CITY COUNCIL AGENDA

Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, September 12, 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 at the meeting.

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

Opening Agenda

1. Call meeting to order.

2. Pledge of Allegiance.

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

Consent Agenda

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

4. Deliberate and act on approval of City Council Budget Workshop Minutes of August 1, 2023, and August 3, 2023, Regular Meeting Minutes of August 22, 2023, and Special Meeting Minutes of August 30, 2023, and September 5, 2023.

5. Deliberate and act on approval of 2023-2024 Property Tax Assessment/Collection Agreement with Aransas County.

6. Deliberate and act on 3rd quarter report from the Texas Maritime Museum for Fiscal Year 2022-2023 marketing expenditures.

7. Deliberate and act on 3rd quarter report from the Texas Marine Science Institute/Mission Aransas National Estuarine Research Reserve for Fiscal Year 2022-2023 Bay Education expenditures.

8. Deliberate and act on request for closure of: Broadway Street at the intersection of Highway 35 North to Austin Street South to Market Street, West one block to Magnolia Street, then North on Magnolia Street to North Street, and closure of all street intersections along route, ending at The Rockport Railroad Depot for the Rockport Cultural Arts District Model T Parade on October 21, 2023.

9. Deliberate and act on adoption of a Resolution of the City Council of the City of Rockport, Texas declaring certain City property surplus and authorizing the disposition and donation of said property to further a public purpose; and establishing an effective date.

10. Deliberate and act on recommendation to City Council to remove Planning & Zoning Commission Board Member W. Kent Howard as per Article IX Section 9.05(5) of the City of Rockport Code of Ordinances.

11. Deliberate and act on a request by the Tree & Landscape Committee to approve expenditures from the Tree Mitigation Fund in the amount of $28,388.00 for the purpose of purchasing trees and educational items for the Arbor Day Events being held in November 2023.

Public Hearing

12. Conduct a Public Hearing to consider a request for a Conditional Use Permit to bring the existing RV Park into compliance with the current City Codes and to remodel existing features in the RV Park on property located at 1331 State Highway 188; also known as Lot 1R & 2, Coastal Paradise Subdivision, 17.989 acres, City of Rockport, Aransas County, Texas.

Regular Agenda

13. Deliberate and act on first reading of an Ordinance granting a Conditional Use Permit for the purpose of bringing the existing RV Park into compliance with current City Codes and to remodel existing features in the RV Park on property located at 1331 State Highway 188; also known as Lot 1R and 2, Coastal Paradise Subdivision, 17.989 acres, City of Rockport, Aransas County, Texas; subject to compliance with the conditions stipulated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

14. Discussion for proposal and possible future action regarding the addition of a school zone to the area around ABC Learning Center located at 1422 East Cedar Street, and the addition of a four-way stop at the intersection(s) next to the facility.

15. Deliberate and act to adopt, on first and only reading, an Ordinance of the City of Rockport adopting a budget and appropriating resources for Fiscal Year 2023-2024, beginning October 1, 2023, and ending September 30, 2024; in accordance with existing statutory requirements; repealing all conflicting ordinances; containing a severability clause; and providing for an effective date.

16. Deliberate and act on second and final reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2023 taxable property as submitted by the Appraisal District; levying a tax rate for $100.00 valuation for the City of Rockport, Aransas

County, Texas, for the Tax Year 2023 of $0.213583 for the purposes of Maintenance and Operation, $0.146495 for the payment of Principal and Interest on debt of the City, and that the property tax rate be increased by the adoption of a tax rate of $0.360078 which is effectively a 11.26% increase in the tax rate; providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict herewith; and providing an effective date. This tax rate will raise more taxes for maintenance and operations than last year's tax rate. The tax rate will effectively be raised by 12.82% and will raise taxes for maintenance and operations on a $100,000 home by approximately (negative) $-6.93.

17. Deliberate and act to ratify the property tax increase reflected in the 2023-2024 Annual Budget and Capital Improvement Plan.

18. City Manager Report:
    A. Projects

19. 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.

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:

20. 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: Nguyen litigation.

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.

21. Adjournment.

Special Accommodations

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation 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 tvaldez@cityofrockport.com for further information. Braille is not available. The City of Rockport reserves the right to convene into executive session under Government Code §§ 551.071-551.074 and 551.086.

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

Certification

I certify that the above notice of meeting was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas on Friday, September 8, 2023, at 12:15 p.m. and on the City's website at www.cityofrockport.com. I further certify that the following News Media were properly notified of this meeting as stated above: *The Rockport Pilot* and *Corpus Christi Caller Times*.

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 12, 2023

AGENDA ITEM: 4

Deliberate and act on approval of City Council Budget Workshop Minutes of August 1, 2023, and August 3, 2023, Regular Meeting Minutes of August 22, 2023, Special Meeting Minutes of August 30, 2023 and September 5, 2023.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: Please see the accompanying City Council meeting minutes.

FISCAL ANALYSIS: N/A

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

CITY OF ROCKPORT

MINUTES

CITY COUNCIL BUDGET WORKSHOP
9:00 a.m., Tuesday, August 1, 2023
Rockport Service Center, 2751 State Highway 35 Bypass

On the 1st day of August 2023, the City Council of the City of Rockport, Aransas County, Texas, convened in a Budget Workshop at 9:00 a.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 | **CITY COUNCIL MEMBER(S) ABSENT**

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

STAFF MEMBERS PRESENT | **ELECTED OFFICIALS PRESENT**

City Manager Vanessa Shrauner
Assistant to City Manager Kimberly Henry
City Secretary Teresa Valdez
Director of Finance Robbie Sorrell
Parks & Leisure Services Director Gene Camargo
Director of Public Works and Building & Development Services Mike Donoho
Information Technology Director Bob Argetsinger
Communications Director Lee Brown
Police Chief Greg Stevens
Police Criminal Investigation Division Captain Nathan Anderson
Police Patrol Captain Nathan Garcia
Finance Department Controller Lorenzo Lara
Finance Department Accountant Olympia Granados
Finance Department Accounting Manager Judi Yarnall
Finance Department Accounting Technician Morgan Vasquez
Police Administrative Coordinator Nikki Yarnall
Information Technology Acting Network Administrator Tommy Sauceda
Public Works Administrative Supervisor Candace Brannan
Administrative Assistant/Acting Human Resource Manager Kaycee Eddins
Assistant Director of Public Works Ryan Picarazzi
Building & Development Services Assistant Director/Community Planner Carey Dietrich
Municipal Court Judge/Administrator Diana McGinnis
Fleet Manager Dale Martinets

