CITY COUNCIL AGENDA

Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, February 28, 2023, 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/@rockporttxgov.

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.

SCAN ME

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

Opening Agenda

1. Call meeting to order.

2. Pledge of Allegiance.

3. Presentation: Rockport Police Department 2022 Annual Report.

4. Presentation: Rockport Police Department New In Blue program.

5. Citizens to be heard.
   At this time, comments limited to three (3) minutes will be taken from the audience from persons who have signed the speaker's card located on the table in the back of the Training Room of the Service Center and delivered to the City Secretary before the meeting begins, or written comments received by 4:00 p.m. on the day of the meeting, on any **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.

6. Deliberate and act on approval of City Council Meeting Minutes of February 14, 2023.

7. Deliberate and act on a Resolution of the City of Rockport, Texas, authorizing the Rockport Police Department to apply for and operate a Local Border Security Program (Border Star) administered by the Office of the Governor for Fiscal Year 2023; and authorizing the Mayor to act as the Executive Officer and authorized representative in all matters pertaining to the participation in this grant program.

8. Deliberate and act on a Resolution authorizing the Rockport Police Department to apply for and operate a Bullet-Resistant Shield Grant Program administered by the Office of the Governor, Criminal Justice grants division for Fiscal Year 2023; and authorizing the Mayor to act as the Executive Officer and authorized representative in all matters pertaining to the participation in this grant program.

9. Deliberate and act on second & final reading of a proposed Ordinance authorizing a pro-rata reimbursement to Eric & Janet Prim, Michael E. & Cynthia S. Glick, Gary & Lydia A. Newman, Ebbitt I. Thomas, and Scott Johnson for development of a sanitary sewer main utility line affecting the property and property owners along Ocean Drive, known as Aransas County Appraisal District Property ID numbers; 64666, 64667, and 65356, Rockport, Aransas County, Texas; providing for pro-rata payments from benefited property owners who request to connect to the sewer utilities during the reimbursement period; providing for developer to be reimbursed from pro-rata funds received and providing an effective date and a termination date.

10. Deliberate and act on 1st quarter report from the Rockport-Fulton Chamber of Commerce for Fiscal Year 2022-2023 marketing expenditures.

11. Deliberate and act on 1st quarter report from the Rockport Cultural Arts District for Fiscal Year 2022-2023 marketing expenditures.

Public Hearing

12. Conduct a Public Hearing for the purpose of considering abolishing, continuance, or modification of the Juvenile Curfew Ordinance.

Regular Agenda

13. Deliberate and act on first reading of an Ordinance continuing the City of Rockport Code of Ordinances Chapter 66 "Offenses and Miscellaneous Provisions" Article II . "Minors Curfew" setting curfew hours for minors; repealing all Sections in conflict herewith; providing a severability clause; and providing an effective date.

14. Hear and deliberate on presentation from Travis James of TXP on Downtown Tax Increment Reinvestment Zone.

15. Deliberate and act on approval of Request for Qualifications for City Attorney Services.

16. City Manager Report:
    A. Projects.

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

18. Adjournment.

Special Accommodations

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

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

Certification

I certify that the above notice of meeting was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas on Friday, February 24, 2023, at 8:00 a.m. and on the City's website at www.cityofrockport.com. I further certify that the following News Media were properly notified of this meeting as stated above*: The Rockport Pilot* and *Corpus Christi Caller Times*.



Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Regular Meeting: February 28, 2023

AGENDA ITEM: 3

Presentation – Rockport Police Department 2022 Annual Report

SUBMITTED BY: Police Chief Greg Stevens

APPROVED FOR AGENDA: VS

BACKGROUND: The Rockport Police Department is a full-service law enforcement agency operating 24 hours a day, seven days a week, and 365 days a year. The agency is comprised of 27 sworn peace officers and seven civilian employees, three of which are Code Enforcement officers. Like in most all cities, the majority of the City of Rockport's General Fund budget is allotted to public safety, with the police department operating on more than $5 million annually.

This annual report provides information and data for City Council, City Management and the general public to understand more about RPD operations and administration. The report highlights several of our accomplishments during 2022 and identifies some of our goals for 2023.

Additionally, during this presentation, the Police Chief will discuss and present a new program, New In Blue, the RPD is using to manage traffic citations and warnings as well as other citizen contacts. This new web and app-based program allows direct citizen feedback on officer performance and demeanor.

FISCAL ANALYSIS: None.

RECOMMENDATION: Not an action item.

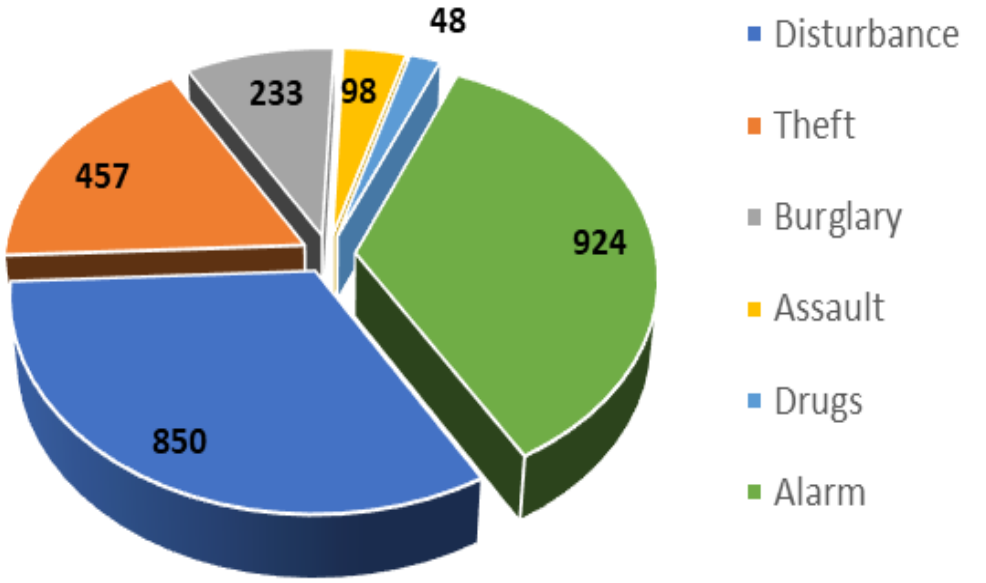


2022 ANNUAL REPORT

Rockport Police Department

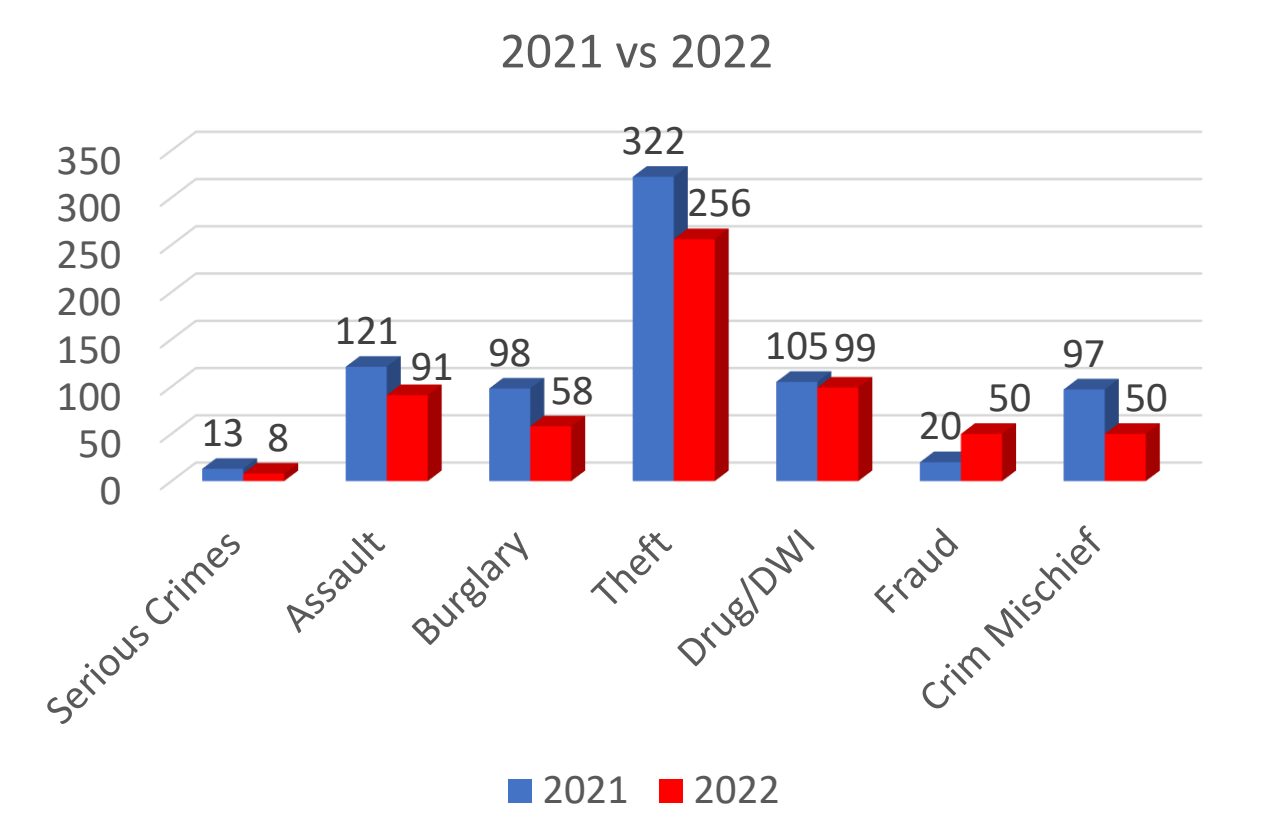
CALLS FOR SERVICE

- **8,889 Calls for Service**
  - 4,937 Calls required 2 or more officers
  - Average of 24 calls per day
- **924 Alarm Calls**
  - Approximately 99% were false alarms
- **690 Burglary & Theft Calls**
  - 314 Offense reports generated
- **1,589 Offense Reports Generated**



This chart shows the totals of the most common calls for service and the crimes perceived to be problematic for the city.

CRIMINAL INVESTIGATION

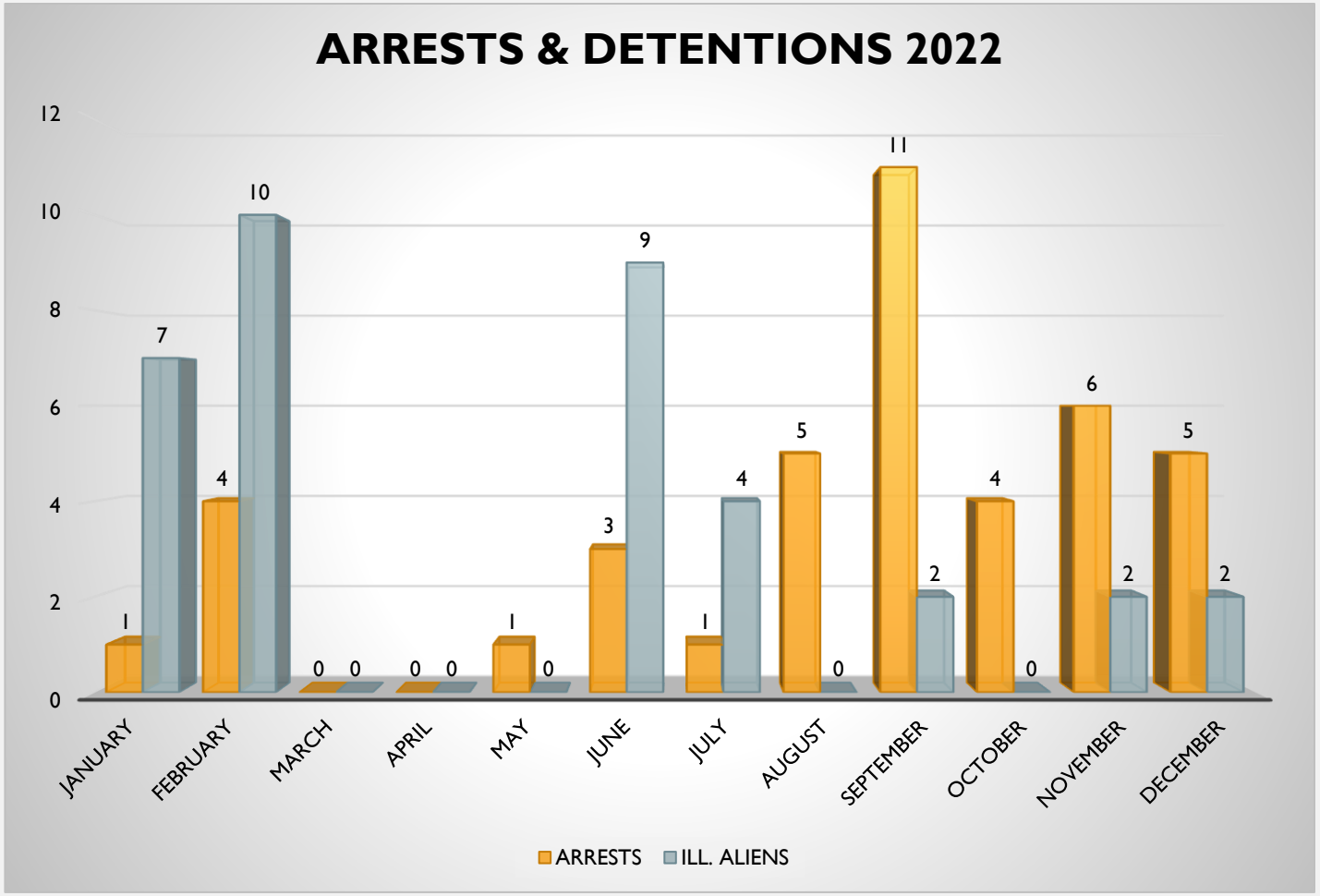


- **1,589 Cases Assigned**
- **8 Serious Crimes***
- **91 Assault Crimes**
- **58 Burglaries**
- **256 Thefts**

**Serious crimes include Murder, Robbery, Rape & a variety of Sex related offenses.*

GRANT SUMMARY

- 2022 Grant hours funded by 2020 & 2021 grant awards
- 2,805 Hours worked in 2022
- 2,031 Vehicles stopped
- 36 Persons detained for immigration law violations



				Assault			Burglary		Larceny-Theft							
YEAR	Murder	Sex Offenses	Rob.	Agg. Aslt	FV	Assault	Hab.	Non-Hab.	Vehicle	All other	UUMV	Drug Offenses	Fraud	DWI	Crim. Mis.	All other
2017	0	5	0	16			66	49	77	214	24		7	56	64	1469
2018	0	5	1	16			61	53	71	238	20		6	34	56	1274
2019	0	6	3	17			47	59	129	174	32		16	31	71	1261
2020	1	9	3	27			60	40	55	267	23		30	45	116	1113
2021	0	11	2	10	67	44	61	37	67	244	11	44	20	61	97	897
AVG per Month	0.0	0.6	0.2	1.4	2.3	4.8	4.9	4.0	6.7	19.0	1.8	3.7	1.3	3.8	6.7	100.2
Jan-22	0	1	1	1	3	1	3	5	9	18	1	1	6	4	4	76
Feb-22	0	1	0	1	3	0	0	3	8	15	0	6	6	7	2	70
Mar-22	0	1	0	1	2	1	1	4	4	8	1	5	7	5	3	83
Apr-22	0	0	0	1	4	0	2	1	7	11	2	4	4	3	9	82
May-22	0	2	1	2	4	0	4	2	9	14	0	1	3	2	2	82
Jun-22	0	0	0	2	8	0	0	1	7	7	0	11	3	4	6	92
Jul-22	0	1	0	2	3	2	1	2	14	8	1	2	2	5	4	87
Aug-22	1	0	0	3	6	4	2	3	14	17	0	1	5	3	1	77
Sep-22	0	0	0	2	7	0	5	4	4	21	1	5	4	6	3	99
Oct-22	0	0	0	0	11	2	3	0	2	12	1	2	6	5	4	84
Nov-22	0	0	0	0	4	0	2	4	5	16	1	1	0	7	7	69
Dec-22	0	0	0	3	6	2	3	3	1	17	0	4	4	5	5	76
Unsecured Property									83							
Offender Known	1	6	1	13		10										
2022	1	6	2	18	61	12	26	32	84	164	8	43	50	56	50	977
5-Yr Median	0	6	2	16	17	61	61	49	71	238	23	44	16	45	71	1261
5-Yr Average	0	7	2	17	28	58	59	48	80	227	22	44	16	45	81	1203
Cy22 vs 5-Yr Med	#DIV/0!	0.0%	0.0%	12.5%			-57.4%	-34.7%	18.3%	-31.1%	-65.2%	-2.3%	212.5%	24.4%	-29.6%	-22.5%
CY22 vs 5-Yr Avg	400.0%	-16.7%	11.1%	4.7%			-55.9%	-32.8%	5.3%	-27.9%	-63.6%	-2.3%	216.5%	23.3%	-38.1%	-18.8%

				Assault			Burglary		Larceny-Theft							
YEAR	Murder	Sex Offenses	Rob.	Agg. Aslt	FV	Assault	Hab.	Non-Hab.	Vehicle	All other	UUMV	Drug Offenses	Fraud	DWI	Crim. Mis.	All other
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CY22 vs 5-Yr Avg	400.0%	-16.7%	11.1%	4.7%			-55.9%	-32.8%	5.3%	-27.9%	-63.6%	-2.3%	216.5%	23.3%	-38.1%	-18.8%



ANNUAL REPORT 2022

Rockport Police Department

714 E Concho St, Rockport, TX 78382

(361) 729-1111

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Mission

The mission of the Rockport Police Department is to promote safety and security for all people who live, visit, and work in Rockport by protecting life and property, preserving the public peace, reducing crime as well as the fear of crime, and providing needed community services with the highest level of professionalism and ethical standards.

Values

Honor – Accountability for our professional and personal behavior, along with deep respect for the privilege to serve as Texas Peace Officers.

Courage – The moral and mental strength to do what is right, with confidence and resolution, even in the face of temptation or adversity.

Duty – The ardent commitment to serve and protect our fellow man regardless of personal danger or inconvenience and without bias.

Integrity – The foundation upon which trust is built; our actions are honest, ethical, and consistent without regard of who may know of them.

CHIEF OF POLICE



Chief Gregory Stevens was appointed as the Rockport Chief of Police in June 2019 and has almost 35 years of law enforcement experience. He came to Rockport after retiring as the Chief of Police in Lubbock, Texas where he had served as a police officer since 1992 and had been the Chief of Police since 2015. Chief Stevens is also a retired Naval Intelligence Officer having served a nearly 25-year active and reserve military career.

Chief Stevens holds a Bachelor of Science degree in Criminal Justice (BS-CJ) from Wayland Baptist University and a Master of Business Administration (MBA) degree from Texas Tech University. He is a graduate of the FBI National Academy (FBINA) and the FBI Law Enforcement Executive Development Seminar (FBI-LEEDS) programs. Chief Stevens also has completed the Law Enforcement Management Institute of Texas Leadership Command College (LEMIT-LCC) program through Sam Houston State University in Huntsville, Texas.

CAPTAINS

CRIMINAL INVESTIGATION



Captain Nathan Anderson came to us from the Lubbock Police Department in 2020 after 24 years of service. 19 of those years were spent on the Lubbock Police Department Special Weapons and Tactics Team before retiring as the SWAT team Commander. Captain Anderson led the department's Crime Suppression Unit, Directed Investigations Unit and was instrumental in bringing the Lubbock Police Department into the current industry standards on topics including SWAT tactics, tactical medic applications with SWAT, firearms, illegal game rooms, active shooter response and City Hall security. Captain Anderson assisted the City of Lubbock with a new game room ordinance to better combat the growing problems of illegal activity at area game rooms. This expertise has been beneficial in Rockport as we finalized a game room ordinance in 2021.

Captain Anderson holds a Master Peace Officer license and is a recent graduate of Del Mar College with studies in Police Science. He is also a 2019 graduate of Leadership Lubbock and will soon attend the FBI National Academy as well at the Law Enforcement Management Institute of Texas leadership program.

PATROL

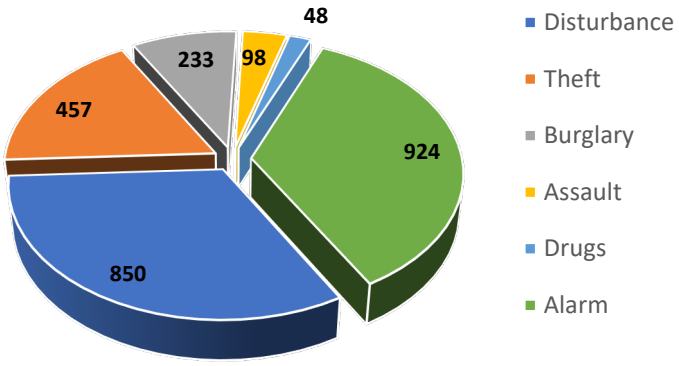


Captain Nathan Garcia began his career with the Texas Department of Public Safety, graduating from the DPS All-Service Academy in January 1999. He served a little over 8 years with the Department, 5 years as a Highway Patrol Trooper. He finished his last 3 years as a sergeant in both the Motor Vehicle Inspection and Highway Patrol Services. After leaving DPS, Captain Garcia served as a Police Mentor in Afghanistan for 18 months, where he assisted in the training of the Afghanistan National Police. After completing his overseas contract and returning to Rockport, Captain Garcia joined the Rockport Police Department in February 2009.

Captain Garcia holds a bachelor's degree in criminal justice as well as his Master Peace Officer License, Basic Instructor Certificate, and Firearms Instructor Certificate through the Texas Commission on Law Enforcement (TCOLE). He is a graduate of the FBI National Academy Session #259 and holds certifications in Advanced Accident Investigation, Advanced SWAT, and is a Field Training Officer.

2022 CALLS FOR SERVICE

- 8,889 Calls for Service
  - 4,937 Calls required 2 or more officers.
  - Average of 24 calls per day.
- 924 Alarm Calls
  - Approximately 99% were false alarms.
- 690 Burglary & Theft Calls
  - 314 Offense Reports Generated
- 1,589 Offense Reports Generated



This chart shows the totals of the most common calls for service and the crimes perceived to be problematic for the city.

Summary

In 2022, the Rockport Police Department received 8,889 calls for service. The total number of calls creates an annual average of approximately 24 calls per day or 1 call per hour. Notable call volumes include the number of alarm calls, 924 for the year with 99% of those calls being false alarms. There were 850 calls for disturbances. The general reporting of disturbances includes domestic disturbances, disturbances involving customers at a business, and disturbances involving tenant and landlord. Disturbances, often domestic, are some of the most dangerous calls for officers and normally requires the response of multiple officers for the safety of citizens and officers.

In 2022 there were 457 calls for theft and 233 calls for burglary. With a combined total of 690 calls, and nearly 20% of the reports forwarded for investigation, theft and burglary have been identified as the primary type of crime needing additional attention from citizens and officers.

	Calls	*Reports*	*%*
Alarm	924	4	0.4%
Disturbance	850	131	15.4%
Theft	457	215	47.0%
Burglary	233	138	59.2%
Assault	98	47	48.0%
Drugs	48	7	14.6%

This table represents the number of times officers are dispatched for specific type of call and the number of times it resulted in a report. As previously stated, less than 1% of alarm calls result in an offense or incident report. Notice half or greater of theft and burglary calls resulted in a report during 2022.

PATROL

2022 Traffic Highlights



- 2,897 Traffic Contacts
- 1,585 Citations / 3,463 Warnings
- 63 DWI Cases
- 187 Crash Reports / 4 Fatality Crashes
- 1,977 Offense, Incident & Supplement Reports

2022 Officer Initiated Activity Highlights

- 510 Close Patrols (Residence & Business Checks)
- 107 Motorist Assists (Change tire, give courtesy ride, etc.)
- 115 Field Interviews (Identify Persons for Variety of Reasons)

Personnel

The Patrol division is staffed by 1 Captain, 4 Lieutenants and 13 Patrol Officers. Patrol officers are divided into A and B platoons, each having a 12-hour day squad and a 12-hour night squad. Patrol officers bid for shifts every 6 months based on a point system involving seniority, productivity, and fitness. The Lieutenants are divided by days and nights. One day Lieutenant works 12-hour shifts Monday through Wednesday and a half shift on Thursday. The other day Lieutenant works a half shift on Thursday and 12-hour shifts Friday through Sunday. The 2 night platoon Lieutenants work the same rotation. Nearly all RPD officers have obtained Marine Safety Enforcement Officer certification to work aboard the department boat and some also have a certification allowing them to conduct patrol on bicycles. The Patrol division experienced many changes during 2022. Captain Garcia took command of the division early in the year and there were many personnel changes including the Lieutenant positions and the patrol officers. With these promotions and personnel changes, new ideas and visions have shifted the goals and day-to-day work of officers.

2023 Goals

- Purchase and deploy new Body Worn Camera platform to all officers and conduct user training. (Many of the current body worn cameras are nearing end of life)
- Deploy tire deflation devices to every marked unit and conduct necessary training for all officers.
- Conduct firearm training and qualifications for all officers with new Sig Sauer pistols.

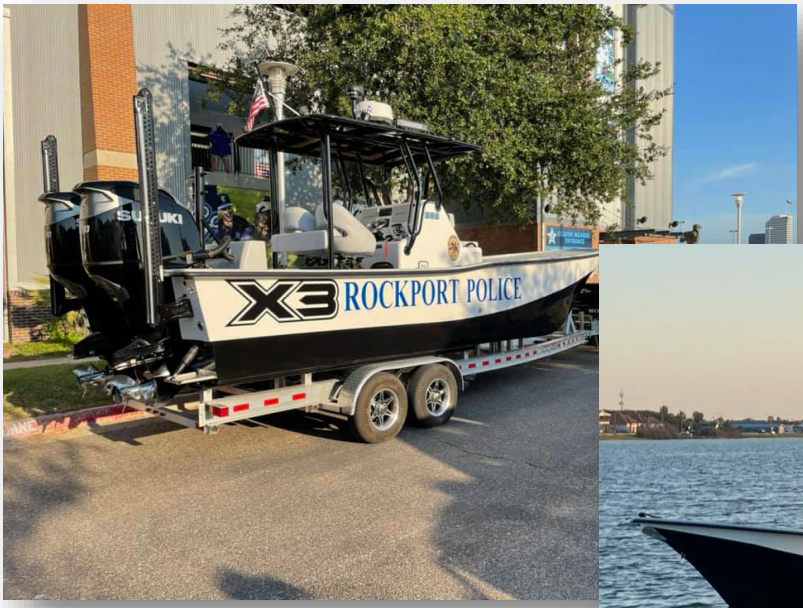
SPECIALIZED PATROL

Marine Unit

- The department currently operates a 28' Shallow Sport X3 with twin Suzuki 300 engines, purchased in 2021 using the Operation Stonegarden grant.
- Nearly all RPD officers have obtained a boater safety certification and a Marine Safety Enforcement Officer certification. Some officers are also certified marine operators.
- The boat is used for water rescues, patrolling local waterways, assisting with holiday and event crowds, and ensuring the safety of boaters during fireworks displays.

