figure to explore dualities of masculine and feminine, disposable and precious, fragility and strength.



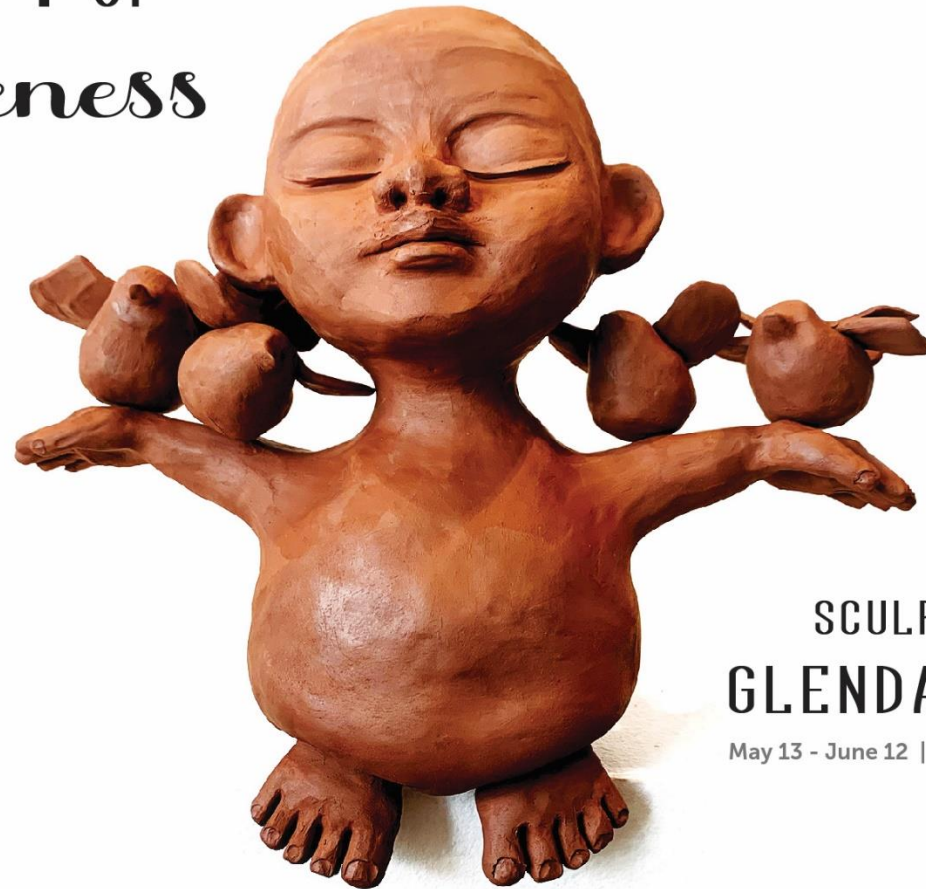


don hazlitt
Kress works 2021-2022

May 13 - June 12



BEAUTY OF *Gentleness*



SCULPTURES BY
GLEND A PIVARAL

May 13 - June 12 | Rockport Center for the Arts



June - July 2022

THE ROCKPORT ART FESTIVAL POSTER ARTIST TRADITION, STARTED IN 1993,
IT TURNS 30 ON JUNE 18, 2022.

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Public Art Program

Public Art Program and Austin Street Beautification: Installed May 4, 2022
Beach Day, A Bronze Sculpture by Colorado Sculptor Kathy Wardle



Convention Tourism: Planning for the Grand Opening and Branding The ROCC



In preparation for the launch of The ROCC brand, we retained brand consultants Legend Labs (Austin, Texas, <https://legendlabs.com/>) to perform the following strategic brand positioning scope of work:

1. Peer Benchmarking
2. Discovery Themes
3. Brand Personality
4. Positioning Directions
5. New Logo
6. Marketing Plan



Strategic work (Steps 1-5) was completed in June and a Marketing Plan is in the process of being prepared with recommendations for an ad campaign and a subsequent brand launch and PR campaign. Booking work for the venue is ongoing since February through Carla Ligon, Creative Director.

Recorded Tourism Visitation at Rockport Center for the Arts

Visitation at Rockport Center for the Arts

Highlights of Tourism Data

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Though not mandatory, zip codes are requested from every visitor.

Visitor Data at Rockport Center for the Arts' Showroom on S. Austin St.	Apr-22	May-22	Jun-22	Quarterly Total
Total Attendance (n)	1,459	747	1,811	4,017
Visitor Data Distribution	Apr-22	May-22	Jun-22	
Outside 75 Miles*	31%	32%	17%	
Local**	69%	68%	83%	
Total	100%	100%	100%	
*Highlights of Tourism > 75+ miles and major metropolitan areas in Texas	Apr-22	May-22	Jun-22	
Austin	5%	6%	3%	
Dallas / Ft. Worth	0%	2%	0%	
Houston	5%	4%	4%	
San Antonio	6%	9%	5%	
Total major metro areas	16%	22%	12%	
Tourism from outside the State of Texas	6%	4%	1%	
Rural tourism beyond 75 miles	10%	6%	3%	
Total tourism from beyond 75 miles	31%	32%	17%	
** Local Visitors < 75 miles	Apr-22	May-22	Jun-22	
Rockport / Fulton	54%	56%	73%	
Corpus Christi	7%	6%	2%	
Victoria	0%	0%	0%	
Rural Areas	8%	6%	8%	
Total	69%	68%	83%	

Marketing Expenditures

Rockport Center for the Arts					
Actual Administrative Expenses vs. Annual Budget FY2022					
	General Class	Jan - Jun 22	Budget	\$ Over Budget	% of Budget
Expense					
	Advertising & Promotion	3,271	2,000	1,271	164%
	Awards, Honorariums & Gifts	632	500	132	126%
	Bank Service Charges	137	175	-38	78%
	Contract services	1,183	6,350	-5,167	19%
	Credit Card Fees	6,908	5,000	1,908	138%
	Depreciation Expense	4,065	0	4,065	100%
	Dues and Subscriptions	4,890	2,500	2,390	196%
	Food & Beverage	141	363	-221	39%
	Insurance	3,744	7,000	-3,256	53%
	Licenses, Fees and Permits	45	50	-5	90%
	Maintenance & Repairs	813	750	63	108%
	Marketing	2,220	1,500	720	148%
	Payroll Expenses	188,846	197,253	-8,408	96%
	Postage and Delivery	1,262	1,250	12	101%
	Printing and Reproduction	2,777	1,000	1,777	278%
	Professional Fees	10,703	11,775	-1,072	91%
	Rental	10,370	10,268	102	101%
	Security	264	282	-19	93%
	Staff Training & Development	0	500	-500	0%
	Supplies & Materials	1,996	5,577	-3,581	36%
	Taxes	-15	0	-15	100%
	Telephone	400	240	160	167%
	Transportation	1,040	1,200	-160	87%
	Travel	1,739	2,000	-261	87%
	Utilities	<u>2,066</u>	<u>2,300</u>	<u>-234</u>	<u>90%</u>
Total Expense		249,496	259,832	-10,336	96%

Except for Advertising, Rockport Center for the Arts does not budget Administrative Expenses that are paid using HOT funds.
Out of \$250,000 in actual administrative expenses, \$1,000 or less than 0.4%, was paid in Advertising and Public Relations for a radio promotion.



Hotel Occupancy Tax Report for April-June 2022

Support through the HOT Grant allows us to develop, nurture and promote cultural programming and conventions that are a boon for tourism and the hotel and convention industry in the City of Rockport. Thank you for your continued support.

Respectfully Submitted,

**Luis Purón
Executive Director**

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, July 12, 2022

AGENDA ITEM: 7

Deliberate and act on approval of Interlocal Contract between City of Rockport and Town of Fulton for Assistance in Law Enforcement.

SUBMITTED BY: Police Chief Greg Stevens

APPROVED FOR AGENDA: RNM

BACKGROUND: In early 2013 the Town of Fulton formed their own one-person Police Department and contracted with the City of Rockport for back-up from the Rockport Police Department at a rate of \$60,000 a year. The original Interlocal Contract was entered into in 2013 and has been renewed annually.

FISCAL ANALYSIS: The \$60,000 currently just covers the cost of the base salary and benefits for a first-year officer.

RECOMMENDATION: Staff recommends that City Council approve the Interlocal Contract between City of Rockport and Town of Fulton for Assistance in Law Enforcement.

THE STATE OF TEXAS §
 §
 COUNTY OF ARANSAS §

**INTERLOCAL AGREEMENT
 BETWEEN CITY OF ROCKPORT and TOWN OF FULTON FOR
 ASSISTANCE IN LAW ENFORCEMENT**

In the interest of increasing efficiency and effectiveness of local governments, this Interlocal Cooperation Contract [hereinafter referred to as "Contract"] is entered into by and between the parties.

1. **PARTIES:** The parties to this Interlocal Agreement are City of Rockport (hereinafter "City") and Town of Fulton (hereinafter "Fulton"), each acting by and through its duly elected officials.
2. **AUTHORITY:** The Interlocal Cooperation Act, Government Code Chapter 791, authorizes this Interlocal Agreement. The governing body of each party to the contract has duly authorized this contract.
3. **PURPOSE:** To provide law enforcement assistance to the Fulton Chief of Police in the form of coverage of calls when he is unavailable, back up when needed, and investigation services when requested, consistent with Fulton's enabling Ordinance No 98.
4. **TERM:** The term of this Contract shall be for the remainder of the current fiscal year, beginning on July 12, 2022, renewing under the terms hereafter provided. The Contract term shall run with the fiscal year each year, beginning on October 1, 2022 and shall renew automatically unless either party provides the other party with a notice of its intent to no longer participate, at least 30 days prior to October 1st.
5. **COST:** The cost of the services provided by the City shall be \$60,000 per year, to be paid in monthly installments equal to 1/12th of total, the first installment to be due and payable on or before August 1, 2022, and each month thereafter payable on or before the 2nd day of each month. In addition, Fulton shall pay its pro rata share of the cost of public safety communications for calls for service originating in Fulton.
6. **RENEWAL:** Pursuant to Sec. 791.01 l(f), this Contract may be renewed. The cost for services for any subsequent years shall be negotiated prior to the renewal, after the City has had an opportunity to review the cost of services rendered and as mutually agreed upon by the parties.
7. **RIGHTS AND DUTIES OF THE PARTIES:** The rights and duties of the City and Fulton are detailed in "Exhibit A" attached hereto and incorporated herein as if set forth verbatim.
8. **SUPERVISION AND ADMINISTRATION:** In the performance of all obligations undertaken by City in this contract, City will continue to supervise and administer the law enforcement services provided for herein by the City, by and through its City Police department.

9. **LIABILITY:** All parties agree that all the functions and services provided for herein are governmental functions. In no event shall any provision of this contract be construed as a waiver of any party's sovereign immunity, nor add to or change the liability limits and immunities for a governmental unit provided by the Texas Torts Claims Act, or other law.
10. **INDEMNIFICATION AND HOLD HARMLESS:** Fulton assumes entire responsibility and liability for any claim or actions based on or arising out of injuries, including death, to persons or damages to or destruction of property, sustained or alleged to have been sustained in connection with or to have arisen out of or incidental to the performance of this Agreement by Rockport, its agents, members, employees, contractors and its subcontractors, their agents and employees, regardless of whether such claims or actions are founded in whole or in part upon alleged negligence of Town of Fulton, or the Town's representatives, or the employees, agents, invitees or licensees thereof or City of Rockport or the employees, agents, invitees or licensees thereof. Fulton further agrees to indemnify and hold harmless Rockport and its representatives, and the employees, agents, invitees and licensees thereof in respect to any such matters and agrees to defend any claim or suit or action brought against Rockport, its representatives and employees, agents, invitees and licensees thereof, regardless of whether such claims or actions are founded in whole or in part upon alleged negligence of the Town of Fulton, the Town's representatives, or the employees, agents, invitees or licensees thereof or City of Rockport or the Employees agents, invitees or licensees thereof.

Agreed to:

CITY OF ROCKPORT

ATTEST:

Tim Jayroe, Mayor

Teresa Valdez, City Secretary

Date: July 12, 2022

TOWN OF FULTON

ATTEST:

Kelli Cole, Mayor

Stephanie Garcia, City Secretary

EXHIBIT A

This EXHIBIT A is incorporated into the INTERLOCAL AGREEMENT BETWEEN CITY OF ROCKPORT and TOWN OF FULTON FOR ASSISTANCE IN LAW ENFORCEMENT, and has the same force and effect as if originally written into the text of the agreement.

Generally, it is the intention of the Town of Fulton and the City of Rockport to assist the Police Chief of Fulton in seeing to the safety and wellbeing of residents and visitors to Fulton by acknowledging the following:

1. When Fulton Chief of Police goes off duty he will notify Aransas County Public Safety Communications Center dispatch, and the Rockport Police Department [hereinafter referred to as "Rockport") will then become the first responder for Fulton; Rockport will then respond to all calls for service as dispatched through the Aransas County Public Safety Communications Center or made directly from anyone requiring police service in that jurisdiction at times when the Fulton Police Chief is unavailable.
2. Rockport will take appropriate action on hazardous traffic violations and file these citations with the appropriate agencies.
3. Rockport will not be required to perform routine patrol in Fulton.
4. Rockport may provide patrol assistance periodically in school zones or areas of unusual traffic congestion.
5. Rockport will forward all reports of criminal activity to the Fulton Police Chief for his follow-up.
6. Fulton Chief of Police will provide primary responder service for an average minimum of 40 hours per week, other than vacation, etc.
7. Fulton Chief of Police can call Rockport for back-up in cases of special need of assistance or the need to possibly transport someone to jail.
8. Rockport will assist the Fulton Police Chief with the investigations upon his request.
9. Fulton Municipal Judge, when available, will magistrate all offenses arising out of Fulton.
10. Any Class C offense that occurs in Fulton will be filed in the Fulton Municipal Court.
11. Fulton Chief of Police will be primarily responsible for Code enforcement.
12. Rockport will not be responsible for Code enforcement unless it is deemed an emergency and requires immediate attention.
13. Fulton will be included in Rockport 911 Communication Center with an assignment of a police call unit number and be responsible for costs thereof.
14. This agreement is not intended to relieve the Aransas County Sheriff's Department from its obligation to provide customary law enforcement in the Town of Fulton.

CITY COUNCIL AGENDA
Council Meeting: Tuesday, July 12, 2022

AGENDA ITEM: 8

Deliberate and act on approval for Wastewater Department to purchase a 2022 John Deere 304L Loader with funds from the 2022 Tax Notes.

SUBMITTED BY: Director of Public Works & Building Development Michael S. Donoho, Jr

APPROVED FOR AGENDA: RNM

BACKGROUND: This Loader will replace a 2004 John Deere 250D Skid Steer that is worn out and in need of major repairs. This unit will be used for daily operations at the Wastewater Treatment Plant.