Opening Agenda

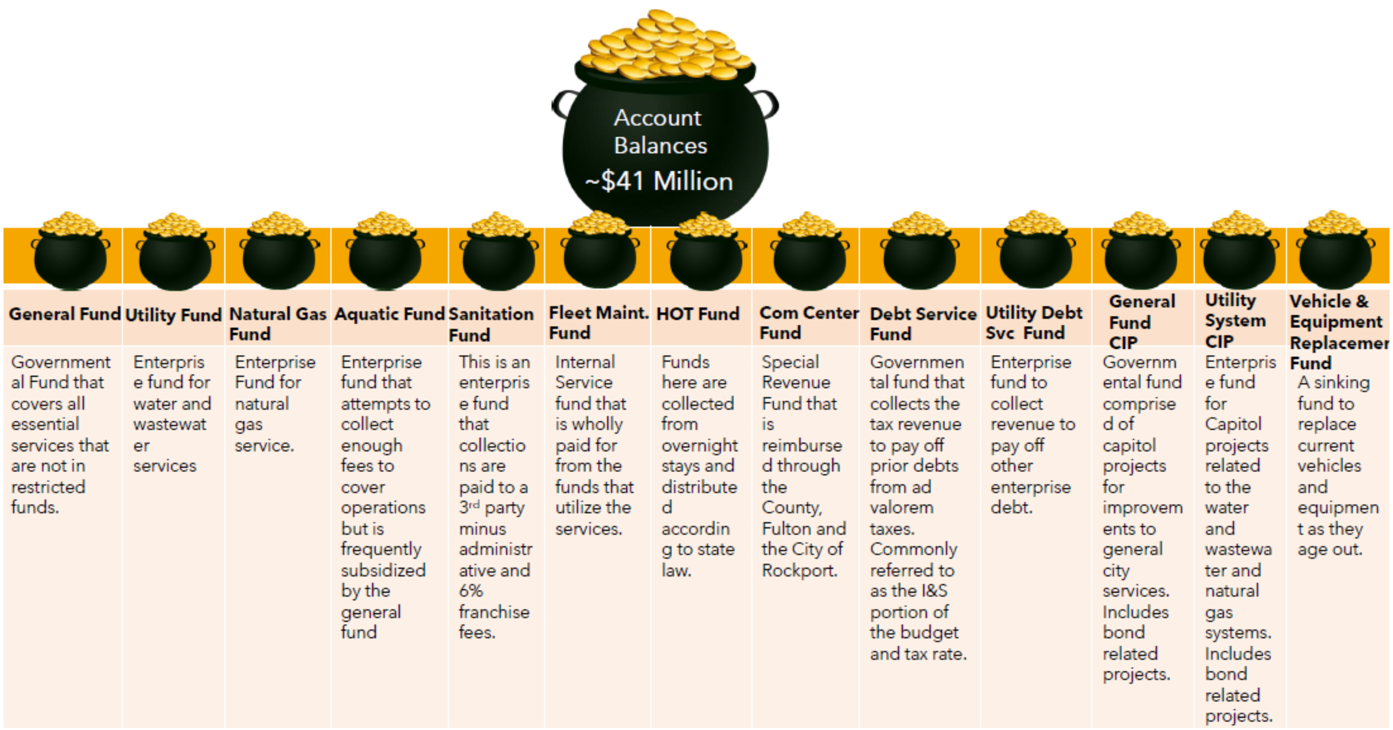
1. Call meeting to order.

With a quorum of the Council Members present, the Budget Workshop of the Rockport City Council was called to order by Mayor Jayroe at 9:00 a.m. on Tuesday, August 1, 2023, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Workshop Agenda

2. Hear and deliberate on presentation of proposed Fiscal Year 2023-2024 Budget.

City Manager Vanessa Shrauner said she was thankful for staff and all the work they did on putting this budget together. Ms. Shrauner began her presentation on the proposed Fiscal Year 2023-2024 Budget by presenting the Agenda for the Workshop today: Overview, Base Budget, New Initiatives, Tax Rate, Merit/Cola, Capital Improvement Projects, Utility Rates, and Economic Development. Ms. Shrauner called the Council's attention to the PowerPoint slide (below) Rockport Account Balances $41 Million.



Ms. Shrauner then reviewed the "Areas of Concern":

- Community Disaster Loan – we don't know what it was earmarked for
- Underbudgeted Windstorm Insurance FY 2022-2023
- Increased Windstorm Insurance
- Unbudgeted funds in FY 2022-2023 for Rockport Country Club Drainage

- Unpaid and disputed Republic Services invoices - $450,000 of disputed invoices
- Hurricane Harvey insurance proceeds not isolated for intended project
- Meter Shortage - $1 million for meters; ordering in batches and and do not know when we will receive them.
- Vehicle Supply Chain
- Unspent Bond Proceeds - $4.3 million in unspent bond proceeds and a portion has not been isolated for projects.

Ms. Shrauner called the Council's attention to Page 13 of the Agenda Packet listing the "Consolidated Resources vs. Expenditure Summary (below).