Summary

Due to Rockport being directly on the coast, the department often receives calls for service pertaining to swimmers and stranded or endangered boaters. The department boat may be launched to take the lead on a water rescue or assist other agencies such as Texas Parks & Wildlife. The boat is most seen by the average citizen during Memorial Day, Fourth of July, and Labor Day weekends. This is when the most water traffic is observed and having law enforcement on the water to ensure the safety of all is necessary. Outside of the holidays, the boat is used for general patrol of local waterways such as the Key Allegro and Harbor Oaks canals and the ski basin area of Little Bay. Officers patrolling the waterway conduct boat safety checks, review water safety laws with operators and passengers and make arrests of intoxicated subjects who pose a danger to themselves and others in and on the water.





SPECIALIZED PATROL (CONT.)

Bike Patrol

- Officers must obtain Bike Operator certification by attending a week long course in which multiple agility and speed tests must be passed.
- RPD currently has 5 officers, all assigned to the patrol division, who are certified to work on bicycles.

Summary

Throughout the year, officers receive varied special assignments to patrol on bicycles. Specialized police bicycles are used by the officers which come outfitted with specific equipment such as lights and gear bags. Assignments may include riding in a parade, monitoring the beach during high traffic times or even riding at night in a neighborhood being targeted for thefts and burglaries. Bicycles allow easier, quicker movement on a crowded roadway or beach. The bicycles are also more difficult to see at night and create little to no noise, adding the element of surprise when patrolling to deter or interrupt crime.

Moving in to 2023, the department plans to send additional officers to become Bike Operators. The median age of the RPD patrol officer has lowered significantly over the last couple of years and many officers are excited to obtain this certification.

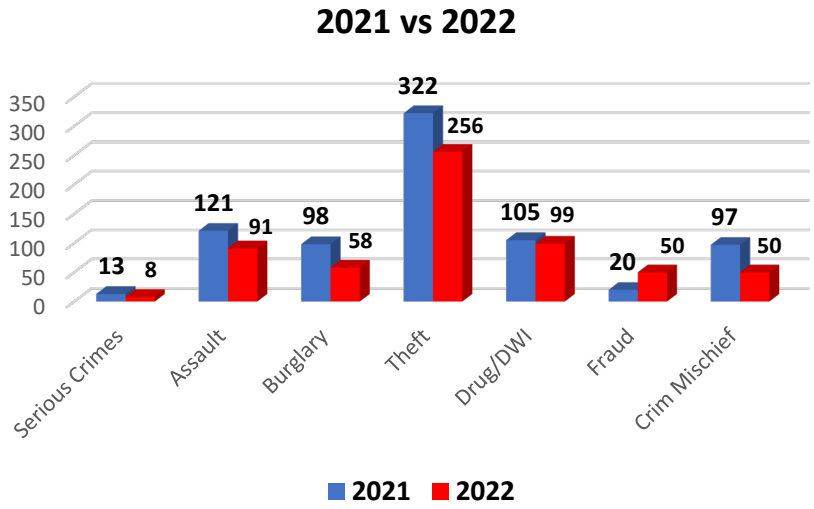


CRIMINAL INVESTIGATION

2022 Criminal Cases

- 1,589 Cases Assigned
- 8 Series Crimes*
- 91 Assault Crimes
- 58 Burglaries
- 256 Thefts

**Series crimes include robbery, rape & a variety of Sex related offenses.*



Though property crime is the most prevalent type of crime handled by the Rockport Police Department, the number of total property crimes decreased significantly. In 2021 there were 517 various property crimes reported, and 2022 saw only 364 property crime reports. This represents an 30% decrease in property crime. In a similar trend, Assault crimes decreased 25% from 121 reports in 2021 to 91 reports in 2022. Also notable is the number of major crimes reported. In 2022 there were 8 major crimes committed, a decrease of 5 from the 13 reported in 2021.

The crime of murder has not been committed in Rockport in many years. In nearly all the series crimes reported in 2022, the offender was known to the victim, and of important note, the majority of series and assaultive crime reported in Rockport occurred in the home or was perpetrated by a family member. The statistical chances of a Rockport citizen or visitor becoming a victim of a random act of violence in Rockport is virtually non-existent.

PERSONNEL

The Investigation division consists of 1 Captain, 4 Detectives and a civilian Investigative Assistant. While the Captain and Investigative Assistant work Monday through Friday, the Detectives work 4, 10-hour shifts Monday through Thursday or Tuesday through Friday. Detectives are also on call one week at a time for afterhours patrol assistance and major crimes. Captain Anderson took command of the Investigation division in early 2022, and there were multiple Detective promotions. These promotions created a renewed energy and changes in general procedure and investigative skills. The many personnel and procedure changes may account for the higher-than-average case clearance.

Criminal Investigation (Cont.)

2022 HIGHLIGHTS

The general criminal case clearance rate for 2022 was 37%, an increase from the 2021 clearance rate of 32%. The increase in case clearance is a trend seen over multiple years and may be attributed to personnel changes and the increasing use of technology. Along with the department, citizens are using social media and smart device applications to spread information and photographs pertaining to suspects and offenses. An investigation led by Detective I. Leal resulted in the clearance of a string of burglaries and thefts. During the investigation, Detective Leal obtained numerous arrest warrants, and with assistance from other CID personnel, recovered many stolen items. Detective Leal was awarded the Chief's Direct Commendation for his efforts in that case.





2023 Goals

- Continue working towards a higher case clearance rate utilizing available technology.
- Pursue grants for additional personnel training and advanced investigative equipment.
- Further development of community and department relations to aid in future investigations.

PROPERTY & EVIDENCE

PERSONNEL & TRAINING

- The Evidence Technician and Investigative Assistant positions are held by civilian personnel.
- The Evidence Technician reports to the Administrative Lieutenant and is assisted in day-to-day duties by the Investigative Assistant.
- Evidence personnel attend training including the *Texas Association of Property and Evidence Inventory Technicians* (T.A.P.E.I.T.) annual conference and certification courses. They also participate in training and continuing education pertaining to the collection, submission, handling, and proper storage of all items potentially collected by officers.

The items handled by the evidence technician vary. Most commonly submitted is evidence which is an item or recording related to a criminal offense being investigated by the department. Property has a variety of definitions. It can be the personal items of someone arrested by an officer and it can be property found by a citizen and turned in to the department. Disposal or return of all items has multiple tiers assigned by state law and department policy. A disposal may occur when a case has reached statute of limitations, after a case has been dismissed, and when items are deemed abandoned by Texas Code of Criminal Procedure guidelines.

In 2022, the Rockport Police Department took in 780 items collected by officers and detectives in the course of their duties. During the year, for a variety of reasons, 652 items were released and/or disposed of. At the end of 2022, the Rockport Police Department had custody of approximately 2,892 items of property.







CODE ENFORCEMENT

Personnel

- Code Enforcement consists of 3 Code Enforcement Officers. They are supervised by the Administrative Lieutenant. They are assisted by sworn officers when necessary.

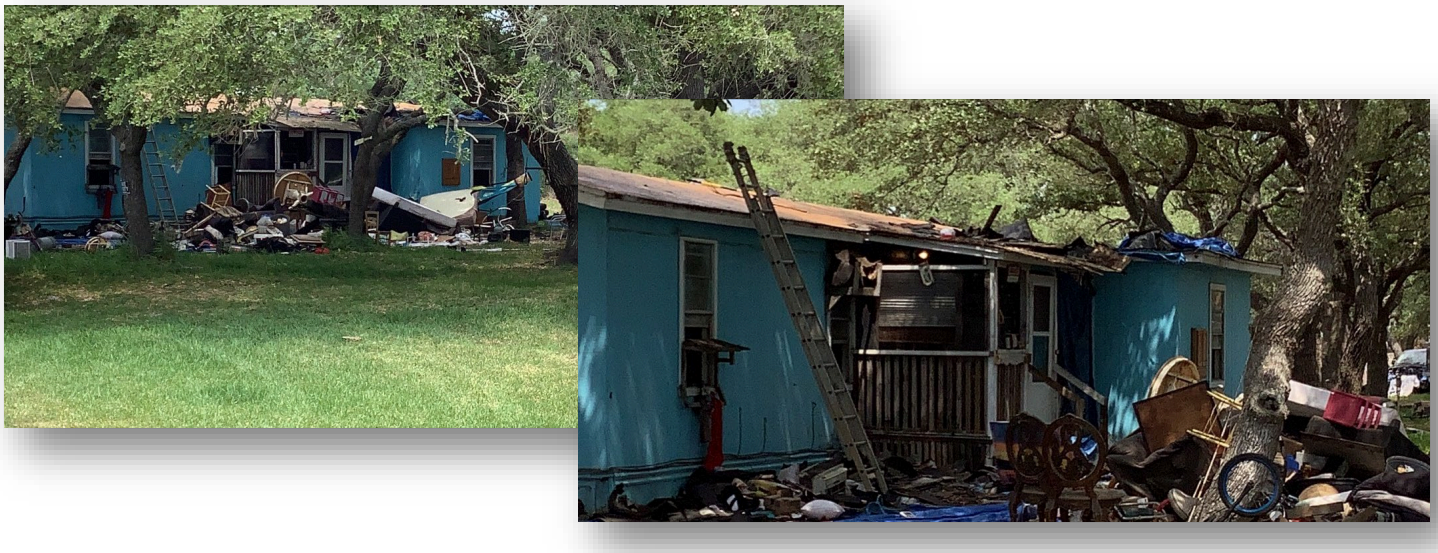
Overview

The general aim of code enforcement work is to ensure all properties within city limits are in compliance with city ordinances. This includes commercial and residential property. Contact is usually initiated with the property owner via mail correspondence. The goal of Code Enforcement is voluntary compliance, and such is typically the case. When owners fail to bring a property into compliance, they can face fines as well as any cost incurred by the city to bring the property into compliance.

During 2022, Code Enforcement Officers were assigned to 887 cases regarding properties out of compliance. In the same year, Code Enforcement Officers were able to clear 577 cases. Of the assigned 887 cases, 81 were deemed invalid. The overall case clearance rate for Code Enforcement in 2022 was 74%. The case clearance rate for 2021 was 84%. The decline in case clearance from 2021 to 2022 may be explained by a changing of personnel. There was a vacancy for a brief time and a slow in productivity, and the new Code Enforcement Officer was in a training status for some time.

2023 Goals

- An ongoing goal for Code Enforcement is to gain compliance or demolish all remaining substandard structures damaged in 2017 during Hurricane Harvey. Many have been handled but there is still work to be done.
- Code Enforcement Officers will continue pursuing problem areas in hopes of gaining compliance from those property owners and city-wide property owners.
- Continue to build good working relationships with other city entities, county entities and local contractors who may be called on during a demolition or clean up.



GRANT SUMMARY

Operation Stonegarden (OPSG)

- Federally funded grant covering officer hours and equipment.
- Focuses on International border security and Immigration law violations.
- Conducted through traffic enforcement on highways in Aransas County which is considered a travel corridor for human trafficking offenders moving north.
- Occasionally conducted through marine enforcement on local waterways

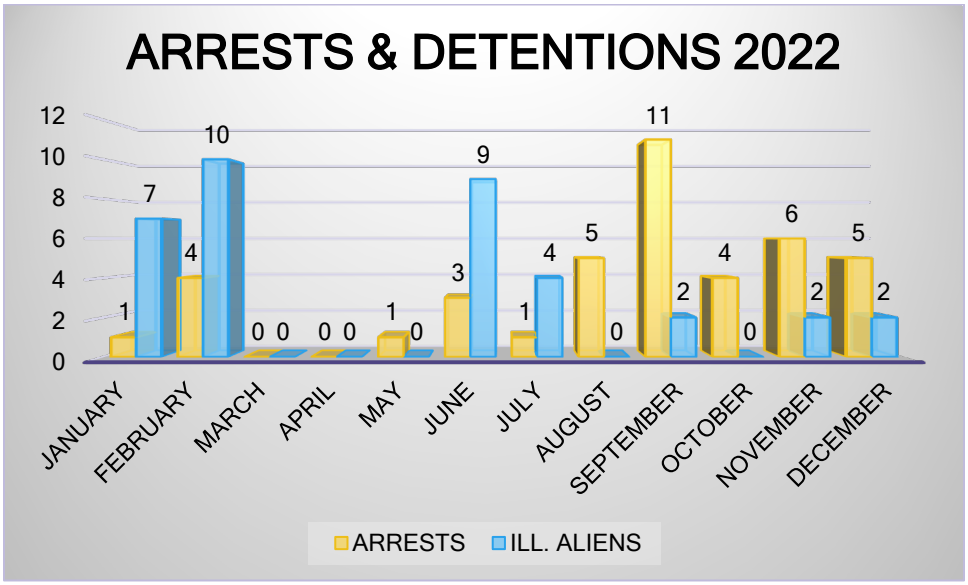
Operation Border Star (OBS)

- Sate funded grant covering officer hours and equipment.
- Focuses on Texas-Mexico border security and Immigration law violations.
- Conducted through traffic enforcement on highways in Aransas County which is considered a travel corridor for human trafficking offenders moving north.

Overview

Grant hours worked are in addition to each officer's regularly scheduled shifts. The grants are based on fiscal year awards and though the hours below were worked during 2022, the funding was awarded during the 2020 and 2021 fiscal years.

In 2022 officers worked a total of 2,805 hours over the course of eleven (11) months creating an average of 255 hours worked per month. A total of 2,031 vehicle stops were conducted for traffic law violations. During those stops, 36 persons violating immigration and citizenship laws were detained and transferred to Border Patrol agents. One (1) vehicle stop resulted in the seizure of approximately 50 grams of cocaine.



Community Outreach 2022

During 2022, the Rockport Police Department participated in 21 different events within the community. The events included parades, festivals, speaking with residents about safety and security, and hosting the annual Operation Blue Santa program. This year the department joined the Town of Fulton for their National Night Out celebration and participated in 4 fall festival events.





For the 2023 calendar year, the department is on track to participate in the same number, if not more events. Through restructuring of the department, there is now an administrative Lieutenant and officer working to ensure department participation and engagement in all local events to include speaking at schools and daycares to spread safety awareness. The department is aware of the importance in being known and trusted by our residents and knows this type of relationship will be stronger in showing a regular presence within the community and making ourselves available to all.





CITY COUNCIL AGENDA
Regular Meeting: February 28, 2023

AGENDA ITEM: 4

Presentation – Rockport Police Department New In Blue program

SUBMITTED BY: Police Chief Greg Stevens

APPROVED FOR AGENDA: VRS

BACKGROUND: During this budget year, the Rockport Police Department replaced its outdated digital handheld ticket writing devices with a more modern web and app-based platform from the company New In Blue. The previous devices had reached their end of useful life. The department has been testing the new program for several months and has just recently gone live with it.

Beginning January 27th of this year, RPD officers began using the new program, which utilizes City issued cell phones all officers have been carrying for several years. Beyond using the program to issue traffic citations and warnings, officers are able to manage numerous forms and other citizen contact situations as well.

Most significantly, this new program sends the citizen a text and/or email soon after the officers has departed and offers the citizen an opportunity to provide direct feedback regarding not only their interaction with the officer and comment on the officer's performance and demeanor, but also offer their perception on law enforcement in general, how safe they feel in Rockport, etc.

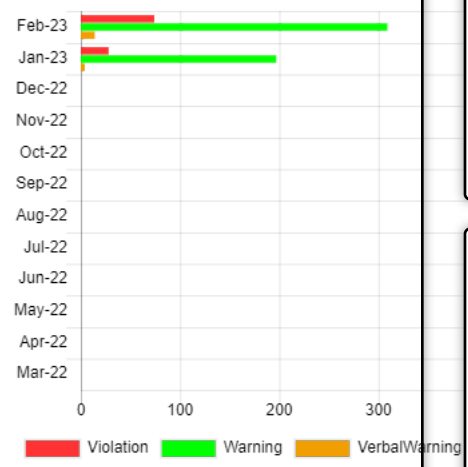
The Police Chief will provide a brief overview of the program along with some recent examples of feedback from citizens.

FISCAL ANALYSIS: None.

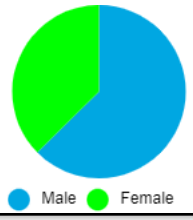
RECOMMENDATION: Not an action item.

TOTAL NO. OF OFFICERS	PENDING APPROVALS	PENDING RACIAL PROFILE
33 →	28 →	11 →

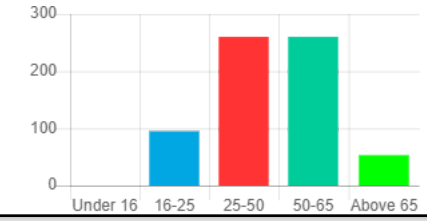
MONTHLY CITATION



BY GENDER



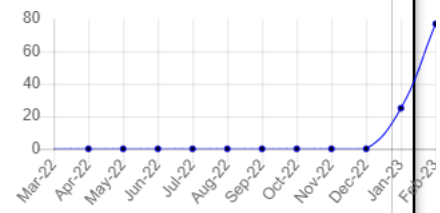
BY AGE



REVIEW THE BLUE

Overall Department Rating	★★★★☆
Reviews Sent	554
Reviews Responded	102 →
Response in %	18.41%

Response



CITY BASED USAGE

6 Months

Rockport	245
Aransas Pass	37
Corpus Christi	27
Houston	15
Ingleside	15

TOTAL NUMBER OF TICKETS

6 Months

NEW IN BLUE - ROCKPORT + OTHERS

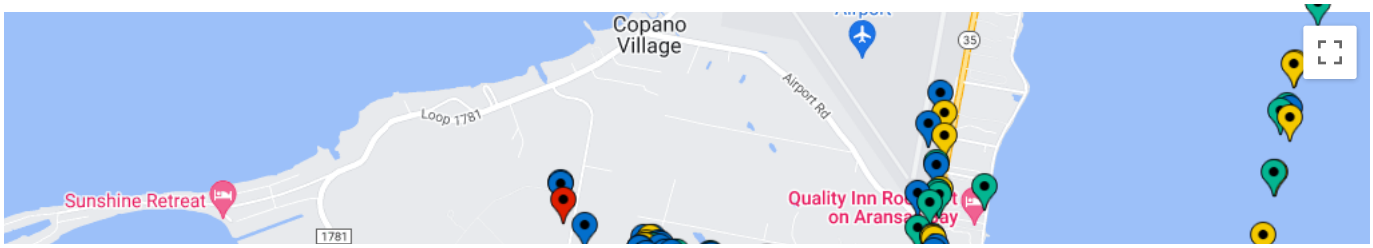
511

10 New In Blue - Rockport

501 Others

HEAT MAP

80 above | 51 - 80 | 31 - 50 | 19 - 30 | 13 - 18 Showing Legends on basis of Offender's Age



Sr. No.	Citation No	Defendant Gender	Defendant Race	Defendant Age	Cell Number	Rating Date Time	Officer Badge ID	Officer Name	Comment	Rating Value
1	117050	Female	Hispanic/Latino	63	3614630405	2/15/2023 19:22	116	Timothy Sawicki	Nice police officer	4
2		Not Mentioned		0		2/15/2023 18:04	116	Timothy Sawicki		5
3		Not Mentioned		0	3617904570	2/15/2023 17:17	104	Jacob Petitfils	Officer Jacob P did a excellent job seeing that it was an accident and nobody was hurt. Officer Jacob deserves a promotion to keep good officers in our community. Thank you	5
4	117049	Male	White	42	3616605116	2/15/2023 14:17	116	Timothy Sawicki		5
5	42022	Male	White	24	3612059315	2/14/2023 21:23	102	Jesus Aguilar		5
6		Not Mentioned		0	9405958178	2/14/2023 17:10	16	David Gerloff	I had an overall good experience with Lt Gerloff.He was very respectful towards me and offered a neutral solution for both parties involved in the incident.He explained the process and answered all of my questions. He made the incident less stressful	4
7		Not Mentioned		0	8477787710	2/14/2023 17:09	116	Timothy Sawicki	17 does not apply. The officer assisted me in a traffic accident	5
8	117044	Male	White	55	8176176436	2/14/2023 13:42	116	Timothy Sawicki	Officer Sawicki was very professional , polite and patient with me. I think he is a great asset to the Rockport police.	5
9	81015	Male	White	68	9853973407	2/12/2023 22:35	114	Reynaldo Arce	Don't know why I was stopped. Never the less it's all good.	3
10		Male	White	42		2/12/2023 21:25	109	Mariah Marroquin	I made a mistake and I didnâ€™t feel like I was being punished for it. It was dark and I explained my situation and felt I made her feel safe and our interaction was exactly how I feel it should have been handled	3
11	78052	Male	White	21	9362301266	2/12/2023 21:18	106	Austin Jensen	He was also respectful of other people on the road!	5
12	87032	Male	White	52	7247190057	2/12/2023 21:18	109	Mariah Marroquin		4
13		Male	White	51		2/12/2023 20:32	114	Reynaldo Arce	Officer Reynaldo Arce was professional, polite, respectful, kind, courteous, and was a pleasure to deal with.	5
14	78049	Male	White	17	3613300951	2/12/2023 19:49	106	Austin Jensen		4
15		Not Mentioned		0	6513047290	2/12/2023 13:32	104	Jacob Petitfils	We decided to fix car on our own as individual under stress. Officer is a huge asset to force	4
16		Male	Hispanic/Latino	29		2/12/2023 2:22	16	David Gerloff		5
17		Male	White	46		2/11/2023 23:04	109	Mariah Marroquin	She is very sweet very nice officer.	5
18	87026	Male	Hispanic/Latino	76	3615577374	2/11/2023 22:55	109	Mariah Marroquin		4
19	69053	Male	Hispanic/Latino	43		2/11/2023 22:01	16	David Gerloff		5
20	87027	Male	Hispanic/Latino	45	2102412193	2/11/2023 20:47	109	Mariah Marroquin		5
21	78047	Male	White	52	3615571072	2/11/2023 20:36	106	Austin Jensen		4
22	111030	Female	White	86	3614639484	2/11/2023 12:03	104	Jacob Petitfils		4
23	117037	Male	White	82	3192406333	2/11/2023 10:53	116	Timothy Sawicki	I was unaware that that was the law until he explained it to me	5
24	72040	Female	White	51	3612053679	2/11/2023 3:36	15	Dennis Paine	Officer Paine was very polite helpful and just did his job. Not all of rockport's police are like that. Sadly, I found the opposite often applies.	4
25	72039	Male	Hispanic/Latino	19	3617201398	2/11/2023 2:32	15	Dennis Paine		5
26	42020	Female	White	43	3613329105	2/11/2023 0:31	102	Jesus Aguilar		4
27	42019	Female	White	63	3615574800	2/10/2023 22:48	102	Jesus Aguilar		4
28	72036	Female	White	26	3612301083	2/10/2023 19:36	15	Dennis Paine		4
29	84030	Male	Hispanic/Latino	38	8322596627	2/10/2023 18:46	111	David Villegas		5
30		Male	White	55		2/10/2023 17:06	15	Dennis Paine	Officer Paine is the type of law enforcement that every community should have. He is a true professional.	5
31		Male	White	67		2/10/2023 16:27	15	Dennis Paine	Stopped for such a minor infraction. Time and money would be better spent solving real crimes	4
32		Not Mentioned		0		2/10/2023 14:51	116	Timothy Sawicki	This officer needs more training. He was rude and lied to me several times.	2
33	42018	Male	Hispanic/Latino	21	9563791804	2/9/2023 23:38	102	Jesus Aguilar		5
34	42017	Male	White	56	8152282971	2/9/2023 21:34	102	Jesus Aguilar		4
35	72031	Male	White	62	3617580770	2/9/2023 15:58	15	Dennis Paine	He was very friendly. Could not have asked for a more polite young man.	4
36	69036	Female	White	68		2/9/2023 15:11	16	David Gerloff		4
37		Male	White	47		2/9/2023 12:07	102	Jesus Aguilar		4
38	87020	Female	White	26	9407278290	2/8/2023 23:42	109	Mariah Marroquin	Mariah was extremely professional during our interaction. Iâ€™m glad to know people like her are keeping Rockport safe.	5
39		Male	White	60		2/8/2023 20:49	109	Mariah Marroquin	She was very polite an nice an full of respect	4
40		Female	White	49		2/8/2023 20:48	114	Reynaldo Arce	Very nice professional officer. Explained why he pulled me over. Was patient when I nervously tried to remember where I put my wallet with my license. Friendly officer. Good job Rockport PD.	5
41	87023	Male	Hispanic/Latino	29	3618979015	2/8/2023 20:33	109	Mariah Marroquin		4

42	123005	Female	White	32	3612300598	2/8/2023 10:32	101	Justin Dodd	I did not respect or appreciate the officer while cuffing me in front of my child for a traffic violation telling his assisting officer to call CPS bc I was going to jail. Thats not right and I had to beg to call my husband to come get my child	1
43		Female	Black	23		2/7/2023 21:43	106	Austin Jensen		5
44		Female	White	55		2/7/2023 21:37	114	Reynaldo Arce	wrong email address. I am not Sue Fandy	1
45	72027	Male	White	45	3615575793	2/7/2023 19:34	15	Dennis Paine	I would like to say Thank you for your service(s). Yâ€™all do a great job. We will keep yâ€™all in our prayerâ€™s. Be blessed. Thank you again	4
46		Not Mentioned		69		2/7/2023 19:02	116	Timothy Sawicki	Officer Timothy Sawiki is a disgrace to Law Enforcement and should require extensive training in all aspects of being an honorable Peace Officer. The excessive physical force used by Ofc. Timothy has left me, a 69 yo handicap man bruised and injured.	1
47		Female	White	16	3614433284	2/7/2023 18:18	118	Michael Cramer	Rockport police didnâ€™t care about my situation. My son literally got kidnapped by his fathers step mom and they didnâ€™t do anything	1
48	102008	Female	White	75	2107712773	2/7/2023 17:08	118	Michael Cramer	I think this survey covered everything. I do appreciate our police. I back The Blue! I was the one at fault for being stopped yesterday. No one to blame but myself.	4
49		Not Mentioned		0		2/7/2023 16:18	104	Jacob Petitfils	Why Officer did not issue a citation to Angel Flores after he harassed me and left scene of the accident?	1
50		Male	White	61		2/7/2023 14:40	116	Timothy Sawicki		4
51		Male	White	66		2/7/2023 12:22	118	Michael Cramer		4
52	117031	Female	Hispanic/Latino	21	3615571198	2/7/2023 11:05	116	Timothy Sawicki		4
53		Male	White	69		2/7/2023 8:34	106	Austin Jensen		3
54		Not Mentioned		0	3615577374	2/6/2023 22:52	104	Jacob Petitfils		4
55	111033	Female	White	43	3612440399	2/6/2023 11:52	104	Jacob Petitfils		5
56	111029	Male	Hispanic/Latino	30	3617775452	2/5/2023 8:47	104	Jacob Petitfils		5
57		Female	White	75		2/4/2023 23:15	109	Mariah Marroquin		4
58		Female	Hispanic/Latino	29		2/4/2023 10:02	116	Timothy Sawicki		5
59		Female	White	29		2/3/2023 17:06	107	Clovis Yarnall	Officer was firm but nice.	2
60	87017	Female	White	59	3617906090	2/3/2023 12:06	109	Mariah Marroquin	I donâ€™t understand #1 and #4 It made me answer #1 but I donâ€™t understand it but didnâ€™t want to give bad rating.	4
61		Male	White	25		2/3/2023 10:54	114	Reynaldo Arce	Officer Arce did a great job. 5/5 would get pulled over again.	5
62	72022	Male	White	60	5122934136	2/2/2023 20:54	15	Dennis Paine	Iâ€™m proud to live here in Rockport. Iâ€™m grateful for our local police force and the job they do every day. We are a better community because of their presence.	4
63		Female		33		2/2/2023 19:52	15	Dennis Paine	He was very polite and nice.	4
64	87014	Male	White	47	7138990198	2/2/2023 17:13	109	Mariah Marroquin		5
65	117023	Male	White	37	5037417588	2/2/2023 15:58	116	Timothy Sawicki		4
66	54026	Male	White	57	3612290602	2/2/2023 15:04	107	Clovis Yarnall		4
67	111025	Male	White	73	6083459983	2/2/2023 15:03	104	Jacob Petitfils		5
68	84022	Male	White	35	3615340046	2/2/2023 13:05	111	David Villegas	I don't mean that he was intimidating in a bad way. If I had to call for an officer I'd kinda want a slightly intimidating officer	4
69	111023	Male		63	8329923077	2/2/2023 11:48	104	Jacob Petitfils		4
70		Male	White	17		2/2/2023 10:13	109	Mariah Marroquin		3
71	78032	Female	White	63	7604584006	2/2/2023 2:05	106	Austin Jensen	Due to extreme setback and financial hardship. It put me in a bad way. The officer offered amazing solutions that I didnâ€™t know was there, thank you for all the men and women in blue who keep us safe. God bless you all!!!	4
72		Female	White	46		2/1/2023 22:35	102	Jesus Aguilar	He was very patient and very helpful. He never changed his tone of voice with me or got frustrated at all. He was very nice to me.	5
73	84020	Female	White	36		2/1/2023 18:43	111	David Villegas		4
74		Not Mentioned		0		2/1/2023 17:42	116	Timothy Sawicki	The officer was there very fast after I called.	4
75		Female	White	44		1/31/2023 17:33	107	Clovis Yarnall		4
76		Male	White	43		1/31/2023 13:59	105	Chance White	I feel that that officer was a really good duty really cared more about fixed a solution than just taking you know I don't know how you'd say it but I just feel he was more on finding the solution than just I can do what I want it was really awesome	4

