
CITY COUNCIL AGENDA

Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, September 13, 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. **The live stream link to view the meeting is:** <https://www.youtube.com/channel/UCuF3nzgKHU1OjXHv8Yyj4QQ>.

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 **Agenda** item or any subject matter, 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 August 23, 2022, and Special Meeting Minutes of September 6, 2022.
5. Deliberate and act on request for closure of Market Street between Business Highway 35 North and Magnolia Street; Market Street at intersections of Young Street, Mathis Street, Ann Street, Pearl Street, Church Street, and Live Oak Street; Magnolia Street at intersections of St. Mary's Street, Main Street, North Street, Peter Street, and Cornwall Street; Austin Street at intersection of Cornwall Street, Concho Street, and Mimosa Street; and Business Highway 35 North at Live Oak Street and Magnolia Street for the Seafair parade on October 8, 2022.
6. Deliberate and act on approval of 2022-2023 Property Tax Assessment/Collection Agreement with Aransas County.

Regular Agenda

7. Deliberate and act to adopt, on first and only reading, an Ordinance of the City of Rockport adopting a budget and appropriating resources for Fiscal Year 2022-2023, beginning October 1, 2022, and ending September 30, 2023; in accordance with existing statutory requirements; repealing all conflicting ordinances; containing a severability clause; and providing for an effective date.
8. Deliberate and act on second and final reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2022 taxable property as submitted by the Appraisal District; levying a tax rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2022 of \$0.220511 for the purposes of Maintenance and Operation, \$0.157638 for the payment of Principal and Interest on debt of the City for a total tax rate of \$0.378149; and providing an effective date.
9. Deliberate and act to ratify the property tax increase reflected in the 2022-2023 Annual Budget and Capital Improvement Plan.
10. Deliberate and act on approval to purchase Equipment and Implementation Services for the Back-up Communications Center from Motorola (DIR Contract DIR-TSO-4101) and Intrado 911 Life and Safety Solutions (HGAC Contract EC07-20), authorizing City Manager Vanessa Shrauner to negotiate and execute all necessary documents.
11. Deliberate and act to reject all bids received on, or before, August 5, 2022, for the sale of old City Hall being Lot E/2, Block 2, Doughty and Mathis Outlots O.L 3, also known as 622 E. Market Street.
12. 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:

13. 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.

14. 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, September 9, 2022, at 9:30 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, September 13, 2022

AGENDA ITEM: 4

Deliberate and act on approval of City Council Regular Meeting Minutes of August 23, 2022, and Special Meeting Minutes of September 6, 2022.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: Please see the accompanying City Council regular meeting minutes and special 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, August 23, 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 23rd day of August 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

STAFF MEMBERS PRESENT

City Manager Vanessa Shrauner
Assistant to City Manager Kimberly Henry
City Secretary Teresa Valdez
City Attorney Dan Santee
Director of Finance Katie Griffin
Parks & Leisure Services Administrative & Recreation Program Assistant Brittany Elkins
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
Chief of Police Greg Stevens

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, August 23, 2022, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Mayor Jayroe announced the Council will be enacting a new procedure under the Citizens to be heard part of the Agenda. Mayor Jayroe explained all comments pertaining to any Agenda item or any subject matter will be taken at the Citizens to be heard part of the Agenda and are limited to three minutes. Mayor Jayroe further explained citizens comments will not be allowed during Council consideration of an Agenda item unless it is a Public Hearing.

2. Pledge of Allegiance.

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

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 Agenda item or any subject matter, 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.

- 1) Karen Foster, 219 Olympic, addressed the Council and stated her home was flooded last year and she understands work is being proposed for certain areas of the Rockport Country Club, but the area she lives in still holds water and she would like to know when work is purposed for that area.

Mayor Jayroe responded her question may be answered when the Council considers Agenda Item 15.

- 2) Rick DeLoach, 101 Champions Drive, addressed the Council and stated he is the General Manager at the Rockport Country Club. He introduced Charles Marsh, President of the Rockport Country Club and Jeannie Hooker, Vice President of the Rockport Country Club. Mr. DeLoach stated the Rockport Country Club is excited about working with the City and Contractor on the long overdue project. Mr. DeLoach added he is looking forward to having the post award meeting to discuss operational details of the contract.
- 3) Ken Baron, 402 Cascades Drive, addressed the Council and stated he is a Director of the Rockport Country Club Homeowners Association and member of the Rockport Country Club Stormwater Drainage Committee. He said he was here to support the new 42" drainage pipe that will affect the southern most drainage system. He added this will not solve all the problems and they need more money budgeted to take care of other problems.

Mayor Jayroe stated several Citizen Participation Forms had been received from the following and they will be read by Council Members:

- 4) Patrick Kane, 1123 Cedar Street – Agenda Item 3: Will not support unnecessary higher taxes. Please work with the city staff to find savings in the proposed budget and adopt the No New Revenue Tax Rate to avoid these unnecessary higher taxes.

- 5) Robert Carrier and Bronwen Rorex, 122 Cedar Ridge Drive: Have made numerous attempts to contact anyone who could help with and correct the problems associated with the ditch beside our yard; it is completely clogged and additionally a health hazard. We did our part in the recent election to replace the unconcerned and indifferent City Council members, unfortunately we were outvoted to continue with the same lack of policies which would correct the problem.
- 6) Patrick Kane, 1123 E. Cedar Street- Agenda Item 10: The City should do better with the new ordinance for golf cart inspections. Should change “permitted inspection facility” to “permitted inspector” to allow for mobile inspectors. I disagree with the city raising the inspection and registration fee from \$10 to \$50. We don’t need to fund education outreach and enforcement as those services are already part of the existing staff’s responsibility; put the money into a Public Works or Parks department budget for the development of golf cart friendly infrastructure within the city.
- 7) Elizabeth Green, 104 Broadwalk Avenue – Agenda Item 10: I support the change to add OHVs to the ordinance but don’t think there is any reason to increase the fee.
- 8) Bill Milum, 600 Enterprise Boulevard 1513 – Agenda Item 10: Texas Inspection requirement for cars is far less in cost. Inspection takes 1 minute? Are the vendors accessible by golf cart on a 35 mph or less street? Really need to rethink this and quit trying to do a money grab and appreciate tax paying residents of Rockport and the way of life we chose.

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 August 9, 2022.**
- 5. Deliberate and act on 3rd quarter report from the Rockport Cultural Arts District for Fiscal Year 2021-2022 marketing expenditures.**
- 6. Deliberate and act on appointment of member to Building & Standards Commission and Zoning Board of Adjustment.**

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

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

Regular Agenda

- 7. Deliberate and act on second & final reading of an Ordinance granting a Conditional Use Permit to allow for a Quilt Shop, for 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; subject to compliance with the conditions stated within this**

Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

Community Planner and Assistant Director of Building & Development Services Carey Dietrich stated there had been no changes in format or content since Council approved the first reading of the Ordinance on August 9, 2022.

City Manager Vanessa Shrauner informed the Council that the issue with the lights had been resolved.

MOTION: Council Member Hale moved to approve the second & final reading of an Ordinance granting a Conditional Use Permit to allow for a Quilt Shop, for 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; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

8. Deliberate and act on second & final reading of an Ordinance granting a Conditional Use Permit to allow the use of a manufactured home on the property zoned R1 (1st Single Family Dwelling District), located at 826 Holly Road; also known as S3925 McCombs Subdivision, Lot 6, 2.00 acres, City of Rockport, Aransas County, Texas; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

Community Planner and Assistant Director of Building & Development Services Carey Dietrich stated there had been no changes in format or content since Council approved the first reading of the Ordinance on August 9, 2022. Ms. Dietrich said Code Enforcement had been asked to go to the property and the RVs have not been removed and the septic upgrade has not been done.

Chief of Police Greg Stevens stated from code enforcement prospective he could not tell the Council if the property is in compliance.

Council Member Brundrett asked if the Conditional Use Permit is granted does the City have a leg to stand on if the RVs are not removed.

Public Works Director Mike Donoho said the Conditional Use Permit would be revoked and they would have to remove the manufactured home as well as the RVs.

City Manager Shrauner stated granting the Conditional Use Permit gives the Police Chief more leverage, Council could postpone this item if they so choose.

Mr. Donoho added the property owner had agreed to the 90 days to come into compliance and to this day no progress has been made on removing the RVs.

MOTION: Council Member Brundrett moved to approve the second & final reading of an Ordinance granting a Conditional Use Permit to allow the use of a manufactured home on the property zoned R1 (1st Single Family Dwelling District), located at 826 Holly Road; also known as S3925 McCombs Subdivision, Lot 6, 2.00 acres, City of Rockport, Aransas County, Texas; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Jackson seconded the motion. Motion carried unanimously.

9. Deliberate and act on second & final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 106 “Vegetation” Article I “General” and Article II “Tree Regulations”; 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 stated there had been one revision to the Ordinance since Council approved the first reading and that revision was adding “providing for penalties clause” in the caption of the Ordinance.

MOTION: Mayor Pro-Tem Hattman moved to approve the second & final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 106 “Vegetation” Article I “General” and Article II “Tree Regulations”; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date. Council Member Brundrett seconded the motion. Motion carried unanimously.

10. Deliberate and act on second & final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 98 “Traffic and Vehicles,” Article VI “Golf Carts and Neighborhood Electric Vehicles”; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.

Chief of Police Greg Stevens addressed the Council and stated there had been no changes in format or content since Council approved the first reading of the Ordinance on August 9, 2022.

Council Member Brundrett stated he has heard from friends and family, and most are in favor of the Ordinance but not necessarily the increase in the inspection fee. Council Member Brundrett asked where the extra \$40 of the fee would be going, into the General Fund?

City Manager Shrauner said if the Council wants to do some sort of restricted fund, the staff can come back with an Ordinance for that but will need a specific fund. City Manager Shrauner said the City would be receiving \$25 of the \$50 fee.

Discussion was held among Council and Chief Stevens regarding the \$50 fee and the inspections being accessible.

MAIN MOTION: Council Member Brundrett moved to approve the second & final reading of an Ordinance, with the fee being changed to \$20 instead of \$50, amending the City of Rockport Code of Ordinances Chapter 98 “Traffic and Vehicles,” Article VI “Golf Carts and Neighborhood Electric Vehicles”; repealing all ordinances to the extent they are in conflict;

providing for severability; and providing an effective date. Council Member Hattman seconded the motion.