This purchase will include the loader, two different buckets and one set of forklifts.

FISCAL ANALYSIS: The cost for the loader and equipment attachments is \$107,887.44. This includes \$1,500 trade in for the 2004 Skid Steer.

The funds for this purchase were approved in the 2022 Tax Notes.

This purchase will be from Doggett Equipment through a Buy Board Quote, complying with required purchasing guidelines.

RECOMMENDED ACTION: Staff recommends Council approve purchase of 2022 John Deere 304L with funds from the 2022 Tax Notes in the amount of \$107,887.44.

DOGGETT

**12410 US HWY 59 N
VICTORIA TX 77905
361-570-6666**

[illegible]

Quick, ground-level service

Lockable easy-open tilting hoods provide convenient, ground-level access to daily checkpoints, as well as periodic service items such as fluids and filters. Ground-level fuel fill and see-through coolant reservoir also help simplify daily maintenance.

Reliable cooling

Cooler cores are easily accessible for quick cleanout. Engine-mounted belt-driven cooling fan delivers efficient, reliable performance.

JDLink™ machine monitoring

Optional JDLink connectivity provides machine data and health alerts to help you decrease costly downtime.



CITY COUNCIL AGENDA

Regular Meeting: Tuesday, July 12, 2022

AGENDA ITEM: 9

Deliberate and act to confirm Mayoral appointments of City Council liaisons to various boards, committees, and commissions.

SUBMITTED BY: Mayor Tim Jayroe

APPROVED FOR AGENDA: RNM

BACKGROUND: Council Liaisons serve to facilitate communication between Council and their committees. Liaisons are not members of their committees and do not actively participate in committee deliberations other than to answer questions of fact. Each year after the May election, the Mayor appoints City Council Members to act as liaisons to the various boards, committees and commissions.

1. ARANSAS PATHWAYS

Council Liaison: Mayor Jayroe

Alternate Liaison: Council Member Brundrett

2. COASTAL BEND BAYS AND ESTUARIES

Council Liaison: Council Member Katy Jackson

Alternate Liaison: Mayor Pro-Tem Hattman

3. COASTAL BEND COUNCIL OF GOVERNMENTS

Council Liaison: Mayor Jayroe

Alternate Liaison: Mayor Pro-Tem Hattman

4. ECONOMIC DEVELOPMENT COUNCIL

Council Liaison: Mayor Jayroe

Alternate Liaison: Mayor Pro-Tem Hattman

5. PARK AND LEISURE SERVICES ADVISORY BOARD

Council Liaison: Council Member Hale

Alternate Liaison: Council Member Brundrett

6. PLANNING & ZONING COMMISSION

Council Liaison: Council Member Hattman

7. ROCKPORT CULTURAL ARTS DISTRICT

Council Liaison: Council Member Katy Jackson

Alternate Liaison: Mayor Pro-Tem Hattman

8. ROCKPORT-FULTON CHAMBER OF COMMERCE

Council Liaison: Mayor Pro-Tem Hattman

9. TREE LANDSCAPE COMMITTEE

Council Liaison: Council Member Jackson

Alternate Liaison: Council Member Brundrett

10.ZONING BOARD OF ADJUSTMENT

Council Liaison: Council Member Brundrett

Alternate Liaison: Mayor Pro Tem Hattman

11.STORMWATER MANAGEMENT ADVISORY COMMITTEE

Council Liaison: Mayor Jayroe

Alternate Liaison: Council Member Hale

12.TOURISM DEVELOPMENT COUNCIL

Council Liaison: Mayor Pro-Tem Hattman

Alternate Liaison: Council Member Jackson

13.SWIMMING POOL ADVISORY COMMITTEE

Council Liaison: Mayor Pro-Tem Hattman

Alternate Liaison: Council Member Hale

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: None.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, July 12, 2022

AGENDA ITEM: 10

Deliberate and act to approve Multi-Jurisdictional Interlocal Cooperation Agreement for the application and distribution of disaster-related grant funding.

SUBMITTED BY: Interim City Manager Richard Morton

APPROVED FOR AGENDA: RNM

BACKGROUND: Following Hurricane Harvey it became clear that the community would recover faster if all parties worked together. This agreement is a renewal of an interlocal agreement between the County, the Navigation District, the Town of Fulton, and the City of Rockport to work together prior to, during and after a natural disaster to jointly apply, share and participate in locating disaster recovery assistance.

FISCAL ANALYSIS: Any expenses incurred by a Party prior to, during, or after a threat of disaster shall be properly documented and paid for by the respective Party.

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

*Interlocal Cooperation Agreement
Disaster-Related Funding*

**MULTI-JURISDICTIONAL INTERLOCAL COOPERATION AGREEMENT
For the Application and Distribution of Disaster-Related Grant Funding**

This **INTERLOCAL COOPERATION AGREEMENT** ("Interlocal Agreement") is made and entered into by and between the **COUNTY OF ARANSAS** ("COUNTY"), the **CITY OF ROCKPORT** ("CITY"), the **TOWN OF FULTON** ("TOWN"), the **ARANSAS COUNTY NAVIGATION DISTRICT** ("NAVIGATION DISTRICT"), collectively known as "the Parties," each a political Subdivision of the State of Texas, each acting by and through its duly elected/appointed officials, under the terms, authority, and provisions of *Chapter 791* of the *Government Code of the State of Texas*, which authorizes such agreements.

WITNESSETH:

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, authorizes units of local government to contract with one or more other units of local government to perform governmental functions and services; and,

WHEREAS, this Interlocal Agreement is entered into pursuant to the authority, under the provisions of, and in accordance with the Interlocal Cooperation Act for the performance of **governmental functions and services related to disaster response and recover to ensure public health and safety**, and for such other and further acts of cooperation as the parties may subsequently agree to by the execution of a separate and specific agreement ratified by the governing bodies of each Party hereto; and,

WHEREAS, the Parties recognize the vulnerability of the citizens located in their respective jurisdictions when disasters occur and agree that their constituents collectively benefit when the Parties work together to respond and recovery after a disaster; and,

WHEREAS, the Parties experienced widespread damage after Hurricane Harvey in 2017 and recognize more than ever the importance of disaster recovery assistance and grant management services; and,

WHEREAS, at times, a disaster may be declared by the Texas Governor or the President of the United States, which initiates the availability of disaster-related funding that may benefit the Parties and the Parties desire to enter into this Interlocal Agreement establishing how they will handle funding opportunities.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and conditions herein stated, the Parties agree as follows:

1. **Purpose.** By entering into this Interlocal Agreement, the Parties agree to jointly apply, share, and participate in locating disaster recovery assistance and grant program management services in order to streamline the process and facilitate timely disaster response and recovery.
2. **Term.** The Parties intend for this Interlocal Agreement to be effective as of the date last written below and for five (5) consecutive years thereafter.

*Interlocal Cooperation Agreement
Disaster-Related Funding*

3. Applications for Disaster-Related Funding. The County has agreed to represent all of the Parties and apply for disaster-related funding for disaster response and seek reimbursement of eligible costs incurred as a result of threat of disaster or disaster. The County will submit applications for potential grant funding on behalf of the Parties. If necessary, the County will collect expense information for each Party, review expenses for reimbursement eligibility, and consolidate the data to be included in applications.
4. County to Provide Grant Administration Services. To prevent the duplication of efforts, the Parties agree to proceed collaboratively in handling disaster-related grant funds. The County has agreed to take the lead in coordinating, communicating, and administering disaster-related grants.
5. Documentation. If documentation is required by a grant-awarding agency or entity, each Party shall be responsible for carefully tracking expenses and providing documentation to the County to compile and submit to the grant-awarding agency or entity.
6. Expenses. Any expenses incurred by a Party prior to, during, or after a threat of disaster or disaster shall be properly documented and paid for by the respective Party, with each Party acting independently and separate from the other Parties.
7. Private Property Debris Removal. In a large-scale disaster, the Parties agree that there will be a great need for assistance with debris removal from public and private property and that citizens will benefit from a Private Property Debris Removal Program ("PPDR"). The Parties further agree that any costs or expenses incurred by the Parties for debris removal from private property will be included on applications for disaster-related funding. The Parties further acknowledge that private properties must meet program requirements established by grant-awarding agencies or entities in order to be eligible for the PPDR and not all properties will be eligible.
8. Disbursement of Grant Funds. When applicable, upon receipt of disaster-related funding, the County will distribute grant proceeds to the other Parties in amounts equal to the reimbursable expenses submitted by the respective Party.
9. Record Keeping. The County will maintain records for any disaster-related funding for at least the amount of time required by any grant-awarding agency or entity.
10. Termination. Any Party to this Interlocal Agreement may choose to remove itself upon providing thirty (30) days of advance written notice to the other Parties.
11. Insurance. Each Party shall be responsible for providing insurance for its employees and property as required by law. Insurance coverage shall include, but not necessarily limited to, workers' compensation, automobile insurance, general liability, and property insurance. This Interlocal Agreement does not modify a Party's duty to insure.
12. No Partnership, Joint Venture, or other Relationship Created. Each Party affirms and agrees that it is participating in this Interlocal Agreement independently and shall remain in control of its own work and the manner in which it is performed. Each Party's officials, employees, volunteers, and other agents shall not be considered to be an official, employee, volunteer, or other agent of any other Party.

*Interlocal Cooperation Agreement
Disaster-Related Funding*

13. **Severability.** If any provision or phrase contained in this Interlocal Agreement is found to be invalid for any reason, the invalidity of such provision or phrase shall not affect the other provisions that may be given effect without the invalid provision.

14. **Validity and Enforceability.** If any legal limitation affects the validity or enforceability of any provision of this Interlocal Agreement, the legal limitation is hereby made a part of this Interlocal Agreement and shall operate to amend it to the minimum extent necessary to bring this Interlocal Agreement into conformity with the requirements of the legal limitation. This Interlocal Agreement, as amended, shall continue in full force and effect.

15. **Amendments.** This Interlocal Agreement may be amended at any time in a writing approved and executed by the governing body of each Party. Any amendments shall be attached hereto.

16. **No Third Party Beneficiaries.** This Interlocal Agreement is intended to inure only to the benefit of the Parties and is not intended to create, nor shall it be deemed or construed to, create any rights for any third party.

17. **Notices.** All notices to the Parties shall be made in writing and addressed to the attention of the governing body of the Party. Notices shall be hand-delivered or mailed via certified mail with return receipt requested.

18. **Governmental Immunity.** The Parties do not waive or relinquish any immunity or defense it may have nor do they waive any immunity or defense on behalf of any officer, employee, agent, or volunteer.

19. **Governing Law and Venue.** The laws of the State of Texas shall govern this Interlocal Agreement. Venue shall be property in the District Court of Aransas County.

20. **Duly Authorized Officials.** Each Party hereto asserts that it has passed and approved this Interlocal Agreement and a duly authorized official is executing this Interlocal Agreement on its behalf and at its direction.

21. **Entire Agreement.** This Interlocal Agreement contains the entire agreement between the Parties and any oral representations or modifications concerning this topic shall be of no force or effect unless this Interlocal Agreement is amended as set forth herein.

IN WITNESS WHEREOF, the Parties hereto have approved and executed this Interlocal Agreement on the date and year last written below.

Signature Pages Follow

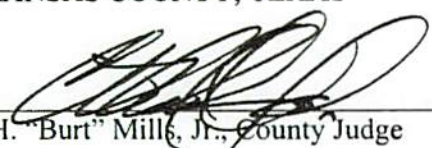
*Interlocal Cooperation Agreement
Disaster-Related Funding*

13th PASSED AND APPROVED by the Aransas County Commissioners Court on the
day of June, 2022.

ATTEST:

"COUNTY"
ARANSAS COUNTY, TEXAS


Carrie Arrington, County Clerk

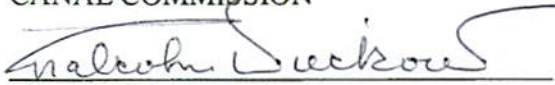

C.H. "Burt" Mills, Jr., County Judge


PASSED AND APPROVED by the Aransas County Navigation and Canal Commission
on the 28th day of June, 2022.

ATTEST:

"DISTRICT"
ARANSAS COUNTY NAVIGATION AND
CANAL COMMISSION


Tommy Moore, Secretary


Malcolm Dieckow, Chairman

PASSED AND APPROVED by the City Council of the City of Rockport, Texas, on the
____ day of _____, 2022.

ATTEST:

"CITY"
CITY OF ROCKPORT, TEXAS

Teresa Valdez, City Clerk

Tim Jayroe, Mayor

Additional Signature Page Follows

Interlocal Cooperation Agreement
Disaster-Related Funding

PASSED AND APPROVED by the **Town Council of the Town of Fulton, Texas**, on the
_____ day of _____, 2022.

ATTEST:

"TOWN"
TOWN OF FULTON, TEXAS

Stephanie Garcia, Town Secretary

Kelli Cole, Mayor

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, July 12, 2022

AGENDA ITEM: 11

Deliberate and act to approve the placement of a directional sign for the Fulton Mansion to be placed on Maple Street and Broadway Street.

SUBMITTED BY: Director of Public Works / Building & Development – Michael Donoho

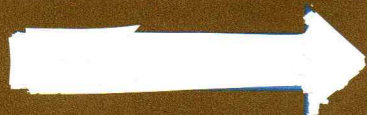
APPROVED FOR AGENDA: RNM

BACKGROUND: Ms. April Guadarrma is requesting to have directional signs installed for the Fulton Mansion along Fulton Beach Road and Broadway Street. She is donating the funds to have the signs made. The City will participate in this project by installing the signs to insure they are installed according to the applicable traffic safety codes.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council approve the placement of a directional sign for the Fulton Mansion at Maple Street and Broadway Street, as presented.

FULTON
MANSION



1 MILE

2' w x 18" tall

CITY COUNCIL AGENDA

Regular Meeting: July 12, 2022

AGENDA ITEM: 12

Deliberate and action of a Resolution of the City of Rockport, Texas authorizing the City Manager to prepare, post, and publish for sale the previous location for City Hall being Lot E/2, Block 2, Doughty and Mathis Outlots, Out Lot 3, also known as 622 East Market Street.

SUBMITTED BY: Interim City Manager Richard Morton

APPROVED FOR AGENDA: RNM

BACKGROUND: This land was purchased in 1985 for the purpose of building City Hall at the location of 622 E. Market Street. City Hall was located at this address until August 17, 2017, at which time Hurricane Harvey damaged the building beyond repair. The building was vacated and demolished and is currently a vacant lot.

Since that time, the City has purchased, designed, and begun construction of a new City Hall to be located at 212 N. Live Oak Street.

The vacant lot at 622 E. Market Street has no current use by the City of Rockport. Because this is considered prime real estate on Market Street and there have been various discussions to sale this property, the staff is seeking direction from Council authorizing the City Manager to move forward with the sale of the property formerly known as City Hall.