77	72011	Male	White	47	3615717279	1/30/2023 16:40	15	Dennis Paine	Officer Paine was very polite and informative. I never felt uncomfortable or intimidated by him. My kids were not worried about the situation either. We visit rockport often and this will not deter us from coming back. Keep up the good work RPD!!	5
78	72010	Female	Black	29	9562929840	1/30/2023 16:03	15	Dennis Paine		5
79	54024	Female	White	32	3614636651	1/30/2023 14:18	107	Clovis Yarnall		4
80		Female		34		1/30/2023 13:37	106	Austin Jensen		4
81	72007	Female	White	28	8322578243	1/30/2023 13:32	15	Dennis Paine		5
82		Male	White	34		1/30/2023 12:22	15	Dennis Paine		4
83	78028	Male	White	20	3613194670	1/30/2023 1:18	106	Austin Jensen	good guy	4
84	54021	Male	White	23	2404466943	1/29/2023 17:02	107	Clovis Yarnall	Officer Yarnall was very professional, and a pleasant person.	5
85		Male	White	83		1/29/2023 16:50	109	Mariah Marroquin	I feel the officer overacted in this case a reminder would have been more than enough for the so called infraction	3
86	87007	Female		66	5129232267	1/28/2023 15:29	109	Mariah Marroquin	I would have given this officer higher pts than 5, very helpful & considerate.	4
87	117004	Male	White	75	8129871970	1/28/2023 12:14	116	Timothy Sawicki	I feel that stopping me for not signaling a lane change was a waste of his time	3
88		Male	White	45		1/28/2023 12:02	104	Jacob Petitfils		5
89		Female	White	33		1/28/2023 11:04	104	Jacob Petitfils		4
90		Female	White	19		1/27/2023 17:47	106	Austin Jensen		5
91	111010	Male	White	86	3612304052	1/27/2023 15:48	104	Jacob Petitfils	Thank you for your service! J w Anderson USN RET	5
92	84012	Female	White	65	3617275604	1/27/2023 15:07	111	David Villegas	NICE GUY NOT A SMARTASS LIKE ALOT ARE	3
93	84010	Male	White	63	3617276312	1/26/2023 20:44	111	David Villegas		5
94	114004	Female	White	64	3612309684	1/26/2023 17:10	105	Chance White	Chance White was respectful and helped me realize a hiccup with the registration on my new car.	4
95		Female		16		1/26/2023 17:00	105	Chance White		4
96	78005	Male	White	50	9563422210	1/26/2023 8:12	106	Austin Jensen		5
97		Male	White	55		1/26/2023 5:55	111	David Villegas	While pulled over other drivers were doing the same thing 50 yards ahead of us and there was no attempt made by the officer to pull them over	3
98		Female	White	56		1/25/2023 22:13	107	Clovis Yarnall		4
99	84002	Female	White	53	3615570236	1/25/2023 14:49	111	David Villegas		4

Rating Details

Sr.No.	Qustion	Rating Value
1	I feel safe in my Rockport home or while visiting Rockport	5
2	The Rockport Police Officers treat people with respect	5
3	The police presence in my neighborhood is appropriate for the need	5
4	Traffic enforcement meets the needs of the community	5
5	I feel safe shopping in Rockport	5
6	I feel safe walking or shopping after dark	3
7	The officer showed compassion or concern:	5
8	The officer had a friendly attitude towards me:	5

Rating Details

6	I feel safe walking or shopping after dark	3
7	The officer showed compassion or concern:	5
8	The officer had a friendly attitude towards me:	5
9	The officer was not intimidating:	5
10	I feel that Police Officers are overall needed:	5
11	The officer's tone was polite:	5
12	I feel that Police Officers maintain Law and Order	5
13	The Officer offered solutions:	5
14	The officer did their job well:	5
15	The Officer was respectful towards me:	5
16	The officer was very friendly and helpful:	5
17	The officer gave a valid reason for stopping me:	5

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, February 28, 2023

AGENDA ITEM: 6

Deliberate and act on approval of City Council Meeting Minutes of February 14, 2023.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: Please see the accompanying City Council meeting minutes of February 14, 2023.

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, February 14, 2023
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 14th day of February 2023, 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 Katy Jackson, Ward 1
Council Member Danielle Hale, Ward 2 – *Via ZOOM*
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 Adolfo Ruiz – *Via ZOOM*
Legal Counsel Art Rodriguez, Jr. – *Via ZOOM*
Director of Public Works and Building & Development Services Mike Donoho
Chief of Police Greg Stevens
Information Technology Director Bob Argetsinger
Communications Center Director Lee Brown

ELECTED OFFICIALS PRESENT

Opening Agenda

1. Call meeting to order.

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Jayroe at 6:30 p.m. on Tuesday, February 14, 2023, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

Mayor Jayroe 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.

Patrick Kane, 1123 East Cedar Street, addressed the Council and voiced comments regarding the Council's procedure for citizens' comments on Agenda items or other subject matter.

Kristie Rutledge, 1411 Dana Drive, addressed the Council, distributed a handout to the Council, and voiced comments regarding the Council's procedure for citizens' comments on Agenda items or other subject matter.

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 City Council Meeting Minutes of January 24, 2023, and City Council Special Meeting Minutes of January 31, 2023.

5. Deliberate and act 1st quarter report from the Texas Marine Science Institute/Mission Aransas National Estuarine Research Reserve for Fiscal Year 2022-2023 Bay Education marketing expenditures.

6. Deliberate and act on request to close the south side of Austin Street on March 4, 2023, from 7:00 a.m. to 10:00 a.m. for the 34th Annual Whooping Crane Strut.

7. Deliberate and act on second & final reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land located at 407 West Market Street; also known a Doughty and Mathis, Block 200, Lots 1 through 3, the westerly portion & Lots 9 through 11, the easterly portion, Rockport, Aransas County, Texas, from R-1 (1st Single Family Dwelling District) to B1(General Business District) to allow the use of a new shop; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

8. Deliberate and act on second & final reading of an Ordinance ordering a Special Election and establishing procedures for said election to be held on Saturday, May 6, 2023; the Special Election shall be for the purpose of submitting to the qualified voters of the City

proposed Charter Amendments for their consideration; establishing early voting locations and polling places for the Special Election; providing other matters relating to the Special Election; providing for publication of the Notice of the Special election; providing for severability; finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law; and establishing an effective date.

Deliberar y actuar sobre la segunda y última lectura de una Ordenanza que ordena una Elección Especial y estableciendo los procedimientos para que dicha elección se celebre el sábado 6 de mayo de 2023; la Elección Especial tendrá el propósito de presentar a los votantes calificados de la Ciudad las Enmiendas a la Carta Constitucional propuestas para su consideración; establecer lugares de votación anticipada y lugares de votación para la Elección Especial; proporcionar otros asuntos relacionados con la Elección Especial; proveer para la publicación del Aviso de la Elección Especial; prever la separabilidad; encontrar y determinar que la reunión en la que se aprueba esta Ordenanza está abierta al público según lo exige la ley; y establecer una fecha efectiva.

9. **Deliberate and act on Contract for Election Services with the Elections Administrator of Aransas County for the May 6, 2023 General Election and Special Elections.**

   Deliberar y actuar sobre el contrato de servicios electorales con el administrador de elecciones del condade de Aransas para las elecciones Generales y Especiales del 6 de mayo de 2023.

10. **Deliberate and act on May 6, 2023, Joint Election Contract for Election Services between the City of Rockport and Aransas County Independent School District in compliance with HB 1.**

    Deliberar y tomar medidas sobre el Contrato de Elecciones Conjuntas del 6 de mayo de 2023 para Servicio Electorales entre la Ciudad de Rockport y el Distrito Escolar Independiente del Condado de Aransas, en conformidad con HB 1.

11. **Deliberate and act on Purchase of Ford F750 Elliptical Dump Truck.**

12. **Deliberate and act on a Resolution authorizing the award of a Professional Service Provider Contract to Grant Works for the 2023/2024 Community Development Block Grant program of the Texas Department of Agriculture.**

13. **Deliberate and act on a Resolution authorizing the award of a Professional Service Provider Contract to Urban Engineering, Corpus Christi, Texas, for the 2023/2024 Community Development Block Grant program of the Texas Department of Agriculture.**

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

Mayor Jayroe read the captions of the Ordinances on the Consent Agenda as Items 7 and 8.

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

Regular Agenda

14. **Deliberate and act on first reading of a proposed Ordinance authorizing a pro-rata reimbursement to Eric & Janet Prim, Michael E. & Cynthia S. Glick, Gary & Lydia A. Newman, Ebbitt I. Thomas, and Scott Johnson for development of a sanitary sewer main utility line affecting the property and property owners along Ocean Drive, known as Aransas County Appraisal District Property ID numbers; 64666, 64667, and 65356, Rockport, Aransas County, Texas; providing for pro-rata payments from benefited property owners who request to connect to the sewer utilities during the reimbursement period; providing for developer to be reimbursed from pro-rata funds received and providing an effective date and a termination date.**

City Secretary Teresa Valdez stated the City's Code of Ordinances details the procedure for developers to seek reimbursement for reimbursement for extension of water and sewer mains. Ms. Valdez said Eric & Janet Prim, Michael E. & Cynthia S. Glick, Gary & Lydia A. Newman, Ebbitt Thomas, and Scott Johnson paid 100% of the cost to extend a sewer main to properties along Ocean Drive and they have requested a pro-rata agreement.

MOTION: Council Member Brundrett moved to approve the first reading of an Ordinance authorizing a pro-rata reimbursement to Eric & Janet Prim, Michael E. & Cynthia S. Glick, Gary & Lydia A. Newman, Ebbitt I. Thomas, and Scott Johnson for development of a sanitary sewer main utility line affecting the property and property owners along Ocean Drive, known as Aransas County Appraisal District Property ID numbers; 64666, 64667, and 65356, Rockport, Aransas County, Texas; providing for pro-rata payments from benefited property owners who request to connect to the sewer utilities during the reimbursement period; providing for developer to be reimbursed from pro-rata funds received and providing an effective date and a termination date. Council Member Jackson seconded the motion. Motion carried unanimously.

15. **Deliberate and act to appoint members to the Parks & Leisure Services Advisory Board.**

City Secretary Teresa Valdez informed the Council there are currently three vacancies on the Parks & Leisure Services Advisory Board making it difficult to reach a quorum for meetings. Ms. Valdez said she had received four applications to serve on the Parks & Leisure Services Advisory Board, but one application was from a County resident and City Code states Board Members are to be City residents. Ms. Valdez added all three applicants are from Ward 2.

Mayor Pro-Tem Hattman said she did reach out to constituents in Ward 4 and she did not receive any interest.

Council Member Jackson said she also had reached out to Ward 1 residents and had not received any interest.

Council Member Brundrett thanked other Council Members for trying, and stated you cannot force representation.

MOTION: Mayor Pro-Tem Hattman moved to appoint Josh Dowling, Elsa Gonzalez, and Shelly Schubert-Steckler to the Parks & Leisure Services Advisory Board. Council Member Brundrett seconded the motion. Motion carried unanimously.

16. Deliberate and act on possible approval of an amendment to the existing Republic Services contract, extending it for one year until July 31, 2024.

City Manager Vanessa Shrauner stated the City is coming to the end of a 5-year contract with Republic Services for solid waste services. Ms. Shrauner said Council had expressed a wish to explore options for solid waste services and Republic Services has agreed to a 1-year extension without raising the Capital Price Index for the duration of the extension, in order for the City to make a thoughtful decision on solid waste services.

MOTION: Council Member Brundrett moved to postpone this Agenda item and give direction to the City Manager to negotiate with Republic Services for up to a five (5) year contract extension with a clause allowing for neighborhood opt-out services. Mayor Pro-Tem Hattman seconded the motion.

Council Member Jackson said she just wanted to make sure she understood what the motion meant. Council Member Jackson asked if she understood Council Member Brundrett's motion correctly it meant instead of doing a 1-year contract extension, which had been discussed by Council, doing a 5-year contract extension, which she does not like, with opt-in, opt out clauses.

Council Member Brundrett answered that was correct as opposed to doing a one (1) year extension and then coming back again in a few months to do a five (5) year extension/contract. Council Member Brundrett said his thought was to just let the City Manager negotiate it now and try to get the best deal.

AMENDED MOTION: Council Member Jackson moved to amend the motion to no more than four (4) years. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

Council Member Hale asked for clarification regarding neighborhood opt-out clauses. Council Member Hale stated that seems to be a pretty broad or vague statement; what does that mean?

Council Member Brundrett stated in his thoughts that would be the opportunity for some neighborhoods to get other services such as more than once a week services, valet services or whatever they need; especially in Ward 3 where it is busier in the summer and once a week trash service may not be the best for them. Council Member Brundrett said what he is envisioning is that maybe a Homeowners Association contracting with another vendor or something like that.

City Manager Shrauner said the neighborhood opt-out clause would have to be defined somewhere along the process. Ms. Shrauner stated when she brings this back to Council it will have defined parameters for a neighborhood opt-out.

Council Member Hale stated she was a little taken back by the change in direction and she was hopeful to spend some time to better understand the needs of the constituents with regards to recycling and other things. Council Member Hale said she thought the Council had discussed a reasonable pass-forward to solicit the input.

Mayor Jayroe called the vote for the **MAIN MOTION:** Motion carried 4-1.
FOR MOTION: Council Member Jackson, Council Member Brundrett, Mayor Pro-Tem Hale, and Mayor Jayroe.
AGAINST MOTION: Council Member Hale.

17. City Manager Report:

A. Information for the public – Proposed Charter Amendments.

City Manager Shrauner called the Council's attention to the 2023 Charter Amendment Election Information included in the Agenda Packet. Ms. Shrauner explained information provided to the public has to be factual and not positional. Ms. Shrauner added she has requested the newspaper publish this information, it will be on the City's website, and a video is going to be made.

Council Member Brundrett stated this is the information that Council Members could share with constituents because it is factual.

B. Budget.

City Manager Shrauner said she did not have any budget information to report to Council at this time.

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 Hale expressed apologies for her absence tonight because she had prearranged travel for a work-related conference and thanked Council for the opportunity to attend the Council meeting via ZOOM. Council Member Hale said on January 23, 2023, a Parks & Leisure Services Advisory Board Meeting was scheduled and cancelled due to lack of quorum, and thanked the Council for getting that Board filled back up. Council Member Hale stated on February 6, 2023, she called in and attended the Stormwater and Floodplain Advisory Committee meeting and she thought the presentation regarding the blue corridor concept was insightful and she looks forward to hearing more about that.

Council Member Brundrett said starting this week big things will be going on at Memorial Park; Little League Soccer starting and Little League Baseball tryouts. Council Member Brundrett thanked the Parks Department for getting the fields and everything ready in Memorial Park. Council Member Brundrett announced on Saturday at Noon at the Park, the USA versus Canada baseball/softball game will be held that supports Rockport-Fulton Little League. Council Member Brundrett stated the Concho Street Drainage Project is back up and running. Council Member Brundrett said he attended the Aransas County State of the County luncheon today.

Mayor Pro-Tem Hattman said she also attended the Aransas County State of the County luncheon today. Mayor Pro-Tem Hattman stated she and the Mayor will be attending the Texas Clean Coast event next week where they will talk to them about Tule Creek and get information on how we can help. Mayor Pro-Tem Hattman said the drainage project in the Rockport Country Club is at 70% completion and hopefully in the next couple of months it will be complete.

Mayor Jayroe said the Stormwater Drainage Committee, which meets monthly, met last week and there is progress going on between the County, City, Navigation District, and Fulton and working toward finding answers toward the drainage problems as a community; a lot of mutual cooperation going on.

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, and 3) Bharatkumar Patel and Kokilakumari Patel vs. City of Rockport.**

20. **Section 551.074 Personnel Matters - deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: Parks & Leisure Services Director.**

At 7:00 p.m., Mayor Jayroe convened the City Council into executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in: 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) Bharatkumar Patel and Kokilakumari Patel vs. City of Rockport; and Section 551.074 Personnel Matters - deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: Parks & Leisure Services Director.

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 7:47 p.m., Mayor Jayroe reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

No action was taken.

21. Adjournment.

At 7:47 p.m., Council Member Brundrett 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, February 28, 2023

AGENDA ITEM: 7

Deliberate and act on a Resolution of the City of Rockport, Texas, authorizing the Rockport Police Department to apply for and operate a Local Border Security Program (Border Star) administered by the Office of the Governor for Fiscal Year 2023; and authorizing the Mayor to act as the Executive Officer and authorized representative in all matters pertaining to the participation in this grant program.

SUBMITTED BY: Chief of Police Greg Stevens

APPROVED FOR AGENDA: VRS

BACKGROUND: The objective of the Local Border Security Program (Border Star) is to disrupt, deter, interdict, and dominate criminal activity associated with the northbound and southbound movement of illicit traffic through the Texas border region in order to reduce border-related crime, reduce potential acts of terror, and increase the security and quality of life of Texans. As detailed in the accompanying $299,464.50 application, this is a reimbursement program that will primarily allow the Rockport Police Department to pay overtime to officers to increase visible patrol and engage in enhanced traffic enforcement. Department received and successfully implemented a similar grant for FY 2021 and FY 2022. A requirement of the grant is a resolution from the City authorizing the operation of the Local Border Security Program FY 2023.

FISCAL ANALYSIS: Border Star is in Fund 18 with revenue is credited to account 40420 and overtime and fuel expenses charged to accounts 6181008 and 6187044, respectively. No cash or in-kind match is required.

STAFF RECOMMENDATION: Staff recommends City Council approve the Resolution authorizing the Rockport Police Department to apply for and operate a FY 2023 Local Border Security Program administered by the Office of the Governor, as presented.

RESOLUTION NO.

A RESOLUTION OF THE CITY OF ROCKPORT, TEXAS, AUTHORIZING THE ROCKPORT POLICE DEPARTMENT TO APPLY FOR AND OPERATE A LOCAL BORDER SECURITY PROGRAM(BORDER STAR) GRANT ADMINISTERED BY THE OFFICE OF THE GOVERNOR, FOR FISCAL YEAR 2023; AND AUTHORIZING THE MAYOR TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE PARTICIPATION IN THIS GRANT PROGRAM.

WHEREAS, Operation Border Star was launched in 2007 to provide local and state agencies funds to pay officers overtime to beef up border patrol sand to coordinate intelligence gathering about crime on the border. The local and state agencies also coordinate and share information with federal agencies: and

WHEREAS, the City of Rockport finds it is the best interest of our citizens that the City of Rockport participate in the Local Border Star Security Program joining together with local, state and federal partners, to support the men and women of the U. S. Border Patrol, and protect our community by securing our international borders; and

WHEREAS, the City of Rockport agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Rockport assures that the funds will be returned to the Office of the Governor in full.

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

Section 1. That a Local Border Star Security Program application is hereby authorized to be filed for funding consideration;

Section 2. That the Mayor is designated as the Chief Executive Officer and Authorized Representative in connection with this application and participation in the Local Border Security Program. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the agency.

PASSED and **APPROVED** this the 28th day of February 2023.

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

Print This Page

Agency Name: Rockport, City of
Grant/App: 3136407 **Start Date:** 9/1/2022 **End Date:** 8/31/2023

Project Title: Local Border Security Program
Status: Active Grant

Eligibility Information

Your organization's Texas Payee/Taxpayer ID Number:
17460020005000

Application Eligibility Certify:
Created on:3/17/2022 4:42:11 PM By:Nathan Anderson

Profile Information

Applicant Agency Name: Rockport, City of
Project Title: Local Border Security Program
Division or Unit to Administer the Project: Rockport Police Department
Address Line 1: 714 E Concho
Address Line 2:
City/State/Zip: Rockport Texas 78382-2530
Start Date: 9/1/2022
End Date: 8/31/2023

Regional Council of Goverments(COG) within the Project's Impact Area: Coastal Bend Council of Governments
Headquarter County: Aransas
Counties within Project's Impact Area: Aransas

Grant Officials:
Authorized Official
Name: Tim Jayroe
Email: mayor@cityofrockport.com
Address 1: 714 East Concho Street
Address 1:
City: Rockport , Texas 78382
Phone: 361-729-2213 Other Phone: 361-729-1111
Fax: 361-729-3461
Title: Mr.
Salutation: Mayor
Position: Mayor

Financial Official
Name: Kimberly Henry
Email: khenry@rockporttx.gov
Address 1: 2751 S.H. 35 Bypass
Address 1:
City: Rockport, Texas 78382
Phone: 361-729-2213 Other Phone: 361-463-8561
Fax: 361-790-5966
Title: Ms.
Salutation: Ms.
Position: Interim Finance Director

Project Director
Name: Nathan Anderson
Email: nanderson@cityofrockport.com

Address 1: 714 E Concho St
Address 1:
City: Rockport, Texas 78374
Phone: 361-729-1111 Other Phone: 806-239-4022
Fax: 361-729-3461
Title: Mr.
Salutation: Captain
Position: CID Commander

Grant Writer
Name: Meredith Yarnall
Email: nyarnall@cityofrockport.com
Address 1: 714 E Concho
Address 1:
City: Rockport, Texas 78382
Phone: 361-790-1101 Other Phone:
Fax: 361-729-3461
Title: Ms.
Salutation: Ms.
Position: Adminstrative Assistant

Grant Vendor Information

Organization Type: Unit of Local Government (City, Town, or Village)
Organization Option: applying to provide homeland security services
Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI) Number or Vendor ID): 17460020005000
Unique Entity Identifier (UEI): D33QE53A2V54

Narrative Information

Introduction

The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity. Program participants shall assist in the execution of coordinated border security operations in an effort to:

- Increase the effectiveness and impact of Steady State and Surge Operations.
- Reduce border-related criminal activity in Texas.
- Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
- Decrease the supply of drugs smuggled into and through Texas from Mexico.
- Disrupt and deter operations of gang and cartel criminal organizations.
- Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
- Decrease use of specific areas for crime as targeted in directed action missions.
- Increase the effectiveness of air operations mission planning and prioritization.
- Increase the coordination and integration of air-ground team operations to include Texas Military Forces (TMF) aviation, United States Customs and Border Patrol (USCBP) Air and Marine, Texas Department of Public Safety (DPS) Aircraft Division, and United States Coast Guard (USCG) aviation support.
- Increase the effectiveness of directed action missions based upon intelligence and analysis to ensure they target the most serious threats and are conducted in high pay off areas.
- Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
- Increase intelligence based operations at the Unified Command level through integration of TxMap, sector specific information, and intelligence analysis.

The funding announcement, located on the eGrants Calendar page, describes the organization types, activities, and costs that are eligible under the announcement. The PSO's eGrants User Guide to Creating an Application guides applicants through the process of creating and submitting an application in eGrants. Information and guidance related to the management and use of grant funds can be found in the PSO's Guide to Grants, located on the PSO Resource for Applicants and Grantees webpage.

Program Requirements

Coordination with Regional Joint Operations Intelligence Center (JOIC)

Grantees must agree to perform the following activities:

- Participate in operational planning and coordination meetings, information/intelligence sharing meetings, and After Action Reviews (AARs) established by the Texas Department of Public Safety's (DPS) Joint Operations and Intelligence Centers (JOIC).
- Participate weekly on the JOIC Unified Command conference calls or meetings as required by the JOIC.
- Report significant border-related events that occur during each 24-hour period.
- Conduct enhanced law enforcement patrolling activities.
- Recognize and react to information/intelligence to adjust times and locations of enhanced patrol activities.
- Identify significant border-related trends or areas of interest that may be developed into focus areas for future operations.
- Conduct surveillance, interdictions, investigations, and collect and disseminate information within its jurisdiction or cross-jurisdiction lines as required.
- Conduct Steady State operations and respond to calls for service.
- Integrate air, ground, marine, and remote operations.

Grantees must agree to submit BIAR reports to the JOIC:

The grantee shall report all border-related events to the JOIC using the BIAR. BIAR reporting shall include events that occur during Enhanced Operation activities AND events that occur during Steady State activities.

Enhanced (Surge) Operations originate out of the use of LBSP funds when the local agency chooses to increase the hours of patrol or the number of investigative bodies. Steady State activities are defined as normal patrol or investigative duties that do not use grant funds, but directly impact the overall LBSP mission, such as organized crime arrests, terroristic activities, weapons trafficking arrests, kidnappings, human trafficking, human smuggling, home invasions with a border or organized crime nexus, illegal immigration, border-related murders, gang-related murders, vehicle thefts, or drug trafficking.

The BIAR is the primary incident and information-reporting tool for the grantee in local border security operations. The grantee shall ensure all BIARs conform to the respective standards outlined by the JOIC and are submitted within 24 hours of the end of shift and/or the timeframes established by the JOIC.

Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

Cybersecurity Training Requirement
Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the Cybersecurity Training Certification for State and Local Governments. A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information Resources Statewide Cybersecurity Awareness Training page.

Criminal History Reporting
Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the *Texas Code of Criminal Procedure, Chapter 66*. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

Uniform Crime Reporting (UCR)
Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

Program Income
Applicant agrees to comply with all federal and state rules and regulations for program income and agrees to report all program income that is generated as a result of the project's activities. Applicant agrees to report program income through a formal grant adjustment and to secure PSO approval prior to use of the program income. Applicant agrees to use program income for allowable costs and agrees to expend program income immediately after PSO's approval of a grant adjustment and prior to requesting reimbursement of funds.