AMENDED MOTION: Council Member Jackson moved to amend the motion to the fee being \$40 instead of \$20. Council Member Hale seconded the amended motion. Motion carried 4:1.

FOR MOTION: Council Member Jackson, Council Member Hale, Mayor Pro-Tem Hattman, and Mayor Jayroe

AGAINST MOTION: Council Member Brundrett.

MAIN MOTION AS AMENDED: Motion carried unanimously.

11. Deliberate and act on second & final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 “Utilities”, Article II. “Water Service”, Division 3. “Service Charges” by amending water rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date.

Director of Finance Katie Griffin said there had been no change in format or content since Council approved the first reading on August 9, 2022.

MOTION: Mayor Pro-Tem Hattman moved to approve the second & final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 “Utilities”, Article II. “Water Service”, Division 3. “Service Charges” by amending water rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date. Council Member Brundrett seconded the motion. Motion carried unanimously.

12. Deliberate and act on second & final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 “Utilities”, Article III. “Wastewater Service”, Division 4. “Service Charges” by amending wastewater rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date.

Director of Finance Katie Griffin said there had been no change in format or content since Council approved the first reading on August 9, 2022.

MOTION: Council Member Jackson moved to approve the second & final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 “Utilities”, Article III. “Wastewater Service”, Division 4. “Service Charges” by amending wastewater rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

13. Deliberate and act on second & final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 “Utilities”, Article V. “Natural Gas Service”, Division 3. “Service Charges” by amending natural gas rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date.

Director of Finance Katie Griffin said there had been no change in format or content since Council approved the first reading on August 9, 2022.

MOTION: Council Member Brundrett moved to approve the second & final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 “Utilities”, Article V. “Natural Gas Service”, Division 3. “Service Charges” by amending natural gas rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date. Council Member Jackson seconded the motion. Motion carried unanimously.

14. Deliberate and act on second & final reading of an Ordinance amending the City of Rockport Code of Ordinances, Chapter 82 “Solid Waste” Article II. “Refuse Collection”, Section 82.39 “Fee Schedule” setting new fees for service; repealing all prior ordinances in conflict herewith; and providing for publication and an effective date.

Director of Finance Katie Griffin said there had been no change in format or content since Council approved the first reading on August 9, 2022.

MOTION: Council Member Jackson moved to approve the second & final reading of an Ordinance amending the City of Rockport Code of Ordinances, Chapter 82 “Solid Waste” Article II. “Refuse Collection”, Section 82.39 “Fee Schedule” setting new fees for service; repealing all prior ordinances in conflict herewith; and providing for publication and an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

15. Deliberate and act on approval to award a contract to Mako Contracting LLC to complete Rockport Country Club drainage improvements.

Public Works Director Mike Donoho stated this is the first step for drainage improvements in the greater Rockport Country Club. Mr. Donoho explained these improvements consist of 1315 linear feet of 42” drainage pipe. Mr. Donoho said on July 27, 2022, bids were opened and reviewed, and Mako Construction was the only bid received, and has been reviewed and determined to provide the best value for the City. Mr. Donoho explain that two alternates were bid as part of the package, RCP Drainage Pipe and HDPE Drainage pipe and based on the bid prices, the RCP alternate is recommended as it is the less expensive and historically the pipe of choice in this area for drainage projects.

Council Member Jackson asked where the funding for this project is coming from.

Director of Finance Katie Griffin responded the majority is from the operating budget and the remaining from unused bond proceeds.

Mayor Pro-Tem Hattman stated the City worked really hard on drainage issues, not just in the Rockport Country Club, but also surrounding area and she thanked everyone for their hard work.

Council Member Hale asked to hear an explanation on why a single bid was received and how it was advertised.

James Swartz with JSA Engineering, stated there is a lot of work in this area and seven sets of plans were distributed. Mr. Swartz said working in sand and with ground water chases some bidders away. Mr. Swartz expressed the City got really lucky that this contractor and subcontractors are very familiar with working in the sand. Mr. Swartz added there are 2-3 good contractors in this area and they have a lot of work.

Mr. Donoho said it was advertised in *The Rockport Pilot* and was distributed to vendors.

MOTION: Mayor Pro-Tem Hattman moved to award a contract to Mako Contracting LLC to complete Rockport County Club drainage improvements. Council Member Jackson seconded the motion. Motion carried 4:0.

FOR MOTION: Council Member Jackson, Council Member Hale, Mayor Pro-Tem Hattman and Mayor Jayroe.

ABSTAIN: Council Member Brundrett.

16. Hear and deliberate on a presentation on the City of Rockport Drought Contingency Plan.

Public Works Director Mike Donoho said on August 11, 2022, staff attended a meeting with the City of Corpus Christi and San Patricio Municipal Water District and discussion was held on current drought conditions and the possible transition into Stage Two water restrictions. Mr. Donoho explained by Ordinance the City of Rockport Plan must mirror the plan from the San Patricio Municipal Water District.

Gene Camargo, Assistant Public Works Director, gave a PowerPoint presentation on the City's Drought Contingency Plan.

Mr. Donoho distributed a handout to Council showing water consumption totals by month from 2010-2014.

Council Member Hale said she had requested Mr. Donoho look at the year 2012 when the City had Stage Two water restrictions and see how it had affected water revenue.

Mr. Donoho stated in 2011-2012 the City did have a decrease in water revenue and that is monitored.

Director of Finance Katie Griffin said in 2011-2012 the water revenue was maintained because the revenues changed based on rate and the City knew consumption would stay on trend.

Discussion was held among Council Member Hale, Mr. Donoho and Ms. Griffin regarding the water consumption totals.

17. Report from City Manager

a. City Hall Update

City Manager Vanessa Shrauner reported the new City Hall is moving forward on schedule and the City was notified that certain pieces of equipment will be delayed – backup generator – so a

decision will be made on that. Ms. Shrauner said the foundation is poured and the security plan for the building is being worked on.

b. Certification Pay Update

Ms. Shrauner stated the Council had requested the Certification Pay Agenda Item, previously submitted to Council, be brought back to Council on August 9, 2022. Ms. Shrauner explained that item is just now being looked at thoroughly and it will be brought back to Council in two meetings.

c. Windstorm Insurance Update

Ms. Shrauner informed the Council the renewal for the current windstorm insurance policy was received and is \$100,000 higher for lower coverage. Ms. Shrauner said a different carrier is being considered.

d. Short-Term Rental Update

Ms. Shrauner said a good framework has been established for the ordinance and the next step is to take this to the homeowners' associations and then do a workshop with Council.

Council Member Brundrett said residents, hoteliers and actual owners should also be included in the review of the proposed Ordinance.

Council Member Hattman stated a Short-Term Rental Committee has been formed.

18. 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 Jackson reminded everyone of Ward 1 events: the second Saturday sale; the sidewalk sale on 17th, Grand Opening of the Depot Parking Lot on the 31st at 9:00 a.m. Council Member Jackson expressed things are moving forward in Ward 1 even though they still have drainage and flood issues.

Council Member Hale said she spent the morning with Council Member Jackson on a hard hat tour of the Rockport Center for the Arts. Council Member Hale thanked Public Works Director Mike Donoho for giving her a tour of Ward 2 drainage and opportunities.

Council Member Brundrett said he attended the ribbon cutting at Linden Oaks along with Council Member Jackson and Mayor Jayroe. Council Member Brundrett said the VFW has moved into a new building. Council Member Brundrett stated school is back in session and there is a lot of traffic so please be careful.

Mayor Pro-Tem Hattman stated children are being picked up by school buses in the dark so

please be careful; take it down a notch. Council Member Hattman thanked the City Council and staff for the drainage project in her Ward.

Mayor Jayroe stated that contrary to all things, five years ago when Hurricane Harvey struck Rockport, the City has come a terribly long way. Mayor Jayroe said he has had a meeting with Spectrum and also the Houston Chronicle regarding the City's progress since the hurricane. Mayor Jayroe added we need to be helping those people who feel like they haven't come back from that disaster. Mayor Jayroe expressed he appreciates the fact the Lord has taken care of us.

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:

- 19. 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., 2) Concho Street Drainage Project, 3) Rockport Harvey Housing.**
- 20. Section 551.072 Deliberation about Real Property – to deliberate the purchase, exchange, lease, or value of real property – 622 East Market Street.**

At 7:55 p.m., Mayor Jayroe convened the Rockport City Council into an executive session pursuant to Government Code 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., 2) Concho Street Drainage Project, and 3) Rockport Harvey Housing; and Section 551.072 Deliberation about Real Property to deliberate the purchase, exchange, lease, or value of real property – 622 East Market Street.

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 8:32 p.m., Mayor Jayroe reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

- 21. Deliberate and act on an Amendment, Assignment and Assumption Agreement to the Chapter 380 Economic Development Agreement between Rockport Harvey Housing, LLC, Pearl Point Rockport I, LLC, and authorizing the City Manager to negotiate and execute all necessary documents.**

Russel Cole, Fulton, addressed the Council and introduced Tony Perez and John Davis, new owners of Phase I of Peral Point.

Tony Perez with Reef Holdings said they closed on the purchase of Pearl Point Phase 1 last month and are currently under contract to purchase Phase 2. Mr. Perez said the reason for the Amendment, Assignment and Assumption Agreement request is because the best lender Freddie Mac's legal counsel has an issue with the Agreement not allowing for subsidy voucher payments for rent from HUD, and they are asking that be removed from the Agreement. Mr. Perez said that would have no impact on the property rentals because they have rent qualifications that would preclude anyone that would have a voucher.

John Davis, Asset Manager at Reef Holding said he is super excited because he is going to be the Asset Manager on Pearl Point 1 and Pearl Point 2. Mr. Davis said the Amendment is very valuable to their company.

Council Member Hale stated she appreciated Mr. Perez and Mr. Davis coming to visit with the Council and she thinks we're all in agreement that this doesn't appear to be an issue to us. Council Member Hale said she personally liked it. Council Member Hale expressed this is a private owner and she didn't know if there was any reason to stand in their way.

MOTION: Council Member Hale moved to accept and approve the Amendment, Assignment and Assumption Agreement to the Chapter 380 Economic Development Agreement between Rockport Harvey Housing, LLC, Pearl Point Rockport I, LLC, and authorizing the City Manager to negotiate and execute all necessary documents. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

22. Adjournment.

At 8:40 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 OF ROCKPORT

MINUTES

CITY COUNCIL SPECIAL MEETING

6:30 p.m., Tuesday, September 6, 2022

Rockport Service Center, 2751 State Highway 35 Bypass

On the 6th day of September 2022, the City Council of the City of Rockport, Aransas County, Texas, convened in Special Session 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. Members of the public were able to view the meeting via live stream.