FISCAL ANALYSIS: Any funds made from the sale of the property would be deposited to the General Fund.

RECOMMENDATION: Staff recommends approval of the Resolution authorizing the City Manager to prepare, post, and publish for sale the previous location for City Hall being Lot E/2, Block 2, Doughty and Mathis Outlots, Out Lot 3, also known as 622 East Market Street.

RESOLUTION NO. 2022 - __

A RESOLUTION OF THE CITY OF ROCKPORT, TEXAS, AUTHORIZING THE CITY MANAGER TO PREPARE, POST, AND PUBLISH FOR SALE THE PREVIOUS LOCATION FOR CITY HALL BEING LOT E/2, BLOCK 2, DOUGHTY AND MATHIS OUTLOTS, OUT LOT 3, ALSO KNOWN AS 622 EAST MARKET STREET.

WHEREAS, the Rockport City Council purchased Lot E/2, Block 2, Doughty and Mathis Outlots, Out Lot 3, also known as 622 East Market Street to be the location of the new City Hall building in 1985; and

WHEREAS, on August 17, 2017, Hurricane Harvey damaged City Hall beyond repair and the building was demolished; and

WHEREAS, the City Council of the City of Rockport has begun the construction of a new and larger City Hall to be located 212 North Live Oak Street, and

WHEREAS, the City of Rockport no longer has any need for the vacant lot at 622 East Market Street.

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

Section 1. That the matter and facts recited in the preamble hereof are found and determined to be true and correct.

Section 2. That the City Manager is hereby authorized to prepare, post, and publish for sale the Lot E/2, Block 2, Doughty and Mathis Outlots, Out Lot 3, also known as 622 East Market Street.

Section 3. Upon receipt of the sealed bids, the City Manager will present to City Council for approval of the sale of the property.

PASSED and APPROVED the 12th day of July 2022.

City of Rockport, Texas

Tim Jayroe, Mayor

ATTEST:

Teresa Valdez, City Secretary



CITY COUNCIL AGENDA
Regular Meeting: Tuesday, July 12, 2022

AGENDA ITEM: 13

Deliberate and act on second & final reading of an Ordinance amending Chapter 50 of the Code of Ordinances, City of Rockport, Texas, needed to be compliant with the new Class 8 freeboard prerequisite as required by the Community Rating System (CRS) program; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.

SUBMITTED BY: Community Planner Carey Dietrich

APPROVED FOR AGENDA: RNM

BACKGROUND: Each year the Planning staff are required to create and submit the reports for the annual CRS recertification. The City's Flood Prevention Ordinance is reviewed by CRS Staff to ensure compliance with current requirements. The recommendation from CRS Staff at the conclusion of the 2021 recertification submittal was to update Chapter 50 to be complaint with the new Class 8 Freeboard Requirements. Class 8 Freeboard Requirements Fact Sheet is attached for your convenience.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends approval of second & final reading of an Ordinance amending Chapter 50 of the Code of Ordinances, City of Rockport, Texas, needed to be compliant with the new Class 8 freeboard prerequisite as required by the CRS program; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.

ORDINANCE NO. ____

**AN ORDINANCE AMENDING CHAPTER 50 DIVISION 4. FLOOD
HAZARD REDUCTION OF THE CODE OF ORDINANCES, CITY
OF ROCKPORT, TEXAS, IN ORDER TO BE COMPLIANT WITH
CRS REQUIREMENTS; REPEALING ALL ORDINANCES TO
THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City of Rockport (City) is a Texas Home Rule Municipality and the Texas Local Government Code authorizes the City of Rockport to exercise jurisdiction over City zoning as deemed appropriate by the City; and

WHEREAS, the City Council may from time to time choose to amend, supplement, change or modify the City's zoning regulations, boundaries, or classifications; and

WHEREAS, City Staff has reviewed the current flood prevention regulations and have recommended certain revisions and updates to the current flood prevention regulations; and

WHEREAS, on March 16, 2022, notice was received of the required amendment to Chapter 50 FLOODS to meet the new Class 8 freeboard prerequisite; and

WHEREAS, on June 28, 2022, the City Council after consideration and recommendation by City Staff determined that the Ordinance amendment be approved as provided herein.

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

Section 1. Chapter 50 of the Code of Ordinances of the City of Rockport, Texas is hereby amended as set forth in the attached Exhibit A, incorporated herein.

Section 2. 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 Council.

Section 3. All ordinances and codes, 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 resolved herein.

Section 4. 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 hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 5. 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, as amended, Texas Government Code.

Section 6. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 7. This Ordinance shall become effective upon adoption by second and final reading.

APPROVED and **PASSED** on first reading the 28th day of June 2022.

CITY OF ROCKPORT

Tim Jayroe, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED, PASSED and ADOPTED on second reading the ____ day of _____ 2022.

CITY OF ROCKPORT

Tim Jayroe, Mayor

ATTEST:

Teresa Valdez, City Secretary

EXHIBIT "A"

Chapter 50 – FLOODS

Article II. Flood Damage Prevention - Division 4. Flood Hazard Reduction

Sec. 50-76. General standards for all areas of special flood hazard.

In all areas of special flood hazard the following provisions are required for all new construction and substantial improvements:

- (1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage.
- (4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to be eighteen inches (18") above the base flood elevation. ~~or, prevent water from entering or accumulating within the components during conditions of flooding.~~
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the system into floodwaters.
- (7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

Sec. 50-77. Specific standards for certain areas.

In all areas of special flood hazard where base flood elevation data has been provided as set forth in [section 50-28](#), [section 50-62](#)(8) or [section 50-78](#)(c), the following provisions are required:

- (1) *Residential construction.* New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, **machinery, and equipment**, elevated a minimum of eighteen inches (18") above the base flood elevation. A registered professional engineer, architect or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection, as proposed in [section 50-63](#)(a)(1), is satisfied.
- (2) *Nonresidential construction.* New construction or substantial improvements of any

commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated a minimum of eighteen inches (18") above the base flood level or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this article. A record of such certification which includes the specific elevation in relation to mean sea level, to which such structures are floodproofed shall be maintained by the floodplain administrator.

(3) *Enclosures.* New construction and substantial improvements, with fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- a. A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- b. The bottom of all openings shall be no higher than one foot above grade.
- c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(4) *Manufactured homes.*

- a. Require that all manufactured homes to be placed within zone A on a community's FIRM shall be installed using methods and practices which minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
- b. Require that manufactured homes that are placed or substantially improved within zones A1-30, AH and AE, V1-30, VE and/or V on the community's FIRM on sites: outside of a manufactured home park or subdivision; in a new manufactured home park or subdivision; in an expansion to an existing manufactured home park or subdivision; or in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated a minimum of eighteen inches (18") above the base flood elevation and is securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- c. Require that manufactured homes that are placed or substantially improved on

sites in an existing manufactured home park or subdivision within zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of this subsection be elevated so that either:

1. The lowest floor of the manufactured home is a minimum of eighteen inches (18") above the base flood elevation; ~~or~~ and
2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and is securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

(5) *Recreational vehicles.*

a. Require that recreational vehicles placed on sites within zones A1-30, AH and AE on the community's FIRM either:

1. Be on the site for fewer than 180 consecutive days;
2. Be fully licensed and ready for highway use; or
3. Meet the permit requirements of subsection (1) of this section and the elevation and anchoring requirements for manufactured homes in subsection (4)a of this section.

b. Require that recreational vehicles placed on sites within zones V1-30, V or VE on the community's FIRM either:

1. Be on the site for fewer than 180 consecutive days;
2. Be fully licensed and ready for highway use; or
3. Meet the requirements of subsections (1) and (4)c of this section.

c. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

d. All recreational vehicles shall be capable of evacuation under its own power or if dependent on external power, the vehicle proposed for external power shall be in running condition.

e. Egress of recreational vehicles shall not be prevented by stored or fixed items such as stairs, porches, store rooms, etc.

f. Recreational vehicles stored on a homeowner's lot where the home is the primary residence are exempt from the 180-day permit regulations, subject to other ordinances or restrictions. These recreational vehicles must be unoccupied, not connected to neither water nor wastewater services, have a current motor vehicle license and inspection sticker and be capable of highway use.

Sec. 50-78. Standards for subdivision proposals.

(a) All subdivision proposals including manufactured home parks and subdivisions shall be consistent with [sections 50-46](#) through [50-48](#).

(b) All proposals for the development of subdivisions including manufactured home parks and subdivisions shall meet development permit requirements of [sections 50-29](#)

addition to meeting all provisions outlined in this article, the following provisions shall also apply:

- (1) Obtain the elevation, in relation to mean sea level, of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures, and whether or not such structures contain a basement. The floodplain administrator shall maintain a record of all such information.
- (2) All new construction shall be located landward of the reach of mean high tide.
- (3) All new construction and substantial improvements, including manufactured homes, shall be elevated on pilings and columns so that:
 - a. The bottom of the lowest horizontal structural member of the lowest floor, **machinery, and equipment** (excluding the pilings or columns) is elevated a minimum of eighteen inches (18") above the base flood level.
 - b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards.
 - c. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsection (3)a. and b. of this section.
- (4) Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than ten and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:
 - a. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
 - b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards.
- (5) If breakaway walls are used, such enclosed space shall be usable solely for parking of vehicles, building access or storage. Such spaces shall not be used for human habitation.

- (6) Prohibit the use of fill for structural support of buildings.
- (7) Prohibit manmade alteration of sand dunes and mangrove stands which would increase potential flood damage.



NFIP's Community Rating System (CRS)

Class 8 Freeboard Prerequisite

Frequently Asked Questions

November 2020

The Community Rating System (CRS) is a voluntary program that provides flood insurance premium discounts to communities that implement programs and measures that exceed the minimum floodplain management requirements of the National Flood Insurance Program (NFIP). The CRS determines discounts based on credit points provided for floodplain management activities. To achieve certain CRS Class ratings, communities must meet certain program prerequisites in addition to obtaining the credit points. In January 2021, the CRS will implement a new Class 8 prerequisite for freeboard for all participating and new CRS communities. Below are some frequently asked questions about the CRS Class 8 freeboard prerequisite. Answers to questions 1–12 were released in July 2020. Questions 13–17 were added in October 2020. Questions 16 and 17 were clarified in November 2020.

A community with additional questions about the prerequisite or the CRS should contact its ISO/CRS Specialist. For a list of ISO/CRS Specialists, see the [CRS Resources website](#). State NFIP Coordinators or FEMA Regional CRS Coordinators can assist with model ordinance or sample regulatory language for freeboard, and other higher regulatory standards. A list of [State NFIP Coordinators](#) can be found here. Contact information for FEMA is available at the [FEMA website](#).

1. What is the new CRS Class 8 freeboard prerequisite?

Section 211 of the 2017 *CRS Coordinator's Manual* will be changed to read:

“In order to be a Class 8 or better . . .

- (1) The community must meet all the Class 9 prerequisites.
- (2) The community must adopt and enforce at least a 1-foot freeboard requirement (including machinery and equipment) for all residential buildings constructed, substantially improved, and/or reconstructed due to substantial damage, throughout its Special Flood Hazard Area (SFHA) where base flood elevations have been determined on the Flood Insurance Rate Map (FIRM) or in the Flood Insurance Study (FIS), except those areas that receive open space credit under Activity 420 (Open Space Preservation).”

2. Why is FEMA making freeboard a Class 8 prerequisite in the CRS?

The goal is to further the flood resiliency of our Nation. FEMA is working to ensure that homes are built to better withstand natural disasters, including floods. The CRS credits community efforts that exceed the minimum floodplain management requirements of the NFIP.

Freeboard—a margin of safety added to the level of the base flood—definitively exceeds those minimum standards. Research shows that higher regulatory standards reduce future flood

damage, and the importance is recognized by over 80% of CRS communities who already require freeboard. With freeboard in place, homes are not only better protected from flood damage, but also flood insurance costs less. The expense of elevating a new home an additional foot often can be recaptured in lower flood insurance premiums over 5 years or less.

3. How will the change in the 2017 CRS Coordinator's Manual be made?

FEMA will issue an addendum to the 2017 *CRS Coordinator's Manual* that will be effective on January 1, 2021. CRS communities and the Insurance Services Office, Inc. (ISO) will continue to use the 2017 *Coordinator's Manual* along with the 2021 Addendum, until such time that FEMA issues a new *Coordinator's Manual*, likely not before 2023.

4. Which CRS communities does the Class 8 freeboard prerequisite affect?

The Class 8 freeboard prerequisite affects Class 5 through Class 8 communities. The prerequisite will not affect Class 9 communities. Communities in Classes 1 through 4 already meet the new freeboard prerequisite.

5. When will the Class 8 freeboard prerequisite be applied to participating CRS communities?

The Class 8 freeboard prerequisite will be required of CRS communities at their first CRS cycle verification visit after January 1, 2021. Ordinance, regulatory, or building code language that meets the Class 8 prerequisite must be adopted, and provisions must be enforced, no later than the first cycle visit after January 1, 2021. However, an earlier date for community enforcement of the Class 8 freeboard prerequisite may be required in a new (2023 or later) *CRS Coordinator's Manual*. This means that communities that are not due for a cycle visit until 2023 or later should not wait to adopt the freeboard requirement.

6. Can a community still join or participate in the CRS without a freeboard requirement?

Yes. Any community that meets the CRS Class 9 prerequisites can apply to join the CRS and become a Class 9 community. Any already-participating CRS community that cannot meet the Class 8 freeboard prerequisite at its first cycle visit after 2021 will change to a Class 9 community (see previous question).

7. Where must a community require at least 1 foot of freeboard?

Communities must enforce the freeboard requirement for all residential buildings that are new, substantially improved, and/or reconstructed due to substantial damage throughout the SFHA where base flood elevations have been determined on the FIRM or in the FIS. This means all “numbered zones” in the SFHA. The CRS will not require freeboard in unnumbered zones within the SFHA.

8. The prerequisite includes all residential buildings. Does this include manufactured homes?

Yes. At least 1 foot of freeboard is required for manufactured homes, including machinery and equipment.

9. If a community adopts the International Code Council codes, will it meet the requirements for the Class 8 freeboard prerequisite?

Yes, provided that the adopted building code includes freeboard for residential buildings and the community is enforcing the freeboard provisions. This includes adopted state building codes that are enforced in the community. The CRS credits other higher standards included in building codes. For example, coastal CRS communities that have adopted and enforce recent building codes and have newer FIRMs often can qualify for Coastal A Zones credit under Activity 430 (Higher Regulatory Standards).

10. Should a community require more than 1 foot of freeboard?

All communities are encouraged to consider adopting additional freeboard. This may mean freeboard in all flood zones. It may mean more than 1 foot of freeboard. It may mean applying the freeboard standard to all building types. Remember, CRS credit is available for the enforcement of freeboard under CRS Activity 430 (Higher Regulatory Standards).