Deduction Method - Program income shall be deducted from total allowable costs to determine the net allowable costs. Program income shall be used for current costs unless PSO authorizes otherwise. Program income which the grantee did not anticipate at the time of the award shall be used to reduce the PSO award and grantee match rather than to increase the funds committed to the project.

Asset Seizures and Forfeitures - Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of the plaintiff (e.g., law enforcement entity).

Compliance with State and Federal Laws, Programs and Procedures
Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the CEO/Law Enforcement Certifications and Assurances Form certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to PSO and is active until August 31, 2023 or the end of the grant period, whichever is later.

Overall Certification

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the PSO Funding Announcement, the *Guide to Grants*, the *Grantee Conditions and Responsibilities*, any authorizing or applicable state and federal statutes and regulations to be eligible for this program.
X I certify to all of the application content and requirements.

Project Summary :
Briefly summarize the project, including proposed activities and intended impact.
Utilize sworn officers to increase visible patrol and conduct surveillance and interdiction along 15 miles of Texas Highway 35 and Texas Business Highway 35 in an effort to confuse, disrupt, arrest and prosecute offenders of illegal human trafficking, illegal narcotic smuggling and other border related crimes. Operate a marine unit for surveillance, documentation and interdiction of illegal smuggling operations in the adjacent waterways; working with Texas Game Wardens, United States Coast Guard, United States Customs, and Department of Public Safety marine units to ensure analytical intelligence and apprehension of suspected violators.

Problem Statement :
Provide a detailed account of the issues, threats or hazards that your project will target. For federal Homeland Security Grants, include specific references to the regional or state *Threat and Hazard Identification and Risk Assessment (THIRA)*, as applicable.
Local concerns about increasing border-related crime including home burglaries, human and drug smuggling, and cross border violence from gangs and drug cartels.

Existing Capability Levels :
Describe the existing capability levels, including resources that are currently in place to support this project prior to the use of grant funds.
25 sworn peace officers and 16 marked, fully equipped police vehicles. One 28ft shallow draft patrol vessel equipped with radar and navigation that is capable of day and night operation in a littoral environment.

Capability Gaps:
Describe the capability gaps which will be addressed by the project. For federal Homeland Security Grants, include specific references to the regional or statewide State Preparedness Report (SPR).
Manpower is the capability that we currently lack. The grant will provide the department the funds to pay officers to work in an overtime capacity. This will allows officers working the grant to focus on interdiction activities on the highways and waterways. The equipment and accessories will be under 1.1 Prevent terrorist attacks and organized criminal activity in Texas. The purchase of the laptop equipment will allow officers to communicate effectively with one another, dispatch communications, NLETS, TLETS, and other investigative databases in order to gather and disseminate Intelligence Information more effectively. The purchase of the vehicles will allow additional patrol officers on the streets to delay, divert, intercept, halt, apprehend, or secure threats and/or hazards.

Impact Statement :
Describe the project goals/objectives and how this project will maintain capabilities or reduce capability gaps.
The project will reduce the capability gap by providing the funds to put officers on the street and waterways tasked with performing interdiction and surveillance activities. These activities will focus on curtailing human trafficking, narcotic smuggling and to prevent criminal and terrorist organizations from exploiting the borders of our state.

Homeland Security Priority Actions:
Identify the Texas Homeland Security Priority Action most closely aligned with this project. Each Priority Action is linked with an *Objective from the Texas Homeland Security Strategic Plan (HSSP)*. List the Priority Action by number and text (e.g. *1.2.3 Expand and enhance the network of human sources that can provide detailed and relevant information on known or suspected terrorist and criminal enterprises*.)
1.3.1 In conjunction with federal agencies, conduct unified state and local law enforcement operations to deny the use of the Texas border region to terrorists and criminal organizations, particularly between the ports of entry.

Target Group :
Identify the target group and population expected to benefit from this project.
This project will provide an immediate benefit to the citizens of Aransas County. However, through this grant the Rockport Police Department, will be able to provide benefits to the citizens and visitors of the State of Texas. By targeting human trafficking and narcotics smuggling in our area, we are able to stem the tide of criminal activity before it reaches other areas throughout our state.

Long-Term Approach:
Describe how the applicant agency will maintain the capabilities supported by this project without additional federal or state funds. If sustainment is dependent upon federal or state grants, describe the ongoing need for future grants, as applicable.
Without funds to provide overtime for the officers, it will difficult for the department to maintain the capabilities to target human trafficking and narcotic smuggling. Officers while working regular duty will have other responsibilities that will prevent them from being able to focus on interdiction, and surveillance activities.

Project Activities Information

Introduction

This section contains questions about your project. It is very important for applicants to review their funding announcement for guidance on how to fill out this section. Unless otherwise specified, answers should be about the EXPECTED activities to occur during the project period.

Selected Project Activities:

ACTIVITY	PERCENTAGE:	DESCRIPTION
Enhanced Patrol	100.00	Increase visible patrol and conduct surveillance in an effort to confuse, disrupt, arrest and prosecute offenders of illegal human trafficking, illegal narcotic smuggling, and other border related crimes.

Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
Number of gang members arrested for felony offenses.	1

Number of miles patrolled by grant-funded officers.	2200
Number of reports submitted - BIARs to a Regional DPS-JOIC (for LBSP) or DARs to US Border Patrol (for OPSG).	5
Number of traffic stops conducted by grant-funded officers supporting the border initiative.	200
Number of weapons seized by grant-funded officers supporting the border initiative.	0

Objective Outcome Measures

OUTCOME MEASURE	**TARGET LEVEL**
Number of adult apprehensions (transferred to USBP custody) made by grant-funded peace officers	1
Number of arrests (felony) made by grant-funded officers supporting the border initiative.	2
Number of arrests (misdemeanor) made by grant-funded officers supporting the border initiative.	10
Number of minor apprehensions (transferred to USBP custody) made by grant-funded peace officers	1
Value of all forfeitures (cash and other assets) attributed to grant-funded officers supporting the border initiative.	0

Custom Output Measures

CUSTOM OUTPUT MEASURE	**TARGET LEVEL**

Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL

Resolution from Governing Body

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a resolution that contains the following:

1. Authorization by your governing body for the submission of the application to the Public Safety Office (PSO) that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update the PSO should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to PSO.

Upon approval from your agency's governing body, upload the approved resolution to eGrants by clicking on the **Upload Files** tab and following the instructions on *Uploading eGrants Files*.

Contract Compliance

Will PSO grant funds be used to support any contracts for professional services?

Select the appropriate response:
_ Yes
X No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

Enter a description for monitoring contract compliance:

Lobbying

For applicant agencies requesting grant funds in excess of $100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan, or cooperative agreement?

Select the appropriate response:
_ Yes
X No
_ N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?

Select the appropriate response:
_ Yes
X No
_ N/A

Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:
10/1/2022
Enter the End Date [mm/dd/yyyy]:
9/30/2023

Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:
Enter the amount (in Whole Dollars $) of Federal Grant Funds expended:
1197328
Enter the amount (in Whole Dollars $) of State Grant Funds expended:
409127

Single Audit

Applicants who expend less than $750,000 in federal grant funding or less than $750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a PSO grant. However, PSO may require a limited scope audit as defined in 2 CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of $750,000 or more, or state grant funding of $750,000 or more during the most recently completed fiscal year?

Select the appropriate response:
X Yes
_ No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the State of Texas Single Audit Circular; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit:
9/30/2020

Debarment

Each applicant agency will certify that it and its principals (as defined in 2 CFR Part 180.995):

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the above bullet; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:
X I Certify
_ Unable to Certify

If you selected **Unable to Certify** above, please provide an explanation as to why the applicant agency cannot certify the statements.

General Assessment Information

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Your General Assessment is due on or before: 12/8/2022

1. Does the agency's accounting system:

   a. identify expenditures separately for each budget cost category shown on your approved OOG budget?

   X Yes
   _ No

   b. identify the receipts and expenditures of program funds separately for each award you receive?

   X Yes
   _ No

2. In the past five years, has the agency been responsible for managing:

   a. Federal Funds

   X Yes
   _ No

   b. State Funds

   X Yes
   _ No

   c. OOG Funds

   X Yes
   _ No

3. Does the agency have formal written policies and procedures in the following areas:

   a. Management of Financial and Other Records

   X Yes
   _ No

   b. Reports for Program Management

   X Yes
   _ No

c. Personnel Management

X Yes
_ No

d. Investigating fraud, waste, abuse and/or illegal activity

X Yes
_ No

4. Does the agency:

a. use a management system that tracks grant spending?

Always

b. use current accounting practices for financial record-keeping and accounting?

Always

c. use systems to generate reports and/or data for planning and reporting?

Always

d. retrieve programmatic or financial information quickly and efficiently?

Always

5. How many years has this project been in operation? Note: Include years prior to OOG grant funding, i.e., all years program activities have been performed by the grantee.

11 Years

1 Months

The next three (3) questions ask about your grant project's key personnel. Key Personnel is defined as any grant official and/or any other position(s) deemed essential by the grantee to the successful completion of grant activities (both programmatic and financial).

6. As of today, how many key personnel work to support this grant project?

5

7. How many key personnel that support this grant project have left employment in the past 12 months?

The answer for question 5 must equal or exceed 12 months before question 7 is available to answer.

0 _ Program has not been in operation for 1 year.

8. How many key personnel that support this grant project have worked within the program for at least two years?
The answer for question 5 must equal or exceed 24 months before question 8 is available to answer.

3 _ Program has not been in operation for 2 years.

Fiscal Capability Information

Section 1: Organizational Information

*** FOR PROFIT CORPORATIONS ONLY ***

Enter the following values in order to submit the application
Enter the Year in which the Corporation was Founded: 0
Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status: 01/01/1900
Enter the Employer Identification Number Assigned by the IRS: 0
Enter the Charter Number assigned by the Texas Secretary of State: 0

Enter the Year in which the Corporation was Founded:
Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status:
Enter the Employer Identification Number Assigned by the IRS:
Enter the Charter Number assigned by the Texas Secretary of State:

Section 2: Accounting System

The grantee organization must incorporate an accounting system that will track direct and indirect costs for the organization (general ledger) as well as direct and indirect costs by project (project ledger). The grantee must establish a time and effort system to track personnel costs by project. This should be reported on an hourly basis, or in increments of an hour.
Is there a list of your organization's accounts identified by a specific number (i.e., a general ledger of accounts)?

Select the appropriate response:
_ Yes
_ No

Does the accounting system include a project ledger to record expenditures for each Program by required budget cost categories?

Select the appropriate response:
_ Yes
_ No

Is there a timekeeping system that allows for grant personnel to identify activity and requires signatures by the employee and his or her supervisor?

Select the appropriate response:
_ Yes
_ No

If you answered 'No' to any question above in the Accounting System section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 3: Financial Capability

Grant agencies should prepare annual financial statements. At a minimum, current internal balance sheet and income statements are required. A balance sheet is a statement of financial position for a grant agency disclosing assets, liabilities, and retained earnings at a given point in time. An income statement is a summary of revenue and expenses for a grant agency during a fiscal year.
Has the grant agency undergone an independent audit?

Select the appropriate response:
_ Yes
_ No

Does the organization prepare financial statements at least annually?

Select the appropriate response:
_ Yes
_ No

According to the organization's most recent Audit or Balance Sheet, are the current total assets greater than the liabilities?

Select the appropriate response:
_ Yes
_ No

If you selected 'No' to any question above under the Financial Capability section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 4: Budgetary Controls

Grant agencies should establish a system to track expenditures against budget and / or funded amounts.
Are there budgetary controls in effect (e.g., comparison of budget with actual expenditures on a monthly basis) to include drawing down grant funds in excess of:

a) Total funds authorized on the Statement of Grant Award?
_ Yes
_ No

b) Total funds available for any budget category as stipulated on the Statement of Grant Award?
_ Yes
_ No

If you selected 'No' to any question above under the Budgetary Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Section 5: Internal Controls

Grant agencies must safeguard cash receipts, disbursements, and ensure a segregation of duties exist. For example, one person should not have authorization to sign checks and make deposits.
Are accounting entries supported by appropriate documentation (e.g., purchase orders, vouchers, receipts, invoices)?

Select the appropriate response:
_ Yes
_ No

Is there separation of responsibility in the receipt, payment, and recording of costs?

Select the appropriate response:
_ Yes
_ No

If you selected 'No' to any question above under the Internal Controls section, in the space provided below please explain what action will be taken to ensure accountability. 57

Enter your explanation:

Budget Details Information

Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
Personnel	Overtime for All Peace Officers	Enhanced patrol overtime according to local OT policy estimate 196 hours at an average OT rate , including fringe benefits of $48.447/hr up to a total of $9500.00	$9,500.00	$0.00	$0.00	$0.00	$9,500.00	100
Supplies and Direct Operating Expenses	Vehicle Operating Cost (e.g., fuel, lubricants, maintenance, storage)	Actual vehicle operating costs prorated for the hours officers work on grant paid overtime for an estimated value of $500.00	$500.00	$0.00	$0.00	$0.00	$500.00	0

Source of Match Information

Detail Source of Match/GPI:

DESCRIPTION	MATCH TYPE	AMOUNT

Summary Source of Match/GPI:

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share
$0.00	$0.00	$0.00	$0.00	$0.00

Budget Summary Information

Budget Summary Information by Budget Category:

CATEGORY	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
Personnel	$9,500.00	$0.00	$0.00	$0.00	$9,500.00
Supplies and Direct Operating Expenses	$500.00	$0.00	$0.00	$0.00	$500.00

Budget Grand Total Information:

OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
$10,000.00	$0.00	$0.00	$0.00	$10,000.00

Condition Of Fundings Information

Condition of Funding / Project Requirement	Date Created	Date Met	Hold Funds	Hold Line Item Funds
Costs for fuel (vehicle or boat) are allowable only for the hours officers are working on grant-paid overtime. Vehicle and boat maintenance costs must be prorated to show the use of vehicles/boats for regular law enforcement duties and the use of vehicles/boats while officers are working grant-paid overtime patrols. Only actual vehicle/boat expenses supported by invoiced gas, oil, and maintenance expenses may be reimbursed under this grant. Please retain all receipts and be prepared to make available upon request.	6/2/2022 1:17:37 PM		No	No
Elected/Appointed Officials: As of March 1, 2021, no portion of the salary of, or any other compensation for, an elected or appointed government official shall be paid with grant funds that are administered by the Office of the Governor, Public Safety Office. Elected or appointed officials include but are not limited to the following: County Judge, County Sheriff, County Constable, City Mayor, Chief of Police, and City Marshal.	6/2/2022 1:18:13 PM		No	No
Overtime: Grantees must upload a copy of the overtime policy approved by its governing board. This policy will be considered the official policy for grant purposes and must be used throughout the grant period. The policy must: 1) clearly describe how overtime will be calculated; 2) be consistent with the agency's overtime policy; and 3) treat grant-paid personnel the same as non-grant paid personnel. OOG will monitor overtime expenditures based on this policy. OOG will release the Condition of Funding once OOG approves the overtime policy.	6/2/2022 1:18:36 PM		Yes	No
Resolution: Applications from nonprofit corporations, local units of governments, and other political subdivisions must submit a resolution electronically using the 'Upload' function in the eGrants system. The resolution must contain the following: • Authorization by your governing body for the submission of the application to OOG that clearly identifies the name of the project for which funding is requested;	6/2/2022 1:19:20 PM		Yes	No

• A commitment to provide all applicable matching funds; • A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update OOG should the official change during the grant period.); and • A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to OOG.				
This grant must be administered by the Police Department, Sheriff's Office, Constable Precinct, or other Law Enforcement Division/Department within the grantee organization as submitted in the original application. Deviation from the approved budget or project scope requires prior authorization from the Public Safety Office. Failure to comply with this requirement could result in the termination of your grant.	6/2/2022 1:19:36 PM		No	No
Compliance with State and Federal Laws, Programs and Procedures: Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible grantees/applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code. Each local unit of government and institution of higher education that operates a law enforcement agency must download, complete and then return the **CEO/Law Enforcement Certifications and Assurances Form** certifying compliance with federal and state immigration enforcement requirements.	12/6/2022 8:02:23 AM		Yes	No

You are logged in as **User Name**: nikki44y

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, February 28, 2023

AGENDA ITEM: 8

Deliberate and act on a Resolution authorizing the Rockport Police Department to apply for and operate a Bullet-Resistant Shield Grant Program administered by the Office of the Governor, Criminal Justice grants division for Fiscal Year 2023; and authorizing the Mayor to act as the Executive Officer and authorized representative in all matters pertaining to the participation in this grant program.

SUBMITTED BY: Police Chief Greg Stevens

APPROVED FOR AGENDA: VRS

BACKGROUND: The objectives of the Bullet-Resistant Shield Grant Program are to equip peace officers directly employed by a law enforcement agency with bullet-resistant shields that are compliant with the National Institute of Justice and to protect our community by enhancing the response capabilities and protocols for assessing an active threat or violent encounter. As detailed in the accompanying application, this is a reimbursement program that will primarily allow the Rockport Police Department to purchase equipment. A requirement of the grant is a resolution from the City authorizing the operation of the Bullet-Resistant Shield Grant Program FY2023.

FISCAL ANALYSIS: Bullet-Resistant Shield grant program is in Fund 18 with revenue credited to account 40420. No cash or in-kind match is required.

STAFF RECOMMENDATION: Staff recommends City Council approve the Resolution authorizing the Rockport Police Department to apply for and operate a FY 2023 Bullet-Resistant Shield Grant Program administered by the Office of the Governor, as presented.

RESOLUTION NO.

A RESOLUTION OF THE CITY OF ROCKPORT, TEXAS, AUTHORIZING THE ROCKPORT POLICE DEPARTMENT TO APPLY FOR AND OPERATE A BULLET-RESISTANT SHIELD GRANT PROGRAM ADMINISTERED BY THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE GRANTS DIVISION FOR FISCAL YEAR 2023; AND AUTHORIZING THE MAYOR TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE PARTICIPATION IN THIS GRANT PROGRAM.

WHEREAS, the objective of the Bullet-Resistant Shield Grant Program is to equip peace officers directly employed by a law enforcement agency with bullet-resistant shields that are compliant with the National Institute of Justice;

WHEREAS, the City of Rockport finds it is the best interest of our citizens that the City of Rockport participate in the Bullet-Resistant Shield Grant Program joining together with local, state and federal partners to protect our community by enhancing the response capabilities and protocols for assessing an active threat or violent encounter; and

WHEREAS, the City of Rockport agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Rockport assures that the funds will be returned to the Office of the Governor in full.

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

Section 1. That a Bullet-Resistant Grant Program grant application is hereby authorized to be filed for funding consideration;

Section 2. That the Mayor is designated as the Chief Executive Officer and Authorized Representative in connection with this application and participation in the Bullet-Resistant Grant. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the agency.

PASSED and **APPROVED** the 28th day of February 2023.

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

Print This Page

Agency Name: Rockport, City of
Grant/App: 4587901 **Start Date:** 9/1/2022 **End Date:** 8/31/2023

Project Title: Bullet Shields
Status: Active Grant

Eligibility Information

Your organization's Texas Payee/Taxpayer ID Number:
17460020005000

Application Eligibility Certify:
Created on:8/18/2022 3:25:43 PM By:Meredith Yarnall

Profile Information

Applicant Agency Name: Rockport, City of
Project Title: Bullet Shields
Division or Unit to Administer the Project: Rockport Police Department
Address Line 1: 714 E Concho Street
Address Line 2:
City/State/Zip: Rockport Texas 78382-2530
Start Date: 9/1/2022
End Date: 8/31/2023

Regional Council of Goverments(COG) within the Project's Impact Area: Coastal Bend Council of Governments
Headquarter County: Aransas
Counties within Project's Impact Area: Aransas

Grant Officials:
Authorized Official
Name: Tim Jayroe
Email: mayor@cityofrockport.com
Address 1: 714 East Concho Street
Address 1:
City: Rockport , Texas 78382
Phone: 361-729-2213 Other Phone: 361-729-1111
Fax: 361-729-3461
Title: Mr.
Salutation: Mayor
Position: Mayor

Financial Official
Name: Kimberly Henry
Email: khenry@rockporttx.gov
Address 1: 2751 S.H. 35 Bypass
Address 1:
City: Rockport, Texas 78382
Phone: 361-729-2213 Other Phone: 361-463-8561
Fax: 361-790-5966
Title: Ms.
Salutation: Ms.

Position: Interim Finance Director

Project Director
Name: Nathan Anderson
Email: nanderson@cityofrockport.com
Address 1: 714 E Concho St
Address 1:
City: Rockport, Texas 78374
Phone: 361-729-1111 Other Phone: 806-239-4022
Fax: 361-729-3461
Title: Mr.
Salutation: Captain
Position: CID Commander

Grant Writer
Name: Meredith Yarnall
Email: nyarnall@cityofrockport.com
Address 1: 714 E Concho
Address 1:
City: Rockport, Texas 78382
Phone: 361-790-1101 Other Phone:
Fax: 361-729-3461
Title: Ms.
Salutation: Ms.
Position: Adminstrative Assistant

Grant Vendor Information

Organization Type: Unit of Local Government (City, Town, or Village)
Organization Option: applying to provide services to all others
Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI) Number or Vendor ID): 17460020005000
Unique Entity Identifier (UEI): D33QE53A2V54

Narrative Information

Introduction

The Bullet-Resistant Shield Grant Program equips law enforcement officers at risk of shootings with bullet-resistant shields.

The funding announcement, located on the eGrants Calendar page, describes the organization types, activities, and costs that are eligible under the announcement. The PSO's eGrants User Guide to Creating an Application guides applicants through the process of creating and submitting an application in eGrants. Information and guidance related to the management and use of grant funds can be found in the PSO's Guide to Grants, located on the PSO Resource for Applicants and Grantees webpage.

Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

Constitutional Compliance
Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

Active Shooter Policy
All eligible organizations that apply for grant funds will ensure its law enforcement agency adopts a Critical Incidents In-Progress (Active Shooter) policy implementing, at a minimum, protocols for assessing an active threat or violent encounter and immediately responding in order to stop the killing, stop the dying, and provide rapid casualty evacuation. The policy should include procedures that address:
• Concepts and Principles
• Community/First Responder Agency Notifications
• Mutual Aid Implementation
• Solo Officer Deployment
• Officer Team Deployment
• Follow-On Responders (Rescue Task Force)
• Incident Command - Unified Command Considerations
• Incident Debriefing
• Training

ALERRT Training
All officers provided with a grant funded ballistic shield must have either attended 16 hours of ALERRT (Advanced Law Enforcement Rapid Response Training) within the last 24 months or commit to attend within the next 24 months. ALERRT's upcoming course catalog can be found here: https://alerrt.org/Upcoming.

NIJ Ballistic Shield Standards
Applicant assures that shields purchased with grant funds will comply with the National Institute of Justice (NIJ) Level III, III+, or IV.

Cybersecurity Training Requirement
Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the Cybersecurity Training Certification for State and Local Governments. A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information Resources Statewide Cybersecurity Awareness Training page.

Criminal History Reporting
Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the *Texas Code of Criminal Procedure, Chapter 66*. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

Uniform Crime Reporting (UCR)
Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the

have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis, and respond promptly to requests from DPS related to the data submitted.

Compliance with State and Federal Laws, Programs and Procedures

Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Entities That Collect Sexual Assault/Sex Offense Evidence or Investigate/Prosecute Sexual Assault or Other Sex Offenses

In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Visit DPS's Sexual Assault Evidence Tracking Program website for more information or to set up an account to begin participating.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the CEO/Law Enforcement Certifications and Assurances Form certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2023 or the end of the grant period, whichever is later.

Civil Rights Liaison

A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with PSO and with the federal Office of Justice Programs.

Enter the Name of the Civil Rights Liaison:
Denton and Navarro
Enter the Address for the Civil Rights Liaison:
2517 North Main Ave, San Antonio, TX 78212
Enter the Phone Number for the Civil Rights Liaison [(999) 999-9999 x9999]:
210-227-3243

Overall Certification

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the PSO Funding Announcement, the *Guide to Grants*, the *Grantee Conditions and Responsibilities*, any authorizing or applicable state and federal statutes and regulations to be eligible for this program.

X I certify to all of the application content & requirements.

Project Abstract :

To obtain bullet-resistant hand held shields that are complaint with the National Institute of Justice in order to equip our peace officers that may respond to school safety emergencies.

Problem Statement :

Critical incident response at school facilities are critical and sensitive in nature. The project will better equip our officers to respond quickly and effectively to a critical incident at a local school district campus. We do not currently have the equipment to safely and effectively respond to an active threat upon a school campus. The bullet-resistant hand held shields will aid in providing a rapid response to an active threat.

Supporting Data :

We have a memorandum of understanding with our local school district police force to respond in emergency situations. we currently lack bullet resistant hand held shields. The lack of bullet resistant hand held resistant shields hinders our ability to immediately stop the threat or provide rapid casualty evacuations.

Project Approach & Activities:

By better equipping our trained peace officers for a rapid response to a critical school incident, we can immediately respond to stop the killing, dying and provide rapid casualty evacuation.

Capacity & Capabilities:
We currently have 20 Active response trained peace officers and only possess one bullet-resistant hand held shield that is level II rated.

Performance Management :

The overall objective of this project is to better equip our department so that in the event of an active threat at a school campus facility we can ensure a rapid, effective and safe response to the threat. In the event of an active threat we will log and report on the utilization of the increased threat level bullet resistant hand held shields.

Target Group :

We will be better equipped to respond to any Rockport Fulton School campus as well as any other situation off school campus where the need for bullet-resistant hand held shields presents a need for rapid officer response.

Evidence-Based Practices:

The increased threats to school campuses and the increased power of firearms call for the need to increase the effective response to such threats. The increased threat level bullet resistant shields, requested above, will better equip officers in our community in an effort to provide a safer and more effective rapid threat response.

Project Activities Information

Introduction

This section contains questions about your project. It is very important for applicants to review their funding announcement for guidance on how to fill out this section. Unless otherwise specified, answers should be about the EXPECTED activities to occur during the project period.

Selected Project Activities:

ACTIVITY	PERCENTAGE:	DESCRIPTION
Equipment and Technology	100.00	Purchase 4 ballistic shields designed for threat level III+.

CJD Purpose Areas

PERCENT DEDICATED	PURPOSE AREA	PURPOSE AREA DESCRIPTION

Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL

Equipment or technology: Individuals/ operators equipped	4
Equipment or technology: Organizations directly using	1
Number of bullet-resistant shields purchased with grant funds.	4

Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL

Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL

Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL

Resolution from Governing Body

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a resolution that contains the following:

1. Authorization by your governing body for the submission of the application to the Public Safety Office (PSO) that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update the PSO should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to PSO.

Upon approval from your agency's governing body, upload the approved resolution to eGrants by clicking on the **Upload Files** sub-tab located in the **Summary** tab.

Contract Compliance

Will PSO grant funds be used to support any contracts for professional services?

Select the appropriate response:
_ Yes
X No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

Enter a description for monitoring contract compliance:

Lobbying

For applicant agencies requesting grant funds in excess of $100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan, or cooperative agreement?