CITY COUNCIL MEMBERS PRESENT

Mayor Tim Jayroe
Mayor Pro-Tem Andrea Hattman, Ward 4
Council Member Katy Jackson, Ward 1
Council Member Danielle Hale, Ward 2
Council Member Brad Brundrett, Ward 3

CITY COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT

City Manager Vanessa Shrauner
Assistant to City Manager Kimberly Henry
City Secretary Teresa Valdez
Director of Finance Katie Griffin
Parks & Leisure Services Director Rick Martinez
Information Technology Director Bob Argetsinger
Police Patrol Captain Nathan Garcia
Public Works and Building & Development Services Director Mike Donoho

ELECTED OFFICIALS PRESENT

Opening Agenda

1. Call to Order.

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

Public Hearing

2. Conduct a public hearing for City of Rockport 2022 Property Tax Rate for taxpayers to have an opportunity to express their views on the tax rate; the City of Rockport will adopt

the budget and tax rate for Fiscal Year 2022-2023 on September 13, 2022, at 6:30 p.m. at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Mayor Jayroe opened the Public Hearings at 6:30 p.m.

Director of Finance Katie Griffin addressed the Council and stated this is the required public hearing on the proposed *ad valorem* tax rate. Ms. Griffin said discussions have been held over the last several months and the proposed tax rate utilized the “unused increment tax rate.”

Jeff Hutt, 2201 Prairie Road, addressed the Council and voiced opposition to the proposed tax rate.

Kristie Rutledge, 1411 Dana Drive, addressed the Council and voiced opposition to the proposed tax rate.

Mayor Jayroe read two Citizen Participation Forms that had been received from the following:

- 1) Beverly Mack, 130 Pecan Harbor Street – oppose any increase of property taxes.
- 2) Tom Clarkson, 401 Inverrary Drive – support the current budget and proposed increased rates.

Mayor Jayroe stated the following: “The Rockport City Council will consider adoption of an Ordinance to adopt the tax rate for the City of Rockport Fiscal Year 2022-2023 at the September 13, 2022, City Council meeting at 6:30 p.m. at the Rockport Service Center located at 2751 State Highway 35 Bypass, Rockport, Texas 78382.

Mayor Jayroe closed the Public Hearing at 6:45 p.m.

3. Conduct a public hearing on City of Rockport Fiscal Year 2022-2023 budget.

Mayor Jayroe opened the Public Hearing at 6:45 p.m.

Director of Finance Katie Griffin addressed the Council and stated this is the required public hearing on the proposed budget. Ms. Griffin said Council had several budget workshops and received the proposed budget on August 9, 2022.

Kristie Rutledge, 1411 Dana Drive, addressed the Council and stated that in utilizing the “unused increment tax rate” the City is asking for the maximum tax rate when that is not necessary. Ms. Rutledge expressed sales tax revenue is underestimated in the proposed budget and she sees a lot of unspent monies in this year’s budget.

Jeff Hutt, 2201 Prairie Road, addressed the Council and stated the pool has been a drainer of funds for years and it needs to be shut down. Mr. Hutt said there is a cost of living (COLA) included in the budget for all employees and certain people should not get a raise; can’t believe you keep employed the people who lied to you last year. Mr. Hutt expressed Council should vote no on this budget.

Mayor Jayroe read a Citizen Participation Form that had been received from the following:

- 1) Beverly Mack, 130 Pecan Harbor Street – oppose any increase of property taxes.

Mayor Jayroe closed the Public Hearings at 6:55 p.m.

Regular Agenda

- 4. Deliberate and act on first reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2022 taxable property as submitted by the Appraisal District; levying a tax rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2022 of \$0.220511 for the purposes of Maintenance and Operation, \$0.157638 for the payment of Principal and Interest on debt of the City for a total tax rate of \$0.378149; and providing an effective date.**

Director of Finance Katie Griffin addressed the Council and stated this is the first reading of the Ordinance approving the tax rate. Ms. Griffin said in Fiscal Year 2017-2018, the Council adopted the effective tax rate for the *ad valorem* tax rate; in 2018-2019, Council adopted an *ad valorem* tax rate increase consistent with the 3.5% Municipal Cost Index (MCI); in 2019-2020, the Council adopted a moderate tax increase of 6%; in 2020-2021, the Council adopted a 4% increase as the Voter Approval Rate, applying a portion of the Disaster Rate; and in 2021-2022 the Council adopted the no-new-revenue rate. Ms. Griffin stated the Fiscal Year 2022-2023 proposed *ad valorem* tax rate is the amended, to include the Unused Increment Rate, Voter-Approval Tax Rate and is sufficient to maintain operations and support debt services.

Kristie Rutledge, 1411 Dana Drive, addressed the Council and stated sales tax is greatly underestimated in the budget and the City has unspent money in this year's budget at about 13%. Ms. Rutledge requested Council postpone this item.

Mayor Jayroe read a Citizen Participation Form that had been received from the following:

- 1) Beverly Mack, 130 Pecan Harbor Street – oppose any increase of property taxes.

Council Member Brundrett asked the following questions and Ms. Griffin responded as follows:

- 1) If there is an increase in sales tax revenue, where does it go?
Answer: It goes into the General Fund- Reserve Fund Balance.
- 2) In the Reserve Fund Balance, the City tries to maintain 180 days, where does that put us?
Answer: Currently we are short 40 days.
- 3) What is the standard fund balance for a City our size?
Answer: 60-90 days, but because we are a coastal city Council made the decision to try and maintain 180 days. Other cities have \$1 million plus 60-90 days.
- 4) Do we have large expenditures coming up this year?
Answer: We always have large expenditures at the close of the year – operating transfers and can be around \$100,000. This is the first time Finance is not projecting a transfer into fund balance.

- 5) Mr. Morton had discussed the sales tax increase for the 2022-2023 budget, did we increase the estimate?

Answer: We did increase. Historically we estimate a 3%-4% increase in sales tax, but this year we used 8% staying with the Consumer Price Index.

- 6) The \$500,000 for the downtown restrooms is listed under the Hotel Occupancy Tax Funds and also Capital Improvement Program, why?

Answer: We have to show it as a Capital Improvement project and also as a Hotel Occupancy Tax Fund expense.

Mayor Pro-Tem Hattman expressed in this last year all she heard from her Ward constituents is “fix, fix, fix” and how do we do that; yes, we need money. Mayor Pro-Tem Hattman declared the City needs money to provide services, but she wants to make sure we have enough for emergencies. Mayor Pro-Tem Hattman stated last year the Council looked hard at the budget and took out fluff and she believes the City did a great job. Mayor Pro-Tem Hattman said her Ward does not have an issue as long as services are being provided and if we don’t adopt this budget, what services would be cut.

Ms. Griffin responded with a few items and their values: \$250,000 seal coating of streets; \$100,000 drainage projects; \$80,000 police officer; and \$50,000 field service worker.

Mayor Pro-Tem Hattman stated the drainage project for the Rockport Country Club is approximately \$800,000, so \$4 million in reserves is not going to get us very far and not fix the issues that are out there. Mayor Pro-Tem Hattman said she supported the COLA because it is hard to find people to work here and to find contractors. Mayor Pro-Tem declared this is all a piece of the pie and asked that everyone please try to look at this as a whole otherwise we will have to look at cutting services.

Council Member Jackson stated safety, public safety is always the City’s number one priority, and she would have done everything to give Police Chief Stevens nine new officers, but we could not afford it. Council Member Jackson said if we take off seal coating then we fall behind on that; drainage -some day we will see improvements in Ward 1; closing pool is not what I want to do, and it may be advantageous to look at a public/private partnership in the future. Council Member Jackson expressed the \$200 a month she receives as a Council Member could be cut, but what does that give us, a couple of postage stamps. Council Member Jackson declared she did not find any fluff in the proposed budget. Council Member Jackson said she would love to cut \$600,000, but if you like police, public services, streets, those things are not free; money doesn’t fall from the sky. Council Member Jackson stated we are not out of hurricane season. Council Member Jackson agreed with Mayor Pro-Tem Hattman and expressed you have to look at the whole picture. Council Member Jackson stated: “Think about it people. This is a conservative budget. Everybody is dealing with 9% inflation.”

Council Member Hale stated she thinks Council did a good job on the budget and staff did a phenomenal job on articulating their wants and needs. Council Member Hale said Council did a great job at looking at the hotel occupancy tax applications and determining which ones were eligible. Council Member Hale expressed she agrees with the 180 day reserve fund. Council Member Hale added she has also been looking at grant opportunities and with some the City has to

provide a cost match. Council Member Hale stated the pool is going to be challenge and she is not prepared to say “shut it down today”.

Mayor Jayroe expressed Rockport is an exceptional place to live and people come here because they like the services we provide. Mayor Jayroe stated we expect things to run right. Mayor Jayroe said parks will never make money; they are designed for citizens, and we don’t charge them to use our parks and if we lose those parks, people won’t come. Mayor Jayroe declared he is not in favor of taking money out of people’s pockets, but if you don’t raise taxes, you will not be able to maintain services. Mayor Jayroe said this is a very good budget.

Council took a recess from 7:30 p.m.to 7:40 p.m. due to technical difficulties.

Mayor Jayroe said he appreciated the citizen concerns and he appreciates the fact that he lives here and appreciates the fact that people want to come here. Mayor Jayroe stated the City is like a family and there are things we have to do and he believes there is not excess or unnecessary things in this budget.

Council Member Brundrett asked Ms. Griffin if there was a way to transfer money out of other funds to the aquatic fund.

City Manager Vanessa Shrauner stated she would not suggest the City do that. The City has increased rates in other funds to support those funds.

Council Member Brundrett asked Ms. Griffin what dollar amount effect the proposed tax rate would have on an average residence.

Ms. Griffin responded on a \$273,658 home value the annual increase would be \$69.14.