11. Will communities receive CRS credit for the enforcement of freeboard for residential buildings?

Yes. Communities will continue to receive freeboard credit (FRB) under Activity 430 (Higher Regulatory Standards) for enforcing freeboard for residential buildings. Communities that already receive FRB credit will continue to receive FRB credit. The basic FRB credit in the CRS is 100 points. FRB credit is higher when more freeboard is required or when elevation on fill is not allowed. An impact adjustment is applied to FRB credit.

12. What should CRS communities do in light of the Class 8 prerequisite?

Communities that currently enforce freeboard should check their floodplain ordinances and/or building codes to be sure that machinery and equipment are included, that substantially improved buildings are included, and that the provisions are being enforced.

Communities that do not now enforce at least 1 foot of freeboard for all new or substantially improved residential buildings, including machinery and equipment, within numbered zones of the SFHA will need to make changes to their floodplain ordinance and/or building code. Adoption and enforcement of the freeboard must occur before the community's first CRS cycle visit after January 1, 2021.

Answers to questions 13 through 17, below, were provided in October 2020. In November 2020, more information was provided for question 13 and clarifications were made to questions 16 and 17.

13. What residential buildings are included in the Class 8 freeboard requirement?

The Class 8 freeboard prerequisite applies to all residential buildings, whether single-family, multi-family, or manufactured. Note that one goal of the freeboard prerequisite is that all residential buildings benefit from a flood insurance rate based on a building elevation of at least 1 foot above the base flood elevation (BFE+1). For a full definition of "residential," see Appendix L of the NFIP's *Flood Insurance Manual*.

14. Does the Class 8 prerequisite include the replacement of manufactured homes in pre-FIRM manufactured home parks? And can the replaced manufactured home be 48 inches above grade to meet the Class 8 prerequisite?

The Class 8 freeboard prerequisite applies to all manufactured homes. All manufactured homes in numbered zones of the SFHA must have at least 1 foot of freeboard above the base flood elevation. This is consistent with the 2015 and 2018 International Residential Codes. A requirement that the manufactured home be 48 inches above grade is not by itself sufficient to meet the 1-foot freeboard requirement.

15. Are historic buildings subject to the Class 8 freeboard prerequisite?

No, historic structures (as defined in 44 *C.F.R.* §59.1) that are allowed an exemption (or variance) as anticipated by 44 *C.F.R.* §60.3 for substantial improvements may be exempt (or varied) from the Class 8 prerequisite. For CRS purposes, documentation of the exemption may be requested. A community interested in providing for the treatment of historic structures within its floodplain ordinance should contact its state historic preservation office or the FEMA Regional Office about recommended language.

16. May machinery and equipment be floodproofed instead of elevated to at least 1 foot above base flood elevation to meet the Class 8 freeboard prerequisite?

No. To meet the Class 8 prerequisite the building code or ordinance must require machinery or equipment to be elevated to at least 1 foot above the base flood elevation for buildings newly constructed, substantially improved, and/or reconstructed due to substantial damage. This requirement includes machinery and equipment placed within attached garages and/or within enclosures below elevated buildings, with the exception of utility meters and equipment specifically designed to withstand inundation according to the standards of the International Residential Codes and the NFIP. A community that allows floodproofing around machinery and equipment in lieu of elevation to the freeboard level does not meet the prerequisite.

17. Does the freeboard requirement for Class 8 apply to attached garages?

The Class 8 freeboard prerequisite will be met provided that attached garages and enclosures below elevated buildings meet the minimum requirements of the NFIP (elevated to the base flood elevation or having proper openings). As noted in question 16, all machinery and equipment in attached garages or in enclosures must be elevated to the freeboard level.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, July 12, 2022

AGENDA ITEM: 14

Hear and deliberate on proposed Ordinance amending Chapter 106 of the Code of Ordinances, City of Rockport, Texas, updating the current Tree and Landscape Ordinance.

SUBMITTED BY: Community Planner / Carey Dietrich

APPROVED FOR AGENDA: RNM

BACKGROUND: The discussion to update the Tree Ordinance began last year. A workshop meeting of the Tree and Landscape Committee was held on February 15, 2022, to review and make recommendations to the ordinance revision. All revisions are complete with taking into account the Committee's recommendations as well as suggestions by City's legal counsel. This final draft has been provided to the Tree and Landscape Committee for review and the members will provide input for this discussion.

Please see the accompanying proposed ordinance revision for more information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Not an action item.

All red underlined text is new proposed text. All text with ~~strikethrough~~ is proposed to be removed.

ARTICLE I. IN GENERAL

Sec. 106-1. Title.

This chapter shall hereinafter be known as the Rockport Tree and Landscape Regulations for the City of Rockport, Texas.

(Ord. No. 1349, § 2, 9-5-06)

Sec. 106-2. Purpose and scope.

This chapter establishes requirements for the provision of landscape elements and their maintenance, tree preservation and mitigation, buffering and screening of property for the purpose of providing orderly, safe and attractive development of land while promoting the health, safety and general welfare of the community.

The city experiences frequent droughts; therefore, it is a purpose of these regulations to encourage the use of drought resistant plants that do not consume large quantities of water.

(Ord. No. 1349, § 2, 9-5-06)

Sec. 106-3. Applicability.

(a) The terms and provisions of this chapter apply to land as follows:

- (1) All vacant and undeveloped land within the City of Rockport, Texas, including any newly annexed areas by the city, except specific lands or uses of land as may be exempt herein.
- (2) All existing land to be re-developed, including additions and alterations but excluding interior alterations, except specific lands or uses of land as may be exempt herein.
- (3) All land that may be subject to landscape maintenance unless as exempt herein.

(b) The terms and provisions of this chapter shall not apply to the following:

- (1) Rights-of-way, streets, parks, and any other public land under the ownership or jurisdiction of the city, except specific land or uses of land as may be exempt herein.
- (2) Any land under the ownership or jurisdiction of state or federal agencies or other governmental body when otherwise prohibited by statute.

(Ord. No. 1349, § 2, 9-5-06)

Sec. 106-4. Definitions.

For the purpose of this chapter the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words used in the plural shall include the singular, words used in the singular include the plural, words used in the masculine include the feminine, and words used in the feminine include the masculine. The word "shall" is mandatory and not merely directory.

ANSI A300: Pruning standards set forth in the standard practices for trees, shrubs, and other woody plant maintenance document.

Buffer device: Means a wall, fence, barrier or vegetative matter that acts as a device to obscure or hide visual, noise or other types of nuisances that may be related to an adjacent property or street.

Building official: See definition in Chapter 2 of the International Building Code.

Building site: A lot or portion of a lot which is designated on the building permit application, including any existing structures, proposed new structures, parking layout and any other site requirements that may be pertinent to development.

Caliper: Any of various measuring instruments usually having two adjustable arms, legs, or jaws used especially to measure diameter or thickness.

Century Class Trees: Trees having a DBH greater than or equal to twenty-four inches (24") and less than forty-eight inches (48") are designated as "Century Class Trees".

Circumference: The measurement around the trunk of a tree at breast height, or 4.5 feet above the ground. Circumference is also diameter multiplied by 3.142. Refer to D.B.H. below.

City: Means the City of Rockport, Texas.

Critical root zone: For any tree, the area within a circle centered on the location of the trunk. The circle's diameter is one-half the sum of the broadest and narrowest drip-line diameters (See Fig. 106-A.).

Damage: Means to take any action which could cause a tree's death, either immediately or after a reasonable period of time, such as pruning or removal of more than 25% of the living tissue, severing the main trunk or large branches or large roots, girdling, poisoning, carving, mutilating, touching with live wires, crushing or exposing roots, digging or drilling a hole larger than three cubic feet (or a trench) within the critical root zone, covering a substantial part of the critical root zone with an impermeable surface, adding an excessive depth of soil to the critical root zone or compacting a substantial part of the soil in the critical root zone to constitute an impermeable surface. The above are examples and are not intended to limit this definition.

D.B.H (diameter at breast height): The diameter of a tree measured in inches at breast height or 4.5 feet above the ground. If a tree forks into multiple trunks below 4.5 feet, the trunk is measured at its most narrow point beneath the forks.

Dripline: A vertical line extending from the outermost edge of the tree canopy to the ground (See Fig. 106-A).

Exempt tree: Except as otherwise provided, any tree on public or private property that has a trunk diameter less than six inches (18.75 inches circumference) measured at D.B.H.

Ex-officio member: For the purpose of this chapter, the landscape official or such staff person designated to serve as liaison to the tree and landscape committee, takes part in the deliberations thereof but shall have no vote, except serves as chairman in the absence of the vice-chairman.

Heritage Class Trees: Trees having a DBH greater than or equal to forty-eight inches (48") are designated as "Heritage Class Trees".

Invasive plants: Exotic plants that crowd out or otherwise harm native plants because they have no natural enemies in the Texas Coastal Bend area and therefore reproduce unchecked (See Table 106-D, Invasive Species).

Landscape official: A City of Rockport employee designated by the city manager to administer the provisions of this document. If no designee, the duties and responsibilities herein shall default to the building official.

Landscaping: Any of the following combinations of living vegetative material, such as, but not limited to, grass, shrubs, vines, hedges, various forms of ground cover plants, shade/canopy trees or palms. In addition, non-living durable material, excluding sand, concrete and other forms of paving material may be used to compliment the landscaping for edging and decoration.

Landscape area: An area of property required to meet landscaping requirements as prescribed herein.

Natural area: An area of natural vegetation (brush, vines, grass, etc.) under a tree's canopy or drip line, which has no record of having been cleared and is considered to be in a natural state.

Pre-development activity: Construction activity which includes demolition, moving of buildings, site clearing, grubbing, grading and any other activity which disturbs the surface of land and is actually undertaken, or customarily undertaken, as preparation for development.

~~*Protected tree:* Any tree on public or private property that has a trunk diameter six inches (18.75 inches circumference) or greater measured at D.B.H.~~

Protected Class Tree: Trees having a DBH (diameter at breast height measured four- and one-half feet above existing ground level) between eight inches (8") and less than twenty-four inches (24") are designated as "Protected Class Trees".

Pruning: The cutting or removing any part of the branching structure of a tree in either the crown, trunk or root areas as defined by the latest ANSI A300 standard (See Fig. 106-C).

Public tree: Any tree now or hereafter growing on any city street right-of-way, in any city park, or any public area as designated by the city.

Street yard: The area of a lot which lies between the property line along a dedicated street and the actual wall line of the building; or, if no building exists, to the rear of the property line; or if parking is between the property line

and wall line of the building, then between the parking and the property line. Such building lines extend outward from the corners of the building as illustrated in Fig. 106-B.

Tree: A woody plant having one well defined stem or trunk and a more or less definitely formed crown, and usually attaining a mature height of at least eight feet.

Tree specialist: Means a person who possesses professional credentials that attest to such person's proficiency in the science of trees and/or tree ecosystems (i.e.: forestry, arboriculture, etc.).

Tree survey: Means a comprehensive assessment of land containing trees and/or woody vegetation to ascertain their location, condition, size and species. Such survey may be accomplished through aerial photography, topographical maps, on-site inspections/calculations or a combination thereof, which can be adopted into a plan for subsequent development of said land.

Windswept Live Oak tree: Means any Live Oak tree (*Quercus virginiana*) whose crown shows a definite south-east to north-west influence as a result of Rockport's prevailing southeasterly wind. No Windswept Live Oak tree shall be exempt from the necessity to obtain a permit prior to its destruction, as provided herein, and shall be considered a protected tree.

Wood-for-wood: Means that for any given size (whole inches) of tree removed, relative size in wood is replaced. Example: one - eight-inch tree removed, replacement may be with either one - eight-inch tree or the equivalent number of trees to equal or exceed the numerical size of the tree removed.

Xeriscape: The conservation of water and energy through creative landscaping. The word xeriscape comes from the Greek work "xeros", meaning "dry". This does not mean the landscape is brown or devoid of plants. However, it does mean that it is a well-designed landscape providing the same lush appearance as other non-xeriscape landscapes, but requires significantly less water, energy and maintenance.

(Ord. No. 1349, § 2, 9-5-06)

Sec. 106-5. Tree and landscape committee.

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

- (1) Five qualified voters of the City of Rockport.
- (2) One member from the Rockport Planning and Zoning Commission.
- (3) One member from the Rockport Park and Leisure Service Board.
- (4) The city landscape official shall serve as ex-officio member to the committee.

(b) Candidates for the tree and landscape committee shall be appointed by the Rockport City Council. In selecting citizens for the committee, every consideration shall be given to include, but not limited to, landscape architects, urban planners, foresters, arborists, master gardeners, horticulturists, etc. Appointed members shall serve overlapping three-year terms with no more than two members up for reappointment in any one-year cycle. Beginning on the effective date of this chapter, two members will be appointed for three years, two members for two years and one member for one year. Any vacancy occurring during the unexpired term of a member shall be filled by the city council for the remainder of the unexpired term. The committee shall elect from its members a chairperson and vice-chairperson to serve for one year beginning in July of the year elected.

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

- (1) The committee shall meet at least once a month or as often as needed to conduct business. ~~The committee shall meet at least once a month or as often as needed to conduct business.~~
- (2) The committee shall make recommendations as necessary for the removal, replacement, protection or maintenance of existing protected trees, significant trees, and newly planted trees; and possible retention of areas of natural vegetation and use of native species in landscape plans.
- ~~(3) The committee shall review requests from a developer or property owner when it is deemed that there has been a misinterpretation of the prescribed regulations or that the regulations are being administered unfairly.~~

(Ord. No. 1349, § 2, 9-5-06)

Sec. 106-6. Buffering and screening.

(a) The purpose of a buffer, screening wall or fence between properties of dissimilar use is to eliminate or minimize potentially adverse impacts of noise, light, unsightly structures, parking areas, or other incompatible

uses.

(b) When a multifamily, commercial or industrial use is established on a building site located adjacent to any one- or two-family residential district, a buffer device, landscaped area or both shall be provided in addition to any site landscaping that may be required of this document. Conversely, when a one- or two-family residential use is established adjacent to any multifamily, commercial, industrial use, a buffer device, landscaped area or both may be erected and maintained along the property line by the residential property owner(s).

- (1) A fence or wall that is provided shall be built in accordance with zoning ordinance.
- (2) All open space within a buffer yard shall be planted with grass or other vegetative ground cover.
- (3) A buffer yard may provide additional plantings in excess of minimum requirements.
- (4) A buffer yard may be interrupted in order to provide access (pedestrian or vehicular) to adjacent parcels.
- (5) The provisions of this section shall not apply where the residential area is separated by a public street, drainage ditch, canal or stormwater detention areas that are a minimum 30 feet in their least dimension.