Fund: 01- General
Consolidated Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
General Fund Resources					
Property Taxes	$ 4,015,913	$ 4,760,916	$ 4,705,012	$ 4,849,211	1.9%
Other Taxes	3,731,266	3,771,126	3,787,126	3,787,126	0.4%
Franchise Fees	1,681,685	1,690,880	1,670,215	1,746,634	3.3%
Licenses & Permits	660,740	671,000	478,525	548,175	-18.3%
Intergovernmental Revenues	239,336	90,500	131,846	85,500	-5.5%
Fines & Fees	154,895	168,000	157,300	161,600	-3.8%
Interest Revenue	13,730	7,500	105,000	105,000	1300.0%
Charges for Services	75,107	111,700	49,250	50,200	-55.1%
Operating Transfers	1,149,067	1,234,618	1,234,618	1,301,667	5.4%
Event Revenues	3,381	5,000	5,000	5,000	0.0%
Other Revenues	129,397	106,878	299,465	82,000	-23.3%
Total Resources	$ 11,854,517	$ 12,618,118	$ 12,623,357	$ 12,722,113	0.8%
General Fund Expenditures					
Personnel	$ 6,584,404	$ 6,886,465	$ 7,136,670	$ 7,314,449	6.2%
Contracts & Services	1,698,730	1,471,560	1,755,885	2,225,207	51.2%
Supplies	1,158,628	826,795	683,125	1,024,895	24.0%
Travel & Training	137,843	190,450	199,701	231,000	21.3%
Intergovernmental Transfers	1,686,927	1,772,391	1,786,634	1,763,706	-0.5%
Maintenance	600,602	878,226	691,855	844,592	-3.8%
Capital Outlay/Project	498,219	324,650	401,038	337,150	3.9%
Operating Transfers	364,497	267,581	797,993	502,880	87.9%
Total Expenditures	$ 12,729,850	$ 12,618,118	$ 13,452,901	$ 14,243,879	12.9%
Resources Over(Under) Expenditures	$ (875,333)	$ (0)	$ (829,544)	$ (1,521,766)	

Ms. Shrauner stated the City has not received the certified role from the Aransas County Tax Assessor Collector. Ms. Shrauner reviewed the Consolidated Resources vs. Expenditure Summary and said that in order to continue the status quo staff contends that we will be $1.53 million short with their conservative efforts. Ms. Shrauner added the City is going to be about $500,000 short for this year; the Rockport Country Club drainage project makes up $370,000 of that and the windstorm insurance was underbudgeted. Ms. Shrauner said she proposes taking that out of reserves because we really don't have any other choice.

Brief discussion was held between Ms. Shrauner and Council.

Ms. Shrauner distributed a handout of Certified *Ad Valorem* Tax Rate Comparison FY 2023-2024 (below). Ms. Shrauner explained the four highlighted columns. Ms. Shrauner said according to the Aransas County Appraisal District there is still 10% of properties protesting appraised values.

Certified Ad Valorem Tax Rate Comparison FY 2023-2024

	Adopted 2018 Tax Rate	Adopted 2019 Tax Rate	Adopted 2020 Tax Rate	Adopted 2021 Tax Rate	Adopted 2022 Tax Rate	8/1/2023 PRELIMINARY 2023 No-New Revenue Tax Rate	8/1/2023 2023 Voter-Approval Tax Rate	De Minimis Tax Rate $500,000 Above NNR	8/1/2023 2023 Unused Increment Tax Rate
M & O Tax Rate	$ 0.248198	$ 0.248154	$ 0.241668	$ 0.208434	$ 0.220511	$ 0.169629	$ 0.195943	$ 0.211997	$ 0.213583
I & S Tax Rate	$ 0.171928	$ 0.171928	$ 0.179643	$ 0.184286	$ 0.157638	$ 0.154010	$ 0.154010	$ 0.154010	$ 0.154010
Total Tax Rate	**$ 0.420126**	**$ 0.420082**	**$ 0.421311**	**$ 0.392720**	**$ 0.378149**	**$ 0.323639**	**$ 0.349953**	**$ 0.366007**	**$ 0.367593**
Total Taxable Value	**$ 1,564,129,555**	**$ 1,564,129,555**	**$ 1,564,129,555**	**$ 1,564,129,555**	**$ 1,858,965,488**	**$ 2,204,585,552**	**$ 2,204,585,552**	**$ 2,204,585,552**	**$ 2,204,585,552**
Total Tax Levy									
Total Tax Levy	$ 6,571,315	$ 6,570,630	$ 6,589,854	$ 6,142,650	$ 7,029,659	$ 7,134,899	$ 7,715,013	$ 8,068,937	$ 8,103,902
Over 65 Frozen Taxes	$ 989,048	$ 989,048	$ 989,048	$ 1,080,795	$ 1,092,975	$ 1,232,339	$ 1,232,339	$ 1,232,339	$ 1,232,339
Disabled Frozen Taxes	$ 15,577	$ 15,577	$ 15,577	$ 19,236	$ 14,899	$ 17,207	$ 17,207	$ 17,207	$ 17,207
Total Tax Levy	**$ 7,575,940**	**$ 7,575,255**	**$ 7,594,479**	**$ 7,242,681**	**$ 8,137,533**	**$ 8,384,444**	**$ 8,964,559**	**$ 9,318,483**	**$ 9,353,448**
Total Tax Revenue									
Total Levy	$ 7,575,940	$ 6,491,481	$ 6,883,554	$ 7,242,681	$ 8,137,533	$ 8,384,444	$ 8,964,559	$ 9,318,483	$ 9,353,448
Collection Ratio	98.00%	98.00%	98.00%	98.00%	98.75%	98.50%	98.50%	98.50%	98.50%
Total Tax Revenue	**$ 7,424,421**	**$ 6,426,566**	**$ 6,745,883**	**$ 7,097,827**	**$ 8,035,814**	**$ 8,258,678**	**$ 8,830,091**	**$ 9,178,706**	**$ 9,213,146**
Revenue Allocation by Fund									
M & O General Fund	$ 4,647,642	$ 4,148,812	$ 3,969,104	$ 3,935,966	$ 4,711,387	$ 4,328,623	$ 4,944,077	$ 5,316,450	$ 5,353,125
I&S Debt Service Fund	$ 2,776,779	$ 2,776,779	$ 2,776,779	$ 3,161,861	$ 3,324,427	$ 3,930,055	$ 3,886,014	$ 3,862,255	$ 3,860,021
Total Tax Revenue	**$ 7,424,421**	**$ 6,426,566**	**$ 6,745,883**	**$ 7,097,827**	**$ 8,035,814**	**$ 8,258,678**	**$ 8,830,091**	**$ 9,178,706**	**$ 9,213,146**
Revenue Difference									
Additional Revenue	**$1,597,885**	**$311,852**	**$222,434**	**$671,261**	**$937,987**	**$222,863**	**$794,276**	**$1,142,892**	**$1,177,332**
% Increase in Revenue	**30.7%**	**4.9%**	**3.3%**	**9.5%**	**11.7%**	**2.7%**	**9.0%**	**12.5%**	**12.8%**

Discussion was held between Council and Ms. Shrauner regarding the four tax rate options and each option would not cover the $1.53 million short in the proposed budget, and the time frame for the sale of the Natural Gas System.