MOTION: Council Member Jackson moved to approve the first reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2022 taxable property as submitted by the Appraisal District; levying a tax rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2022 of \$0.220511 for the purposes of Maintenance and Operation, \$0.157638 for the payment of Principal and Interest on debt of the City for a total tax rate of \$0.378149; and providing an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

5. Adjournment

At 7:47 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, September 13, 2022

AGENDA ITEM: 5

Deliberate and act on request for closure of Market Street between Business Highway 35 North and Magnolia Street; Market Street at intersections of Young Street, Mathis Street, Ann Street, Pearl Street, Church Street, and Live Oak Street; Magnolia Street at intersections of St. Mary's Street, Main Street, North Street, Peter Street, and Cornwall Street; Austin Street at intersection of Cornwall Street, Concho Street, and Mimosa Street; and Business Highway 35 North at Live Oak Street and Magnolia Street for the Seafair parade on October 8, 2022.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: The annual Seafair Parade is scheduled for Saturday, October 8, 2022, and will have a different route this year due to the construction in the area. See the accompanying request for additional details.

The Police Department has reviewed the request.



FISCAL ANALYSIS: No direct cash expense anticipated; however, staff will track in-kind labor, materials, and equipment used in support of the event.

RECOMMENDATION: Staff recommends City Council approve the request for street closures, as presented.

CITY OF ROCKPORT

APPLICATION FOR PARADE PERMIT

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

Applicant Name: GEORGE RIEKERS Telephone No. 361-727-0022 OFFICE
361-463-3298 CELL
 Applicant Address: 802 E MARKET ST. RKPT TX 78382
(Street Address) (City/State/Zip)

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

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

ROCKPORT CHAMBER OF COMMERCE

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

Organizing parade: GEORGE RIEKERS 802 E MARKET ST 361-463-3298
(Name) (Address) (Telephone #)
 Conducting parade: " " " "
(Name) (Address) (Telephone #)
 Cleaning animal waste: /
(Name) (Address) (Telephone #)

Date 10-8-22 time 10:00 AM proposed for commencement of the
 Parade and estimated duration: 1 (hrs) 00 (minutes).

State the location point for assembly of parade: MARKET ST & YOUNG ANN MOTHIS' PEARL

State the location for disassembly of parade: MARKET TO MAGNOLIA TO CORNWALL

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

Type of Parade: Commercial Non-commercial ☒

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

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

State the estimated number of persons to participate in the parade: _____

State the estimated number of participants by category:

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

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

Signed: George H. Riekers

Signed: _____

Signed: _____

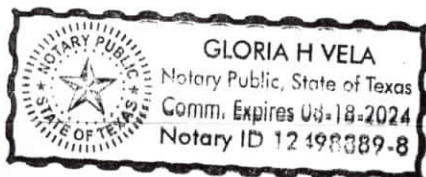
ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF ARANSAS §

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

(Seal)



Gloria H. Vela

Notary Public in and for the State of Texas

Commission Expires: 8-18-2024

Printed Name: Gloria H. Vela

SEA FAIR PARADE SATURDAY, OCTOBER 8TH.

PARADE STARTS AT 10 AM SHARP.

PARADE PARTICIPANTS START LINING UP AROUND 8 AM.

WE WOULD LIKE E. MARKET ST. AND BUSINESS 35 CLOSED AT 9:30 AM.

PLEASE CLOSE E. MARKET AND S. MAGNOLIA ST AT 9:45 AM AND THE STREETS S. CHURCH AND S. LIVE OAK AT MARKET BOTH NORTH & SOUTH SIDES, S. MAGNOLIA SOUTH SIDE AT 9:45.

ON MAGNOLIA ST. EAST & WEST SIDE OF ST. MARY'S ST. --- MAIN ST. --- WHARF ... NORTH ---

PETER east side .--- CORNWALL west & north --- CORNWALL & AUSTIN south & east

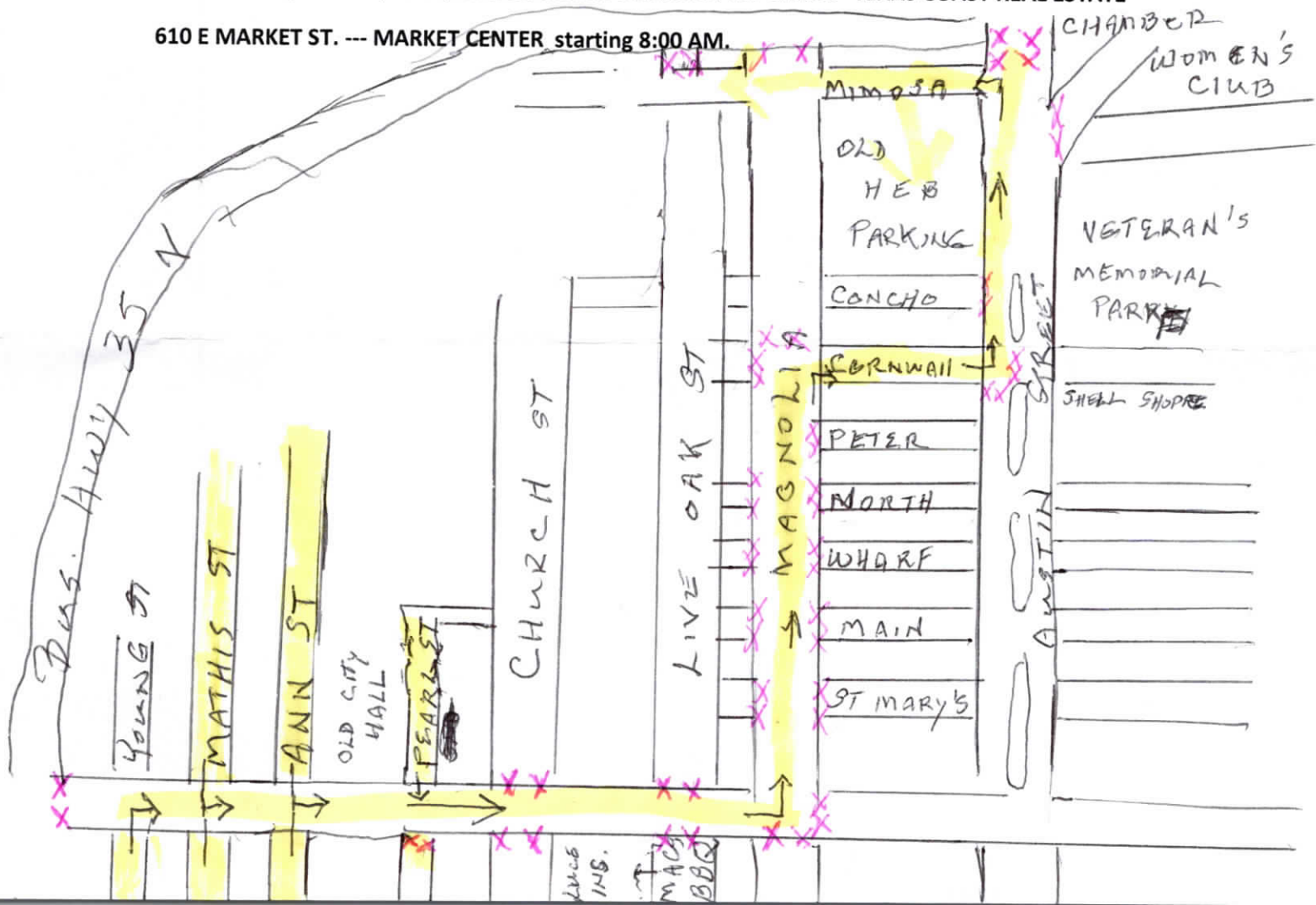
CONCHO east & west --- AUSTIN AND HWY 35 & MIMOSA & AUSTIN ST. AND AUSTIN AT BUS. 35.

MAGNOLIA & 35 & LIVE OAK & 35 AT BUS. 35 SOUTH SIDE. PLEASE ALSO CLOSE AT 9:45 AM.

RESTROOM

DOUGHNUTS, COFFEE, JUICE, WATER & SOFT DRINKS IN MY OFFICE "TEXAS COAST REAL ESTATE"

610 E MARKET ST. --- MARKET CENTER starting 8:00 AM.



CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 13, 2022

AGENDA ITEM: 6

Deliberate and act on approval of 2022-2023 Property Tax Assessment/Collection Agreement with Aransas County and authorizing the City Manager to negotiate and execute all necessary documents.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: The Texas Property Tax Code authorizes the County's Tax Assessor-Collector to act as the Tax Assessor-Collector for cities. In an effort to save tax dollars, the City contracts with the Aransas County Tax Assessor-Collector to perform all tax collection duties, including:

1. Preparation and mailing of all tax statements;
2. Providing monthly collection reports as well as daily & weekly reports upon request;
3. Prepare tax certificates;
4. Develop and maintain both current and delinquent tax rolls; and
5. Develop and maintain such other records and forms as are necessary or required by law or State rules and regulations.

The table below shows the costs for previous years and the proposed cost for Fiscal Year 2022-2023.

Tax Year	Amount
2011-2012	\$10,014.47
2012-2013	\$10,204.98
2013-2014	\$10,870.78
2014-2015	\$10,387.34
2015-2016	\$10,529.44
2016-2017	\$12,182.94
2017-2018	\$12,881.11
2018-2019	\$13,630.04
2019-2020	\$15,727.19
2020-2021	\$18,651.08
2021-2022	\$20,109.65
2022-2023	\$19,709.49

Please see the accompanying agreement for more information.

FISCAL ANALYSIS: Total amount \$19,709.49 is to be paid in monthly payments beginning with \$1,642.46 due by October 1, 2022, and \$1,642.46 due by the first of each month thereafter, except for the last payment of \$1,642.43 due by September 1, 2023.

RECOMMENDATION: Staff recommends Council approve Deliberate and act on approval of 2022-2023 Property Tax Assessment/Collection Agreement with Aransas County and authorizing the City Manager to negotiate and execute all necessary documents, as presented.

**INTERLOCAL COOPERATION AGREEMENT FOR TAX ASSESSMENT AND
COLLECTION OF PROPERTY TAX IN 2022-2023
BETWEEN COUNTY OF ARANSAS, TEXAS, AND
THE CITY OF ROCKPORT, TEXAS**

This **INTERLOCAL COOPERATION AGREEMENT** (“Agreement”) is made and entered into by and between the COUNTY OF ARANSAS, TEXAS, with the agreement, consent, and participation of the Aransas County Tax Assessor-Collector (singularly or collectively referred to as “COUNTY” or “COUNTY TAX ASSESSOR-COLLECTOR”) and the CITY OF ROCKPORT (hereinafter called “CITY”), each a political Subdivision of the State of Texas, each acting by and through its duly elected officials, under the terms, authority, and provisions of Chapter 791 of the Government Code of the State of Texas and Section 6.24 of the Texas Property Tax Code, which authorizes such agreements.