(c) In all areas, other than one- and two-family residential districts, a continuous visual screen of either wood, masonry, vegetation, hedge (two-years at maturity) or combination thereof shall be required upon completion of construction, alteration or change in use; for the following:

- (1) When a nonresidential PUD district or nonresidential specially permitted use is adjacent to a one- or two-family residential area.
 - (2) To screen a service or loading area.
 - (3) To screen the open storage of materials or equipment.
 - (4) To screen refuse storage areas on three sides (refer to [Chapter 82](#), Rockport Code of Ordinances regarding location of refuse storage areas).
 - (5) To screen all roof, ground and wall mounted mechanical equipment (e.g.: air conditioning equipment), which may be viewed from residential uses, streets or public park areas.
 - (6) Screening shall consist of materials consistent with the primary building materials and may include metal screening or louvers which are painted to blend with the primary building.
- (d) In no case shall the following uses be allowed as buffers: playfields, stables, swimming pools, tennis courts or similar active recreation uses; parking areas; garbage dumpster or designated refuse collection areas (refer to [Chapter 82](#), Rockport Code of Ordinances).
- (e) In cases where these requirements can be better met through the use of alternate methods, approval may be granted by the tree and landscape committee.
- (f) Buffering and screening devices shall be maintained by the property owner at all times.

(Ord. No. 1349, § 2, 9-5-06)

Sec. 106-7. Greenscape preservation account.

All landscape permit fees, tree removal fees, contribution fees, penalties and fines collected pursuant to this article shall be recorded and maintained in a special account to be known as the City of Rockport Greenscape Preservation Account. Monies maintained in this account shall accrue interest at the short-term rates prevailing in the market. All such funds and accrued interest shall be used, when appropriated by city council, only for the purpose of funding the installation and maintenance of trees on public property within the city. Funds may be used to obtain trees, other landscaping associated with tree plantings, sprinklers and other items or materials necessary and proper for the preservation, maintenance, relocation and restoration of trees and tree ecosystems on public land.

(Ord. No. 1349, § 2, 9-5-06)

Sec. 106-8. Appeals.

- (1) Purpose and applicability. Any decision of the City Manager or his/her designee regarding a tree removal permit, a waiver, or the interpretation of the provisions of this article may be appealed to the City Council.
- (2) Application Requirements. An appeal shall contain a written statement of the reasons why the decision is erroneous, and shall be accompanied by a fee established by the City Council. An appeal by an applicant shall be accompanied by a copy of the application on which the initial decision was rendered. An appeal may include any other documents that support the position of the appellant. A written appeal must be filed with the City Manager or his/her designee within ten (10) business days after the date of notification of the decision on the waiver or permit request.

(3) Processing of Appeal and Decision.

- a. Submittal. An appeal shall be submitted to the City Manager or his/her designee for processing. Upon receipt of a written appeal, the City Manager or his/her designee shall compile all documents constituting the record of the decision subject to appeal and transmit the record to the City Council.
 - b. Stay of Proceedings. Receipt of a written appeal of a decision on a waiver or permit stays all proceedings of the City in furtherance of the decision from which appeal is taken, including without limitation acceptance, processing or issuance of any subsequent development applications, and any development activities authorized by initial approval of the waiver or permit. The stay shall be lifted only if the City Manager or his/her designee certifies in writing to the City Council that a stay would cause imminent peril to life or property. Thereafter, the stay may be reinstated only by order of the City Council or a court of record, on application, after notice to the City Manager or his/her designee, for due cause shown.
 - c. Notification Requirements. An appeal requires the following notification:
 1. Written notice mailed to each owner of real property within two hundred (200) feet of the subject property, as indicated by the most recently approved municipal tax roll, at least ten (10) days prior to the public hearing by City Council.
 2. Published notice in a newspaper of general circulation at least fifteen (15) days prior to the public hearing by City Council.
 - d. Decision on Appeal. The City Council shall hold a public hearing and decide the appeal within thirty (30) days after written receipt of the request for the appeal. The City Council shall affirm, reverse or modify the decision from which the appeal was taken.
 - e. Notification of Decision on Appeal. Within ten (10) business days following the decision by City Council, the City Manager or his/her designee shall provide written notification to the applicant of the decision by City Council.
- (4) Criteria for Approval. In deciding the appeal, the City Council shall apply the same criteria that govern the initial decision on the waiver or permit under the provisions of this Article

~~Should the city landscape official deny a request for a landscape plan, removal of a protected tree or that a property owner/developer is aggrieved by a decision of the landscape official, the owner/developer shall, in writing, and within ten days of the action of the landscape official, appeal such action to the tree and landscape committee for further review and final action. The tree and landscape committee shall have discretionary power on a case-by-case basis to determine whether or not just cause exists to overturn the decision of the landscape official. The tree and landscape committee may consider all matters it believes relevant to the particular request. The decision of the tree and landscape committee shall be final.~~

(Ord. No. 1349, § 2, 9-5-06)

Sec. 106-9. Graphics.

The graphics shown in Figures 106-A through 106-E are intended to depict the written representation of specific requirements addressed herein and are not intended to portray accuracy. In addition, these graphics may not be indicative for all areas of the city. Should there be a misinterpretation between the written word and the graphic, the written word shall prevail. Interpretation shall be made by the enforcing authority.

**Figure 106-A
Tree Drip line and critical root zone**

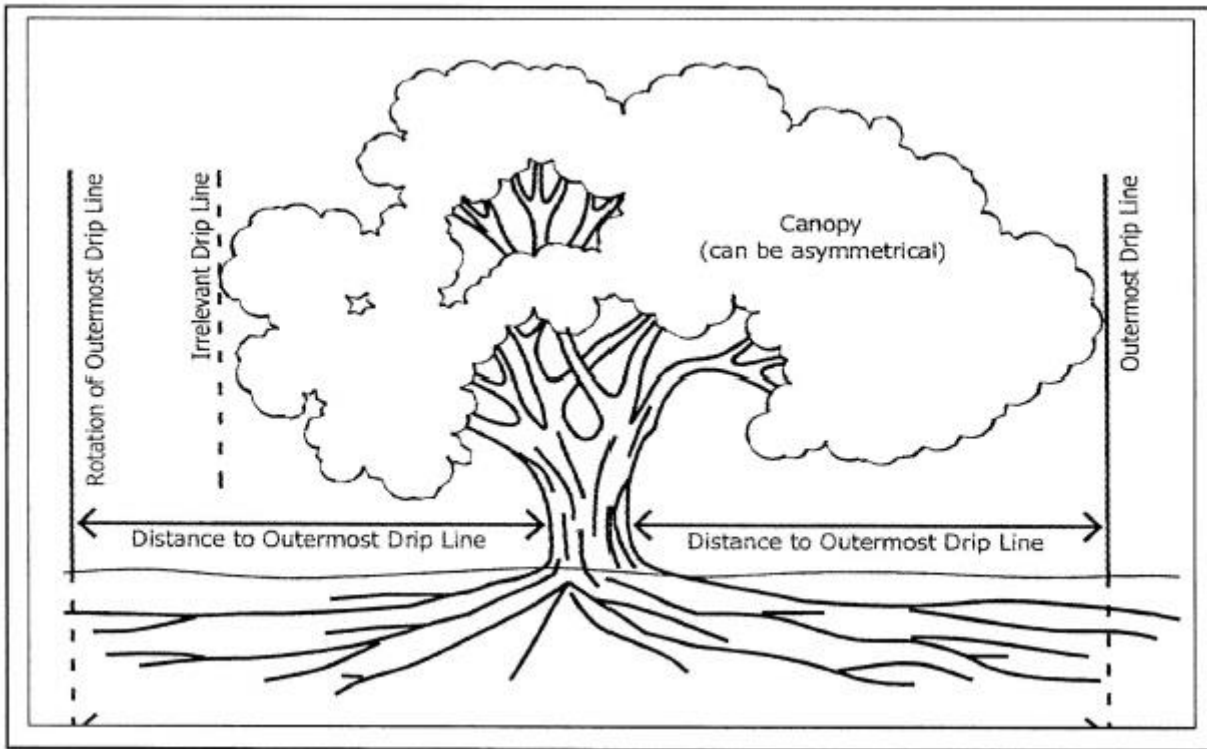


Figure 106-B
Street yards

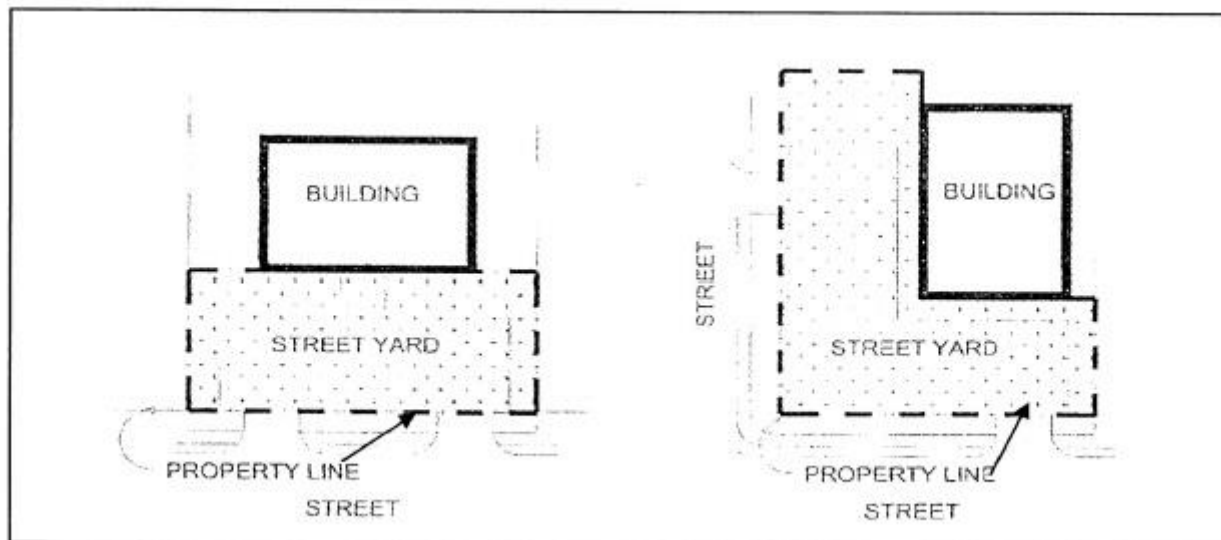
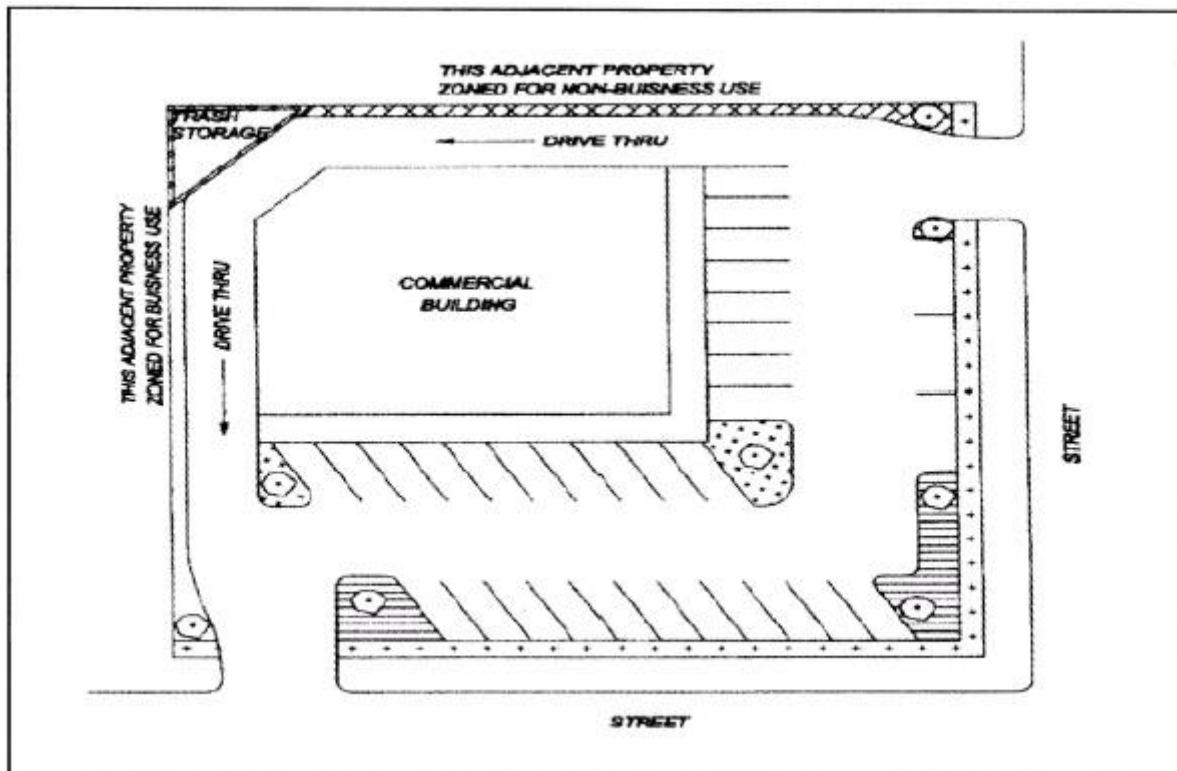
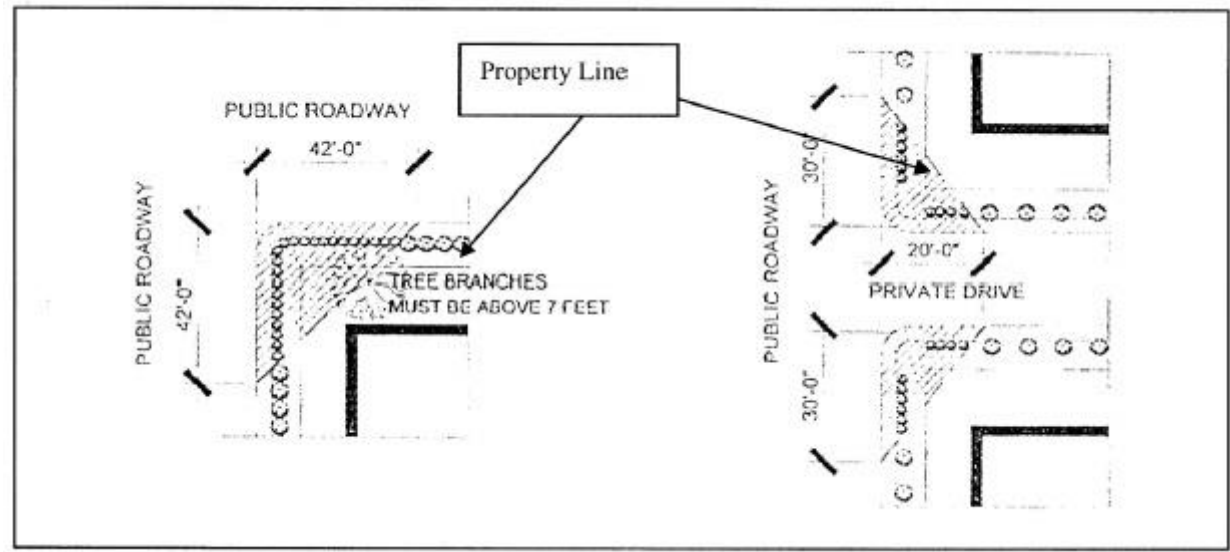