Ms. Shrauner then moved to the next Agenda item "Department Discussion" (below).

Each Department Head gave a brief review and explanation of their budget requests.

Department Discussion

- General Fund
- Utility Systems Fund
- Pool Operations
- Natural Gas
- Fleet Fund
- Communications Center
- Juvenile Case Fund

Discussion was held between Council, Department Heads and Ms. Shrauner regarding proposed Department Budgets.

Council took a recess from 10:00 a.m. until 10:14 a.m.

Proposed Department Budgets presented by Department Heads continued.

Discussion was held between Council, Department Heads and Ms. Shrauner regarding the proposed Department Budgets.

Council took a Lunch break from 11:45 a.m. until 12:08 p.m.

Proposed Department Budgets presented by Department Heads continued.

Discussion was held between Council, Department Heads and Ms. Shrauner regarding the proposed Department Budgets.

Council took a recess from 1:46 p.m. until 1:59 p.m.

Ms. Shrauner distributed a handout listing the 5-year Capital Improvement Projects (below) and stated she is not convinced we can do any projects until we can identify unspent funds from bonds. Ms. Shrauner proposed the City does not start any additional projects until those projects are identified.

Dept.	Capital Imporvement Projects	Notes	Project Total	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
FL	V&E Replacement - Equipment		$ 1,750,000.00	$ 175,000.00	$ 175,000.00	$ 175,000.00	$ 175,000.00	$ 175,000.00	$ 175,000.00
FL	V&E Replacement - HD Equipment		$ 1,330,000.00	$ 222,000.00	$ 222,000.00	$ 222,000.00	$ 222,000.00	$ 222,000.00	$ 222,000.00
FL	V&E Replacement - Vehicles		$ 5,150,000.00	$ 859,000.00	$ 859,000.00	$ 859,000.00	$ 859,000.00	$ 859,000.00	$ 859,000.00
FL	Building repairs Fleet 1		$ 105,000.00	$ 105,000.00	$ 105,000.00				
FL	Building Foam Insulation Fleet 1		$ 20,000.00		$ 20,000.00				
FL	Lot Repavement @ 402 E. Laurel St		$ 120,000.00		$ 120,000.00				
FL	Clean Fleet Program		$ 12,500.00		$ 12,500.00				
FL	Generator - Fleet 1 & Fuel Islands		$ 86,500.00	$ 86,500.00					
FL	Equipment Storage Shelter		$ 95,000.00		$ 95,000.00				
FL	Carwash Canopy		$ 40,000.00		$ 40,000.00				
FL	Canopy - Unleaded Fuel Island	Fema	$ 58,000.00						
FL	Canopy - Diesel Fuel Island	Fema	$ 58,000.00						
FL	Fuel Tank Removal		$ 75,000.00		$ 75,000.00				
FL	Fuel Tank Replacement		$ 350,000.00						
Dept.	**Capital Imporvement Projects**	**Notes**	**Project Total**	**2022-23**	**2023-24**	**2024-25**	**2025-26**	**2026-27**	**2027-28**
NG	Natural Gas Steel Line Replacement		$ 100,000.00		$ 100,000.00				
Dept.	**Capital Imporvement Projects**	**Notes**	**Project Total**	**2022-23**	**2023-24**	**2024-25**	**2025-26**	**2026-27**	**2027-28**
ST	Austin St Rebuild		$ 3,500,000.00	$ 3,500,000.00					
ST	RCC Lakes - Sediment Removal	Needs funding							
ST	Upgrade of Substandard Roads		$ 500,000.00		$ 500,000.00				
ST	Traylor Blvd. Pavement Repairs	Completed	$ 145,000.00		$ 145,000.00				
ST	Drainage Improvements Project 3	Remove, County project	$ 1,750,000.00				$ 1,750,000.00		
ST	Drainage Improvements Project 5	Remove, County project	$ 3,680,000.00					$ 3,680,000.00	
Dept.	**Capital Imporvement Projects**	**Notes**	**Project Total**	**2022-23**	**2023-24**	**2024-25**	**2025-26**	**2026-27**	**2027-28**
W	Downtown Water Line Replacement		$ 865,000.00	$ 865,000.00					
W	Elevated Tank Rehabilitation	Waiting on proposal	$ 320,000.00		$ 320,000.00				
**W	SCADA		$ 230,000.00		$ 230,000.00				
Dept.	**Capital Imporvement Projects**	**Notes**	**Project Total**	**2022-23**	**2023-24**	**2024-25**	**2025-26**	**2026-27**	**2027-28**
WW	Equipment purchase - front end articulate loader		$ 120,000.00	$ 120,000.00					
WW	Force Main - 1st to Gagon		$ 2,020,000.00		$ 2,020,000.00				
WW	Force Main - Gagon to WWTP	Urban Engineering PO # 22-00327 $38,400.00	$ 345,000.00			$ 345,000.00			
WW	Check Valve RCC #1		$ 52,000.00				$ 52,000.00		
**WW	SCADA WWTP / Critical Lift Stations	Wonder Ware North PO #22-00334 $38,159.60	$ 230,000.00				$ 230,000.00		
WW	2021 WWTP Improvements	Urban Engineering PO #21-00268 $82,600.00; Ovivo PO #22-00379 $121,763.00(Grit Equipment); Fisher Scientific PO #22-00374 $9,375.80 (Scale); Faraday Electric PO #22-00367 $6,000.00 (Blower Repair); Sentry Equipment $125,809.00 (Drive Unit)	$ 3,625,000.00	$ 3,625,000.00					
			$ 22,877,000.00	$ 5,932,500.00	$ 5,038,500.00	$ 1,601,000.00	$ 3,058,000.00	$ 4,936,000.00	$ 1,256,000.00
Dept.	**Grant Funded Projects**	**Notes**	**Project Total**	**2022-23**	**2023-24**	**2024-25**	**2025-26**	**2026-27**	**2027-28**
FL	Lift Station Generators	DR-4485 TDEM HMGP							
Dept.	**Grant Projects**	**Notes**	**Project Total**	**2022-23**	**2023-24**	**2024-25**	**2025-26**	**2026-27**	**2027-28**
ST	Basin 39				$ -				
ST	Disaster Recovery - Drainage	CDBG GLO Contract C252			$ -				
ST	RCC Drainage	DR-4485 TDEM HMGP			$ -				
ST	Loop 70 & Shell Ridge Rd. Outfall Ditch	DR-4485 TDEM HMGP			$ -				
ST	Holly St. & Kluge Trail Rehabilitation	TxCDBG TDA Grant			$ 500,000.00				
ST	Sabinal Retention Pond	MIT MOD Grant			$ -				
ST	Enterprise & Maple Drainage	DR-4332-0181			$ -				
ST	Concho St. Outfall @ Harbor	Looking grant funding			$ 239,596.93				