WHEREAS, Chapter 791 of the Texas Government Code authorizes local governments of the State to enter into contracts for governmental functions and services to increase efficiency and effectiveness; and,

WHEREAS, the COUNTY and CITY are local government entities as defined in §791.003 of the Texas Government Code and are authorized to enter into this Agreement by the action of their respective governing bodies in the manner prescribed by law; and,

WHEREAS, CITY shall make the payments provided for in this Agreement from current funds available to CITY; and,

WHEREAS, CITY desires to authorize the COUNTY TAX ASSESSOR-COLLECTOR to act as the Tax Assessor/Collector for CITY, for ad valorem tax purposes, as herein provided, for Aransas County properties within CITY’S jurisdiction.

NOW, THEREFORE, in consideration of the recitals and mutual covenants and agreements stated herein, COUNTY and CITY agree to the following:

1. Purpose. The purpose of this Agreement is for the Parties to establish the terms and conditions under which COUNTY will provide tax assessment and collection services for CITY. For the purposes of this Agreement, the terms “assessment” and “collection” shall mean all steps necessary to effect such functions including, but not limited to the calculation of tax, preparation of current and delinquent tax rolls, pro-ration of taxes, correction of clerical errors in tax rolls, collection of current liabilities, collection of delinquent taxes; and calculation of an effective tax rate required by §26.04 of the Texas Property Tax Code.
2. Term. This AGREEMENT by and between COUNTY and CITY shall be in effect from September 1, 2022 through August 31, 2023.
3. Notice of Termination of Agreement for Next Fiscal Year. Should CITY elect not to continue with an Assessment and Collection Agreement with COUNTY for the following fiscal year beginning September 1, 2023, CITY agrees to provide four (4) months’ written notice to COUNTY, prior to the end of this Agreement, so as to prevent expenditures for the upcoming fiscal year.

4. COUNTY'S Designee. COUNTY hereby designates the COUNTY TAX ASSESSOR-COLLECTOR to act on behalf of COUNTY and to serve as the liaison between COUNTY and CITY. COUNTY TAX ASSESSOR-COLLECTOR and/or her designee shall ensure the performance of all duties and obligations of COUNTY under the terms of this Agreement.

5. CITY Authorizes COUNTY to Perform Duties. By entering into this Agreement, CITY expressly authorizes COUNTY to perform all acts necessary for tax assessment and collection for CITY.

6. Compensation to COUNTY. CITY shall reimburse COUNTY for the actual cost of providing services under this Agreement from CITY'S current revenues for the fiscal year beginning September 1, 2022 and ending August 31, 2023. Because actual costs cannot be determined at this time, CITY shall pay COUNTY **Nineteen Thousand Seven Hundred Nine Dollars and Forty-Nine Cents (\$19,709.49)** as an operating budget for the described fiscal year, as follows:

OPERATING BUDGET PAYMENT SCHEDULE
to be paid out as follows:

Date	Payment Amount	Date	Payment Amount
10-1-2022	\$1,642.46	4-1-2023	\$1,642.46
11-1-2022	\$1,642.46	5-1-2023	\$1,642.46
12-1-2022	\$1,642.46	6-1-2023	\$1,642.46
1-1-2023	\$1,642.46	7-1-2023	\$1,642.46
2-1-2023	\$1,642.46	8-1-2023	\$1,642.46
3-1-2023	\$1,642.46	9-1-2023	\$1,642.43

7. Duties of the COUNTY TAX ASSESSOR-COLLECTOR:

- a. *Tax Statements.* COUNTY TAX ASSESSOR-COLLECTOR shall prepare and mail all tax statements, provide necessary collection reports to CITY, prepare tax certificates, develop and maintain both current and delinquent tax rolls and such other records and forms as are necessary or required by law or State rules and regulations.
- b. *Monthly Reports to CITY.* COUNTY TAX ASSESSOR-COLLECTOR will submit a monthly status report to CITY, in the format preferred by Superintendent, at least eight (8) days prior to monthly School Board meeting (such schedule to be provided by CITY).
- c. *Information shall be Available.* COUNTY TAX ASSESSOR-COLLECTOR undertakes and agrees to make available to CITY full information about the tax collection operation of COUNTY, and to promptly furnish written reports reasonably necessary to keep CITY advised of all relevant financial information affecting it.
- d. *Collection of Delinquent Taxes.* COUNTY may contract with legal counsel for the collection of delinquent taxes.
- e. *Bond.* COUNTY TAX ASSESSOR-COLLECTOR will agree to sign a bond, conditional on faithful performance of duties, payable to CITY. Said bond will be ordered by,

approved by, and paid by CITY in an amount determined by CITY, as stated in Texas Property Tax Code 6.29(b).

- f. *Payments of Taxes to CITY; Deposits.* COUNTY TAX ASSESSOR-COLLECTOR shall make payment of taxes collected on behalf of CITY into such bank account/s selected by CITY. Such payment shall be made on a daily basis, except for electronic payments (e.g. credit cards and e-checks). Electronic payments are not available for several days after the payment is posted; therefore, no tax collected by electronic payment shall be deposited until the electronic payment has been irrevocably deposited into the COUNTY TAX ASSESSOR-COLLECTOR'S tax account maintained for the purpose. A "deposit of tax money" itemization form will be completed to show the distribution of money collected. This itemization will be forwarded to CITY after each deposit. COUNTY TAX ASSESSOR-COLLECTOR shall have no access to the tax money once deposited to CITY'S bank account(s). Collections for CITY shall be deposited into two (2) accounts as follows:

Maintenance & Operation funds shall be deposited to account ending in 038-8
Wells Fargo Bank Texas, N.A., Rockport, TX

Delinquent tax funds previously belonging to the County Education Fund will also be deposited into this account.

Interest & Sinking funds shall be deposited to account ending in 204-6
Wells Fargo Bank Texas, N.A., Rockport, TX

- g. *Refunds due to Property Tax Code.* Refunds resulting from corrections to the appraisal rolls, pursuant to §26.15 of the Property Tax Code, such as homestead exemptions, over 65 exemptions, disabled exemptions, clerical errors and court-ordered value changes, shall not be submitted for approval to CITY. COUNTY TAX ASSESSOR-COLLECTOR shall refund the property owner the difference between the tax paid and the tax legally due. All refunds will be held from CITY'S deposits, and an itemized list of all refunds, with pertinent data, will be submitted with the deposit record.
- h. *Reviewing of Refund Requests; Processing Refunds over \$2,500.00.* Pursuant to §31.11 of the Property Tax Code, refund requests will be submitted to the Aransas County Auditor to determine if payment was excessive or erroneous. If County Auditor determines payment was excessive or erroneous, COUNTY TAX ASSESSOR-COLLECTOR shall refund the amount of the overpayment or erroneous payment from available current tax collections. However, if the total of refund amount exceeds \$2,500.00, COUNTY TAX ASSESSOR-COLLECTOR shall submit a refund request to the Aransas County Commissioner's Court for their determination of an excessive or erroneous payment and approval prior to processing refund.
- i. *COUNTY ASSESSOR-COLLECTOR'S Records will be Available to CITY.* Upon receipt of at least forty-eight (48) hours of written notice, the COUNTY agrees to allow CITY access to tax records related to CITY in its possession. COUNTY is not responsible for

paying for any expenses associated with CITY'S efforts to audit, duplicate, archive, or store records.

8. Duties of CITY:

- a. *Collection of Delinquent Taxes.* CITY hereby agrees and expressly authorizes COUNTY to contract with private legal counsel for the collection of delinquent taxes, and COUNTY agrees to review proposed counsel with CITY before such contract is let. CITY further agrees that such fee, as is allowed by law and provided in the contract with private legal counsel, will be paid from delinquent tax collections for CITY.
- b. *Operating Budget Payments.* CITY shall remit operating budget payments to COUNTY as described above.
- c. *Actual Cost Payments.* In the event that the actual costs of the services exceed the operating budget payments, CITY will remit the additional payment within thirty (30) days of receiving an invoice from COUNTY, provided that such invoice is due to cost overruns.
- d. *Additional Costs due to Changes.* CITY is responsible for payment of the actual costs of any necessary re-mailing of tax notices when such re-mailing is necessary because of changes made by CITY in its tax rate or allowable discount provisions.
- e. *Additional Costs Due to Rollbacks or Other Modifications.* CITY agrees to pay the cost of reprocessing and mailing tax notices if CITY suffers a rollback or other modification of its tax rate as provided in Section 26.08 of Texas Property Tax Code, or any other necessary modifications, resulting from law changes made by the Texas Legislature.
- f. *Bond.* CITY will order, approve, and pay for a bond in an amount determined by CITY to be sufficient, as stated in Texas Property Tax Code 6.29(b), to ensure the faithful performance of duties by the COUNTY TAX ASSESSOR-COLLECTOR.
- g. *Payments of Taxes to CITY; Deposits.* CITY will immediately notify COUNTY if there is change to a deposit account that requires action.
- h. *Returned Payments to COUNTY TAX ASSESSOR-COLLECTOR.* CITY acknowledges that COUNTY TAX ASSESSOR-COLLECTOR is paying out funds on a daily basis based upon payments to COUNTY TAX ASSESSOR-COLLECTOR, which is usually received in the form of a personal or business check and not in the form of a cashier's check. In the event that any check is returned by COUNTY TAX ASSESSOR-COLLECTOR'S depository **for any reason whatsoever** including, but not limited to, insufficient funds, forgery, refer to maker, account closed, or any other reason, CITY shall IMMEDIATELY REFUND to COUNTY TAX ASSESSOR-COLLECTOR the amount of the deposit represented by the returned check. In the event a tax payment deposited to CITY'S account, whose source was by credit card or other electronic payment, is disputed, canceled, refuted, or withdrawn by any person, firm, or entity, for any reason whatsoever, CITY shall IMMEDIATELY REFUND such payment to COUNTY TAX ASSESSOR-COLLECTOR.