Select the appropriate response:
_ Yes
X No
_ N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?

Select the appropriate response:
_ Yes
X No
_ N/A

Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:
10/1/2022

Enter the End Date [mm/dd/yyyy]:
9/30/2023

Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:
Enter the amount (in Whole Dollars $) of Federal Grant Funds expended:
1197328
Enter the amount (in Whole Dollars $) of State Grant Funds expended:
409127

Single Audit

Applicants who expend less than $750,000 in federal grant funding or less than $750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a PSO grant. However, PSO may require a limited scope audit as defined in 2 CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of $750,000 or more, or state grant funding of $750,000 or more during the most recently completed fiscal year?

Select the appropriate response:
X Yes
_ No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the State of Texas Single Audit Circular; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit:
9/30/2021

Debarment

Each applicant agency will certify that it and its principals (as defined in 2 CFR Part 180.995):

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the above bullet; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:
X I Certify
_ Unable to Certify

If you selected **Unable to Certify** above, please provide an explanation as to why the applicant agency cannot certify the statements.

General Assessment Information

Fiscal Capability Information

Section 1: Organizational Information

*** FOR PROFIT CORPORATIONS ONLY ***

Enter the following values in order to submit the application
Enter the Year in which the Corporation was Founded: 0
Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status: 01/01/1900
Enter the Employer Identification Number Assigned by the IRS: 0
Enter the Charter Number assigned by the Texas Secretary of State: 0

Enter the Year in which the Corporation was Founded:
Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status:
Enter the Employer Identification Number Assigned by the IRS:
Enter the Charter Number assigned by the Texas Secretary of State:

Section 2: Accounting System

The grantee organization must incorporate an accounting system that will track direct and indirect costs for the organization (general ledger) as well as direct and indirect costs by project (project ledger). The grantee must establish a time and effort system to track personnel costs by project. This should be reported on an hourly basis, or in increments of an hour.
Is there a list of your organization's accounts identified by a specific number (i.e., a general ledger of accounts)?

Select the appropriate response:
_ Yes
_ No

Does the accounting system include a project ledger to record expenditures for each Program by required budget cost categories?

Select the appropriate response:
_ Yes
_ No

Is there a timekeeping system that allows for grant personnel to identify activity and requires signatures by the employee and his or her supervisor?

Select the appropriate response:
_ Yes
_ No

If you answered 'No' to any question above in the Accounting System section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 3: Financial Capability

Grant agencies should prepare annual financial statements. At a minimum, current internal balance sheet and income statements are required. A balance sheet is a statement of financial position for a grant agency disclosing assets, liabilities, and retained earnings at a given point in time. An income statement is a summary of revenue and expenses for a grant agency during a fiscal year.
Has the grant agency undergone an independent audit?

Select the appropriate response:

_ Yes
_ No

Does the organization prepare financial statements at least annually?

Select the appropriate response:
_ Yes
_ No

According to the organization's most recent Audit or Balance Sheet, are the current total assets greater than the liabilities?

Select the appropriate response:
_ Yes
_ No

If you selected 'No' to any question above under the Financial Capability section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 4: Budgetary Controls

Grant agencies should establish a system to track expenditures against budget and / or funded amounts.
Are there budgetary controls in effect (e.g., comparison of budget with actual expenditures on a monthly basis) to include drawing down grant funds in excess of:

a) Total funds authorized on the Statement of Grant Award?
_ Yes
_ No

b) Total funds available for any budget category as stipulated on the Statement of Grant Award?
_ Yes
_ No

If you selected 'No' to any question above under the Budgetary Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Section 5: Internal Controls

Grant agencies must safeguard cash receipts, disbursements, and ensure a segregation of duties exist. For example, one person should not have authorization to sign checks and make deposits.
Are accounting entries supported by appropriate documentation (e.g., purchase orders, vouchers, receipts, invoices)?

Select the appropriate response:
_ Yes
_ No

Is there separation of responsibility in the receipt, payment, and recording of costs?

Select the appropriate response:
_ Yes
_ No

If you selected 'No' to any question above under the Internal Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Budget Details Information

Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
Equipment	Bullet-Resistant Shield	Blue Ridge Armor Level III+, four bullet resistant shields approx $7700 each totaling 30,800.	$30,800.00	$0.00	$0.00	$0.00	$30,800.00	4

Source of Match Information

Detail Source of Match/GPI:

DESCRIPTION	MATCH TYPE	AMOUNT

Summary Source of Match/GPI:

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share
$0.00	$0.00	$0.00	$0.00	$0.00

Budget Summary Information

Budget Summary Information by Budget Category:

CATEGORY	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
Equipment	$30,800.00	$0.00	$0.00	$0.00	$30,800.00

Budget Grand Total Information:

OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
$30,800.00	$0.00	$0.00	$0.00	$30,800.00

Condition Of Fundings Information

Condition of Funding / Project Requirement	Date Created	Date Met	Hold Funds	Hold Line Item Funds
Resolution: Applications from nonprofit corporations, local units of governments, and other political subdivisions must submit a resolution electronically using the 'Upload' function in the eGrants system. The resolution must contain the following: • Authorization by your governing body for the submission of the application to OOG that clearly identifies the name of the project for which funding is requested; • A commitment to provide all applicable matching funds; • A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update OOG should the official change during the grant period.); and • A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to OOG.	10/19/2022 2:07:42 PM		Yes	No
Compliance with State and Federal Laws, Programs and Procedures: Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible grantees/applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code. Each local unit of government and institution of higher education that operates a law enforcement agency must download, complete and then upload the **CEO/Law Enforcement Certifications and Assurances**	10/19/2022 2:07:52 PM	2/8/2023	No	No

Form certifying compliance with federal and state immigration enforcement requirements.				
This grant must be administered by the Police Department, Sheriff's Office, Constable Precinct, or other Law Enforcement Division/Department within the grantee organization as submitted in the original application. Deviation from the approved budget or project scope requires prior authorization from the Public Safety Office. Failure to comply with this requirement could result in the termination of your grant.	12/29/2022 2:44:47 PM		No	No

You are logged in as **User Name**: nikki44y

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, February 28, 2023

AGENDA ITEM: 9

Deliberate and act on second & final reading of a proposed Ordinance authorizing a pro-rata reimbursement to Eric & Janet Prim, Michael E. & Cynthia S. Glick, Gary & Lydia A. Newman, Ebbitt I. Thomas, and Scott Johnson for development of a sanitary sewer main utility line affecting the property and property owners along Ocean Drive, known as Aransas County Appraisal District Property ID numbers; 64666, 64667, and 65356, Rockport, Aransas County, Texas; providing for pro-rata payments from benefited property owners who request to connect to the sewer utilities during the reimbursement period; providing for developer to be reimbursed from pro-rata funds received and providing an effective date and a termination date.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: The accompanying Section 102-14 of the Code of Ordinances details the procedure for developers to seek reimbursement for extension of water and sewer mains. Eric & Janet Prim, Michael E. & Cynthia S. Glick, Gary & Lydia A. Newman, Ebbitt I. Thomas, and Scott Johnson paid 100 percent of the $27,500.00 cost to extend a sewer main to the properties known as 125, 127, 129, 133, and 135 Ocean Drive, Rockport, Texas. Three parcels owned by others also benefit from this line extension. The proposed Ordinance allows eric & Janet Prim, Michael E. & Cynthia S. Glick, Gary & Lydia A. Newman, Ebbitt I. Thomas, and Scott Johnson to be reimbursed by each of the other property owners based on the linear front footage of their respective parcels.

There has been no change in format or content since Council approved the first reading of the Ordinance on February 14, 2023.

FISCAL ANALYSIS: See Exhibit A of the Ordinance for the pro-rata calculations.

RECOMMENDATION: Staff recommends City Council approve the second & final reading of the Ordinance, as presented.

NOTICE OF INTENTION
TO ENTER INTO A
PRO-RATA REIMBURSEMENT AGREEMENT

Notice is hereby given that the Rockport City Council on Tuesday, February 28, 2023, at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, will consider an Ordinance to enter into a Pro-Rata Reimbursement Agreement with Eric & Janet Prim, Michael E. & Cynthia S. Glick, Gary & Lydia A. Newman, Ebbitt L. Thomas, and Scott Johnson for development and sanitary sewer extension made along Ocean Drive affecting the properties shown on Exhibit B of the attached proposed Ordinance and known as Aransas County Appraisal District Property ID numbers: 64666, 64667, and 65356.

As an affected property owner, you will be required to pay, upon connection to the line, the applicable pro-rata share of costs associated with the construction of said line as determined by the number of front feet of your affected property. The reimbursement amounts for each lot or tract affected by this Ordinance and amount to be reimbursed upon connection to the line by each property owner affected shall be recorded in the Official Public Records of Aransas County, Texas.

All interested citizens and property owners are hereby notified of their right to appear and be heard on the matter. Inquiries should be directed to City Secretary Teresa Valdez, Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas at 361-729-2213, extension 225.

Certification

I certify that the above Notice of Intention was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas on January 31, 2023, at 4:30 p.m. and on the City's website at www.cityofrockport.com and mailed to benefited property owners on Wednesday, February 1, 2023.

Teresa Valdez, City Secretary

ROCKPORT CODE OR ORDINANCES

Sec. 102-14. Developer participation agreement for extension of water and wastewater mains.

(a) A developer shall make application for proposed water or wastewater line extension to the public works director and shall supply all necessary information (maps, diagrams, engineering reports, etc.) concerning the line extension, as may be required. Utility job estimate charges shall apply as per this article.

(b) Upon compiling all necessary and required information, the public works director shall prepare a cost estimate.

(c) A proposal for water or wastewater main extension shall be made subject to all city conditions, which may include but not be limited to the following:

(1) All necessary mains, line, fire hydrants, gate valves and other fittings shall be furnished and installed at the cost of the developer by a qualified utility contract. All work shall be under the director of the city engineer and the public works director, or as otherwise agreed;

(2) The pipe diameter of any main to be extended shall be determined by the city engineer and the director of utilities;

(3) No extension of any main or service line shall be laid except in a dedicated street, public road or approved easement;

(4) Such mains, lines, fire hydrants and gate valves and other fittings, upon completion of testing and acceptance by the city, shall become the property of the city and the city shall have full control, management and jurisdiction of such lines, mains, fire hydrants and gate valves; and

(5) The city shall receive all revenues for water or wastewater service provided through such mains or lines.

(d) The developer making such extension may be entitled to reimbursement not to exceed the costs of materials and installation of such extension main, for the length of the main extension, minus the developer's pro rata share. Any reimbursement shall be paid only out of funds received for such reimbursement as herein provided.

(1) Developer shall make written request for a pro rata agreement to the public works director, no later than 30 days after the completion of the line extension. The developer shall furnish to the public works director satisfactory evidence as to the actual cost of such extension, as well as an administrative fee of $500.00 The amount of such costs as finally determined by the public works director shall be conclusive for the purpose of reimbursement under this section. The costs may include engineering directly associated with the developer's application.

(2) Before any reimbursement is made, there shall be a written contract between the city and developer pursuant to and in accordance with this section.

(e) Within 30 days upon final determination of costs by the public works director, the city council will consider an ordinance that allows a pro rata reimbursement with a developer who has paid for installation of either a water or wastewater extension, pursuant to this section.

(f) Any ordinance approving a developer's agreement that allows a pro rata reimbursement provision with a developer who has paid for installation of either a water or wastewater main extension, pursuant to this section, shall set forth the legal property description of each lot or tract affected by such agreement and the amount of costs to be reimbursed upon connection to the line by each property owner affected, and shall be recorded in the Official Public

Records of Aransas County, Texas. The ordinance shall, by its own terms, expire and be of no further effect upon the expiration of the seven-year contractual reimbursement period.

Not less than 15 days before first reading of a proposed ordinance adopting a developer's pro rata reimbursement contract, written notice of such ordinance and the anticipated pro rata costs attributed to each property shall be given to each such affected property owner.

(g) This section shall not prohibit the city council from assessing benefiting property owners a portion of the cost of any water or wastewater extension pursuant to state law or ordinance passed pursuant to the power granted to a home rule city, in lieu of a developer's agreement.

(h) Unless determined to be inequitable, all prorata costs shall be developed and administered on a linear foot basis. The calculation of the pro-rata cost for a particular lot is as follows:

(1) The total cost of the line extension divided by total front footage of all lots to which service is made available, times the front footage of the lot; and

(2) Lots with non-typical footage will be on a case-by-case basis. At a minimum it would be the average front footage of the lots within the project.

(i) Associated fees:

(1) For each service connection made to any such extension, during the reimbursement period, by a water or wastewater user, the user so connecting shall, upon application and in addition to all usual service connection charges, pay to the city the sum prescribed by the proposed ordinance.

(2) When any such taps are made during the reimbursement period, the payments therein provided for (exclusive of the regular service-connection charges) shall be refunded to the developer making such extension as a partial reimbursement of such party's costs as set out in this section. Such reimbursement shall be made within 90 days of collection and shall be limited to payments received by the city within seven years from the date of such main extension is completed (reimbursement period). The completion date shall be determined by the public works director, which date as so established shall be conclusive.

(Ord. No. 1260, § 1, 8-26-03; Ord. No. 1271, § 1, 3-23-04; Ord. No. 1430, § 4, 5-13-08; Ord. No. 1437, § 1, 9-9-08; Ord. No. 1587, § 1, 9-11-12)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROCKPORT AUTHORIZING A PRO-RATA REIMBURSEMENT TO ERIC & JANET PRIM, MICHAEL E. & CYNTHIA S. GLICK, GARY & LYDIA A. NEWMAN, EBBITT l. THOMAS, AND SCOTT JOHNSON FOR DEVELOPMENT OF A SANITARY SEWER MAIN UTILITY LINE AFFECTING PROPERTY AND PROPERTY OWNERS ALONG OCEAN DRIVE AFFECTING THE PROPERTIES SHOWN ON EXHIBIT B OF THIS ORDINANCE AND KNOWN AS ARANSAS COUNTY APPRAISAL DISTRICT PROPERTY ID NUMBERS: 64666, 64667, AND 65356, ROCKPORT, ARANSAS COUNTY, TEXAS; PROVIDING FOR PRO-RATA PAYMENTS FROM BENEFITED PROPERTY OWNERS WHO REQUEST TO CONNECT TO THE SEWER UTILITIES DURING THE REIMBURSEMENT PERIOD; PROVIDING FOR DEVELOPERS TO BE REIMBURSED FROM THE PRO-RATA FUNDS RECEIVED; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE.

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

WHEREAS, the City Council finds that it is in the public interest to work together with developers for extension of water and wastewater mains, both within and outside the city limits; and

WHEREAS, Eric & Janet Prim, Michael E. & Cynthia S. Glick, Gary & Lydia A. Newman, Ebbitt L. Thomas, and Scott Johnson (Developers) has previously paid 100% of the cost to extend sewer utilities of the City for the benefit of and service to certain property located along Ocean Drive pursuant to Section 102-14 of the City of Rockport Code of Ordinances; and

WHEREAS, the City Council finds it to be in the best interest of public health, safety and welfare for the City to allow limited reimbursement to Developers for a pro-rata share of Developers' expenses paid to the City for said construction of the utility improvements, when the benefited property owners connect to these utilities during the reimbursement period:

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

SECTION 1. Any benefited property owner shown in Exhibit A who connects to the new sewer main utility line shall pay to the City the applicable pro-rata share, per lot, of costs associated with construction of said line. Exhibit A attached hereto, and incorporated herein, sets forth the legal property description of each lot or parcel benefited by such sewer main utility line, and the final actual total costs to be reimbursed to Developers upon connection to the sewer main utility line by each benefited property owner during the reimbursement period. Exhibit B attached hereto shows map of benefited properties.

SECTION 2. While this Ordinance is in effect, the City shall collect the appropriate pro-rata fee from the benefited property owners when the utility service is made to such property, and pay to Developers, per a Pro Rata Reimbursement Agreement attached hereto as Exhibit C, the pro-rata fees it has actually received, within thirty (30) days from the receipt, pursuant to the City of

Rockport Code of Ordinances, and Exhibit A attached hereto, until: 1) All benefited property owners have either connected to the new sewer main utility line, or 2) This Ordinance terminates pursuant to Section 4 below, whichever occurs first.

SECTION 3. All benefited property owners were mailed notice on February 1, 2023, of the first reading of this Ordinance.

SECTION 4. This Ordinance shall not exceed seven (7) years and shall automatically terminate at 12:01 a.m. seven years from its effective date, said effective date being the date of adoption on second reading below.

SECTION 5. REPEALER.

Any previously adopted ordinances, and any subsequent amendments to them, that are in conflict with this Ordinance are all hereby repealed.

SECTION 6. SEVERABILITY.

If any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

SECTION 7. EFFECTIVE DATE.

This ordinance shall become effective upon adoption on second reading by the Rockport City Council and publication of the Ordinance caption in the official newspaper of the City of Rockport.

APPROVED on first reading the _____ day of February 2023.

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

APPROVED, PASSED and **ADOPTED** on second and final reading the ____ day of _____ 2023.

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

EXHIBIT A

OWNER NAME	ADDRESS	PROPERTY ADDRESS	LEGAL DESCRIPTION	FRONT FOOTAGE	COST PER FT SEEWER	AMOUNT PAID	AMOUNT TO BE REIMBURSED
Eric & Janet Prim	43 Redbud Ridge Pl. The Woodlands, TX 77380-3412	125 Ocean Drive Rockport, TX 78382	BURTON & DANFORTH, RESUB BLK 243-244, BLOCK A-1, LOT 12 - TRACT C OF; REPLAT OF LOT 7, BLK 244 & LOT 1, BLK 243 & WFE OF OCEAN DR	60	$47.83	$5,500.00*	$2,343.67
Michael E. & Cynthia S. Glick	116 N. Plant Ave. Boerne, TX 78006-1727	127 Ocean Drive Rockport, TX 78382	BURTON & DANFORTH, RESUB BLK 243-244, BLOCK A-1, LOT 12 - REPLAT OF S/181.23' OF; TRACT D; REPLAT OF LOT 7, BLK 244 & LOT 1, BLK 243 & WFE OF OCEAN DR.	60	$47.83	$5,500.00*	$2,343.67
Gary & Lydia A. Newman	129 Ocean Dr. Rockport, TX 78382	129 Ocean Dr. Rockport, TX 78382	BURTON & DANFORTH, RESUB BLK 243-244, LOT 11-A & 11-B; REPLAT OF LOT 11, WFE OF OCEAN DR.	100	$47.83	$5,500.00*	$2.343.67
Thomas L. Ebbitt	7725 US Hwy 87 E San Antonio, TX 78263-2204	133 Ocean Dr. Rockport, TX 78382	BURTON & DANFORTH, RESUB BLK 243-244, LOT 11-C REPLAT OF LOT 11	60	$47.83	$5,500.00*	$2,343.67
Scott Johnson	14214 FM 2729 Leander, TX 78641-9109	135 Ocean Dr. Rockport, TX 78382	BURTON & DANFORTH, RESUB BLK 243-244, LOT 10 & 11 - REPLAT OF; TRACT A	50	$47.83	$5,500.00*	$2,343.67
Jeffrey W. Lennon	P.O. Box 384 Rockport, TX 78381	128 Ocean Dr. Rockport, TX 78382	BURTON & DANFORTH, RESUB BLK 243-244, LOT 10 & 11 - REPLAT OF; TRACT A	77	$47.83	$3682.91	-0-
Kenneth & Merissa Kallies	9540 Dileen St. San Antonio, TX 78263-9625	130 Ocean Dr. Rockport, TX 78382	Ocean Drive Addition, Lot 2, ACRES 0.5	77	$47.83	$3682.91	-0-
Thomas L. Ebbitt	7725 US Hwy 87 E San Antonio, TX 78263-2204	306 Windjammer Rockport, TX 78382	Bahia Bay North, Lot 1, ACRES 0.6	91	$47.83	$4352.53	-0-
				575			

* $27,500 Paid by Developers - agreed to pay equally.

EXHIBIT A

Prim paid $5,500.00 - $2,343.67 reimbursement =	actual cost $	3,156.33
Glick paid $5,500.00 - $2,343.67 reimbursement =	actual cost $	3,156.33
Newman paid $5,500.00 - $2,343.67 reimbursement =	actual cost $	3,156.33
Ebbitt paid $5,500.00- $2,343.67 reimbursement =	actual cost $	3,156.33
Johnson paid $5,500.00 - $2,343.67 reimbursement =	actual cost $	3,156.33
Lennon	actual cost $	3,682.91
Kallies	actual cost $	3,682.91
Ebbitt	actual cost $	4,352.53
TOTAL		**$ 27,500.00**

Pro-Rata reimbursements will also be distributed equally to developers as follows: $3682.91 / 5 = $736.58
$3682.91 / 5 = $736.58
$4352.53 / 5 = $870.51

EXHIBIT B



Property ID 64666 – Jeffrey W. Lennon

Property ID 64667 – Kenneth Kallies & wife, Merissa

Property ID 65356 – Thomas L. Ebbitt

EXHIBIT C

CITY OF ROCKPORT
and
ERIC & JANET PRIM, MICHAEL E. & CYNTHIA S. GLICK, GARY & LYDIA A, NEWMAN, EBBITT L. THOMAS, AND SCOTT JOHNSON

PRO RATA REIMBURSEMENT AGREEMENT

The City of Rockport, Texas, hereinafter called "the City," and Eric & Janet Prim, Michael E. & Cynthia S. Glick, Gary & Lydia A. Newman, Ebbitt L. Thomas, and Schott Johnson hereinafter called "the Developers," hereby agree to the following:

ARTICLE I.

The Developers have constructed an eight-inch (8") sanitary sewer main line along Ocean Drive benefiting properties listed on Exhibit A and shown on Exhibit B, Rockport, Texas. This Agreement pertains to the construction of the eight-inch (8") sanitary sewer main line. Developers previously owned five (5) of the eight (8) lots affected. It is agreed that Developers shall be entitled to be reimbursed up to 42.614% ($11,718.35) of the project costs over the term of this Agreement.

ARTICLE II.

Said improvements shall belong to the City upon completion and acceptance by the City and City shall have exclusive jurisdiction over the same, subject to the terms of this Agreement. Developers, at their sole cost and expense, have installed the 8-inch sanitary sewer main line according to pre-approved City engineering specifications. Developers shall reimburse City for all legal and engineering costs, if any, incurred by the City related to this Agreement and/or project up to $500, and Developers shall pay such costs or expenses within ten (10) days of receipt of demand from the City requesting reimbursement.

ARTICLE III.

For the term of this Agreement, property owners along Ocean Drive as listed on Exhibit A who desire to connect to the above-described sanitary sewer main line shall pay a pro rata fee to the City per lot, in order to pay for their applicable portion of costs associated with the construction of said sanitary sewer main line. For the term of this Agreement, the City shall pay to the Developers pro rata fees received until the Developers receive up to 42.614% of the construction and other costs incurred for constructing said sewer line. Calculations for said pro rata construction and other costs attributed to the affected property owners are referenced in the attached Exhibit A and shown on Exhibit B, incorporated by reference.

ARTICLE IV.

Developers shall transfer title to the water main line to the City upon completion and acceptance of the project by the City, free and clear of all debts and liens that may arise by law, and the City may require proof of payment as to all debts and liens.

EXHIBIT C

ARTICLE V.

This Agreement for the pro rata reimbursement to the Developers for the sanitary sewer main line shall not exceed seven (7) years and shall expire at 12:01 a.m. seven (7) years from the date of completion and acceptance as determined by the City. The City shall reimburse the Developers within thirty (30) days after receipt of any or all pro rata funds. There shall be no interest, and no interest shall accrue, on this reimbursement provision.

ARTICLE VI.

All connections to the sanitary sewer main line shall be made by the City. The City shall have, and this Agreement does not in any way limit, the right for City to charge, collect and keep all City impact fees and/or other City charges set by City ordinance for monthly usage and/or tap fees for customers connected to and served from the sanitary sewer main line after the date of its acceptance. Developers are not exempt by this Agreement from such charges.

ARTICLE VII.

The City shall be exempt from any and all contractual connect fees set forth above, and explicitly reserves the right to subsequently extend an additional sewer main line to this project and to connect thereto during the term of this Agreement, without liability to nor prior permission required of Developers.

ARTICLE VIII.

The parties hereto agree that any proceeds paid pursuant to this Agreement do not constitute an impact fee as defined in Chapter 395 of the Texas Local Government Code, as amended, and that such proceeds are pro rata fees specifically authorized pursuant to Section 395.001(4)(B) of the Texas Local Government Code, as amended.

ARTICLE IX.

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Aransas County, Texas. Venue for any action arising under this Agreement shall lie in Aransas County, Texas.

ARTICLE X.

Any notices required or permitted to be given hereunder shall be given by certified or registered mail, return receipt requested, to the addresses set forth below or to such other single address as either party hereto shall notify the other:

If to the City: City of Rockport
Attn: City Manager
2751 State Highway 35 Bypass
Rockport, TX 78382

EXHIBIT C

If to the Developers: See Exhibit A for names & addresses of Developers.

ARTICLE XI.

In the event any person initiates or defends any legal action or proceeding to enforce or interpret any of the terms of this Agreement, the prevailing party in any such action or proceeding shall be entitled to recover its reasonable costs and attorney's fees (including its reasonable costs and attorney's fees on any appeal).

ARTICLE XII.

This Agreement contains the entire agreement between the parties hereto and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Agreement shall be construed as a whole and not strictly for or against any party. Further, this Agreement shall be deemed to run with the land.

ARTICLE XIII.

The provisions of this Agreement are severable. In the event any provision of this Agreement is illegal, invalid, or unenforceable under the present or future laws, then, and in that event, it is the intention of the City and Developers that the remainder of this Agreement shall not be affected thereby, and it is also the intention of the City and Developers that in lieu of each clause or provision that is found to be illegal, invalid, or unenforceable a provision be added to this Agreement which is legal, valid and enforceable and is a similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

ARTICLE XIV.

This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. The City warrants and represents that the individual executing this Agreement on behalf of the City has full authority to execute this Agreement and bind the City to the same. The Developers warrant and represent that the individuals executing this Agreement on its behalf have full authority to execute this Agreement and bind the Developers to same.

ARTICLE XV.

In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to submit such disagreement to mediation.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on _____, 2023.

EXHIBIT C

City:
CITY OF ROCKPORT, TEXAS

By: _____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

STATE OF TEXAS §
§
COUNTY OF ARANSAS §

BEFORE ME, the undersigned authority, on this day personally appeared Tim Jayroe, Mayor, City of Rockport, Aransas County, Texas, and being known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said municipality, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE the _____ day of _____ 2023.

[Notary Seal]

_____
Notary Public, State of Texas

EXHIBIT C

Developers:

_____ _____

Eric Prim Janet Prim

STATE OF TEXAS §
§
COUNTY OF _____§

BEFORE ME, the undersigned authority, on this day personally appeared Eric Prim and being known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____ 2023.

[notary seal]

_____
Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF _____§

BEFORE ME, the undersigned authority, on this day personally appeared Janet Prim and being known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____ 2023.

[notary seal]

_____
Notary Public, State of Texas

EXHIBIT C

Developers:

_____ _____

Michael E. Glick Cynthia S. Glick

STATE OF TEXAS §
§
COUNTY OF _____§

BEFORE ME, the undersigned authority, on this day personally appeared Michael E. Glick and being known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____ 2023.