Figure 106-C
Lot Lay-out and Buffer Areas



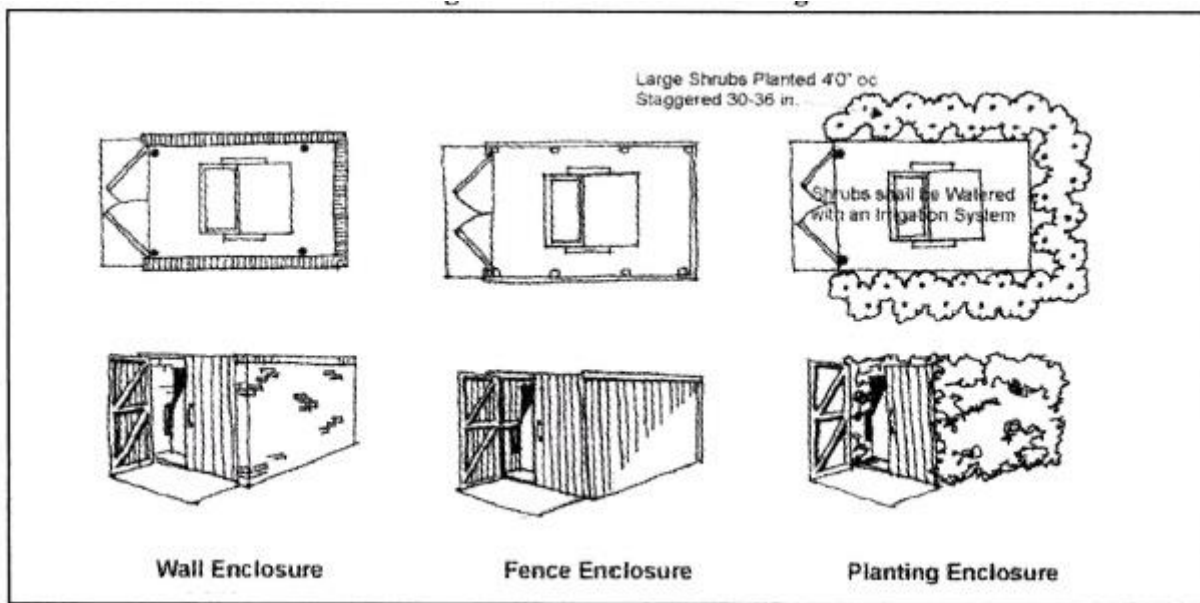
- NOTE: Landscaping adjacent to public right-of-way
1. Minimum of five feet wide strip adjacent to right-of-way boundary with landscape barrier of at least two feet height, plus one tree per each 50 feet of street frontage.
 2. All other areas between right-of-way and of-street vehicular use area shall be landscaped.

Figure 106-D.
Street Corner Vision Triangles



NOTE: Visibility triangles-No landscape materials above three feet high or below seven feet high shall be allowed within the visibility triangle as shown above.

Figure 106-E.
Refuse Buffering



NOTE: All enclosures to be six-foot minimum height.

(Ord. No. 1349, § 2, 9-5-06)

Sec. 106-10. Actions unlawful.

It shall be unlawful for any person or corporation to develop and/or maintain property in violation of this chapter.

(Ord. No. 1349, § 2, 9-5-06)

Sec. 106-11. Noncompliance and enforcement.

(a) *Enforcement authority.* The landscape official shall enforce the provisions of this chapter. Any tree or landscape plan may be examined or re-examined at any time by the landscape official. If the landscape official determines the plan is deficient either preceding or proceeding development or is determined to be no longer in compliance with reviewed and/or approved plans, the following actions may be taken:

- (1) Refusal to issue permits until plan is made to conform or a sufficient plan is provided and approved.
- (2) Refusal to issue certificate of occupancy.
- (3) Issuance of a stop work order.
- (4) Notice of violation issued as set forth below.

(b) *Notice of violation.* Whenever any tree or landscape plan is found to be in violation of this article, the owner/developer of the affected property shall be given notice of the violation and a time to cure the violation as provided by this section. The notice must be in writing and may be given:

- (1) By hand delivery to the owner or person in possession of the property;
- (2) By letter addressed to the owner at the owner's last known address as indicated in the records of the Aransas County Appraisal District; or
- (3) If the owner or person in possession cannot be contacted by (1) or (2) above, then the city may attempt to notice the owner/developer by one of the following additional methods:
 - a. By publication in a newspaper of general circulation at least twice within ten consecutive days;
 - b. By posting the notice on or near the front door of each building on the property to which the violation relates; or
 - c. By posting the notice on a placard attached to the property to which the violation relates if the property contains no buildings.

The notice shall set forth the specific violation(s) and what action(s) shall be necessary to bring the plan or property into compliance with this chapter.

(Ord. No. 1349, § 2, 9-5-06)

Sec. 106-12. Remedies for violation.

(a) *Cumulative remedies.* If the property has not been brought into compliance within 90 days after notification and no appeal has been made by the owner/developer, the city may pursue any remedy or remedies available at

law or in equity for a violation of this ~~article~~ chapter, including, but not limited to, injunctive relief. No election of one remedy shall preclude the utilization of any other remedy. All remedies available to the city to enforce this ~~article~~ chapter are cumulative.

(b) *Penalty.* Failure to comply with any provision of this chapter constitutes a class C misdemeanor punishable as provided by the general penalty provisions of section 1-7 of the Rockport Code of Ordinances. Each day of violation of this chapter shall be considered a separate violation.

(Ord. No. 1349, § 2, 9-5-06)

Secs. 106-13—106-14. Reserved.

ARTICLE II. TREE REGULATIONS

Sec. 106-15.—Protection of trees.

~~No clear-cutting of land is allowed, and no person shall intentionally damage, transplant or remove any protected tree on any real property within the city unless specifically authorized through approval of an official landscape plan, site plan, building permit or on a case-by-case basis.~~

~~(1) For initial site preparation that includes, but not limited to, brush clearing, removal of exempt trees where necessary, exploratory work necessary to perform required surveying, engineering or tree survey work, a permit for such work shall be obtained from the building official prior to such work being performed. Such permit does not include the construction of retaining walls, drainage infrastructure or other structures (for the purpose of this provision, a City of Rockport Application for Building Permit shall act as the site preparation permit application).~~

~~(2) Trees that are designated on an approved plan for which a building permit is required are exempt from the requirements of a separate removal permit. If the site does not contain any protected trees, a letter prepared by a tree specialist or an affidavit submitted by a third party acceptable to the city shall be submitted to the city, which verifies that protected trees are not on the subject site. Protected trees shall not be removed without approval of the landscape official or as otherwise provided herein. Only exempt trees, as addressed herein, may be removed through permit without prior approval. EXCEPTION: Should exempt trees constitute more than 65 percent of the trees on a property, excluding one or two family dwelling lots, approval must be obtained through mitigation of a site/tree plan with the tree and landscape committee.~~

~~(3) Criteria for issuance of a protected tree removal permit.~~

~~a. Except as otherwise provided, protected trees may be removed for the following reasons:~~

~~1. Trees that are hazardous, diseased, or infectious and trees in decline, as certified by a tree specialist;~~

~~2. Trees or their root systems causing visible damage to structures, utilities or areas used for pedestrian and vehicular traffic;~~

~~3. Trees or their root systems that may cause damage to structures, utilities or areas used for pedestrian and vehicular traffic as certified by a State of Texas registered engineer;~~

~~4. Trees within power line easements that cannot be properly pruned by the city or a local utility company;~~

~~5. Trees, after proper pruning, which cause safety-related problems;~~

~~6. Trees to be removed, cut, or disturbed within the footprint or within ten feet of one and two family dwellings (existing or new), along with ancillary structures or uses (driveways, pools, storage sheds, etc.); or~~

~~7. For movement of buildings.~~

~~b. Trees or tree plans that do not meet any of the criteria in subsection (3)a. above or which have a Windswept Live Oak Tree on the property or plan, shall be reviewed by the tree and landscape committee. The tree and landscape committee shall determine which trees may be removed as necessary in order to develop the property in a reasonable and prudent manner.~~

~~c. Application for tree removal permits must be made at the office of the landscape official in advance of the time the work is to be done (for the purposes of this section, a City of Rockport Building Permit Application shall act as the tree removal permit application). Said application shall contain a tree survey of the affected property showing actual or schematic location of all existing protected trees, or, in the case of site improvements, a site plan showing the location of all structures and parking areas proposed to be built and those protected trees to be removed and any tree(s) to be planted, or a general description of trees requested to be removed pursuant to subsection (3)a., above and is satisfactory to the landscape official. The landscape official shall then issue the~~

permit or, when applicable under subsection (3)b. above, issue the permit if the proposed work is approved by the tree and landscape committee. Any permit granted shall contain a definite date of expiration not to exceed 180 days with said work completed in the time allowed on the permit. Any permit shall be void if its terms are violated. Within five days after tree(s) removal, notice of completion shall be given to the landscape official.

(4)—*Mitigation policies.* Due to large areas usually involved in commercial property development and the need to prevent stripping such areas of trees, such development shall strive to retain as many trees within parking lot areas or within non-developed areas as possible, and/or meet the landscaping requirements as addressed in article III of this chapter. Should the development plan not meet the criteria as addressed herein or the developer submits an alternate plan, the landscape official shall submit such plan to the tree and landscape committee for further review and recommendation.

(5)—*Protection of Windswept Live Oak trees.*

a.—Windswept Live Oak trees are considered a special natural resource unique to this area, shaped and created by forces of nature, and are irreplaceable. Windswept Live Oak trees provide character and beauty to the community, and special preservation of such trees benefits the community. Windswept Live Oak trees are deserving of extra consideration by the tree and landscape committee before any such tree is permitted to be removed.

b.—The tree and landscape committee may deny any application for removal of a Windswept Live Oak tree purporting to meet the criteria set forth in subsection (3)a. above, unless the committee finds by clear and convincing evidence that the applicant's stated reasons for removal exist in fact and the removal is imminently necessary to accomplish the applicant's stated reason(s).

(Ord. No. 1349, § 3, 9-5-06; Ord. No. 1414, § 1, 12-11-07; Ord. No. 1530, § 1, 1-25-11)

Sec. 106-16.—Replacement tree criteria.

(a)—All protected trees removed in accordance with the provisions contained herein shall be replaced in accordance with Table 106-B.

Table 106-B. Replacement tree schedule.

<i>Each [Existing] Tree</i>	<i>Will Be Replaced By...</i>	<i>Replacement size...</i>
Less than 6" DBH	Determined by the Tree & Landscape Oversight Committee in accordance with Sec. 106-15 , B, above.	
Over 6" up to 9" DBH	2 trees	2" DBH—each
over 9" up to 12" DBH	3 trees	2" DBH—each
over 12" up to 18" DBH	4 trees	4" DBH—each
over 18"	5 trees	4" DBH—each

(b)—In case of unusual circumstances where the above schedule cannot feasibly be met, a removed tree(s) may be replaced wood for wood or replaced according to an accepted landscape plan that is approved by the tree and landscape committee. As many trees as possible will be replaced. Replacement trees must be planted in the same location or as near as possible to the removed trees (unless imposing an unreasonable hazard) and be maintained in good health.

(c)—Replacement trees may be of any species recommended in Table 106-D of this article or as may be accepted on a tree and landscaping plan by the tree and landscape committee. Live oak trees on property other than one- and two-family dwellings should not, if feasible, be replaced with palm trees.

(d)—When it is found impractical to relocate or replace on the same property, replacement may be made upon public property, parks and within rights-of-way subject to approval from the city. Trees accepted by other organizations shall be negotiated with the city. In lieu of trees, a cash contribution may be accepted by the city in an amount agreed upon with the developer and deposited into the Greenscape Preservation Account described in

[section 106-7.](#)

- (e) ~~Replacement trees shall be required for removal of protected trees on residential property for uses other than one and two family dwellings at a ratio prescribed in Table 106-B above.~~
- (f) ~~Replacement trees shall be required for removal of protected trees in public parks and other public open spaces at a ratio of wood for wood or by an accepted landscaping plan which includes the planting of trees, unless otherwise recommended by the Rockport Park and Leisure Service Board.~~
- (g) ~~Replacement trees shall be required for removal of protected trees in parking areas at nonresidential development sites at a ratio prescribed in Table 106-B above, or by an accepted landscaping plan which includes the planting of trees.~~
- (h) ~~Replacement trees shall be required for removal of protected trees in other than parking areas at nonresidential development sites at a ratio of wood for wood or by an accepted landscaping plan which includes the planting of trees.~~
- (i) ~~No replacement trees are required for the removal of protected trees within the footprint of approved buildings on a development site unless the only trees on said site are within the footprint of said building(s). In such a case, replacement trees shall be required at a ratio of one half the trees required in Table 106-B above.~~
- (j) ~~No replacement trees are required for the removal of protected trees in public streets, alleys, or rights-of-way (this may include easements where utilities or other services are provided).~~
- (k) ~~No replacement trees are required for the removal of protected trees by a utility company during the normal course of maintaining easements or city rights-of-way.~~

(Ord. No. 1349, § 3, 9-5-06)

~~Sec. 106-17. Tree protection during development.~~

~~During development of any site, other than one and two family dwelling sites and other than that addressed in [section 106-15](#), the following measures will be utilized to protect any tree on site that is not designated for removal:~~

- ~~(1) Soil disturbance/grade changes under the canopy of a preserved or planted tree shall be in accordance with an approved grading/landscaping plan submitted by a tree specialist. Such plan shall be accepted and approved by the tree and landscape committee prior to site work.~~
- ~~(2) Ensure that grade changes under the canopy of a preserved or planted tree are conducted where no more than two inches of soil is removed or added unless approved otherwise by a recognized tree specialist.~~
- ~~(3) When necessary, additional measures may be taken to build tree wells, retaining walls, etc., to ensure protection of trees (reference may be made to the publication Protecting Existing Landscape Trees from Construction Damage Due to Grade Changes as published through the Texas A&M University System for detailed information).~~
- ~~(4) Ensure additional protective measures against:~~
 - ~~a. Unnecessary cutting, breaking, or skinning of roots.~~
 - ~~b. Skinning and bruising of bark.~~
 - ~~c. Smothering of trees by stockpiling construction or excavation materials within dripline.~~
 - ~~d. Excessive vehicular traffic, the parking of construction vehicles, machinery, or as staging areas for construction materials, within drip line.~~
- ~~(5) Erect temporary wooden barricades, chain-link fencing, or plastic fencing around areas to be protected before commencement of any site work. Barricades are to be four feet high minimum supported by approved means and set deep enough in the ground to be stable without additional support. For protected trees, protective barricades shall be placed a minimum distance of ten feet from the base of each protected tree. Nothing shall be placed inside of protective barricades, including but not limited to construction material, machinery, chemical or temporary soil deposits. Paving, excavating, or landscaping in and around trees must be done in accordance with approved plans. Extra care must be taken at this time by the contractor to ensure that no damage to the tree or its roots occurs.~~
- ~~(6) All tree protection zones shall be designated as such with "Tree Protection Area—Caution Do Not Enter" signs posted visibly on all sides of the fenced area.~~
- ~~(7) Utilities shall not be installed in this tree protection area unless so authorized by the city.~~

a.—Trenching shall be no closer than six times the diameter at breast height (DBH) to the effected tree nor disrupt more than 30 percent of the drip line root area.

b.—No other types of disturbance or construction shall be allowed under the drip line of any tree without prior approval by the landscape official.