- i. *Notices, Hearings, Publication, and other Requirements.* CITY shall remain responsible for all notices, hearings, publications, and other requirements under the law related to its taxing activities.
 - j. *Records.* CITY shall promptly deliver records to COUNTY upon request and shall fully cooperate in furnishing or locating any other information or records COUNTY needs to perform its duties under this Agreement.
9. Indemnification and Tort Claim Act:
- a. To the extent allowed by law, the COUNTY agrees to promptly defend, indemnify, and hold CITY harmless from and against any and all claims, demands, suits, causes of action, and judgments for (a) damages to the loss of property of any person; and or (b) the death, bodily injury, illness, disease, loss of services, or loss of income or wages to any person, arising out of or incident to, concerning or resulting from, the negligent or willful act or omission of the COUNTY, its agents, officers, and/or employees in the performance of duties pursuant to this Agreement.
 - b. To the extent allowed by law, the CITY agrees to promptly defend, indemnify, and hold the COUNTY harmless from and against any and all claims, demands, suits, causes of action, and judgments for (a) damages to the loss of property of any person; and or (b) the death, bodily injury, illness, disease, loss of services, or loss of income or wages to any person, arising out of or incident to, concerning or resulting from, the negligent or willful act or omission of the CITY, its agents, officers, and/or employees in the performance of duties pursuant to this Agreement.
 - c. Nothing in this Agreement shall be construed to waive, partially or in full, any immunities the Parties may have under the Texas Tort Claim Act or other laws.
10. Equipment and Personnel. During the time mutual aid is being furnished, all equipment used by the Party rendering aid shall continue to be owned, leased, or rented by the Party rendering aid. Once equipment, personnel, or other resources of a Party rendering aid are in the service of the requesting Party in accordance with the terms of this Agreement, such personnel and equipment shall be deemed to be employed or used, as the case may be, in the full line and cause of duty of the Party requesting aid. In addition, such personnel shall be deemed to be engaged in work for the employing entity and performing a governmental function.
11. Expending Funds. Each Party performing services or furnishing aid pursuant to this Agreement shall do so with funds available from current revenues of the Party. No Party shall have any liability for the failure to expend funds or to incur costs to provide aid hereunder.
12. Non-Discrimination. The Parties covenant that (1) no person shall be excluded from participation in, denied the benefit of, or otherwise subjected to discrimination under the terms of this Agreement on the ground of race, color, age, sex, handicap, or national origin; and (2) in carrying out the terms and conditions of this Agreement, no person shall be subjected to discrimination on the grounds of race, color, age, sex, handicap, or national origin.

13. Integration and Amendments. This Agreement constitutes the entire agreement between the Parties and may not be amended, altered, modified, or changed in any way, except in writing that is signed by the Parties, which specifically references this Agreement. There are no other agreements, representations, warranties, whether oral or written, regarding the subject matter of this Agreement. Any amendment to this Agreement shall be attached to this Agreement and all of the terms herein that are not specifically address in the amendment shall remain in full force and effect.

14. Severability. If any one or more of the sections, sentences, clauses, or parts of this Agreement be held invalid for any reason, the invalidity of such section, sentence, clause, or part shall not affect nor prejudice the applicability and validity of any other provision of this Agreement.

15. Validity and Enforceability. If any current or future legal limitations or requirements from a federal or State government with jurisdiction over the Parties affect the validity or enforceability of a provision of this Agreement, then this Agreement shall be deemed amended to the minimum extent necessary to bring this Agreement into conformity with the requirements or limitations, and so modified, this Agreement shall continue in full force and effect.

16. No Third Party Beneficiaries. Nothing in this Agreement, expressed or implied, is intended to confer upon any person or entity, other than the Parties hereto, any rights or remedies under the terms of this Agreement, except as expressly stated herein.

17. Authorization. The undersigned officers and/or agents of the respective Party hereto are the properly authorized officials of the Party and have the necessary authority to execute this Agreement on behalf of the Parties hereto. Each Party certifies by signing below that any necessary actions and resolutions extending such authority have been duly passed and approved and are currently in full force and effect.

18. No Warranty. The Parties further agree that any services provided by the COUNTY are without any warranty of any kind to CITY or any third party, and CITY hereby agrees that, to the extent allowed by law, it will defend, hold harmless, and indemnify the COUNTY, its officers, agents, and employees for any claims of any kind, including claims for injury or death of any person or for damage to property, arising out of the COUNTY'S performance of its duties under this Agreement.

19. Notices. Whenever a notice is required to be given in writing under the terms of this Agreement, such notices shall either be hand-delivered or mailed via certified mail, return receipt requested, to the Parties at the following addresses:

COUNTY: County Judge
2840 HWY 35N
Rockport, TX 78382

CITY: City Manager
2751 SH 35 Bypass
Rockport, TX 78382

With a copy to:

County Tax Assessor-Collector
2840 HWY 35N
Rockport, TX 78382

City Secretary
2751 SH 35 Bypass
Rockport, TX 78382

A Party may change the address for notices by giving written notice to the other Party in the manner described herein. It shall be the duty of each entity's representative to disseminate within their respective entity all notices, communications, and reports received from the other Party.

20. Requests for Information. Requests from one Party to another Party for information concerning this Agreement shall be honored in a timely manner and shall not require the submission of a formal Public Information Act request for open records.

21. Interpretation of Law, Assignment, and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. No assignment of this agreement or any right accrued hereunder shall be made, in whole or in part, by any Party without the prior written consent of the other Parties. Venue shall be in Aransas County, Texas.

22. Headings. The headings at the beginning of the various provisions of this Agreement have been included only in order to make it easier to locate the subject covered by each provision and are not to be used in construing this Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement in duplicate counterparts, each of which shall be deemed an original, which shall be effective upon the date last written below.

“COUNTY”

County of Aransas, Texas

By: _____
C.H. “Burt” Mills, Jr., County Judge Date

ATTEST:

(SEAL)

Carrie Arrington, County Clerk

“COUNTY TAX ASSESSOR-COLLECTOR”

Aransas County Tax Assessor-Collector

By: _____
Anna Marshall, County Tax Assessor-Collector Date

“CITY”

City of Rockport, Texas

By: _____
Vanessa Shrauner, City Manager Date

ATTEST:

(SEAL)

Teresa Valdez, City Secretary

**COST OF COLLECTING 2022 TAXES
FROM SEPTEMBER 1, 2022
THROUGH AUGUST, 31, 2023**

	TOTAL TAX COLLECTION 2022/2023	COUNTY COLLECTION ONLY	THIS YEAR CHARGE TO OTHER ENTITIES	LAST YEAR CHARGE TO ENTITIES
SUPPLIES:				
TAX RATE SOFTWARE				
CHECKS				
ENVELOPES				
GENERAL OFFICE SUPPLIES				
TOTAL COST OF SUPPLIES	3,500.00	1,850.00	1,650.00	1,300.00
<u>OTHER CHARGES:</u>				
POSTAGE	12,000.00	9,000.00	3,000.00	2,750.00
TELEPHONE FOR COMPUTER	1,900.00	1,250.00	650.00	-
BOND PREMIUMS	185.00	135.00	50.00	50.00
DATA PROCESSING	32,200.00	23,506.00	8,694.00	8,198.00
RENTAL OF EQUIPMENT	-	-	-	-
MISC REPAIR & MAINTENANCE	674.00	337.00	330.00	327.00
ADVERTISING & LEGALS	1,000.00	1,000.00	-	-
CONFERENCES/SCHOOLS	6,225.00	4,358.00	1,867.00	1,690.00
MISCELLANEOUS SUPPLIES			-	-
BANK CHARGES			-	-
RECORDS MANAGEMENT			-	-
EQUIPMENT			-	-
COMPUTER SERVER	8,100.00	8,100.00	-	-
TOTAL COST OF CHARGES:	62,284.00	47,686.00	14,598.00	13,015.00
<u>PERSONNEL & BENEFITS:</u>				
SALARY (TAX A/C)	41,826.29	41,826.29	-	-
SALARIES (ALL DEPUTIES)	212,211.50	106,105.75	106,105.75	98,258.00
TRAVEL (A/C & CHIEF DEPUTY)	1,600.00	1,000.00	600.00	600.00
TOTAL COST OF PERSONNEL:	255,637.79	148,932.04	106,705.75	98,858.00
TOTAL COST OF COLLECTION	321,421.79	198,468.04	122,953.75	113,173.00

<u>PRO-RATA SHARE:</u>	<u>Apr-22 PARCELS</u>	<u>ESTIMATED SHARE BASED ON % OF 2021 LEVY TOTALS</u>		
ARANSAS COUNTY	29718			
COUNTY ROAD & FLOOD	29718			
ARANSAS CO NAVIGATION	29717	4.53	\$ 5,569.80	\$5,133.38
ARANSAS CO ISD	26278	77.79	\$ 95,645.72	\$90,564.07
CITY OF ROCKPORT	9957	16.03	\$ 19,709.49	\$20,109.65
TOWN OF FULTON	1860	1.29	\$ 1,586.10	\$1,483.50
ARANSAS CO MUD #1	409	0.36	\$ 442.63	\$447.40
		100.00	\$ 122,953.75	\$117,738.00

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 13, 2022

AGENDA ITEM: 7

Deliberate and act to adopt, on first and only reading, an Ordinance of the City of Rockport adopting a budget and appropriating resources for Fiscal Year 2022-2023, beginning October 1, 2022, and ending September 30, 2023; in accordance with existing statutory requirements; repealing all conflicting ordinances; containing a severability clause; and providing for an effective date.

SUBMITTED BY: Katie Griffin, Director of Finance

APPROVED FOR AGENDA: VRS

BACKGROUND: Section 7.03 (2) of the City Charter states: “The City Council shall make available in the City offices a general summary of the proposed budget and a notice stating: a) the times and places where copies of the message and budget are available for inspection by the public; and b) the time and place, applicable to current laws, for a public hearing on the budget.”

The Rockport Home-Rule Charter, Section 7.02 states: “On or before the first regular scheduled meeting in August of each year, the City Manager shall submit to the City Council a proposed budget for the ensuing fiscal year and budget message. The City Council shall review the proposed budget and make any appropriate changes prior to publishing the final budget.”

Section 7.03 (3)(c) of the Charter states: “The City Council shall adopt or amend the budget by ordinance on one (1) reading. Adoption of the budget shall constitute appropriation of the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed.”

The Fiscal Year 2022-2023 Annual Budget and Capital Improvement Program was filed with the City Secretary on August 5, 2022. and presented to the City Council on August 9, 2022. The required public hearing was published on August 23, 2022 and held on September 6, 2022.

FISCAL ANALYSIS: Exhibit “A” of the attached Ordinance records the appropriations for the Fiscal Year beginning October 1, 2022 and ending September 30, 2023.