[notary seal]

_____
Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF _____§

BEFORE ME, the undersigned authority, on this day personally appeared Cynthia S. Glick and being known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____ 2023.

[notary seal]

_____
Notary Public, State of Texas

EXHIBIT C

Developers:

_____ _____

Gary Newman Lydia A. Newman

STATE OF TEXAS §
§
COUNTY OF _____§

BEFORE ME, the undersigned authority, on this day personally appeared Gary Newman and being known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____ 2023.

[notary seal]

_____
Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF _____§

BEFORE ME, the undersigned authority, on this day personally appeared Lydia A. Newman and being known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____ 2023.

[notary seal]

_____
Notary Public, State of Texas

EXHIBIT C

Developers:

_____
Ebbitt L. Thomas

STATE OF TEXAS §
§
COUNTY OF _____§

BEFORE ME, the undersigned authority, on this day personally appeared Ebbitt L. Thomas and being known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____ 2023.

[notary seal]

_____
Notary Public, State of Texas

[Additional Signature Page Attached Hereto]

EXHIBIT C

Developers:

_____
Scott Johnson

STATE OF TEXAS §
§
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared Scott Johnson and being known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____ 2023.

[notary seal]

_____
Notary Public, State of Texas

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, January 28, 2023

AGENDA ITEM: 10

Deliberate and act on 1st quarter report from the Rockport-Fulton Chamber of Commerce for Fiscal Year 2022-2023 marketing expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: The Rockport-Fulton Chamber of Commerce has been allocated $369,000.00 in Fiscal Year 2022-2023 Hotel Occupancy Tax (HOT) funds. According to our agreement with the Chamber, HOT funds are paid in advance and a report of the previous quarter's expenditures is required. See the accompanying 1st quarter HOT expenditure report for additional information.

FISCAL ANALYSIS: Charged to account 6602001. Year to date expenses are $92,882.44 out of $369,000.00 budgeted.

STAFF RECOMMENDATION: Staff recommends approval of the Rockport-Fulton Chamber of Commerce Fiscal Year 2022-2023 Hotel Occupancy Tax funds 1st quarter expenditures and authorization to disburse 2nd Quarter funds in the amount of $92,250.00, as presented.

Rockport-Fulton Area Chamber of Commerce, Inc.
Rockport Hotel Tax Account
October 1, 2022 through
September 30, 2023

HOT FUNDING EXPENSE REPORT 2022-2023							
Description of Expense	Approved Budget	1st Quarter Expenses	2nd Quarter Expenses	3rd Quarter Expenses	4th Quarter Expenses	Total	Number of Heads in Beds
Accounting Fees	1,150.00	-	-	-	-	-	-
Advertising and promotion	281,099.76	60,165.00	-	-	-	60,165.00	-
Bank & Card Fees	324.00	123.87	-	-	-	123.87	-
Conference Fees	3,275.00	25.00	-	-	-	25.00	-
Contract Services	3,333.24	-	-	-	-	-	-
Event funding assistance	-	-	-	-	-	-	-
Dues and Subscriptions	1,875.00	1,360.00	-	-	-	1,360.00	-
Equipment Lease & Maintenance	-	-	-	-	-	-	-
Food, beverages and meals	3,165.00	400.56	-	-	-	400.56	-
Maintenance and repairs	-	-	-	-	-	-	-
Mileage and travel	3,253.00	795.18	-	-	-	795.18	-
Postage and freight	1,365.00	-	-	-	-	-	-
Printing and publication	5,735.00	-	-	-	-	-	-
Prizes, gifts and awards	400.00	-	-	-	-	-	-
Rentals and fees	500.00	-	-	-	-	-	-
Supplies	225.00	-	-	-	-	-	-
Tax and License	-	-	-	-	-	-	-
Telephone	900.00	-	-	-	-	-	-
Telephone Internet Service	-	-	-	-	-	-	-
Utilities	-	-	-	-	-	-	-
Web site maintenance	6,000.00	3,750.00	-	-	-	3,750.00	-
Administrative services reimbursement	55,200.00	26,262.83	-	-	-	26,262.83	-
Inter Fund Support	-	-	-	-	-	-	-
TOTAL REQUESTED	367,800.00	92,882.44	-	-	-	92,882.44	624,176

see attached

Description of Administrative Expenses	Current Fiscal Year Administrative Expenses Projection	Fiscal Year Administrative Actual Expenses	Percentage of Fiscal Year Projections
Administrative services reimbursement	55,200.00	26,262.83	47.58%
Totals	55,200.00	26,262.83	47.58%

Heads in Beds Calculation	
Use Rockport - Fulton Number of Hotel Rooms as Base	**4Q 2022**
1. Number of Hotel Rooms in Rockport - Fulton (Source: Texas Comp	1975
2. Number of Nights in 4Q 2022 (Oct - Dec)	92
3. Available Room Nights to Sell in Rockport - Fulton (1 * 2)	181,700
4. Rockport - Fulton Hotel Occupancy (Estimated by Source Strategie	45.20%
5. Rockport - Fulton Rooms Nights Sold (3 * 4)	82,128
6. Number of Visitors in Each Room (Size of Party Assumption)	1.9
7. Number of Rockport - Fulton Hotel-based Visitors (5 * 6)	156,044
8. Average Number of Nights Spent in Rockport - Fulton (Assumption	4
9. Number of "Heads in Beds" Rockport - Fulton (7 * 8)	624,176

Calculations by Prost Marketing, Inc
2/17/2022 FINAL



Quarterly Report on the Use of HOT Funds
4th Quarter - October thru December 2022

Highlights of October, November, December

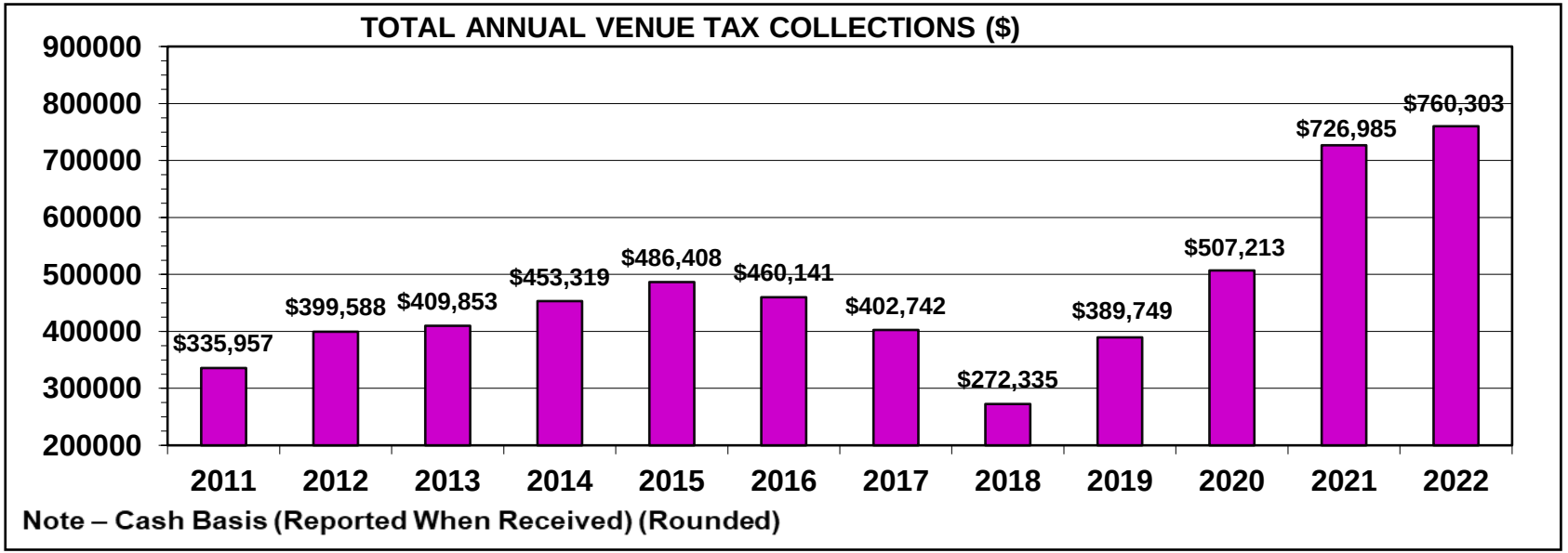
- **Seafair Celebration –** Gate activity was strong. There were 9,281 tickets sold, but including vendors, sponsors,volunteers, etc., estimated total attedance was at 12,500, a 14% increase over last year. Revenue was up 5% over last year as well.
- **Marketing and Promotion -** Worked with Attractions Committee and local event organizers to promote through press releases, the Chamber website calendar, and social media information about things to do in the Rockport-Fulton area with an emphasis on drawing travelers to the community.
- **Website Launch** - Preparing for 1st Quarter 2023 new Rockport-Fulton Chamber of Commerce Website Launch.
- **Hospitality Training –** The Chamber of Commerce hosted a Hospitality Training which resulted in 14 particiants receiving their certification. This program is intended to train both business owners and employees in the areas of improved employee performance resulting in higher customer satisfaction. There were 14 participants who received their Certificate of Completion.
- **Local meetings** - Local Attractions, Aransas Pathways, GeoTour, Committee, Tourism Development Council, Short Term Rental Council, RV Council
- **Shop Small Saturday**-A two-day event held in November encouraging residents to shop and support small and local businesses.



FIND YOURSELF IN ROCKPORT FULTON

ARANSAS COUNTY ANNUAL VENUE TAX COLLECTIONS ($)

- At $760,303 for 2022, the Venue Tax is up about 5% over the banner year of 2021. Specifically, the continued Venue Tax increase in 2022 comes after the significant increase from just over $507K in 2020 to just over $725K in 2021 (a 43% increase).
- Calendar year 2018 was the low point for Venue Tax Collections and since then (through 2022), the collections are up three times the 2018 level.
- Overall, the annual Venue Tax collections are up 226% since tracking began in the base year of 2011.



SOURCE: Aransas County Treasurer Data

FIND YOURSELF IN ROCKPORT FULTON

PROST MARKETING, INC.

EXECUTIVE SUMMARY:
KEY WEBSITE FINDINGS

- **Visits to the Rockport – Fulton website continue to increase with 298,875 users during FY 2022. Traffic is up from 190,000 in FY 2019 and 243,234 in FY 2021.**

- **For calendar year 2022, there were just over 300,000 users as compared to 265,000 in 2021**

- **The demographic profiles of website visitors show a good mix of age groups with about 32% being age 55+, 42% are age 35-54, and 25% are age 18-34. The <55 age cohorts continue to gain vs. the 55+ consumers**
  - **Females continue to favor the site vs. males at about a 55% to 45% ratio, with males increasing their ratio in 2022 vs. 2021.**
  - **Website users' interests continue to include consumers interested in: Food & Dining/Cooking, Shoppers, Business Professionals, Outdoor Enthusiasts, Do-It-Yourselfers, Family Focused, TV/Entertainment Lovers and Bargain Hunters**

- **Geographically, the majority of the web visitors continue to be from Texas (54% in the current reporting period), specifically, the major metro areas (Austin, Houston, Dallas, and San Antonio, followed by Rockport – Corpus Christi area)**

- **After website visitors find the Rockport – Fulton website organically, the highest sources visitors use to get to the site are via the digital marketing and social media campaigns**

EXECUTIVE SUMMARY: CAMPAIGNS

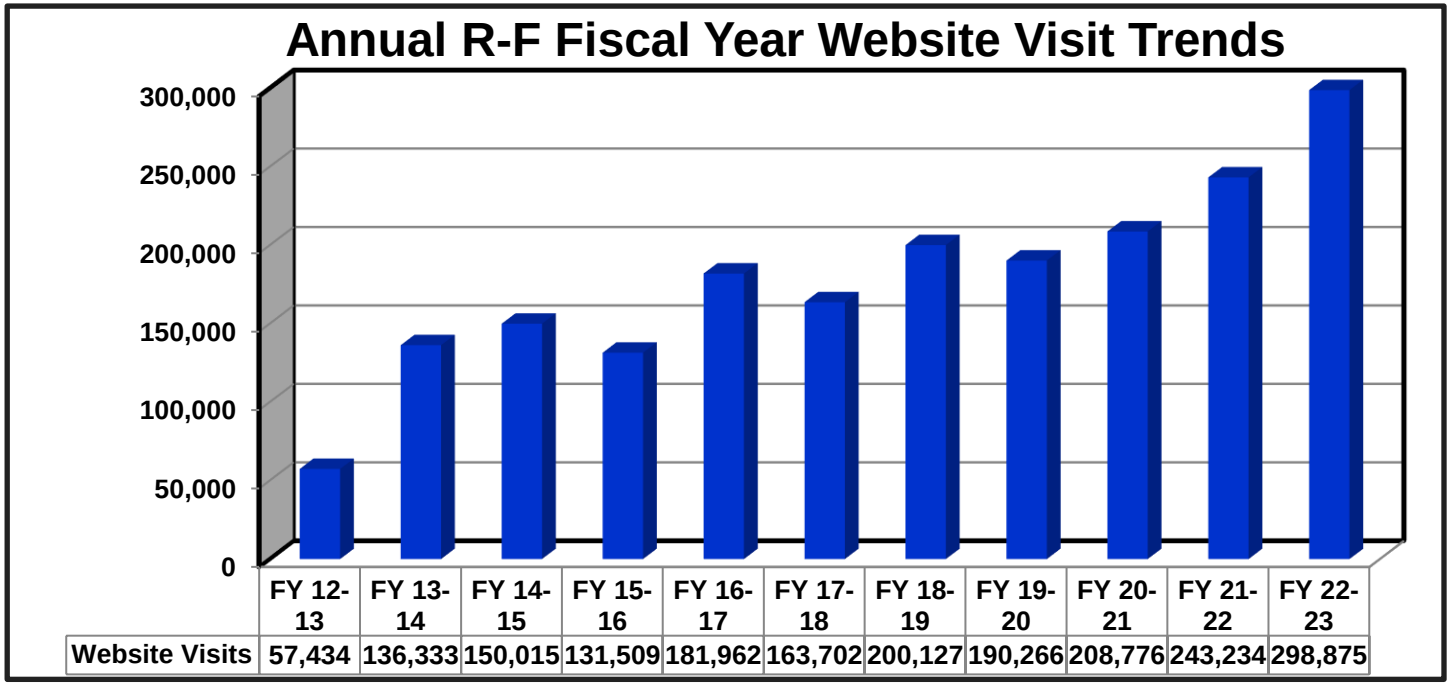
- **<u>The Digital/Online Campaign 2022 put the Rockport – Fulton messaging in front of over 11 Million consumers</u> producing nearly 43,000 trackable actions -- including nearly 35K clicks and another almost 7,500 engagement actions**
  - **The overall <u>Click Through Rate</u> (CTR) so far is just over .4%.**
  - **Tactics used included Next Gen BT, Mobile Geofencing, Video Pre-roll, Social campaigns, and Site Retargeting**
  - **The demographics profiles of responders typically matched those who visit the website**

- **<u>Rockport – Fulton continues to have about 67,000 followers on Facebook.</u>**
  - **Rockport – Fulton Facebook users far and away originate from San Antonio (`30%)**
    Secondary areas are Houston (12%) and Austin (8%)
    Tertiary area is Rockport/Corpus Christi and surrounding area (4%)
  - **The Facebook posts and campaigns reached over 1.4 million consumers**

- **Rockport has good reviews on Google averaging 4.8 stars.**

FY ANNUAL TRENDS
ROCKPORT – FULTON WEBSITE PAGE VISITS

The graph below tracks annual visits to the Rockport – Fulton website. Website growth has continued an upward trajectory over time. <u>FY 2022 page visits totaled at 298,875, a 23% increase from the previous Chamber Fiscal Year.</u>



	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23
Website Visits	57,434	136,333	150,015	131,509	181,962	163,702	200,127	190,266	208,776	243,234	298,875

The Annual Seafair Festival held October 7-9, 2022 was a great success! It was great to have the carnival back and it added to the success of the festival. The kids scavenger hunt and fishing pool proved to be sucessful additions to the event as well.

There were a variety of 10 food vendors and trailers who reported stong sales. In addition there were 95 arts and crafts and market vendors on-site who reported being very pleased with their sales.

The live entertainment was steady throughout the weekend and enthuiastically received by all festival goers.



The SR Boil House served gumbo througout the weekend with seven teams competing and serving up their best.

The Seafair parade had over 60 entrants and a great spectator turn-out.

The Glow Row exhibit was a great hit sharing just one of Rockpor's local attraitons with visitors.

The Sunday car show featured an array of 23 cars dating from 1957 to 2016. Classics, Muscle cars, Low Riders, Step Sies and more were displayed. The Poeple's Choice award was presented to a 2016 Vet Owner.

With over 50 enties the cardboard boat races were a tremdous success. A yearly favorite is always the hilarious two-day run of the crab races.

This year's Cooking Contest features salsa,and desert entries from locals andacross the stae. There were 1st-3rd placewinners (9), aswell as Honorable Mention (3) in each catgory of Just Deserts for youth and adults and the adult Salsa Contest with a total of 15 entreis.

Thanks to the Seafair Committee, all of the volunteers and sponsors that made it happen!

FIND YOURSELF IN ROCKPORT FULTON

Advertising …

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

Print publications – Texas Monthly, and Texas Parks and Wildlife, Texas Highways

TV and Radio – Coverage in San Antonio, New Braunfels and the Hill Country

Digital Media - Heavy Geotargeting in San Antonio, Houston, and Austin areas. All receiving good, solid response

FIND YOURSELF IN ROCKPORT FULTON

Venue Tax

Aransas County

Venue Tax Collections

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Jan		15,810.47	9,471.50	13,196.53	15,311.70	19,291.73	20,517.67	18,584.84	9,395.80	10,710.93	18,226.59	20,530.64	29,730.03	25,979.28
Feb		5,253.80	12,843.22	12,830.11	12,590.82	17,056.41	14,862.15	24,111.58	10,989.07	13,688.02	18,303.80	17,201.09	21,590.45	
Mar		20,624.90	13,831.76	17,316.30	18,818.84	18,700.25	24,882.69	27,014.94	8,451.52	12,868.93	24,719.74	24,449.32	31,866.47	
Apr		24,206.13	29,934.45	36,180.10	29,830.84	34,822.25	39,051.27	45,019.00	25,783.43	27,787.11	28,441.38	64,972.23	68,525.18	
May		18,380.32	25,625.53	24,592.78	30,768.79	34,601.22	29,974.18	38,150.41	26,644.19	24,441.83	11,144.83	57,099.84	52,128.77	
June		36,467.68	32,401.32	37,118.69	38,652.09	39,416.11	43,457.29	39,913.39	19,039.65	34,679.91	45,371.58	77,307.65	65,580.01	
July		48,190.23	52,308.62	63,499.81	76,201.40	71,101.27	69,323.92	71,707.64	38,911.54	60,122.74	81,591.75	113,895.00	106,786.17	
Aug		57,247.12	67,579.72	73,353.36	71,034.49	84,116.81	85,220.95	78,603.01	39,534.97	68,230.56	70,289.34	124,772.65	165,730.22	
Sept		39,008.13	44,761.13	49,175.78	67,686.89	60,881.23	44,607.36	23,628.37	30,495.66	41,781.19	74,972.18	79,486.08	82,397.61	
Oct		34,124.23	35,217.47	38,688.90	37,990.46	43,508.17	36,064.77	20,693.21	26,648.66	37,427.96	59,465.74	58,742.23	63,348.01	
Nov		21,745.94	53,038.35	24,229.07	34,795.96	27,465.03	33,854.16	7,101.65	20,180.66	35,157.38	43,802.50	51,263.18	41,895.85	
Dec	15,232.35	14,898.07	22,574.66	19,671.22	19,637.16	35,447.43	18,324.24	8,213.95	16,259.99	22,852.30	30,883.40	37,265.36	30,724.35	
	15,232.35	335,957.02	399,587.73	409,852.65	453,319.44	486,407.91	460,140.65	402,741.99	272,335.14	389,748.86	507,212.83	726,985.27	760,303.12	25,979.28

Accumulated Total Since Inception 5,645,804.24

FIND YOURSELF IN ROCKPORT FULTON

Visitor Sign-In Log at Rockport-Fulton Visitor Center	1st QT	May-18	2nd QT	Jul-18	Aug-18	Sep-18	3rd QT	Oct-18	Nov-18	Dec-18	4th QT
Visitor Data Distribution											
Outside of 70 Miles*	**94.60%**	**89.20%**	**89.00%**	**90.00%**	**88.00%**	**81.60%**	**86.50%**	**89.80%**	**83.30%**	**83.40%**	**85.50%**
Local**	**5.40%**	**10.80%**	**11.00%**	**10.00%**	**12.00%**	**18.40%**	**13.50%**	**10.20%**	**16.70%**	**16.60%**	**14.50%**
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
*Highlights of Tourism > 70+ miles and major metropolitan areas in TX											
Austin	0.90%	3.90%	7.50%	5.60%	12.30%	8.10%	8.70%	3.50%	8.50%	5.60%	5.80%
Dallas / Ft. Worth	1.40%	4.90%	5.30%	5.40%	6.10%	10.30%	7.30%	2.80%	3.90%	1.20%	2.60%
Houston	3.40%	2.90%	5.30%	4.10%	12.30%	13.40%	9.90%	4.50%	4.70%	3.60%	4.20%
San Antonio	3.00%	10.80%	12.40%	17.80%	12.30%	15.60%	15.20%	14.10%	4.70%	3.60%	7.50%
Total major metro areas (AUS, DFW, HOU, SAT)	8.70%	22.50%	30.50%	32.90%	43.00%	47.40%	41.10%	24.80%	21.80%	13.90%	20.10%
Tourism from outside of Texas	75.50%	36.30%	33.50%	14.90%	14.90%	22.50%	17.40%	35.50%	47.10%	53.70%	45.40%
Rural tourism beyond 70 miles	10.40%	30.40%	25.00%	42.20%	30.10%	11.70%	28.00%	29.40%	14.40%	15.70%	19.80%
Total tourism from beyond 70 miles	**94.60%**	**89.20%**	**89.00%**	**90.00%**	**88.00%**	**81.60%**	**86.50%**	**89.70%**	**83.30%**	**83.30%**	**85.30%**
** **Local Visitors < 70 miles**											
Rockport and Fulton	3.50%	7.80%	6.90%	5.00%	5.20%	11.70%	7.30%	9.90%	10.50%	13.10%	11.10%
Corpus Christi	1.30%	2.50%	3.50%	3.90%	5.00%	4.50%	4.50%	0.30%	3.10%	1.80%	1.80%
VICTORIA											
Rural Areas	0.60%	0.30%	0.60%	1.10%	1.80%	2.20%	1.70%	0.00%	3.10%	1.80%	1.80%
Total	**5.40%**	**10.80%**	**11.00%**	**10.00%**	**12.00%**	**18.40%**	**13.50%**	**10.20%**	**16.70%**	**16.70%**	**14.70%**
Notes regarding Foreign Visitors:											

Visitor Center Numbers: October 421, November 301, December 413 =
Total 1135 Visitors

FIND YOURSELF IN ROCKPORT FULTON

January – February - March Upcoming Highlights …

- Rockport Gospel Music Festival Jan. 6-7
- Winter Texan Appreciation Day, Jan. 19
- Clay Expo, Feb. 4-5
- LaMardi Gras, Feb. 10-11
- Fulton Oysterfest Mar. 2-5
- Spring Art Fair by the Bay, Mar.11-12











FIND YOURSELF IN
ROCKPORT
FULTON

AD PERFORMANCE – HIGH CTRs



300x250 Sample
.16 CTR

300x250 Sample
.12 CTR

300x250 Sample
.13 CTR

September 2022



300x250 Sample
2.53 CTR

300x250 Sample
2.24 CTR

300x250 Sample
4.08 CTR

October and November 2022



300x250 Sample
6.74 CTR

300x250 Sample
3.79 CTR

300x250 Sample
4.35 CTR

December 2022

FIND YOURSELF IN ROCKPORT FULTON

SAMPLES OF SOCIAL ADS – HIGH CTRs



October 2022



November 2022



December 2022

FIND YOURSELF IN ROCKPORT FULTON

Outdoor









FIND YOURSELF IN
ROCKPORT FULTON

Thank you!

Shelly Stuart, President, CEO
Rockport-Fulton Chamber of Commerce
319 Broadway
Rockport, TX 78382

Shanon Biggertaff
Tourism Coordinator
Rockport-Fulton Chamber of Commerce
319 Broadway
Rockport, TX 78382



CITY COUNCIL AGENDA
Regular Meeting: Tuesday, February 28, 2023

AGENDA ITEM: 11

Deliberate and act on 1st quarter report from the Rockport Cultural Arts District for Fiscal Year 2022-2023 marketing expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: The Rockport Cultural Arts District has been allocated $100,000.00 in FY 2022-2023 Hotel Occupancy Tax (HOT) funds. According to our agreement with the Rockport Cultural Arts District, HOT funds are paid in advance and a report of the previous quarter's expenditures is required. See the accompanying 1st quarter HOT expenditure report for additional information.

FISCAL ANALYSIS: Charged to account 6602097. YTD expenses are $25,000.00 out of $40,000.00 budgeted.

STAFF RECOMMENDATION: Staff recommends approval of the Rockport Cultural Arts District FY 2022-2023 Hotel Occupancy Tax funds 1st quarter expenditures and authorization to disburse the 2nd quarter funds in the amount of $25,000.00, as presented.