(8)—Limit construction equipment access, material storage, fuel tanks, chemical or cement rinsing, vehicle parking and site office locations to non-tree areas.

(9)—Do not allow trash or debris to be burned beneath trees.

(10)—Grading, filling, and ditching in the tree protection zone is prohibited unless authorized by the landscape official.

(11)—Provide water and fertilizer to trees as required to maintain their health during construction work.

(12)—If trees are wounded or stressed during construction, any wounds to the bark should be cleaned to sound wood by removing loose bark and wood, leaving a smooth edge around the wound. A wound dressing should only be applied to oak trees.

(13)—One and two family dwelling sites shall be managed on a case by case basis through the building permit.

(Ord. No. 1349, § 3, 9-5-06)

Sec. 106-18.—Obstruction; pruning of trees.

(a)—Maintenance pruning allows for the healthy uniform growth of trees. Tree pruning should be accomplished in accordance with the procedures set forth in the latest ANSI A300 standard. The use of unnatural pruning techniques will be considered an unauthorized removal of a tree unless the tree is designated on an approved landscape plan to be shaped or formed in an unnatural pattern or to be maintained at a certain height. (Additional references include: A Guide to Growing Healthy Trees in the Corpus Christi Area, published by the Tree Awareness Council; and Tree Tips—A Planning Guide, published by CP&L).

(b)—It shall be the duty of any person or persons owning or occupying real property bordering on any street or public way upon which property there may be trees or other vegetation, to prune such trees or other vegetation on their property in such a manner that they will not obstruct or shade streetlights, obstruct the passage of pedestrians, obstruct vision or traffic signs, obstruct flow of vehicular traffic, or obstruct view of any street or alley intersection. Minimum clearance of any overhanging portion thereof shall be determined by the city public works department.

(1)—*Notice to prune.* Should any person or persons owning real property bordering on any street fail to prune trees as herein above provided, the landscape official shall order such person, or persons, within ten days after receipt of written notice, to prune such trees.

(2)—*Order required.* The order required herein shall be served in accordance with notification procedures as outlined in [section 106-11](#), of this article.

(3)—*Failure to comply.* When a person to whom an order is directed fails to comply within the specified time, the landscape official may have such trees pruned in the interest of public safety.

(c)—On any corner lot, no vegetation shall be permitted or maintained higher than three feet above ground level or average street level within a vision triangle formed by a straight line from the points of the two intersecting right-of-way lines 20 feet back from their common intersection. This restriction shall not apply to permanent structures authorized by other sections of this article nor by other local, state, or federal laws. This restriction shall not apply to the trunks of trees as long as said trees are not clustered in a way so as to impede vision and are pruned so that all overhanging limbs will not impede vision.

(Ord. No. 1349, § 3, 9-5-06)

Sec. 106-19.—Oak Wilt protection.

There are numerous states within the Continental U. S. with Oak Wilt disease. Only Texas has epidemics in Live Oak populations. This deadly tree disease could spread in our direction. As an aid in combating this tree disease the Texas Forest Service highly recommends the following preventive measures be practiced before and after any tree in our area is diagnosed with Oak Wilt:

(1)—*Preventive measures.*

a.—Avoid wounding trees (trunks, branches, roots) from February 1 to June 1;

b.—To be extra cautious, paint all wounds and freshly cut stumps, regardless of the season.

c. ~~Only use seasoned oak firewood. Never use red oak from unknown origins.~~

~~(2) Prevent new centers.~~

a. ~~Cut and dispose (burn, bury, or chip) of diseased red oaks immediately.~~

b. ~~Avoid wounding trees (trunks, branches, roots) from February 1 to June 1.~~

c. ~~To be extra cautious, paint all wounds and freshly cut stumps, regardless of the season.~~

d. ~~Only use seasoned oak firewood. Never use red oak from unknown origins.~~

~~(3) Stop spread through roots.~~

a. ~~Circle the infection center with a trench at least four feet deep and 100 feet beyond the last symptomatic tree.~~

b. ~~Uproot all symptomatic and buffer trees within the 100-foot barrier (except those injected with approved fungicide).~~

~~(4) Inject high-value oaks with fungicide.~~

a. ~~Identify high-value oaks that are located 25 feet to 150 feet from infected oaks.~~

b. ~~Propiconazole is the current recommended fungicide by the Texas Forest Service.~~

~~(5) Plant resistant trees.~~

a. ~~Plant only recommended non-oak species or oak species that are from the White Oak sub-family.~~

b. ~~Strive for diversity where one species does not constitute more than 15 percent of the total population.~~

~~(Ord. No. 1349, § 3, 9-5-06)~~

Sec. 106-20. Formosan Termite protection.

~~There are numerous counties within Texas with Formosan Termites, Aransas County among them. Early detection is particularly important for the maintenance of tree health and structural soundness of urban trees. The ultimate goal should be to increase community awareness of the seriousness of Formosan Subterranean Termite (FST) populations in the city, to reduce or eliminate the impact humans assist in the unwanted dispersal of FST (e.g., the disposal of infested wood into city landfills, recycling, and transfer centers). As an aid in combating FST the following suggested remedies may be applied should a tree or any cellulose material be diagnosed with FST a tree or insect specialist:~~

~~(1) Detection.~~

a. ~~Check for any stage of development of the Formosan termite, *Coptotermes formosanus* and other species of the genus *Coptotermes*.~~

b. ~~Check railroad cross ties, utility poles, firewood and all cellulose material that has been in contact with soil.~~

c. ~~Check any other products, articles or methods used to transport any type of article whatsoever when it is determined by an inspector (certified pest control agent) that they present a risk of spread of the Formosan termite and the person in possession thereof has been notified in writing.~~

~~(2) Conditions governing handling, movement, and sale of regulated articles.~~

a. ~~Articles (tree or cellulose material) found in violation of these regulations shall be destroyed and/or disposed of in a manner approved by a certified pest control agent.~~

b. ~~When the article has been properly fumigated by a licensed and/or certified pesticide applicator and proof of treatment is present with the article then said article can be deemed free of Formosan termites.~~

~~(Ord. No. 1349, § 3, 9-5-06)~~

Secs. 106-21—106-29. Reserved.

Article II. Tree Regulations

Sec. 106-15 - Tree Preservation and Mitigation.

(b) Purpose and Intent.

- (1) The purpose of this section is to conserve, protect and enhance existing healthy trees and natural landscape. It is recognized that the preservation of existing trees contributes to the overall quality and environment of the City. Trees can and do contribute to the processes of purification, oxygenation, regeneration, groundwater recharge, reduction of pollution and contaminants in aquifers, erosion and dust control, abatement of noise, provision of wildlife habitat and enhancement property values. Indiscriminate clearing or stripping of natural vegetation on any parcel is prohibited.
- (2) It is hereby declared the intent of the City to encourage the preservation of all trees within the City limits. While the layout of a property with respect to the placement of buildings, parking facilities and other site requirements is at the discretion of the developer of the property, it is the policy of the City to promote site layout and design in a manner which preserves the maximum amount of Protected Class, Century Class, Heritage Class, and Windswept Live Oak trees possible.

(c) Applicability and Exemptions.

- (1) The provisions of this section are applicable to the following:
 - a. all new residential and nonresidential development within the City;
 - b. redevelopment of any residential or nonresidential property within the City that results in an increase in the building footprint or the total destruction and reconstruction;
 - c. any grading, filling or clearing of land in the City limits; and
 - d. any selective or individual removal of any Protected Class Trees, Century Class Trees, Heritage Class Trees, and Windswept Oak Trees in the City limits.
- (2) The following definitions shall be applicable to the provisions of this section:
 - a. Protected Class Trees. Trees having a DBH (diameter at breast height measured four- and one-half feet above existing ground level) between eight inches (8") and less than twenty-four inches (24") are designated as "Protected Class Trees".
 - b. Century Class Trees. Trees having a DBH greater than or equal to twenty-four inches (24") and less than forty-eight inches (48") are designated as "Century Class Trees".
 - c. Heritage Class Trees. Trees having a DBH greater than or equal to forty-eight inches (48") are designated as "Heritage Class Trees".
 - d. Windswept Oak Trees. Any Live Oak tree whose crown shows a definite south-east to north-west influence as a result of Rockport's prevailing southeasterly wind
- (3) The following are exempt from the preservation and mitigation requirements of this section:
 - a. Protected Class Trees located within the area of a proposed on-site sewage facility (OSSF). A waiver to mitigation for Century Class Trees and Heritage Class Trees may be requested;
 - b. Protected Class, Century Class Trees and Heritage Class Trees located within a right-of-way to be dedicated to and maintained by the City and shown on the City's Master Thoroughfare Plan;
 - c. Protected Class Trees located within any utility easement. Protected Class Trees located within any utility easement are exempt from preservation requirements only. A waiver to mitigation for Century Class Trees and Heritage Class Trees may be requested;
 - d. Protected Class, Century Class, Heritage Class, and Windswept Oak trees damaged or destroyed by floods, fire, wind or other natural causes;
 - e. Dangerous, diseased, damaged, dead or dying Protected Class, Century Class, Heritage Class, and Windswept Oak trees as determined by a certified Texas Arborist;
 - f. Protected Class, Century Class, Heritage Class, and Windswept Oak trees that are less than 10" in diameter at the point on the trunk 4.5' above the ground located on property that has an existing one family or two-family dwelling that is occupied;

- g. Protected Class trees of a species listed in Table 106-D.8 *Plant Species list- Invasive Species*. A waiver to mitigation for Century Class, and Heritage Class trees may be requested;
- h. Protected Class, Century Class, and Heritage Class trees of the following tree species are exempt:
1. Hackberry (*Celtis occidentalis*)
 2. Eastern Red Cedar (*Juniperus virginiana*)
 3. Common Ashe Juniper (*Juniperis ashei*)
 4. Chinaberry (*Melia azedarach*)
 5. Mesquite (*Prosopis* spp.)
 6. Ligustrum (*Ligustrum* spp.)
- (d) Tree Preservation. The existing natural landscape character shall be preserved to the maximum extent reasonable and feasible. Except as otherwise exempted in section 106-15.b.3 above, a Tree Removal Permit is required for the removal of any tree with a DBH of eight inches (8") or greater.
- (1) Protected Trees. Any Protected Trees not exempt from preservation in section 106-15.b.3 above may be removed upon approval of a Tree Removal Permit by the City Manager or his/her designee.
 - (2) Century Trees. Any Century Trees not exempt from preservation in section 106-15.b.3 above may be removed upon approval of a Tree Removal Permit by the City Manager or his/her designee.
 - (3) Heritage Trees. Any Heritage Trees not exempt from preservation in section 106-15.b.3 above may be removed upon approval of a Tree Removal Permit by the City Manager or his/her designee.
 - (4) Minimum Preservation. In the development of any site, at least twenty-five percent (25%) of all non-exempt Protected Class, Century Class, and Heritage Class trees must be preserved. A waiver to the 25% preservation requirement may be requested.
- (e) Tree Mitigation. Any non-exempt Protected Class, Century Class, or Heritage Class trees that are removed or damaged, shall be mitigated for on the same site as the proposed development. All trees planted for mitigation purposes must be a species of shade tree identified in table 106-15.d.7: *Plant species list – Shade Trees*. In the event that mitigation is not feasible on the same site as the proposed development, an applicant may request to donate trees, meeting the mitigation requirements of this section, to be planted at public parks, schools, or other approved public facilities throughout the City or pay a fee-in-lieu. Approval of requests to donate trees or pay a fee-in-lieu are at the discretion of the City Manager or his/her designee. Mitigation requirements are:
- (1) Protected Class Trees. Protected trees shall be mitigated at a one-to-one (1:1) DBH inch ratio for every tree removed. Replacement trees shall have a minimum DBH of two- and one-half inches (2.5").
 - (2) Century Class Trees. Century Class trees shall be mitigated at a three-to-one (3:1) DBH inch ratio for every tree removed. Replacement trees shall have a minimum DBH of two- and one-half inches (2.5").
 - (3) Heritage Class Trees. Heritage Oak trees shall be mitigated at a five-to-one (5:1) DBH inch ratio for every tree removed. Replacement trees shall have a minimum DBH of two- and one-half inches (2.5").
 - (4) Windswept Oak Trees shall be mitigated at a five-to-one (5:1) DBH inch ratio for every tree removed. Replacement trees shall have a minimum DBH of two- and one-half inches (2.5").
 - (5) Damaged Trees. Any trees that are designated for preservation and are damaged during the construction process or that die within two (2) years of issuance of a certificate of occupancy shall be mitigated for in accordance with subsection 106-15.d.1, d.2, d.3, and d.4 above.
 - (6) Mitigated Trees. Trees planted and counted towards the necessary mitigation requirements that are damaged after planting or that die within two (2) years of issuance of a certificate of occupancy shall be mitigated for at a one-to-one (1:1) DBH inch ratio for every tree damaged or that dies.

Table 106-15.d.7: Plant species list—SHADE TREES

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>
<u><i>Quercus macrocarpa</i></u>	<u>Bur Oak (H, N)</u>
<u><i>Quercus virginiana</i></u>	<u>Live Oak (H, N)</u>

<u><i>Quercus laceyi</i></u>	<u>Lacey Oak</u>
<u><i>Taxodium distichum</i></u>	<u>Bald Cypress (W)</u>
<u><i>Taxodium mucronatum</i></u>	<u>Montezuma Bald Cypress (W)</u>
<u><i>Ulmus americana</i></u>	<u>American Elm</u>
<u><i>Ulmus crassifolia</i></u>	<u>Cedar Elm (N)</u>
<u><i>Pithecellobium flexicaule</i></u>	<u>Texas Ebony (F, H, N)</u>
<u><i>Araucaria heterophylla</i></u>	<u>Norfolk Island Pine (F)</u>
<u><i>Pinus thunbergia</i></u>	<u>Japanese Black Pine</u>
<u><i>Ehretia anacua</i></u>	<u>Anaqua (N, H)</u>
<u><i>Parkinsonia aculeate</i></u>	<u>Retama (H, N)</u>

(f) Tree Protection Standards.