Ms. Shrauner distributed a handout "Utility Rates" (below) which was presented in Fiscal Year2022-2023 to support the 5-10 year Capital Improvement Plan.

Utility Rates

Utility	Current Base Rate	Year	Rate Increase	New Base Rate	Year	Rate Increase	New Base Rate
Water	$21.11	2023-24	$1.42	$22.53	2028-29	$1.59	$24.12
Wastewater	$22.36	2023-24	$4.40	$26.76	2028-29	$3.44	$30.20
Gas	$26.74	2023-24	$12.90	$39.64	2028-29	$13.34	$52.98

Presented 22-23 to support the 5-10 year CIP

Ms. Shrauner stated she is going to propose a 12-month moratorium on all new residential or commercial development, because our fees are grossly under market, and we are hemorrhaging. Ms. Shrauner said the City has someone performing a fee study and that will probably take 9 months. Ms. Shrauner explained there are several things that need to be addressed along with this fee study: meter back-log, planning department and additional infrastructure is not up-to-date, and County entities are working on a Master Drainage Plan and it's important to stay in front of that as opposed to letting people put in their own drainage plan. Ms. Shrauner said a moratorium does not mean that development stops; it means only new areas of development.

Discussion was held between Ms. Shrauner and Council regarding a 12-month moratorium on new development and development fees.

Ms. Shrauner said we run the City on .66 staff persons per 1000 residents and most cities run on 1 staff person per 1000. Ms. Shrauner expressed the City is not staffed or geared up for explosive growth. Ms. Shrauner asked the Council to think it through and if we are going to do it, we have got to get it done.

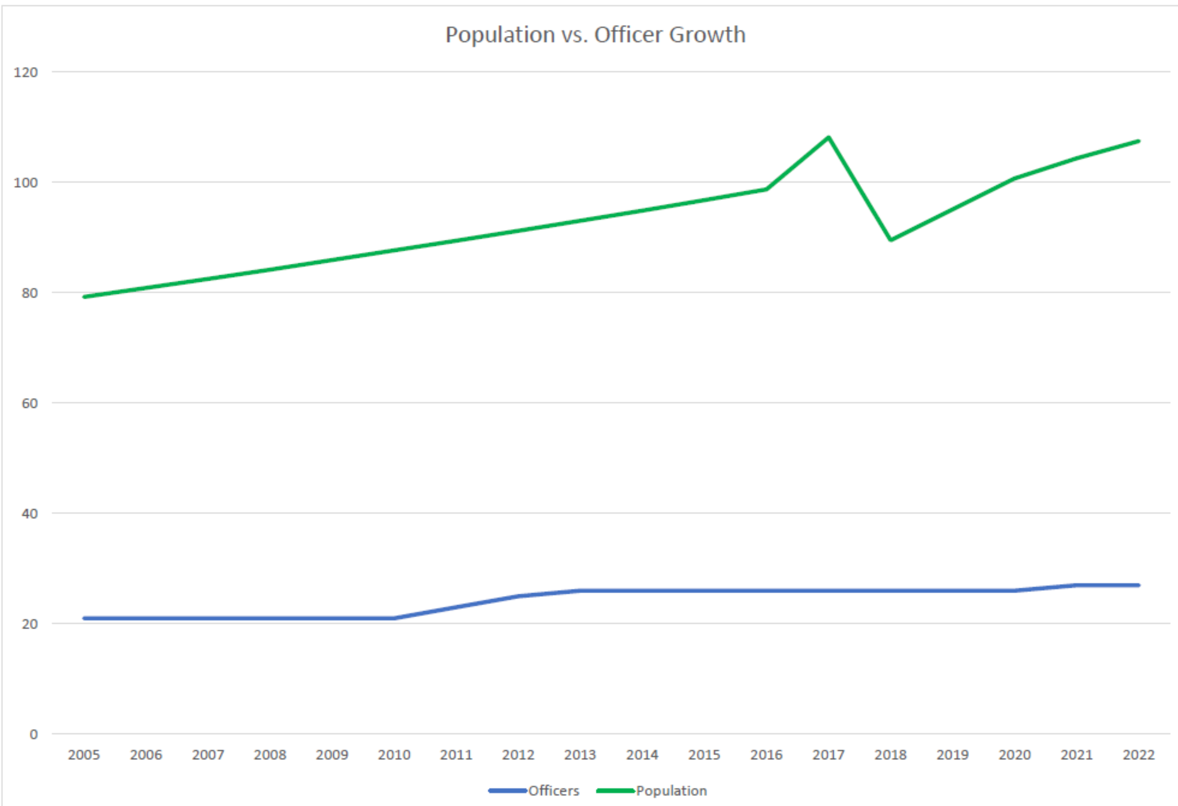
Ms. Shrauner called the Council's attention to the Utility Rates and the proposed rate increases to support the 5-10 year Capital Improvement Plan. Ms. Shrauner stated she would email the NewGen Study to the Council before the Budget Workshop on Thursday.

Ms. Shrauner asked the Council if they were comfortable taking the Capital Improvement Program and setting it aside because of the things she listed when proposing a 12-moratorium on all new development.

Ms. Shrauner distributed a handout "FY 2023-2024 Budget Requests" (below) to Council. Ms. Shrauner said Department Heads prioritized their budget requests and the items above the line are requests for FY 2023-2024.