RECOMMENDATION: Staff recommends adoption, on first and only reading, of an Ordinance adopting an approving the City of Rockport Annual Budget and Capital Improvement Program for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023, as presented, as a recorded vote, as required by state statute.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROCKPORT, TEXAS, ADOPTING A BUDGET AND APPROPRIATING RESOURCES FOR FISCAL YEAR 2022-2023, BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; REPEALING ALL CONFLICTING ORDINANCES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager and staff have prepared and filed with the City Secretary a proposed budget for the operation of the City during Fiscal Year 2022-2023; and

WHEREAS, the City Manager of the City of Rockport has submitted to the Mayor and Council a proposed budget of the revenues and expenditures/expenses of conducting the affairs of said City and providing a complete financial plan for Fiscal Year beginning October 1, 2022, and ending September 30, 2023; and

WHEREAS, the City Council on September 6, 2022, conducted a public hearing to receive input from citizens of the City concerning the content of the budget, and for which notice was duly posted in *The Rockport Pilot*; and

WHEREAS, the City has acknowledged that this budget will raise more property taxes than last year's budget by \$600,140 or 9.42%, and of that amount \$179,789 is tax revenue to be raised from new property added to the tax roll this year; and

WHEREAS, the City Council having considered the proposed budget at length, and having provided input in its preparation, has determined that the proposed budget and the revenues and expenditures contained therein are in the best interest of the City and, therefore, the Council desires to approve and adopt the budget by formal action.

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

Section 1: The proposed budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023, as submitted to the City Council by the City Manager, which budget is attached hereto as Exhibit "A," for all purposes is hereby approved and adopted as the City's budget of all revenue and expenditures/expenses of the City of Rockport, Texas for Fiscal Year 2022-2023; and

Section 2: In accordance with Section 7.05 of the Charter of the City of Rockport, Texas, the Capital Improvement Program is included in the budget; and

Section 3: The sum of Sixty-four Million, Seven Four Hundred Twenty-four Thousand, Eight-eight dollars (\$64,724,088) is hereby appropriated for the City's FY 2022-2023 budget. Further, these funds are for payment of operating, capital, and debt service expenses

associated with the operation and administration of the City, according to the various purposes and intents described in the FY 2022-2023 budget document.

Section 4: The budget includes certain unlisted, authorized and unpaid encumbrances from the prior fiscal year to be carried over to the 2022-2023 Budget by the City Manager or his designee.

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

Section 6: This Ordinance shall be in full force and effect from and after its adoption by the City Council, pursuant to applicable State and local laws and the City Charter.

Section 7: All other ordinances and Code provisions that are in conflict herewith are hereby repealed, but only to the extent of any such conflict or inconsistency.

PASSED, APPROVED and ADOPTED on this the 13th day of September 2022, by roll call vote as follows:

FOR MOTION:

AGAINST MOTION:

CITY OF ROCKPORT, TEXAS

Tim Jayroe, Mayor

ATTEST:

Teresa Valdez, City Secretary

EXHIBIT A

City of Rockport
Fiscal Year 2022-2023 Annual Operating Budget

Fund Title	Projected Fund Balance 10/01/2022	Total Revenues* FY2022-2023	Total Expenditures FY2022-2023	Estimated Fund Balance 9/30/2023
General Fund	4,411,681	12,618,118	12,618,118	4,411,681
Enterprise Funds				
Utility System	5,989,116	12,645,249	12,645,249	5,989,116
Sanitation	836,469	2,719,000	2,719,000	836,469
Natural Gas Distribution	(491,633)	3,139,041	3,139,041	(491,633)
Community Aquatic/Skate Center	(226,458)	443,979	443,979	(226,458)
Total	6,107,494	18,947,269	18,947,269	6,107,494
Special Revenue Funds				
Municipal Court Security & Tech	18,542	13,700	13,700	18,542
Utility Surcharge	298,528	175,699	175,699	298,528
Municipal Court Juvenile Case Mgr	(4,561)	15,000	15,000	(4,561)
Fleet Operation & Maintenance	(452,004)	1,051,606	1,051,606	(452,004)
Hotel Occupancy Tax	1,595,888	1,608,393	1,608,393	1,595,888
City/County Communications	6,516	1,059,550	1,059,550	6,516
Total	1,462,909	3,923,948	3,923,948	1,462,909
Debt Service Funds				
Interest and Sinking	1,043,742	3,568,838	3,568,838	1,043,742
Utility Debt Service	0	2,158,070	2,158,070	0
Total	1,043,742	5,726,908	5,726,908	1,043,742
Vehicle & Equip. Replacement Fund				
General	697,046	623,202	490,000	830,248
Utility	1,379,836	293,798	427,000	1,246,634
Total	2,076,882	917,000	917,000	2,076,882
Capital Improvement Projects				
General CIP	18,319,586	16,968,845	16,968,845	18,319,586
Utility CIP	0	5,622,000	5,622,000	0
Total	18,319,586	22,590,845	22,590,845	18,319,586
GRAND TOTAL	33,422,294	64,724,088	64,724,087	33,422,294
*Includes use of reserves - Vehicle Replacement Funds & Capital Improvement Funds				

CITY COUNCIL AGENDA

Special Meeting: Tuesday, September 13, 2022

AGENDA ITEM: 8

Deliberate and act on second and final reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2022 taxable property as submitted by the Appraisal District; levying a tax rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2022 of \$0.220511 for the purposes of Maintenance and Operation, \$0.157638 for the payment of Principal and Interest on debt of the City for a total tax rate of \$0.378149; and providing an effective date.

SUBMITTED BY: Director of Finance Katie Griffin

APPROVED FOR AGENDA: VRS

BACKGROUND: The Rockport City Council adopts the appropriate ad valorem tax rate annual in order for the City to maintain operations and support debt service.

During the 86th Legislative Session, Senate Bill 2 (S.B.2) was introduced and adopted creating new terminology and calculations for ad valorem property taxes. The Effective Tax Rate was replaced with No-New Revenue Tax Rate, the Rollback Rate was with the Voter-Approval Tax Rate, and the Maintenance and Operations (M&O) has been replaced with the No-New Revenue Maintenance and Operations (M&O) Rate. S.B.2 also introduced a De minimis Rate and an Unused Increment Rate.

In FY 2017-2018, the Council adopted the effective tax rate for the *ad valorem* tax rate. For FY 2018-2019, Council determined that an *ad valorem* tax rate increase consistent with the 3.5% Municipal Cost Index (MCI) increase was sufficient to operate while attempting to accommodate citizens as they continued their recovery from Hurricane Harvey. In FY 2019-2020, the City Council adopted a moderate tax increase of 6% in order to continue restoration of services following Hurricane Harvey and to begin restoration of fund balances depleted during storm recovery. In FY 2020-2021, The City Council adopted a 4% increase as the Voter Approval Rate, applying a portion of the Disaster Rate. Following three years of tax rate increases, in FY 2021-2022 the City Council adopted the no-new-revenue rate. The FY 2022-2023 proposed *ad valorem* tax rate is the amended, to include the Unused Increment Rate, Voter-Approval Tax Rate and is sufficient to maintain operations and support debt service.

State law requires a taxing unit's governing body to vote on a tax rate by a record vote, even if the rate is the No-New-Revenue Tax rate or below the No-New-Revenue Tax Rate. Additionally, the governing body is required by Senate Bill 2 to host one public hearing on the proposed tax rate. The public hearing was conducted on September 6, 2022.

Certified Ad Valorem Tax Rate Comparison FY 2022-2023

8/2/2022

	Adopted 2021 Tax Rate	2022 No-New Revenue Tax Rate	2022 Voter-Approval Tax Rate	De Minimis Tax Rate \$500,000 Above NNR	2022 Unused Increment Tax Rate
Percentage Tax Rate Change from 2021		-10.14%	-10.24%	-5.00%	-3.71%
M & O Tax Rate	\$ 0.208434	\$ 0.195250	\$ 0.194884	\$ 0.215428	\$ 0.220511
I & S Tax Rate	\$ 0.184286	\$ 0.157635	\$ 0.157638	\$ 0.157638	\$ 0.157638
Total Tax Rate	\$ 0.392720	\$ 0.352885	\$ 0.352522	\$ 0.373066	\$ 0.378149
Total Taxable Value	\$ 1,564,129,555	\$ 1,858,965,488	\$ 1,858,965,488	\$ 1,858,965,488	\$ 1,858,965,488
Total Tax Levy					
Total Tax Levy	\$ 6,142,650	\$ 6,560,010	\$ 6,553,262	\$ 6,935,168	\$ 7,029,659
Over 65 Frozen Taxes	\$ 1,080,795	\$ 1,092,975	\$ 1,092,975	\$ 1,092,975	\$ 1,092,975
Disabled Frozen Taxes	\$ 19,236	\$ 14,899	\$ 14,899	\$ 14,899	\$ 14,899
Total Tax Levy	\$ 7,242,681	\$ 7,667,884	\$ 7,661,136	\$ 8,043,042	\$ 8,137,533
Total Tax Revenue					
Total Levy	\$ 7,242,681	\$ 7,667,884	\$ 7,661,136	\$ 8,043,042	\$ 8,137,533
Collection Ratio	98%	98.75%	98.75%	98.75%	98.75%
Total Tax Revenue	\$ 7,097,827	\$ 7,572,036	\$ 7,565,372	\$ 7,942,504	\$ 8,035,814
Revenue Allocation by Fund					
M & O General Fund	\$ 3,935,966	\$ 4,189,580	\$ 4,182,349	\$ 4,586,421	\$ 4,688,416
I&S Debt Service Fund	\$ 3,161,861	\$ 3,382,456	\$ 3,383,023	\$ 3,356,083	\$ 3,347,398
Total Tax Revenue	\$ 7,097,827	\$ 7,572,036	\$ 7,565,372	\$ 7,942,504	\$ 8,035,814
Revenue Difference from 2021					
Additional Revenue		\$474,209	\$467,545	\$844,677	\$937,987
% Increase in Revenue		6.3%	6.2%	10.6%	11.7%
Residential Taxpayer Impact Analysis					
	Tax Paid		Difference from No-New-Revenue Rate		
Residential Value	2021 Rate	2022 NNR	2022 VAR	De Minimus Rate	Unused Increment
Average Market - \$295,864	\$1,161.92	\$1,044.06	-\$1.07	\$59.71	\$74.75
Average Taxable - \$273,658	\$1,074.71	\$965.70	-\$0.99	\$55.23	\$69.14
	Tax Paid		Difference in Tax Paid from Last Year's Tax Rate		
Residential Value	2021 Rate	NNR 2022 Tax Difference from 2021	2022 VAR	De Minimus Rate	Unused Increment
Average Market - \$295,864	\$1,161.92	-\$117.86	-\$118.93	-\$58.15	-\$43.11
Average Taxable - \$273,658	\$1,074.71	-\$109.01	-\$110.01	-\$53.78	-\$39.87
Taxes Paid Comparison on Same Property 2021 vs 2022					
	2021 Taxes	2022 Taxes*	2021 vs 2022		
2021 Average Market - \$261,320	\$1,026.26	\$1,087.00	\$60.74		
2021 Average Taxable - \$248,794	\$977.06	\$1,034.89	\$57.83		

*2022 Taxes based on 2021 values plus 10%

FISCAL ANALYSIS: The presented 2022 *ad valorem* tax rate is sufficient to maintain maintenance and operations and fund debt service principal and interest payments in FY 2022-2023.