- (1) All trees to be preserved on site shall be protected from damage caused by site excavation or construction in accordance with the following:
 - a. All trees shall be protected by a fence, frame or box constructed around the drip line of the preserved tree. Protection measures may not be removed until construction is complete.
 - b. A minimum of three inches (3") of mulch or compost shall be spread beneath the drip line of the preserved tree.
 - c. No person shall excavate any ditches, tunnels, or trenches, place any paving material or place any drive or parking area within the drip line of any Protected Class, Century Class, Heritage Class, and Windswept Oak Tree without prior written approval of the City Manager or his/her designee.
 - d. No person shall attach any rope, wire, nails, advertising posters or other contrivance to any Protected Class, Century Class, Heritage Class, and Windswept Oak Tree.

(2) Windswept Live Oak Tree Protection.

- a. Windswept Live Oak trees are considered a special natural resource unique to this area, shaped and created by forces of nature, and are irreplaceable. Windswept Live Oak trees provide character and beauty to the community, and special preservation of such trees benefits the community. Windswept Live Oak trees not exempted by section 106-15.b.3 above may only be removed if:
 1. It is demonstrated by clear and convincing evidence that the applicant's stated reasons for removal exist in fact and the removal is imminently necessary to accomplish the applicant's stated reason(s).
 2. A reasonable effort to preserve the tree/s has been made and reasonable alternatives have been evaluated and determined to not be feasible.

(g) Tree Preservation Credits—Nonresidential and Multifamily Developments.

- (1) To encourage the preservation of existing Protected Class, Century Class, Heritage Class, and Windswept Oak Trees contained within a proposed development, tree preservation credits may be requested to reduce the amount of new landscaping trees required on nonresidential and multifamily sites. Tree preservation credits can be issued to offset landscape buffer requirements when the tree being preserved is located within the buffer. Tree preservation credits can also be issued to satisfy total trees per acre requirements. The following minimum tree preservation credits may be requested:
 - a. Protected Class Trees shall receive a credit against the minimum required landscaping or mitigation standards at a one-to-one (1:1) caliper inch ratio;
 - b. Century Class Trees shall receive a credit against the minimum required landscaping or mitigation

- standards at a three-to-one (3:1) caliper inch ratio;
 - c. Heritage Class Trees shall receive a credit against the minimum required landscaping or mitigation standards at a three-to-one (3:1) caliper inch ratio;
 - d. Windswept Oak Trees shall receive a credit against the minimum required landscaping or mitigation standards at a five-to-one (5:1) caliper inch ratio;
- (2) Tree preservation credits may only be applied to the site where the trees are being preserved and only to offset new tree planting requirements. Credits may only be used to offset required new landscaping and must be requested at time of building permit.
- (h) Tree Removal Permit.
 - (1) Permit Required. A tree removal permit is required for the removal of any Protected Class, Century Class, and Heritage Class, tree/s not exempt in section 106-15.b.3 above and any Windswept Live Oak Tree regardless of size, classification, or exemption status. Application for a Tree Removal Permit must be accompanied by an appropriate application as identified in the City's Development Manual.
- (i) Violations.
 - (1) Work without a Tree Removal Permit. It shall be a violation of this chapter for any person or corporation to remove without a Tree Removal Permit, any non-exempt Protected Class, Century Class, and Heritage Class tree or any Windswept Live Oak Tree regardless of size, classification, or exemption status.
 - (2) It shall be unlawful for any person or corporation to develop and/or maintain property in violation of this chapter.
 - (3) Penalties and appeals shall be in accordance with the provisions laid out in Article I of this chapter.
- (j) Waiver.
 - (1) General. The City Manager or his/her designee may authorize waivers from the provisions of this Article when, in their opinion, undue hardship will result from requiring strict compliance. Waivers may be granted only to items specifically stated in this section. Waivers must meet one of the following eligibility requirements:
 - a. The tree is proposed for removal in order for the property to achieve compliance with other applicable City requirements and standards (i.e. site design or storm water management); or
 - b. The tree is proposed for removal because it is within a future public utility location; or
 - c. Minimum preservation requirements cannot be met due to too few trees or an excessive abundance of trees on site.
 - (2) Criteria for approval. Waivers shall be evaluated using the following criteria:
 - a. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees or windbreaks;
 - b. The requested waiver does not violate the intent of this section or the Rockport Code of Ordinances;
 - c. Strict interpretation of the provisions of the section would deprive the applicant of rights commonly enjoyed by other nearby properties in the same zoning district or with the same land use that would comply with the same provisions;
 - d. A reasonable effort to preserve the tree has been made and reasonable alternatives have been evaluated and determined to not be feasible.

Secs. 106-16—106-29. Reserved.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, July 12, 2022

AGENDA ITEM: 15

Deliberate and act to re-appointment and appoint members to various City of Rockport boards, committees, and commissions.

SUBMITTED BY: Mayor Tim Jayroe

APPROVED FOR AGENDA: RNM

BACKGROUND: Each year after the May election, re-appointments and appointments are made to the various City boards, committees, and commissions. Appointments for all boards and committees include the following: **NOTE:** **Red** type depicts **re-appointments**. **Blue** type represents **appointments**.

PARKS AND LEISURE SERVICES ADVISORY BOARD

PLACE NO.	MEMBER'S NAME	EXPIRATION DATE	WARD	COMMENTS
1	David Rodriguez	June 1, 2024	2	
2	Maria Fee	June 1, 2024	3	
3	Leo Villa	June 1, 2023	1	
4	Ray A. Garza	June 1, 2024	4	
5	Jenny Vander Pluym	June 1, 2023	3	
6	Karen Rester	June 1, 2024	3	Requesting re-appointment
7	Lindsee Merrell	June 1, 2024	2	

Council Liaison: Council Member Hale

PLANNING & ZONING COMMISSION

PLACE NO.	MEMBER'S NAME	EXPIRATION DATE	WARD	COMMENTS
1	Ric Young	June 1, 2022	4	Requesting re-appointment
2	Warren Hassinger	June 1, 2023	3	
3	Kim Hesley	June 1, 2024	3	
4	Thomas Blazek	June 1, 2023	4	
5	Ruth Davis	June 1, 2022	3	Requesting re-appointment
6	Patricia A. Impens	June 1, 2023	1	
7	W. Kent Howard	June 1, 2024	3	

Council Liaison: Mayor Pro-Tem Hattman

TREE AND LANDSCAPE COMMITTEE

PLACE NO.	MEMBER'S NAME	EXPIRATION DATE	WARD	COMMENTS
1	Shelly Steckler	June 1, 2023	2	
2	Carla Rinche	June 1, 2023	3	
3	Laura Denham	June 1, 2024	4	
4	Warren Hassinger	June 1, 2022	3	Requesting re-appointment
5	Ginger Easton Smith	June 1, 2023	3	
6	Linda Frank	June 1, 2022	3	
7	Karen Rester	June 1, 2024	3	Requesting re-appointment

Council Liaison: Council Member Jackson

Alternate: Council Member Brundrett

ZONING BOARD OF ADJUSTMENT and BUILDING & STANDARDS COMMISSION

PLACE NO.	MEMBER'S NAME	EXPIRATION DATE	WARD	COMMENTS
1	Warren Hassinger	June 1, 2023	3	
2	Ric Young	June 1, 2023	4	
3	Pamela Dixon Frost	June 1, 2022	4	Requesting re-appointment
4	Richard W. Smith	June 1, 2024	2	
5	Jeanetta Davis	June 1, 2022	4	Requesting re-appointment
6	Matthew Grimes	June 1, 2022	1	Alternate
7	Brandi Picton	June 1, 2023	3	Alternate

Council Liaison: Council Member Brundrett

Alternate: Mayor Pro-Tem Hattman

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: None.

TREE AND LANDSCAPE COMMITTEE

PLACE NO.	MEMBER'S NAME	EXPIRATION DATE	WARD	COMMENTS
1	Shelly Steckler	June 1, 2023	2	
2	Carla Rinche	June 1, 2023	3	
3	Laura Denham	June 1, 2024	4	
4	Warren Hassinger	June 1, 2022	3	Requesting re-appointment
5	Ginger Easton Smith	June 1, 2023	3	
6	Linda Frank	June 1, 2022	3	
7	Karen Rester	June 1, 2024	3	Requesting re-appointment

Council Liaison: Council Member Jackson

Alternate: Council Member Brundrett

ZONING BOARD OF ADJUSTMENT and BUILDING & STANDARDS COMMISSION

PLACE NO.	MEMBER'S NAME	EXPIRATION DATE	WARD	COMMENTS
1	Warren Hassinger	June 1, 2023	3	
2	Ric Young	June 1, 2023	4	
3	Pamela Dixon Frost	June 1, 2022	4	Requesting re-appointment
4	Richard W. Smith	June 1, 2024	2	
5	Jeanetta Davis	June 1, 2022	4	Requesting re-appointment
6	Matthew Grimes	June 1, 2022	1	Alternate
7	Brandi Picton	June 1, 2023	3	Alternate

Council Liaison: Council Member Brundrett

Alternate: Mayor Pro-Tem Hattman

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: None.

Email any questions to: citysec@cityofrockport.com

CITY OF ROCKPORT
2751 State Highway 35 Bypass
Rockport, TX 78382
361-729-2213

**APPLICATION FOR
BOARD OR COMMISSION APPOINTMENT**

Check area of Interest:

- | | |
|---|---|
| ☐ Keep Rockport Beautiful Advisory Board (suspended) | ☒ Park and Leisure Services |
| ☒ Planning and Zoning Commission | ☐ Advisory Board |
| ☐ Rockport Heritage District Board (suspended) | ☐ Tree & Landscaping |
| ☐ Zoning Board of Adjustment/Building Standards Commission | ☐ Committee |

Name: Lindsee Merrell Age (Optional):
Home Address: 102 Palo Pinto Dr Ward No: 2
Home Phone: Work Phone:
Business Address: 1211 US Hwy 181, Portland, TX 78374
E-mail Address:
Resident of City for 6 years Voter Registration No. 1054471349
Occupation: Director of Operations - Portland Chamber of Commerce
Education: Some College

Special Knowledge or Experience Applicable to City Board or Commission Function:

Experience in business development and marketing through career. Experience in parks and recreation having been employed with the City of McAllen as pool manager. Experience in setting budgets and marketing strategies as well as target goals for organizations and sales staff, then implementing programs and campaign to achieve set targets.

- | | |
|--|--|
| ☐ Banking/Finance | ☒ Business Development |
| ☐ Building/Construction | ☒ Promotion/Marketing |
| ☐ Real Estate/Development | ☐ Manufacturing/Industrial Operations |
| ☐ Industrial Training | ☐ Law/Contract Administration |

Other Information (civic activities, etc.)

Served on old town development committee, member of various service organizations including Rotary Club, Lions Club and Chatworks Civic Club

I have attended one or more meetings of the board or commission for which I have applied:

☒ Yes ☐ No

Date: 04/22/2022

Signature: *Lindsee D. Merrell*

ALL INFORMATION MUST BE FURNISHED IN ORDER TO BE CONSIDERED

Email any questions to: citysec@cityofrockport.com

CITY OF ROCKPORT
2751 State Highway 35 Bypass
Rockport, TX 78382
361-729-2213

**APPLICATION FOR
BOARD OR COMMISSION APPOINTMENT**

Check area of Interest:

- | | |
|--|---|
| ☐ Keep Rockport Beautiful Advisory Board (suspended) | ☐ Park and Leisure Services Advisory Board |
| ☒ Planning and Zoning Commission | |
| ☐ Rockport Heritage District Board (suspended) | ☐ Tree & Landscaping Committee |
| ☐ Zoning Board of Adjustment/Building Standards Commission | |

Name: Patricia A Impens Age (Optional): _____
Home Address: 1401 Smokehouse Road, Rockport, TX 78382 Ward No: 1
Home Phone: [REDACTED] Work Phone: _____
Business Address: _____
E-mail Address: [REDACTED]
Resident of City for 5 years Voter Registration No. 2136643105
Occupation: _____
Education: BSBA
Special Knowledge or Experience Applicable to City Board or Commission Function: _____

- | | |
|---|--|
| ☒ Banking/Finance | ☐ Business Development |
| ☐ Building/Construction | ☐ Promotion/Marketing |
| ☐ Real Estate/Development | ☐ Manufacturing/Industrial Operations |
| ☐ Industrial Training | ☐ Law/Contract Administration |

Other Information (civic activities, etc.) _____

I have attended one or more meetings of the board or commission for which I have applied:

☐ Yes ☒ No

Date: 04/19/2022

Signature: _____

Signed by BoardMember.com
Patricia A Impens
Key: 880c233a070e48f12d729f18334103c2b4

ALL INFORMATION MUST BE FURNISHED IN ORDER TO BE CONSIDERED

Email any questions to: citysec@cityofrockport.com

Rec'd June 24, 2022

CITY OF ROCKPORT
 2751 State Highway 35 Bypass
 Rockport, TX 78382
 361-729-2213

**APPLICATION FOR
 BOARD OR COMMISSION APPOINTMENT**

Check area of Interest:

- | | |
|---|--|
| ☐ Keep Rockport Beautiful Advisory Board (suspended) | ☐ Park and Leisure Services |
| ☐ Planning and Zoning Commission | ☐ Advisory Board |
| ☐ Tree & Landscaping Committee | ☐ YMCA Development |
| ☐ Rockport Heritage District Board (suspended) | ☐ Committee |
| ☒ Zoning Board of Adjustment/Building Standards
Commission | |

Name: Matthew Grimes Age (Optional): [REDACTED]
 Home Address: 517 Mockingbird Ln. Ward No: 1
 Home Phone: [REDACTED] Work Phone: [REDACTED]
 Business Address: 2521 Antelope St Corpus Christi, Tx 78408
 E-mail Address: [REDACTED]
 Resident of City for 16 years Voter Registration No. 2003475774
 Occupation: Utility Services Installer Crew lead
 Education: High School
 Special Knowledge or Experience Applicable to City Board or Commission Function: *(attach additional information if needed)*

- | | |
|---|--|
| ☐ Banking/Finance | ☐ Business Development |
| ☒ Building/Construction | ☐ Promotion/Marketing |
| ☐ Real Estate/Development | ☐ Manufacturing/Industrial Operations |
| ☐ Industrial Training | ☐ Law/Contract Administration |

Other Information (civic activities, etc.) _____

I have attended one or more meetings of the board or commission for which I have applied:

☒ Yes ☐ No

Date: 6/24/22Signature: [Signature]

RETURN COMPLETED FORM TO THE CITY SECRETARY'S OFFICE

ALL INFORMATION MUST BE FURNISHED IN ORDER TO BE CONSIDERED

Email to: citysec@cityofrockport.com

Email to: citysec@cityofrockport.com