Department Heads explained their new budget requests.

Police Chief Stevens distributed a handout (below) showing population versus officer growth.



Discussion was held between Council and Department Heads regarding the budget requests.

Ms. Shrauner and Council briefly discussed the four options for tax rates.

It was the consensus of Council they would continue discussion at the Budget Workshop on Thursday, August 3, 2023, regarding the following: utility rate increases, Capital Improvement Plan, proposed 12-month moratorium, and cost of Code Enforcement Administrator .

3. Adjournment.

At 3:33 p.m., Council Member Hale moved to adjourn. Motion was seconded by Council Member Brundrett. Motion carried unanimously.

APPROVED:

____
Tim Jayroe, Mayor

ATTEST:

____
Teresa Valdez, City Secretary

CITY OF ROCKPORT

MINUTES

CITY COUNCIL BUDGET WORKSHOP
9:00 a.m., Thursday, August 3, 2023
Rockport Service Center, 2751 State Highway 35 Bypass

On the 3rd day of August 2023, the City Council of the City of Rockport, Aransas County, Texas, convened in a Budget Workshop at 9:00 a.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 Stephanie Rangel, Ward 1
Council Member Danielle Hale, Ward 2
Council Member Brad Brundrett, Ward 3

CITY COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT
City Manager Vanessa Shrauner
Assistant to City Manager Kimberly Henry
City Secretary Teresa Valdez
Parks & Leisure Services Director Gene Camargo
Director of Public Works and Building & Development Services Mike Donoho
Information Technology Director Bob Argetsinger
Communications Director Lee Brown
Finance Department Accountant Lorenzo Lara
Police Administrative Coordinator Nikki Yarnall
Fleet Manager Dale Martinets
Administrative Assistant/Acting Human Resource Manager Kaycee Eddins
Desktop Support Technician/Acting Network Administrator Tommy Sauceda
Municipal Court Judge/Administrator Diana McGinnis
Assistant Director of Public Works Ryan Picarazzi

ELECTED OFFICIALS PRESENT

Opening Agenda

1. Call meeting to order.

With a quorum of the Council Members present, the Budget Workshop of the Rockport City Council was called to order by Mayor Jayroe at 9:02 a.m. on Thursday, August 3, 2023, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Workshop Agenda

2. Hear and deliberate on presentation of proposed Fiscal Year 2023-2024 Budget.

City Manager Vanessa Shrauner began the presentation of the proposed Fiscal Year 2023-2024 Budget by asking if the Council had any questions from the Budget Workshop held on Tuesday, August 1, 2023.

Ms. Shrauner said there have been some changes made from the presentation on Tuesday:

1) Raised the Sales Tax assumption by $100,000
2) Revised the Supplemental Budget Requests: Changed Police Department Code Enforcement Supervisor to Police Department Administrative Assistant; Reduced Building Maintenance Custodial Services Technician to Part-time.

Ms. Shrauner stated with these changes the Supplemental Budget Requests (below) total $3,533,868 however, the Wastewater Force Main (First Street to Gagon Street) we should be collecting money for and should come down to $500,000 and then when impact fees are collected, we can take that $500,000 from that, so after removing Force Main project the total amount is down to $1.5 million.

FY 2023-2024
Budget Requests

Department	Line Item Description	Expense Impact	Funded	Not Funded	Revenue Offset	Savings Other	SUBTOTAL	Overall Increase(Decrease)	Funding Source	Comments
GENERAL FUND										
Streets & Drainage	Concho St. Outfall at Harbor	239,597								Install box culvert from Austin St. to the Harbor sub out.
Information Technology	Network Administrator / Payroll	91,126								This position will concentrate on network security and availability.
Wastewater	Force Main - First to Gagon	2,020,000								Add a new 12" force main from Frist St. lift station to the Gagon lift station
City Secretary	Assistant City Secretary / Payroll	77,417								Assist City Secretary with all duties such as, records maintenance, public information requests, archiving/retrieving and preserving city records. Prepares agendas and meeting notices for City Council meetings and others boards, commitees and commisions. Records meeting minutes. Assistance in coordinating and conducting city elections.
Rockport PD - Patrol	Patrol Officer / Payroll	313,859.00								5 Patrol Officers
Rockport PD - Patrol	Patrol Officer x5 / Equipment	50,000								Uniforms, radio, body camera, gun, laptop, fully equiped vehicle x5
Rockport PD - Patrol	Vehicle	350,000								5 patrol vehicles
Building Maintenance (Reduced to PT)	Custodial Services Technician / Payroll	22,500								Cleaning and minor maintenance of City owned facilities (Reduced to PT)
Building Maintenance	Custodial Services Technician / Equipment	10,300								
Rockport PD - Code Enforcement (AA)	Code Enforcement Supervisor/ Payroll	61,900								Will increase the efficiency and provide ~~leadership~~ AA Suport to the division
Rockport PD - Code Enforcement	Code Enforcement ~~Supervisor~~/ Equipment	1,500								~~Uniforms, laptop, vehicle, cell phone~~ Computer
Parks	Memorial Park Parking Lot	250,000								New entrance through old dog pound.
Municipal Court	Incode Judge's Package	31,669								Incode Court Software
Parks	2nd Mower	14,000								Parks 2nd Mower
		3,533,868								

Brief discussion was held among Council, Ms. Shrauner, and Staff regarding the Custodial position.

Ms. Shrauner then moved to discussion of Utilities; the proposal from the last time was to keep up with the Capital Improvement Program.

Assistant to the City Manager Kimberly Henry presented the proposed utility rates according to the updated 2022 NewGen Strategies & Solutions Water, Wastewater and Natural Gas Rate Study as follows:

	Current Rate	Proposed Rate
Wastewater	$23.03	$26.76
Natural Gas	$30.08	$39.64
Water	$21.74	$22.73 and there is a $.20 pass- through

increase anticipated from San Patricio Municipal Water District.

Extensive discussion was held between Council, Ms. Shrauner and Staff regarding the proposed rates and the in-City rates versus the out-of-City rates. After discussion Staff was instructed to prepare the rate increase ordinances using a 1.5 times rate for out-of-City customers.

Council took a recess from 10:24 a.m. until 10:42 a.m.