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2022-2023							
Description of Expense	**Approved Budget**	**1st Quarter Expenses**	**2nd Quarter Expenses**	**3rd Quarter Expenses**	**4th Quarter Expenses**	**TOTAL**	*** Number of Heads in Beds**
Promotion of the Arts	20,400	-					
Historical Restoration/Preservation	31,600	-					
Administration/Staffing	48,000	25,000				25,000	59 **
TOTAL REQUESTED	100,000	25,000				25,000	59 **

***Must attach supporting documentation.**

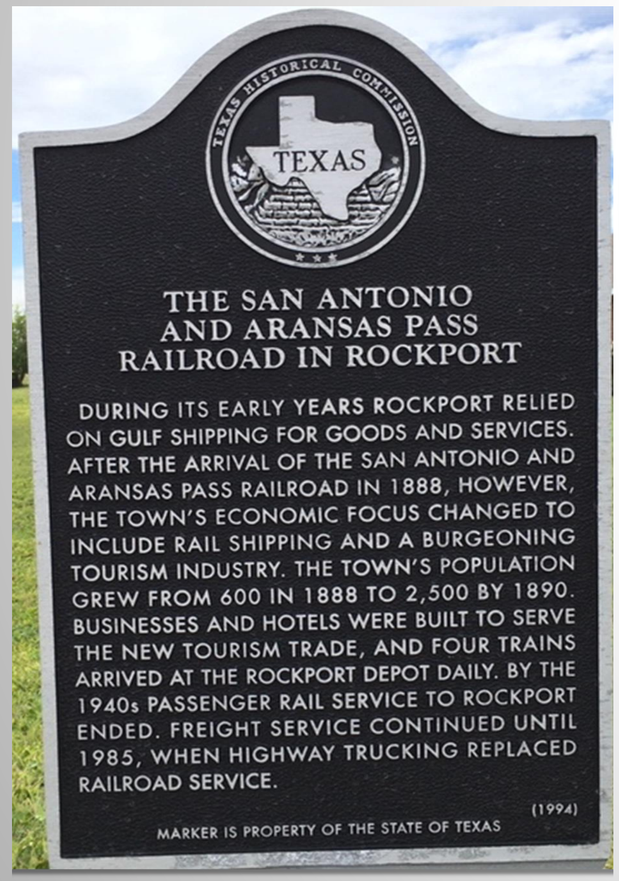
**Not all heads in beds numbers captured

Description of Administrative Expenses	**Current Fiscal Year Administrative Expenses Projection**	**Fiscal Year Administrative Actual Expenses**	**Percentage of Fiscal Year Projections**
Wages, office, dues, insurance, utilities	88,964	85,806	96.45%
TOTALS	88,964	85,806	96.45%

City of Rockport HOT Report October-December 2022

ROCKPORT CULTURAL
ARTS DISTRICT

Rockport SAAP Railroad Depot Museum





Passport to the Past Program

ROCKPORT CULTURAL
ARTS DISTRICT



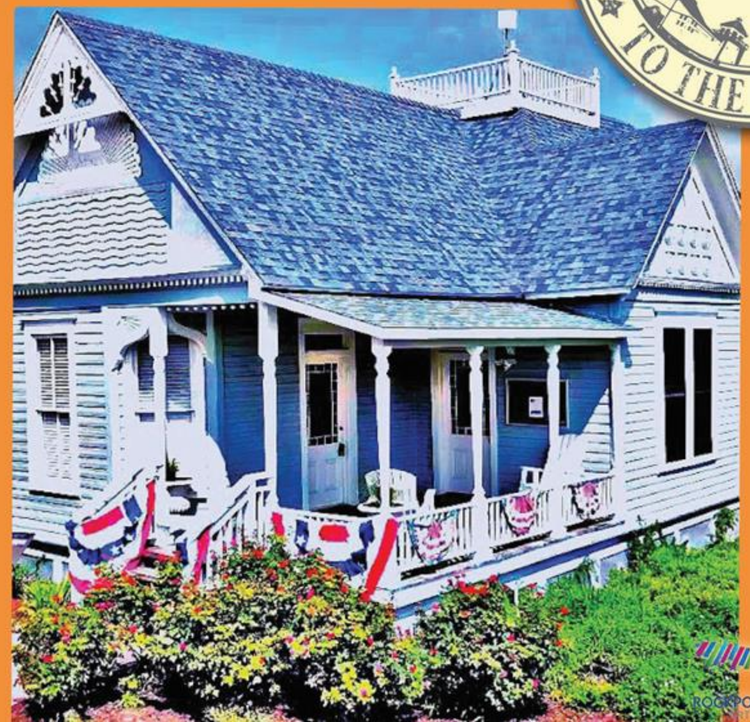
Passport To The Past Program

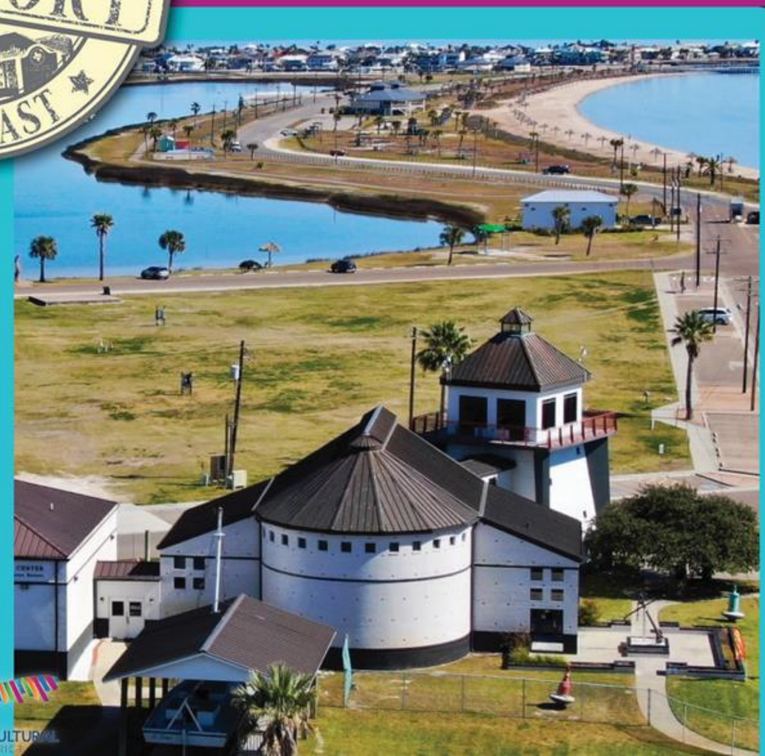
Challenges people to visit to four different museums





ROCKPORT-FULTON, TX
PASSPORT
TO THE PAST





ROCKPORT CULTURAL



Passport to the Past Patrons

Zip Code Collection

10/1/22 - 12/31/22

Outside 75 Miles
49%
Austin, DFW, Houston, San Antonio

Within 75 Miles
51%







Passport to the Past Patrons



Attendees outside 75 miles – 98%
Attendees within 75 miles – 2%

Hotel Stays – 22 nights (11 x 2)



Southern Pacific Railroad Police Officers Reunion

October 27, 2022

Continued Railroad Depot Renovations

- Installed ADA Ramp and Walkway
- Weatherproofed Back Room
- Added Access to Attic, Creating Storage Area















District Train Rides

10/1- Shopping Tournament

10/8-Seafair

10/29-Halloween in the District

12/10-Christmas in the District



Saturday, October 29th!
Spooktacular Events!!!!

HALLOWEEN IN THE DISTRICT

Music Festival
Rockport Festival
Grounds 4pm

11am – 3:00pm	Noon – 6pm	1pm – 4pm	11am – 1pm	5pm – 9pm
Harbor Haunt Games, Treats, and More! Texas Maritime Museum	Trick or Treat in the District! Punch your card, you could win a prize! Merchant Shops	Train Rides, Halloween Treats!! Railroad Depot Museum	Trunk or Treat! Church Unlimited	Zombie Walk! Best Costume Contest Rockport Little Theatre

Candy **Pumpkin Sales at First Learning Tree** **Costumes Encouraged**

~Located in the Cultural Arts District in Downtown Rockport~









HALLOWEEN IN THE DISTRICT

Zip Codes Collected at the Depot
10/29/22

Outside 75 Miles – 36%
Houston, San Antonio, Arkansas

Within 75 Miles – 64%

Rental Nights - 6 for HID
(visitors may have stayed more than one day)



Annual Christmas In the District Dec 10th

Zip Codes Collected
12/10/22

<u>Outside 75 Miles – 33%</u>
Austin, Dallas, Houston, San Antonio, California, Colorado, Illinois, Ohio, Oregon, New Mexico, Nebraska, South Dakota, Washington, Mexico

<u>Within 75 Miles – 67%</u>

Rental Nights - 31
-Visitors may have stayed more than one day
- Does not include RVs

Angel Tree Support
Aransas County Foster Children





- Supported 47 Aransas County Foster Children's Christmas Toy and Clothing Wish Lists
- Drove visibility, traffic, and sales to local merchants
- Inspired holiday spirit and collaboration between local families, businesses and governmental entities

“Light Up The District” Holiday Lights Program







- Championed Holiday Lights Program with City of Rockport and Navigation District
- Added new lighting in Veterans Memorial Park and Austin Street Light Poles
- Led Holiday Lights Program for Merchant Building Tops
- Led Holiday Lights Contest for District Merchants

“CULTURAL INTERFACE”

PROJECT UPDATE

ROCKPORT CULTURAL
ARTS DISTRICT

Steve Russell
Rockport Renaissance Artist









“Cultural Interface” celebrates the multi-cultural heritage of Aransas County – Spanish and French Explorers, the early religious settlers, and Native Americans

“Cultural Interface” 4th Quarter 2022

- Continued Successful Project Management and Fundraising
- Target Complete Late Summer 2023
- Exponential Number of Tourists Expected

ROCKPORT CULTURAL

Other Initiatives...





District Merchant Meetings

September 19th
November 7th

DOWNTOWN
Second Saturday
ROCKPORT

FARMERS MARKET

MAKERS MARKET

ENTERTAINMENT

MARKET ON MAIN

in the Cultural Arts & Heritage District





Social Media Marketing

ROCKPORT CULTURAL ARTS DISTRICT

ROCKPORT RAILROAD DEPOT

- Social Media Campaign Features
  - District Businesses and Organizations
  - Culinary Arts and Local Culture



Facebook Page
- 3.6 K Likes
- 4.1 K Followers

Railroad Depot Facebook Page
- 844 Likes
- 939 Followers



Thank you from the Rockport Cultural Arts District B[illegible]

ROCKPORT CULTURAL
ARTS DISTRICT

CITY COUNCIL AGENDA
Regular Meeting: February 28, 2023

AGENDA ITEM: 12

Conduct a Public Hearing for the purpose of considering abolishing, continuance, or modification of the Juvenile Curfew Ordinance.

SUBMITTED BY: Police Chief Greg Stevens

APPROVED FOR AGENDA: VRS

BACKGROUND: Local Government Code § 370.002 "Review of Juvenile Curfew Order or Ordinance" requires the following:

(a) Before the third anniversary of the date of adoption of a juvenile curfew ordinance by a general-law municipality or a home-rule municipality or an order of a county commissioners court, and every third year thereafter, the governing body of the general-law municipality or home-rule municipality or the commissioners court of the county shall:
  (1) review the ordinance or order's effects on the community and on problems the ordinance or order was intended to remedy;
  (2) conduct public hearings on the need to continue the ordinance or order; and
  (3) abolish, continue, or modify the ordinance or order.

(b) Failure to act in accordance with Subsections (a)(1)-(3) shall cause the ordinance or order to expire.

The juvenile curfew Ordinance was first adopted by Ordinance No. 1181 in 2001 and subsequently amended by Ordinance No. 1282 in 2004, Ordinance No. 1603 in 2013, Ordinance No. 1660 in 2016, and Ordinance 1786 in 2020. A review and public hearings regarding the Ordinance must be conducted before March 24, 2023, or it will automatically expire.

This is the first of the two required public hearings to be conducted. The second public hearing will be held at the March 14, 2023 City Council meeting. Public hearing notice was posted on the bulletin board at the Rockport Service Center, on the City's website, published in The Rockport Pilot on Saturday, February 11, 2023, and will also be published in The Rockport Pilot on Saturday, February 18, 2023.

Over the last five years, the RPD has received 381 calls involving juveniles, and 64 juvenile curfew citations have been issued since the Ordinance was re-established in 2020.

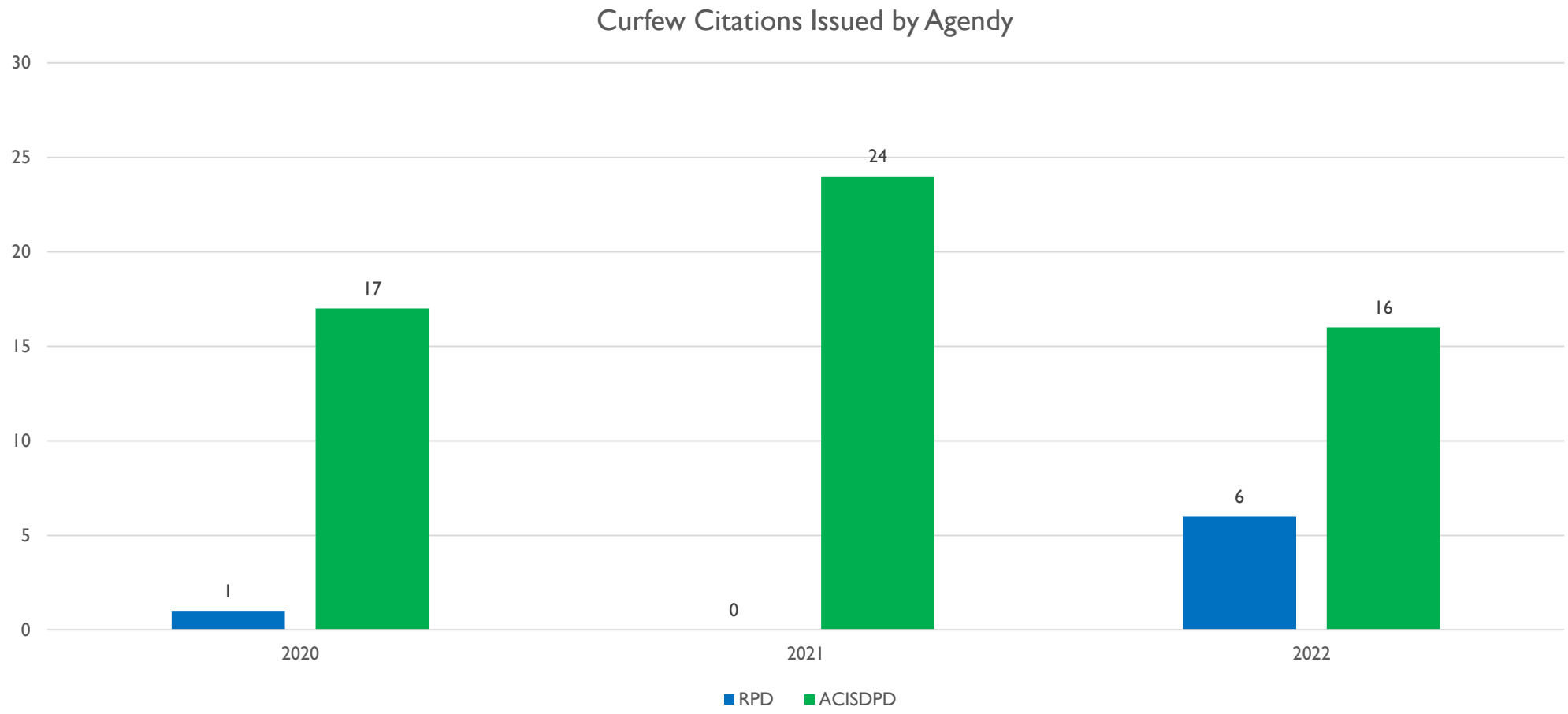
FISCAL ANALYSIS: None.

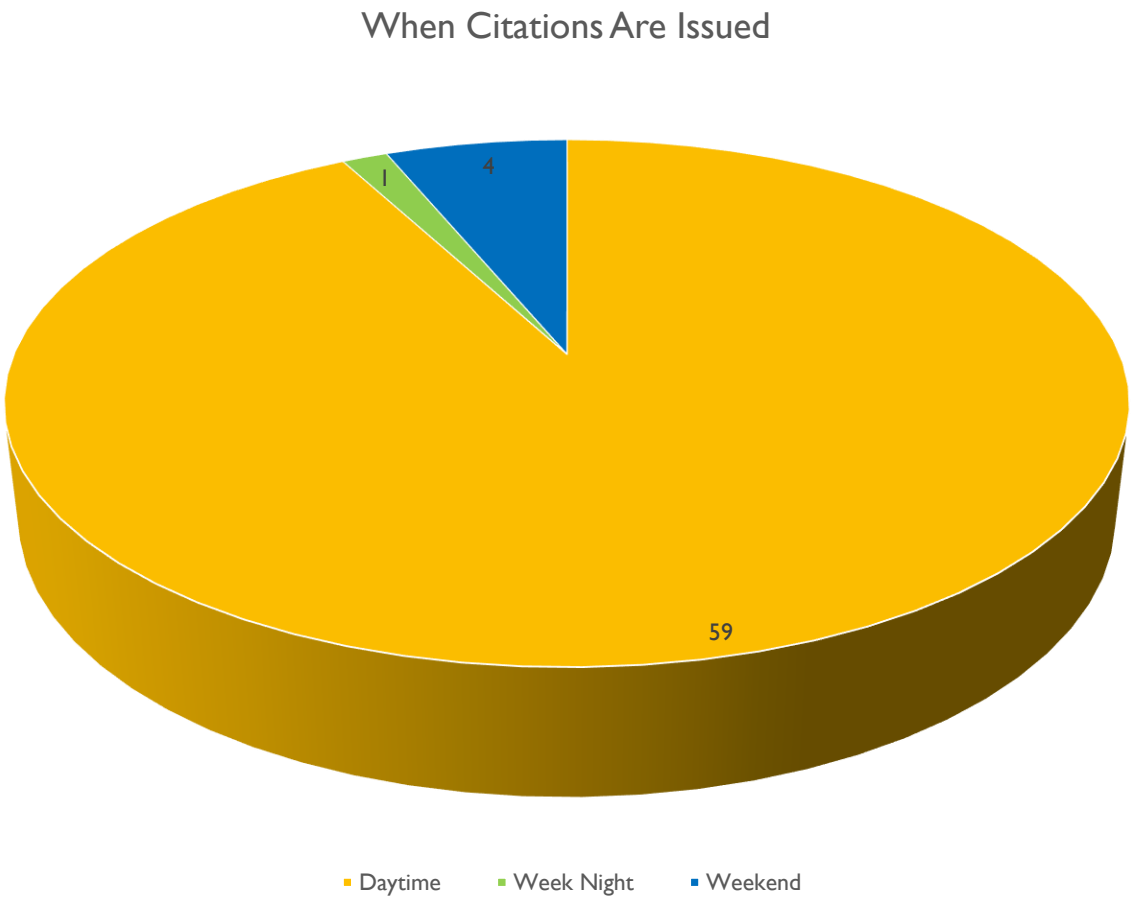
RECOMMENDATION: Public hearing only. Not an action item.

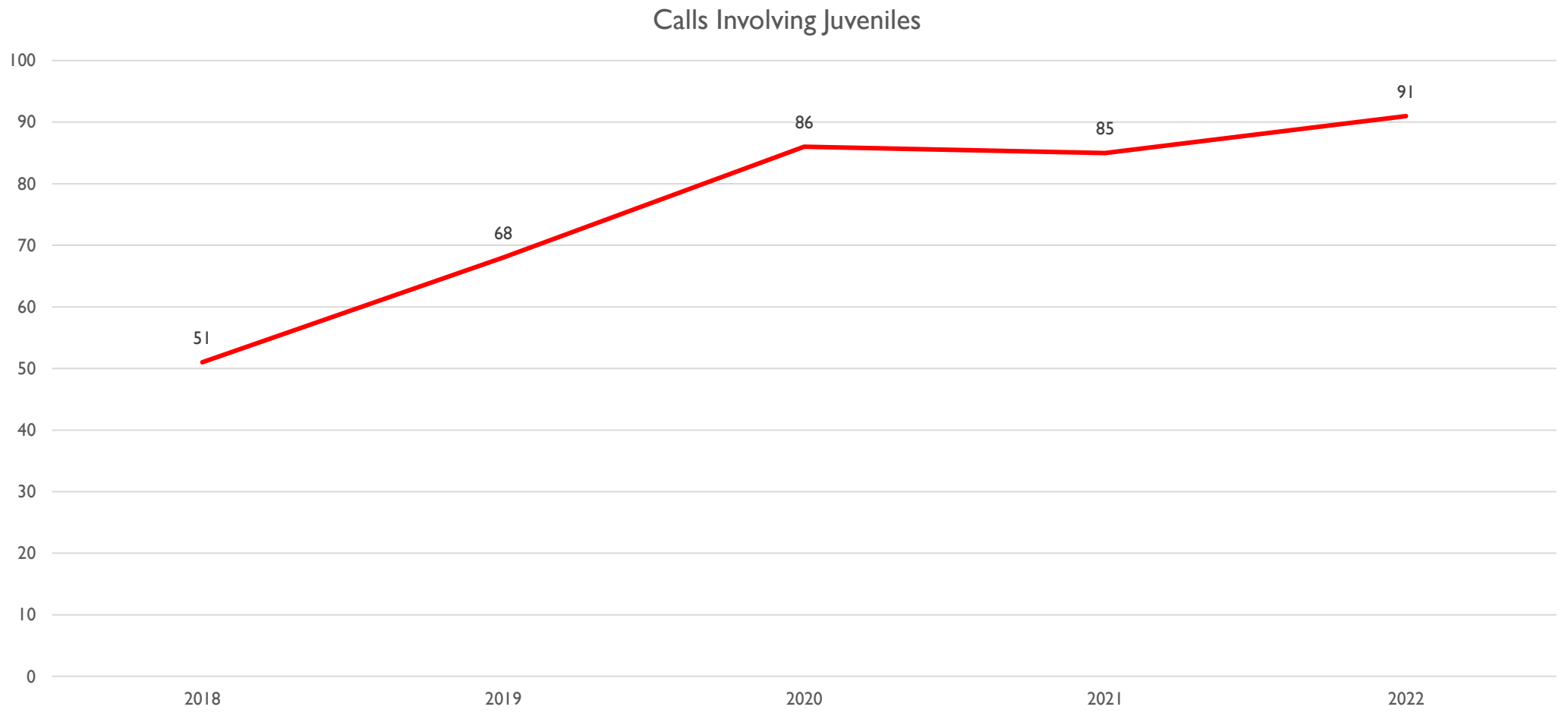


2023 JUVENILE CURFEW

Rockport Police Department


Curfew Citations Issued by Agendy
30
25
20
15
10
5
0
1
17
0
24
6
16
2020
2021
2022
RPD
ACISDPD


When Citations Are Issued
4
1
59
Daytime
Week Night
Weekend


Calls Involving Juveniles
100
90
80
70
60
50
40
30
20
10
0
51
68
86
85
91
2018
2019
2020
2021
2022

ORDINANCE NO. _____

AN ORDINANCE CONTINUING THE MINOR CURFEW ORDER IN THE ROCKPORT CODE OF ORDINANCES CHAPTER 66 (ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS") ARTICLE II (ENTITLED "MINORS CURFEW"); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Council enacted Ordinance Number 1181 on April I 0, 2001, ordering a curfew for minor children; and

WHEREAS, in accordance with Texas Local Government Code Section 370.002, City Council reviewed and re-established the curfew order pursuant to Ordinance Number 1786 on March 24, 2020; and

WHEREAS, pursuant to Texas Local Government Code Section 370.002, the curfew order must be reviewed for its effects on the community and on problems it was intended to remedy, public hearings must be conducted on the need to continue the order, and the order must be abolished, continued or modified prior to March 24, 2023; and

WHEREAS, City Council on February 28, 2023 and March 14, 2023, conducted public hearings to receive testimony and comments from members of the public on the merits of abolishing, continuing or modifying the curfew order; and

WHEREAS, City Council, after considering public testimony on the matter and deliberating the effectiveness of the current curfew order deems it in the best interest of public health, safety and welfare to continue the curfew order.

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

Section 1. Chapter 66, Article II {entitled Minors; Curfew} of the City Code of Ordinances is hereby continued as set forth in the attached Exhibit A, incorporated herein.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 5. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 6. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

Section 7. The City Secretary is hereby directed to publish notice of this Ordinance, in substantial form as **Exhibit "B",** as required by Section 12.02 of the City Charter and the laws of the State of Texas.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

APPROVED and PASSED on first reading this 28th day of February 2023.

CITY OF ROCKPORT:

_____

Tim Jayroe, Mayor

ATTEST:

_____

Teresa Valdez, City Secretary

APPROVED, PASSED and **ADOPTED** on second and final reading this 14th day of March 2023.

CITY OF ROCKPORT:

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

ARTICLE II. MINORS; CURFEW*

Sec. 66-36. Definitions.

For the purposes of this article, words and terms shall have the meaning respectively ascribed as follows:

Curfew hours. There is hereby established curfew hours, which include both evening curfew hours and school session curfew hours, as shown on table 1 (entitled "curfew hours") and which are as follows:

(1) Evening curfew hours are as follows:

(A) Sunday-midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.

(B) Monday-midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.

(C) Tuesday-midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.

(D) Wednesday-midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.

(E) Thursday-midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.

(F) Friday-midnight to 6:00 a.m.

(G) Saturday-midnight to 6:00 a.m.

(2) School session curfew hours ore as follows: Aransas County independent School District regular sessions Monday through Friday - 8:30 a.m. until 4:00 p.m.

Table 1 – Curfew Hours

Time	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Midnight							
12:30 a.m.							
1:00 a.m.							
1:30 a.m.							
2:00 a.m.							
2:30 a.m.							
3:00 a.m.							
3:30 a.m.							
4:00 a.m.							
4:30 a.m.							
5:00 a.m.							
5:30 a.m.							
6:00 a.m.							
6:30 a.m.							
7:00 a.m.							
7:30 a.m.							

8:00 a.m.							
8:30 a.m.							
9:00 a.m.							
9:30 a.m.							
10:00 a.m.							
10:30 a.m.							
11:00 a.m.							
11:30 a.m.							
Noon							
12:30 p.m.							
1:00 p.m.							
1:30 p.m.							
2:00 p.m.							
2:30 p.m.							
3:00 p.m.							
3:30 p.m.							
4:00 p.m.							
4:30 p.m.							
5:00 p.m.							
5:30 p.m.							
6:00 p.m.							
6:30 p.m.							
7:00 p.m.							
7:30 p.m.							
8:00 p.m.							
8:30 p.m.							
9:00 p.m.							
9:30 p.m.							
10:00 p.m.							
10:30 p.m.							

11:00 p.m.							
11:30 p.m.							
	In effect only when Aransas County Independent School District is in session.						

Emergency means an unforeseen combination of circumstances or the resulting state that calls for immediate action; including, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment means any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian means:

(1) A person who, under court order, is the guardian of the person of a minor; or

(2) A public or private agency with whom a minor has been placed by a court.

Minor means any person under 17 years of age.

Operator means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent means a person who is:

(1) A natural parent, adoptive parent, or stepparent of another person; or

(2) At least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

Public place means any place to which the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

Remain means to:

(1) Linger or stay; or

(2) Fail to leave premises when requested to do so by a police officer or the owner, operator or other person in control of the premises.

Serious bodily injury means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(Ord. No. 1181, § 4, 4-10-01; Ord. No. 1283, § 1, 2-24-04; Ord. No. 1603, § 1, 4-9-13; Ord. No. 1660, § 1, 3-22-16; Ord. No. 1786, § 1, 3-24-20)

Sec. 66-37. Offenses.

(a) A minor commits an offense if he remains in any public place or on the premises of any establishment within the city during curfew hours.

(b) A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.

(c) The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

(Ord. No. 1181, § 4, 4-10-01; Ord. No. 1786, § 1, 3-24-20)

Sec. 66-38. Defenses.

(a) It is a defense to prosecution under section 66-37(b) that the minor was:

(1) Accompanied by the minor's parent or guardian;

(2) On an errand al the direction of the minor's parent or guardian, without any detour or stop;

(3) In a motor vehicle involved in interstate travel;

(4) Reserved;

(5) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour;

(6) Involved in an emergency;

(7) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor;

(8) Exercising First Amendment rights protected by the United Stales Constitution, such as the free exercise of religion, freedom of speech, and the right assembly;

(9) During the scheduled vacation of or on a holiday observed by the school in which the minor is enrolled; or that the minor had graduated from high school or received a high school equivalency certificate; or that the minor had permission to be absent from school or to be in the public place from an authorized school official (suspension or expulsion shall not constitute permission). In the case of a child being educated in a home school, a parent shall be deemed a school official; or

(10) Married or had been married or had disabilities of minority removed in accordance with chapter 31 of the Texas Family Code.