STAFF RECOMMENDATION: Staff recommends Council approve the second & final reading of the Ordinance setting the 2022 *ad valorem* property tax rate at the rate of \$0.378149 per \$100 valuation with \$0.220511 for maintenance and operations and \$0.157638 for debt service and interest and sinking, as presented.

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE ASSESSMENT AND RENDITIONS FOR THE 2022 TAXABLE PROPERTY AS SUBMITTED BY THE APPRAISAL DISTRICT; LEVYING A TAX RATE FOR \$100.00 VALUATION FOR THE CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS FOR THE TAX YEAR 2022 OF \$0.220511 FOR THE PURPOSE OF MAINTENANCE AND OPERATION, \$0.157638 FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON DEBT OF THE CITY FOR A TOTAL TAX RATE OF \$0.378149; PROVIDING FOR A LIEN ON ALL REAL AND PERSONAL PROPERTY TO SECURE PAYMENT OF TAXES DUE THEREON; CONTAINING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of Rockport, Texas has on this date by way of separate Ordinance, duly approved and adopted a Budget for the operation for the City for Fiscal Year 2022-2023 (FY 2022-2023); and

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

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

WHEREAS, it is necessary to levy such an *ad valorem tax* at a given rate to generate revenues sufficient to meet the projected expenses of the City for FY 2022-2023; and

WHEREAS, the City has fully and timely complied with all notice and other requirements relative to the adoption of a tax rate for FY 2022-2023.

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

Section 1: There is hereby levied for the FY 2022-2023 upon all real property situated within the corporate limits of the City of Rockport, Texas, and upon all personal property which was owned within the corporate limits of the City of Rockport, Texas, on January 1, 2022, except so much thereof as may be exempt by the Constitution or laws of the State of Texas, a total tax of \$0.378149 on each \$100 of assessed valuation on all taxable property, which total tax herein so levied shall consist and be comprised of the following components:

a) An *ad valorem* tax rate of \$0.220511 on each \$100 of assessed valuation of all taxable property is hereby levied for general City purposes and to pay the current operating expenses of the City of Rockport, Texas, for the fiscal year ending September 30, 2023, which tax, when collected shall be appropriated to and for the credit of the General Fund of the City of Rockport, Texas.

b) An *ad valorem* tax rate of \$0.157638 on each \$100 of assessed valuation of taxable property is hereby levied for the purpose of creating an Interest and Sinking Fund with which to pay the interest and principal of the valid bonded indebtedness, and related fees of the City of Rockport, now outstanding and such tax, when collected, shall be appropriated and deposited in and to the credit of the general Debt Service Fund of the City of Rockport, Texas, for the fiscal year ending September 30, 2023.

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

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

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

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

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

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

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

APPROVED on first reading on the 6th day of September 2022, by roll call vote as follows:

FOR MOTION: Council Member Jackson, Council Member Hale, Council Member Brundrett, Mayor Pro-Tem Hattman and Mayor Jayroe.

AGAINST MOTION: None

CITY OF ROCKPORT, TEXAS

Tim Jayroe, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED, PASSED and ADOPTED on second and final reading the 13th day of September 2022 by roll call vote as follows:

FOR MOTION:

AGAINST MOTION:

CITY OF ROCKPORT, TEXAS

Tim Jayroe, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA

Regular Meeting: Tuesday, September 13, 2022

AGENDA ITEM: 9

Deliberate and act to ratify the adoption of the Fiscal Year 2022-2023 Annual Budget and Capital Improvement Program for the fiscal year beginning on October 1, 2022 and ending on September 30, 2023 when the budget will raise more revenue from property taxes than last year's budget and providing an effective date.

SUBMITTED BY: Katie Griffin, Director of Finance

APPROVED FOR AGENDA:

BACKGROUND: H.B. No. 3195 set requirements for any budget adopted after September 1, 2007. Section 102.007, Local Government Code is amended adding Subsection (c): "Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tax Code, or other law."

The vote will ratify the adoption of the City of Rockport Fiscal Year 2022-2023 Annual Budget and Capital Improvement Program that will raise, by this statutorily required calculation, more revenue from property taxes than last year's Budget and ratify the property tax increase reflected in the Budget, as required.

The required public hearing was conducted tonight, September 13, 2022. The proposed Budget was filed with the City Secretary on August 5, 2022.

FISCAL ANALYSIS: This budget will raise \$600,140 more in new revenue than last year, an increase of 9.42%, according to the state required No-New-Revenue Tax Rate calculation and includes revenue from new value, e.g. new construction, annexation, new personal property of \$179,789. The FY 2022-2023 budget applies the Unused Increment Rate to the Voter Approval Rate.

RECOMMENDATION: Staff recommends Council ratify the Fiscal Year 2022-2023 Annual Budget and Capital Improvement Program and the property tax increase reflected in the Budget, as presented.

CITY COUNCIL AGENDA

Regular Meeting: Tuesday, September 13, 2022

AGENDA ITEM: 10

Deliberate and act on approval to purchase Equipment and Implementation Services for the Back-up Communications Center from Motorola (DIR Contract DIR-TSO-4101) and Intrado 911 Life and Safety Solutions (HGAC Contract EC07-20), authorizing City Manager Vanessa Shrauner to negotiate and execute all necessary documents.

SUBMITTED BY: Communications Center Director Lee Brown

APPROVED FOR AGENDA: VRS

BACKGROUND: Public Safety Communications is located at 714 E. Concho St., Rockport, TX. The desired location of a Backup Communications Center is at the Rockport Service Center located at 2751 Hwy 35 Bypass, Rockport, and TX. This location is approximately three and a half miles west of the primary Public Safety Answering Point (PSAP). In the event of an evacuation, employees will be called in to assist. Employees that are working at the Primary PSAP would be relocated to the alternate PSAP to continue operations.

Public Safety dispatches the following agencies:

- Rockport Police Department
- Aransas County Sheriff's Office
- Fulton Police Department
- Aransas County ISD Police Department
- Texas Department of Public Safety
- Texas Parks & Wildlife
- Allegiance Mobile Health
- Rockport Volunteer Fire Department
- Fulton Volunteer Fire Department
- Lamar Volunteer Fire Department
- Aransas County Animal Control
- Aransas County Constables

At the Communications Center, there are currently four consoles and two non-emergency consoles. Of the six consoles, three are operational during daytime hours, peak hours and holiday periods with two other traffic overflow workstations manned during large scale events.

Communications operates on both a digital P25 VHF Motorola radio system and a Harris 800 MHz Trunked system. The VHF and 800 MHz systems can be patched together to provide seamless communication to help improve interoperability during multi-agency events. The Law Enforcement agencies work on either of the two systems and EMS and Fire Services operate on conventional VHF radio systems.

The Enhanced Next Generation 911 database is supported by Intrado. The recording system is Eventide, supported by Vista Com. In the event the 911 system fails, emergency calls can be forwarded to the administrative telephone lines. The current administrative telephone system is a VOIP system by Polycom supported by the Aransas County IT Department. The City Service Center operates on the same system; therefore, phone service would be operational and personnel can take the administrative phones to the backup location. Both locations, the Public Safety Center and the Rockport Service Center maintain generators, powered during electrical failures.

Listed below is a revised quote to begin tailoring a Backup Communications Center for continuity of emergency operations during any critical disaster.

2 - 9-1-1 A9C Workstations	\$ 58,981.00
Radio Equipment/Console Furniture	\$ 298,830.00
Recording Equipment	\$ 28,611.00
Estimated cost	\$ 386,422.00

FISCAL ANALYSIS: 2022 Tax Note

RECOMMENDATION: Staff recommends Council approve the purchase of Equipment and Implementation Services for the back-up Communications Center from Motorola (DIR Contract DIR-TSO-4101) and Intrado 911 Life and Safety Solutions (HGAC Contract EC07-20), authorizing City Manager Vanessa Shrauner to negotiate and execute all necessary documents

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 13, 2022

AGENDA ITEM: 11

Deliberate and act to reject all bids received on, or before, August 5, 2022, for the sale of old City Hall being Lot E/2, Block 2, Doughty and Mathis Outlots O.L 3, also known as 622 E. Market Street.

SUBMITTED BY: City Council

APPROVED FOR AGENDA: VRS

BACKGROUND: This property 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, demolished, and the property is currently a vacant lot.

Since August 17, 2017, the City has purchased, designed, and begun construction of a new City Hall to be located at 212 N. Live Oak Street.

The now 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 Council authorized the City Manager to seek bids. After publication and receipt of two bids on, or before, August 5, 2022, these bids were discussed with City Council on August 23, 2022, in Closed Executive Session. One bid was for cash only totaling \$156,727. The other bid was for cash of \$13,240.00 and a trade of land located adjacent to Memorial Park valued at \$266,840.00 by the Aransas Pass County Appraisal District.

FISCAL ANALYSIS: N/A at this time.

RECOMMENDATION: Staff recommends Council reject all bids and begin the RFP process for development of the old City Hall being Lot E/2, Block 2, Doughty and Mathis Outlots O.L 3, also known as 622 E. Market Street.

Bids received for Sale of 622 E. Market St

50

Authorized July 12, 2022 by Resolution 2022-21

Published: July 23 and 30, 2022

Due date: August 5, 2022

Date/Time Received	Name	Contact Information	Bid
8/4/2022 3:42 p.m.	Albert Johnson	602 E. Market St Rockport, TX 78382	Trade/Cash Property CAD value of \$266,840.00 Cash of \$13,240.00
8/5/2022 1:50 p.m.	Jeffrey Dinger	P.O. Box 634 Rockport, TX 78381	\$156,727.00

Opened by:

Teresa Valdes, City Secretary

Kimberly Henry, Assistant to the City Manager