Ms. Shrauner stated since the Council discussed utility rates and the costs of providing services, she would like the Council to consider a 12-month Moratorium only for new subdivisions that have not been submitted where there are no utilities. She said she has received some feedback and she has some options:

1) Could back down to a 6-month Moratorium with a hard stop date;
2) If new development comes in, they pay impact fees, and we ask for developer contribution.

Discussion was held between Council and Ms. Shrauner regarding a 12-Month Moratorium on new development.

Jeffrey Sjostrom, Aransas County Partnership Economic Development Corporation stated he greatly appreciated the thought process the Council was going through right now. Ms. Sjostrom said Moratorium has a huge stigma and he asked that the Council be very careful if a Moratorium on development would be implemented. Mr. Sjostrom expressed Aransas County is in a very positive economic development image right now, and if you stop development, it is hard to reignite that positive impact.

Discussion was held between Council and Ms. Shrauner regarding the updating of the City's Impact Fees and the length of time necessary to make that happen as opposed to doing a Moratorium.

Jeff Sjostrom suggested the City have a development agreement that would give the City the ability to negotiate with developers.

It was the consensus of Council that Staff begin working on an Ordinance to allow development fees/agreement.

Council took a recess from 11:58 a.m. to 12:23 p.m.

City Manager Shrauner distributed copies of the Certified *Ad Valorem* Tax Rate Comparison FY 2023-2024 and Consolidated Resources vs Expenditure Summary (below). Ms. Shrauner explained the City does not have valuations from the Appraisal District, so that is still fluent.

Certified Ad Valorem Tax Rate Comparison FY 2023-2024 8/2/2023

		I&S Rate $.154010				I&S Rate $.146495			
	Adopted 2022 Tax Rate	PRELIMINARY 2023 No-New Revenue Tax Rate	2023 Voter-Approval Tax Rate	De Minimis Tax Rate $500,000 Above NNR	2023 Unused Increment Tax Rate	PRELIMINARY 2023 No-New Revenue Tax Rate	2023 Voter-Approval Tax Rate	De Minimis Tax Rate $500,000 Above NNR	2023 Unused Increment Tax Rate
M & O Tax Rate	$ 0.220511	$ 0.169629	$ 0.195943	$ 0.211997	$ 0.213583	$ 0.177144	$ 0.195943	$ 0.211997	$ 0.213583
I & S Tax Rate	$ 0.157638	$ 0.154010	$ 0.154010	$ 0.154010	$ 0.154010	$ 0.146495	$ 0.146495	$ 0.146495	$ 0.146495
Total Tax Rate	**$ 0.378149**	**$ 0.323639**	**$ 0.349953**	**$ 0.366007**	**$ 0.367593**	**$ 0.323639**	**$ 0.342438**	**$ 0.358492**	**$ 0.360078**
Total Taxable Value	**$ 1,858,965,488**	**$ 2,204,585,552**	**$ 2,204,585,552**	**$ 2,204,585,552**	**$ 2,204,585,552**	**$ 2,204,585,552**	**$ 2,204,585,552**	**$ 2,204,585,552**	**$ 2,204,585,552**
Total Tax Levy									
Total Tax Levy	$ 7,029,659	$ 7,134,899	$ 7,715,013	$ 8,068,937	$ 8,103,902	$ 7,134,899	$ 7,549,339	$ 7,903,263	$ 7,938,228
Over 65 Frozen Taxes	$ 1,092,975	$ 1,232,339	$ 1,232,339	$ 1,232,339	$ 1,232,339	$ 1,232,339	$ 1,232,339	$ 1,232,339	$ 1,232,339
Disabled Frozen Taxes	$ 14,899	$ 17,207	$ 17,207	$ 17,207	$ 17,207	$ 17,207	$ 17,207	$ 17,207	$ 17,207
Total Tax Levy	**$ 8,137,533**	**$ 8,384,445**	**$ 8,964,559**	**$ 9,318,483**	**$ 9,353,448**	**$ 8,384,445**	**$ 8,798,885**	**$ 9,152,809**	**$ 9,187,774**
Total Tax Revenue									
Total Levy	$ 8,137,533	$ 8,384,445	$ 8,964,559	$ 9,318,483	$ 9,353,448	$ 8,384,445	$ 8,798,885	$ 9,152,809	$ 9,187,774
Collection Ratio	98.75%	98.50%	98.50%	98.50%	98.50%	98.50%	98.50%	98.50%	98.50%
Total Tax Revenue	**$ 8,035,814**	**$ 8,258,678**	**$ 8,830,091**	**$ 9,178,706**	**$ 9,213,146**	**$ 8,258,678**	**$ 8,666,901**	**$ 9,015,517**	**$ 9,049,957**
Revenue Allocation by Fund									
M & O General Fund	$ 4,685,945	$ 4,328,623	$ 4,944,077	$ 5,316,451	$ 5,353,125	$ 4,520,392	$ 4,959,200	$ 5,331,395	$ 5,368,051
I&S Debt Service Fund	$ 3,349,869	$ 3,930,055	$ 3,886,014	$ 3,862,255	$ 3,860,021	$ 3,738,286	$ 3,707,701	$ 3,684,122	$ 3,681,906
Total Tax Revenue	**$ 8,035,814**	**$ 8,258,678**	**$ 8,830,091**	**$ 9,178,706**	**$ 9,213,146**	**$ 8,258,678**	**$ 8,666,901**	**$ 9,015,517**	**$ 9,049,957**
Revenue Difference from 2022									
Additional Revenue		**$222,864**	**$794,277**	**$1,142,892**	**$1,177,332**	**$222,864**	**$631,087**	**$979,702**	**$1,014,143**
% Increase in Revenue		**2.7%**	**9.0%**	**12.5%**	**12.8%**	**2.7%**	**7.3%**	**10.9%**	**11.2%**

Residential Taxpayer Impact Analysis

Residential Value	Tax Paid 2022 Rate	2023 NNR	Difference from No-New-Revenue Rate 2023 VAR	De Minimus Rate	Unused Increment	2023 NNR	Difference from No-New-Revenue Rate 2023 VAR	De Minimus Rate	Unused Increment
Average Market - $360,487	$1,363.18	$1,166.68	$94.86	$152.73	$158.45	$1,166.68	$67.77	$125.64	$131.36
Average Taxable - $304,659	$1,152.06	$986.00	$80.17	$129.08	$133.91	$986.00	$57.27	$106.18	$111.01