(b) It is a defense to prosecution under section 66-37(c) that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

(Ord. No. 1181, § 4, 4-10-01; Ord. No. 1786, § 1, 3-24-20)

Sec. 66-39. Enforcement.

Before taking any enforcement action under this section, a police officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in section 66-38 is present.

(Ord. No. 1181, § 4, 4-10-01; Ord. No. 1786, § 1, 3-24-20)

Sec. 66-40. Penalties.

(a) A person who violates a provision of this article is guilty of a separate offense for each day or part of a day during which the violation is committed, continued or permitted. Each offense, upon conviction, is punishable by a fine not to exceed $500.00.

(b) When required by section 51-08 of the Texas Family Code, as amended, the municipal court shall waive original jurisdiction over a minor who violates section 66-37(a) and shall refer the minor to juvenile court.

(Ord. No. 1181, § 4, 4-10-01; Ord. No. 1786, § 1, 3-24-20)

Secs. 66-41—66-59. Reserved.

EXHIBIT "B"

PUBLIC NOTICE

ON THE 14th DAY OF MARCH 2023, THE ROCKPORT, TEXAS CITY COUNCIL CONTINUED AN ORDINANCE ADOPTING A CURFEW ORDER FOR CHILDREN UNDER THE AGE OF 17. THE CURFEW IS EFFECTIVE DURING THE PERIODS THAT FOLLOW:

(a) Evening Curfew hours are as follows:

(1) Sunday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(2) Monday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(3) Tuesday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(4) Wednesday - Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(5) Thursday- Midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.
(6) Friday - Midnight to 6:00 a.m.
(7) Saturday - Midnight to 6:00 a.m.

(b) School session curfew hours are as follows: Aransas County Independent School District regular sessions Monday through Friday - 8:30 a.m. until 4:00 p.m.

IT IS A CLASS C MISDEMEANOR FOR A CIDLD TO VIOLATE THE CURFEW LAW OR FOR A PARENT OR A BUSINESS OPERATOR TO ABET A CIDLD VIOLATING THE CURFEW ORDINANCE; AND, UNLESS THE ACCUSED RAISES A DEFENSE, AS PROVIDED IN THE ORDINANCE VIOLATION OF THE ORDER IS SUBJECT TO A CRIMINAL PENALTY NOT TO EXCEED $500.00

PUBLIC HEARING

Rockport City Council

NOTICE is hereby given that the Rockport City Council will hold Public Hearings on Tuesday, February 28, 2023, and on March 14, 2023, at 6:30 p.m., the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, for the purpose of considering abolishing, continuance, or modification of the Juvenile Curfew Ordinance. The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request please contact the City Secretary at (361) 729-2213. 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 e-mail tvaldez@cityofrockport.com for further information. Braille is not available.

Public participation is valued and citizens wishing to express their views during the Public Hearing can electronically submit a Citizen Participation Form in order to register to speak by going to https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation, or if attending the meeting in person register at the meeting 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 City Council meeting. The comments will be read and summarized in the minutes of the meeting.

POSTED the 8th day of February 2023 at 9:00 a.m. on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and on the website www.cityofrockport.com.

PUBLISHED in *The Rockport Pilot* in the Saturday, February 11, 2023, Edition, and Saturday, February 18, 2023 Edition, in accordance with the City of Rockport Code of Ordinances.

CITY OF ROCKPORT, TEXAS

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Regular Meeting: February 28, 2023

AGENDA ITEM: 13

Deliberate and act on first reading of an Ordinance continuing the City of Rockport Code of Ordinances Chapter 66 "Offenses and Miscellaneous Provisions" Article II. "Minors Curfew" setting curfew hours for minors; repealing all Sections in conflict herewith; providing a severability clause; and providing an effective date.

SUBMITTED BY: Police Chief Greg Stevens

APPROVED FOR AGENDA: VRS

BACKGROUND: Local Government Code § 370.002 "Review of Juvenile Curfew Order or Ordinance" requires the following:

(a) Before the third anniversary of the date of adoption of a juvenile curfew ordinance by a general-law municipality or a home-rule municipality or an order of a county commissioners court, and every third year thereafter, the governing body of the general-law municipality or home-rule municipality or the commissioners court of the county shall:
  (1) review the ordinance or order's effects on the community and on problems the ordinance or order was intended to remedy;
  (2) conduct public hearings on the need to continue the ordinance or order; and
  (3) abolish, continue, or modify the ordinance or order.

(b) Failure to act in accordance with Subsections (a)(1)-(3) shall cause the ordinance or order to expire.

The juvenile curfew Ordinance was first adopted by Ordinance No. 1181 in 2001 and subsequently amended by Ordinance No. 1282 in 2004, Ordinance No. 1603 in 2013, Ordinance No. 1660 in 2016, and Ordinance 1786 in 2020. A review and public hearings regarding the Ordinance must be conducted before March 24, 2023, or it will automatically expire.

Two required public hearings are to be conducted, and the first will be conducted at the February 28, 2023, City Council Meeting. The second public hearing will be held at the March 14, 2023, City Council meeting. Public hearing notice was posted on the bulletin board at the Rockport Service Center, on the City's website, published in The Rockport Pilot on Saturday, February 11, 2023, and will also be published in The Rockport Pilot on Saturday, February 18, 2023.

Over the last five years, the RPD has received 381 calls involving juveniles, and 64 juvenile curfew citations have been issued since the Ordinance was re-established in 2020.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Council approve the first reading of the Ordinance continuing the City of Rockport Code of Ordinances Chapter 66 "Offenses and Miscellaneous Provisions" Article II. "Minors Curfew" setting curfew hours for minors; repealing all Sections in conflict herewith; providing a severability clause; and providing an effective date.

ORDINANCE NO. _____

AN ORDINANCE CONTINUING THE MINOR CURFEW ORDER IN THE ROCKPORT CODE OF ORDINANCES CHAPTER 66 (ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS") ARTICLE II (ENTITLED "MINORS CURFEW"); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Council enacted Ordinance Number 1181 on April I 0, 2001, ordering a curfew for minor children; and

WHEREAS, in accordance with Texas Local Government Code Section 370.002, City Council reviewed and re-established the curfew order pursuant to Ordinance Number 1786 on March 24, 2020; and

WHEREAS, pursuant to Texas Local Government Code Section 370.002, the curfew order must be reviewed for its effects on the community and on problems it was intended to remedy, public hearings must be conducted on the need to continue the order, and the order must be abolished, continued or modified prior to March 24, 2023; and

WHEREAS, City Council on February 28, 2023 and March 14, 2023, conducted public hearings to receive testimony and comments from members of the public on the merits of abolishing, continuing or modifying the curfew order; and

WHEREAS, City Council, after considering public testimony on the matter and deliberating the effectiveness of the current curfew order deems it in the best interest of public health, safety and welfare to continue the curfew order.

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

Section 1. Chapter 66, Article II {entitled Minors; Curfew} of the City Code of Ordinances is hereby continued as set forth in the attached Exhibit A, incorporated herein.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 5. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 6. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

Section 7. The City Secretary is hereby directed to publish notice of this Ordinance, in substantial form as **Exhibit "B",** as required by Section 12.02 of the City Charter and the laws of the State of Texas.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

APPROVED and PASSED on first reading this 28th day of February 2023.

CITY OF ROCKPORT:

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

APPROVED, PASSED and **ADOPTED** on second and final reading this 14th day of March 2023.

CITY OF ROCKPORT:

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

ARTICLE II. MINORS; CURFEW*

Sec. 66-36. Definitions.

For the purposes of this article, words and terms shall have the meaning respectively ascribed as follows:

Curfew hours. There is hereby established curfew hours, which include both evening curfew hours and school session curfew hours, as shown on table 1 (entitled "curfew hours") and which are as follows:

(1) Evening curfew hours are as follows:

(A) Sunday-midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.

(B) Monday-midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.

(C) Tuesday-midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.

(D) Wednesday-midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.

(E) Thursday-midnight to 6:00 a.m. and 11:00 p.m. to 11:59 p.m.

(F) Friday-midnight to 6:00 a.m.

(G) Saturday-midnight to 6:00 a.m.

(2) School session curfew hours ore as follows: Aransas County independent School District regular sessions Monday through Friday - 8:30 a.m. until 4:00 p.m.

Table 1 – Curfew Hours

Time	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Midnight							
12:30 a.m.							
1:00 a.m.							
1:30 a.m.							
2:00 a.m.							
2:30 a.m.							
3:00 a.m.							
3:30 a.m.							
4:00 a.m.							
4:30 a.m.							
5:00 a.m.							
5:30 a.m.							
6:00 a.m.							
6:30 a.m.							
7:00 a.m.							
7:30 a.m.							

8:00 a.m.							
8:30 a.m.							
9:00 a.m.							
9:30 a.m.							
10:00 a.m.							
10:30 a.m.							
11:00 a.m.							
11:30 a.m.							
Noon							
12:30 p.m.							
1:00 p.m.							
1:30 p.m.							
2:00 p.m.							
2:30 p.m.							
3:00 p.m.							
3:30 p.m.							
4:00 p.m.							
4:30 p.m.							
5:00 p.m.							
5:30 p.m.							
6:00 p.m.							
6:30 p.m.							
7:00 p.m.							
7:30 p.m.							
8:00 p.m.							
8:30 p.m.							
9:00 p.m.							
9:30 p.m.							
10:00 p.m.							
10:30 p.m.							

11:00 p.m.							
11:30 p.m.							
	In effect only when Aransas County Independent School District is in session.						

Emergency means an unforeseen combination of circumstances or the resulting state that calls for immediate action; including, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment means any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian means:

(1) A person who, under court order, is the guardian of the person of a minor; or

(2) A public or private agency with whom a minor has been placed by a court.

Minor means any person under 17 years of age.

Operator means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent means a person who is:

(1) A natural parent, adoptive parent, or stepparent of another person; or

(2) At least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

Public place means any place to which the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

Remain means to:

(1) Linger or stay; or

(2) Fail to leave premises when requested to do so by a police officer or the owner, operator or other person in control of the premises.

Serious bodily injury means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(Ord. No. 1181, § 4, 4-10-01; Ord. No. 1283, § 1, 2-24-04; Ord. No. 1603, § 1, 4-9-13; Ord. No. 1660, § 1, 3-22-16; Ord. No. 1786, § 1, 3-24-20)

Sec. 66-37. Offenses.

(a) A minor commits an offense if he remains in any public place or on the premises of any establishment within the city during curfew hours.

(b) A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.

(c) The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

(Ord. No. 1181, § 4, 4-10-01; Ord. No. 1786, § 1, 3-24-20)

Sec. 66-38. Defenses.

(a) It is a defense to prosecution under section 66-37(b) that the minor was:

(1) Accompanied by the minor's parent or guardian;

(2) On an errand al the direction of the minor's parent or guardian, without any detour or stop;

(3) In a motor vehicle involved in interstate travel;

(4) Reserved;

(5) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour;

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(7) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor;

(8) Exercising First Amendment rights protected by the United Stales Constitution, such as the free exercise of religion, freedom of speech, and the right assembly;

(9) During the scheduled vacation of or on a holiday observed by the school in which the minor is enrolled; or that the minor had graduated from high school or received a high school equivalency certificate; or that the minor had permission to be absent from school or to be in the public place from an authorized school official (suspension or expulsion shall not constitute permission). In the case of a child being educated in a home school, a parent shall be deemed a school official; or

(10) Married or had been married or had disabilities of minority removed in accordance with chapter 31 of the Texas Family Code.

(b) It is a defense to prosecution under section 66-37(c) that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

(Ord. No. 1181, § 4, 4-10-01; Ord. No. 1786, § 1, 3-24-20)

Sec. 66-39. Enforcement.

Before taking any enforcement action under this section, a police officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in section 66-38 is present.

(Ord. No. 1181, § 4, 4-10-01; Ord. No. 1786, § 1, 3-24-20)

Sec. 66-40. Penalties.

(a) A person who violates a provision of this article is guilty of a separate offense for each day or part of a day during which the violation is committed, continued or permitted. Each offense, upon conviction, is punishable by a fine not to exceed $500.00.

(b) When required by section 51-08 of the Texas Family Code, as amended, the municipal court shall waive original jurisdiction over a minor who violates section 66-37(a) and shall refer the minor to juvenile court.

(Ord. No. 1181, § 4, 4-10-01; Ord. No. 1786, § 1, 3-24-20)

Secs. 66-41—66-59. Reserved.

EXHIBIT "B"

PUBLIC NOTICE

ON THE 14th DAY OF MARCH 2023, THE ROCKPORT, TEXAS CITY COUNCIL CONTINUED AN ORDINANCE ADOPTING A CURFEW ORDER FOR CHILDREN UNDER THE AGE OF 17. THE CURFEW IS EFFECTIVE DURING THE PERIODS THAT FOLLOW:

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IT IS A CLASS C MISDEMEANOR FOR A CIDLD TO VIOLATE THE CURFEW LAW OR FOR A PARENT OR A BUSINESS OPERATOR TO ABET A CIDLD VIOLATING THE CURFEW ORDINANCE; AND, UNLESS THE ACCUSED RAISES A DEFENSE, AS PROVIDED IN THE ORDINANCE VIOLATION OF THE ORDER IS SUBJECT TO A CRIMINAL PENALTY NOT TO EXCEED $500.00

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, February 28, 2023

AGENDA ITEM: 14

Hear and deliberate on presentation from Travis James of TXP on Downtown Tax Increment Reinvestment Zone.

SUBMITTED BY: City Manager Vanessa Shrauner

APPROVED FOR AGENDA: VRS

BACKGROUND: Mr. James of TXP will do a presentation on Downtown Tax Increment Reinvestment Zones.

FISCAL ANALYSIS: N/A

RECOMMENDATION: N/A

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, February 28, 2023

AGENDA ITEM: 15

Deliberate and act on approval of Request for Qualifications for City Attorney Services.

SUBMITTED BY: City Manager Vanessa Shrauner

APPROVED FOR AGENDA: VRS

BACKGROUND:

FISCAL ANALYSIS:

RECOMMENDATION:

CITY OF ROCKPORT, TEXAS
REQUEST FOR QUALIFICATIONS 2023
CITY ATTORNEY SERVICES

SECTION 1. INTRODUCTION

The City of Rockport is a home-rule municipality, meaning that it operates under a municipal charter that has been adopted or amended as authorized by Article XI, Section 5, of the Texas Constitution. Pursuant to its provisions and subject only to the limitations imposed by the state constitution and by state law, all powers of the City are vested in the elective City Council, which enacts local legislation, adopts budgets, determines policies, and appoints the highest-level city officials. The City Council executes the laws and oversees the government of the city. The City provides a wide variety of services to citizens and visitors in the Rockport area. Services include police, planning, building inspections, code enforcement, public works (owner and operator of water system), and general administrative activities.

The City of Rockport follows a "Council-Manager" form of government as provided by the City Charter. Rockport is governed by a Mayor and four (4) Councilmembers who serve staggered two (2) year term. The City has several boards and commissions, including: Planning & Zoning Commission, Board of Adjustment and Parks.

SECTION 2. REQUEST FOR QUALIFICATIONS

The City of Rockport (City) is soliciting qualifications from experienced professional legal firms or individual attorney interested in providing City Attorney services to the City on a contractual basis. Law firms or individual lawyers licensed by the State Bar of Texas are invited to submit qualifications and qualifications for the provision of these services. In order to be considered, submissions must address each of the requests for information included in the document. In addition, information regarding rates and fees must be submitted on the sheet included in the Request for Qualifications (RFQ). The successful applicant shall possess sufficient resources to ensure that the demands of the City's legal needs will be met on a timely basis.

The period of performance shall be for a period of three-years, with two, one-year renewal options for these services commencing on the date designated in the Contract between the City and the firm/individual, and approved by City Council. However, the City Council reserves the right to terminate the contract services agreement upon thirty (30) days written notice without cause. The contract services agreement may be terminated for cause immediately.

In order to ensure a fair review and selection process, firms submitting qualifications are specifically requested not to make contact with other City staff or City Council regarding this proposal. Any questions regarding this RFQ should be addressed to Vanessa Shrauner, City Manager, vshrauner@cityofrockport.com no later than ten (10) days prior to the submission deadline. Responses to questions will be posted on the City's website.

SECTION 3. SUBMITTAL REQUIREMENTS

Respondent shall submit one (1) complete original proposal signed in ink, and four (4) hard copies and one (1) electronic copy in PDF format on USB Flash Drive of the entire proposal in a sealed package clearly marked with the project name, "RFQ 2023, PROPOSAL FOR LEGAL SERVICES DO NOT OPEN," shall be marked on the front of the package.

In order to be considered, submittals must be received no later than 3:00 PM, Central Time, _____, and delivered to:

Teresa Valdez
City Secretary
City of Rockport
2751 SH 35 Bypass
Rockport, Texas 78382

Submittals received after the deadline will not be accepted. Faxed or emailed submittals will not be accepted. Postmarks prior to the deadline are not sufficient for acceptance. The City will not be responsible for any errors or omissions in the qualifications or for any delays in delivery. Late submissions will be returned to respondent unopened. The City will not reimburse any expenses incurred by the responder including, but not limited to, expenses associated with the preparation and submission of the response and/or attendance at interviews.

The City of Rockport reserves the right to reject any and all qualifications, to waive irregularities, to request additional information from all respondents, and further reserves the right to select the proposal, which furthers the best interest of the City. This solicitation does not obligate the City to enter into an agreement with any proposer. The City reserves the right to cancel this RFQ at any time, at its discretion.

The City will review the respondents in order of perceived qualifications to determine the most highly qualified respondent. Negotiations will be initiated with the firm selected as most highly qualified in order to attempt to arrive at a contract with that firm at a fair and reasonable price.

The professional fees under that contract must be consistent with, and not higher than, the recommended practices and fees published by the applicable professional associations and may not exceed any maximum provided by law.

3.01 Late Submission

The City will not receive/accept any late proposal submission after the due date and time.

3.02 Rejection of Request of Proposal

The City reserves the right to accept or reject any and all RFQ's or any part thereof, to waive all technicalities, and to accept the offer or offers that are determined to provide the best benefit to the City. A failure to provide any requested information may result in rejection of a statement of qualifications, in whole or in part, at the City's sole discretion. However, the City reserves the right to request additional or clarifying information from a Respondent after an RFQ has been submitted. Such

information may be used to further evaluate the Respondent's submittal.

3.03 Solicitation Costs

All costs, indirectly or directly, incurred by Respondent in the preparation, printing, demonstration, or negotiation of its RFQ shall be borne by the Respondent. This solicitation does not obligate or commit the City to pay any costs incurred in the preparation and submission of the request of the proposal or to contract for the goods/services specified.

Further, the City is not obligated to pay any costs incurred by any Respondent as a direct result of errors or omissions committed by City employees or agents in the preparation of this solicitation and the processing of the Respondent's RFQ. It is incumbent upon each Respondent submitting a statement of qualifications to verify the accuracy of the information herein contained based upon each Respondent's research and information, and to immediately advise the City of any discrepancies.

3.04 Rejection of Request for Proposal

The City may, by written notice to the Respondent, reject any request of proposal if the City determines that gratuities, in the form of entertainment, gifts, or otherwise, were offered or given by Respondent, or any agent, or representative of the Respondent, to any employee, agent or elected official with a view toward securing a contract or securing favorable treatment with respect to the award or amendment of this solicitation.

3.05 Clarification

If any Respondent is in doubt as to the meaning of any part of this solicitation, a written request for clarification should be submitted to Vanessa Shrauner, City Manager, vshrauner@cityofrockport.com no later than ten (10) consecutive days prior to the official time for submission. An interpretation of the request shall be made only by written response, duly issued, with a copy posted for review on the City website.

3.06 Separate Contract

The City will require the selected Respondent to sign a separate, formal contract that fully incorporates all the provisions of this solicitation. The City reserves the right to modify terms and conditions of any proposed contract during negotiations with the Respondent.

3.07 Requests for Non-Disclosure of Information

Except for those documents or portions of documents required to be disclosed by law, all documents submitted as part of the Respondent's proposal will be deemed confidential during the evaluation process. Following the award of the contract, all qualifications will become public documents and will be available for public viewing unless the Respondent has previously requested, in writing, the nondisclosure of trade secrets and other proprietary data and has clearly identified those portions of its qualifications, which the Respondent considers to be trade secrets and/or proprietary data. The Respondent may not identify its entire RFQ as consisting of trade secrets and/or proprietary data and any statement of qualifications so marked shall be considered nonresponsive. The City makes no representations with regard to whether the identified proportions of an RFQ are subject to public

viewing pursuant to the Texas Public Information Act (Section 52.001 et seq. of the Texas Government Code) or any other applicable law or statutes.

3.08 Negotiations

Negotiations may be conducted with the Respondent whose qualifications, in the sole determination of the City, offers the best legal services to the City or the City may award the contract based on such Respondent's original submittal. If the City is unable to agree upon a contract with the Respondent, the City will terminate negotiations with such Offer and commence negotiations with the next Respondent(s) until a contract is agreed upon, subject to the City's right to reject all RFQ's.

3.09 Independent Contractor

Respondent agrees and understands that, if selected, it and all persons designated by it to provide services in connection with a contract, are and shall be deemed to be independent contractors, responsible for their respective acts or omissions, and that the City shall in no way be responsible for Respondent's actions.

3.10 Assignment

Respondent may not transfer or assign their proposal or any contract between a Respondent and the City, which is awarded under this solicitation.

3.11 Tax Exemption

Unless otherwise noted, the City is exempt from all, and shall not pay or reimburse the Respondent with respect to any local, state, and federal taxes.

3.12 State of Texas Conflict of Interest CIQ Form

Chapter 176 of the Texas Local Government Code requires that persons, or their agents, who seek to contract for the sale or purchase of property, goods, or services with the City shall file a completed Form CIQ if those persons meet the requirements under §176.066(a) of the statute. Form CIQ is available from the Texas Ethics Commission.

3.13 Representation of Respondent

By submitting this RFQ, Respondent represents that:
(i) Respondent has read and understands this solicitation;
(ii) Respondent's submittal is made in accordance with this solicitation;
(iii) Respondent's submittal is based upon the information set forth in this solicitation.

SECTION 4. SCOPE OF SERVICES

The firm/individual selected is to possess a Juris Doctorate (or have members who possess such a degree) from an accredited law school by the American Bar Association, a license to practice law in the State of Texas, and be a member in good standing with the Texas Bar. Experience with Texas municipalities and comprehensive knowledge of municipal law is strongly preferred.

An important part of governance relies on quality legal services. The scope of services will include the appointment of one individual or law firm to serve in the position of City Attorney, who will be appointed by and serve at the will and pleasure of the City Manager and Rockport City Council.

The scope of services for which fees and rates are requested are not inclusive but are generally divided into three categories: general representation, special projects, and litigation. The firm will be required to provide a detailed, itemized billing on a monthly basis.

A. Basic Legal Services

1. Provide legal advice on a variety of legal matters to the Governing Body and designated staff of the City.
2. Reviewing and drafting agreements, contracts, deeds, easements, ordinances, and resolutions and other legal instruments as needed.
3. Provide proactive legal counsel on issues pertaining to personnel policies and procedures and provide counsel in all compliance employment matters such as EEOC, FSLA, FMLA and OSHA requirements.
4. Reviewing agendas and supporting materials for the City Council meeting, preparing legal advice, attending City Council meetings, generally held on the 2nd and 4th Tuesday of each month, beginning at 6:30 p.m. and special called City Council meetings, as required, including Planning and Zoning and Board of Adjustment, any other board, committee, or commission meetings as requested by the City Manager and/or Mayor.
5. Providing advice and consultation with City staff via telephone during normal business hours regarding government operations, elections, open meetings, public information, City Ordinances, State law, personnel matters, property matters, and real estate matters, including annexation, zoning, and condemnation.
6. Providing counsel and advice to the City Council, city staff, and Boards and Commissions.
7. Designated time to be spent in the Rockport office to be available to council and staff.
8. Staying abreast and informing the City of new or proposed State and Federal legislation affecting the City.
9. Assist and advise the operations of the Police Department
10. Knowledge of Police and Public Safety law including Texas Commission on Law Enforcement (TCOLE) requirements, Texas Code of Criminal Procedure, Texas Penal Code, Rules of Evidence, Civil Statutes, Regulatory Agency Codes, Transportation Codes, Health and Safety Codes and Family Code

B. Special Projects

This category includes any unusually large projects defined as projects that will require 20 hours or more of attorney time to handle or alternative proposal deemed suitable. Examples of these special projects may include assistance in development of special purpose agreements, or legal assistance to a City Council appointed board, committee, or commission.

C. Litigation

The City is insured by Texas Municipal League (TML) and the majority of litigation is handled by TML

attorneys. This category includes litigation not covered by TML and would include both preparation for trial and actual courtroom time for litigation filed by or against the City, Zoning Commission hearings, Board of Adjustment hearings, mediations, contractual disputes and condemnation proceedings.

SECTION 5. PROPOSAL REQUIREMENTS

Each RFQ must include the following information:

A. Firm or individual name, including the addresses of all firm offices, identifying in which office the work will be performed.

B. Names of principals in the firm and the number of years the firm has been in business. Attach a list of principals in the firm; including biographical information of each. Include education, years of legal experience, years of municipal legal experience, and any other areas of specialty within the field of municipal law. A statement naming (for any applicable individuals) the principal anticipated to be the attorney responsible for providing the City of Rockport with City Attorney Services.

C. A list of supporting attorneys who will provide legal services to the City of Rockport naming in ranking order, any attorney anticipated to represent the City of Rockport, complete with educational and credentialing information, years of legal experience, years of municipal legal experience, and information of any areas of specialty within the field of municipal law.

D. Summary of qualifications, specializations, experience, professional affiliations, special training, and Texas Bar certification in municipal law or other related fields.

E. Number of staff, by discipline, in the office and copies of their résumés.

F. List a minimum of five (5) professional references, including current municipal clients that the individual or the firm has represented in the past five (5) years. List a contact person for each client with a telephone number for the contact person.

G. Please provide a list of any clients that you currently represent that could cause a conflict of interest with your responsibilities with the City of Rockport. Describe how you would be willing to resolve these or any future conflicts of interest.

H. If your firm has filed any litigation in the past five years in which either the City of Rockport or one of its officials or employees was named as a defendant, please describe the case(s).

I. If you have filed any litigation or administrative hearings in the past five years against any municipality, please describe the case(s).

J. Any other documentation which the firm/individual deems necessary which will detail the firm's or individual's professional experience.

Each submittal should provide a summary detailing the experience and understanding of the role of providing consulting legal services.

Failure to complete the above documentation may be grounds to declare a statement of qualifications non-responsive and the City may reject the statement of qualifications in whole or in part.

CITY OF ROCKPORT
Proposed Fees
City Attorney Services

The following rates are proposed by the firm of _____for City Attorney services to the City of Rockport. Please include all anticipated fees that may appear on invoices.

(insert proposal of fees or attach on separate page)

I, _____acting on behalf of the firm of _____ certify that I have reviewed and fully understand the City of Rockport's Request for Proposals for City Attorney services. I further certify and swear that the information submitted in response to the Request for Proposals is true, correct and fully shows all information required to be reported.

_____
Name (Print)

_____
Signature