Residential Value	Tax Paid 2022 Rate	NNR 2023 Tax Difference from 2022	Difference in Tax Paid from Last Year's Tax Rate 2023 VAR	De Minimus Rate	Unused Increment	NNR 2023 Tax Difference from 2022	Difference in Tax Paid from Last Year's Tax Rate 2023 VAR	De Minimus Rate	Unused Increment
Average Market - $360,487	$1,363.18	-$196.50	-$101.64	-$43.77	-$38.05	-$196.50	-$128.73	-$70.86	-$65.14
Average Taxable - $304,659	$1,152.06	-$166.07	-$85.90	-$36.99	-$32.16	-$166.07	-$108.80	-$59.89	-$55.05

City of Rockport
Revised 8/2/23

Fund: 01- General
Consolidated Resources vs Expenditure Summary

			I&S Rate: $.154010				I&S Rate: $.146495			
	FY 23-24 Preliminary 8.1.23	FY 23-24 Preliminary w Sales Tax Increase	FY23-24 No-New Rev w Sales Tax Increase	FY23-24 Voter Approved w Sales Tax Increase	FY23-24 De Minimis w Sales Tax Increase	FY23-24 Unused Increment w Sales Tax Increase	FY23-24 No-New Rev w Sales Tax Increase	FY23-24 Voter Approved w Sales Tax Increase	FY23-24 De Minimis w Sales Tax Increase	FY23-24 Unused Increment w Sales Tax Increase
General Fund Resources										
Property Taxes	$ 4,849,211	$ 4,849,211	$ 4,401,123	$ 5,016,577	$ 5,388,951	$ 5,425,625	$ 4,592,892	$ 5,031,700	$ 5,403,895	$ 5,440,550
Other Taxes	3,787,126	3,887,126	3,887,126	3,887,126	3,887,126	3,887,126	3,887,126	3,887,126	3,887,126	3,887,126
Franchise Fees	1,746,634	1,746,634	1,746,634	1,746,634	1,746,634	1,746,634	1,746,634	1,746,634	1,746,634	1,746,634
Licenses & Permits	548,175	548,175	548,175	548,175	548,175	548,175	548,175	548,175	548,175	548,175
Intergovernmental Revenues	85,500	85,500	85,500	85,500	85,500	85,500	85,500	85,500	85,500	85,500
Fines & Fees	161,600	161,600	161,600	161,600	161,600	161,600	161,600	161,600	161,600	161,600
Interest Revenue	105,000	105,000	105,000	105,000	105,000	105,000	105,000	105,000	105,000	105,000
Charges for Services	50,200	50,200	50,200	50,200	50,200	50,200	50,200	50,200	50,200	50,200
Operating Transfers	1,301,667	1,301,667	1,301,667	1,301,667	1,301,667	1,301,667	1,301,667	1,301,667	1,301,667	1,301,667
Event Revenues	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Other Revenues	82,000	82,000	82,000	82,000	82,000	82,000	82,000	82,000	82,000	82,000
Total Resources	**$ 12,722,113**	**$ 12,822,113**	**$ 12,374,025**	**$ 12,989,479**	**$ 13,361,853**	**$ 13,398,527**	**$ 12,565,794**	**$ 13,004,602**	**$ 13,376,797**	**$ 13,413,452**
General Fund Expenditures										
Personnel	$ 7,314,449	$ 7,314,449	$ 7,314,449	$ 7,314,449	$ 7,314,449	$ 7,314,449	$ 7,314,449	$ 7,314,449	$ 7,314,449	$ 7,314,449
Contracts & Services	2,225,207	2,225,207	2,225,207	2,225,207	2,225,207	2,225,207	2,225,207	2,225,207	2,225,207	2,225,207
Supplies	1,024,895	1,024,895	1,024,895	1,024,895	1,024,895	1,024,895	1,024,895	1,024,895	1,024,895	1,024,895
Travel & Training	231,000	231,000	231,000	231,000	231,000	231,000	231,000	231,000	231,000	231,000
Intergovernmental Transfers	1,763,706	1,763,706	1,763,706	1,763,706	1,763,706	1,763,706	1,763,706	1,763,706	1,763,706	1,763,706
Maintenance	844,592	844,592	844,592	844,592	844,592	844,592	844,592	844,592	844,592	844,592
Capital Outlay/Project	337,150	337,150	337,150	337,150	337,150	337,150	337,150	337,150	337,150	337,150
Operating Transfers	502,880	502,880	502,880	502,880	502,880	502,880	502,880	502,880	502,880	502,880
Total Expenditures	**$ 14,243,879**	**$ 14,243,879**	**$ 14,243,879**	**$ 14,243,879**	**$ 14,243,879**	**$ 14,243,879**	**$ 14,243,879**	**$ 14,243,879**	**$ 14,243,879**	**$ 14,243,879**
Resources Over(Under) Expenditures	**$ (1,521,766)**	**$ (1,421,766)**	**$ (1,869,854)**	**$ (1,254,400)**	**$ (882,026)**	**$ (845,352)**	**$ (1,678,085)**	**$ (1,239,277)**	**$ (867,082)**	**$ (830,427)**
Sales Tax	**$ 3,657,126**	**$ 3,757,126**	**$ 3,757,126**	**$ 3,757,126**	**$ 3,757,126**	**$ 3,757,126**	**$ 3,757,126**	**$ 3,757,126**	**$ 3,757,126**	**$ 3,757,126**
Property Tax Current	**$ 4,776,711**	**$ 4,776,711**	**$ 4,328,623**	**$ 4,944,077**	**$ 5,316,451**	**$ 5,353,125**	**$ 4,520,392**	**$ 4,959,200**	**$ 5,331,395**	**$ 5,368,050**

Ms. Shrauner explained options and stated that three possible that are lower than the current tax rate of $0.378149.

Discussion was held between Council and Ms. Shrauner regarding tax rates.

Council took a Lunch break from 12:41 pm. until 1:06 p.m.

Ms. Shrauner continued her presentation. Ms. Shrauner said she was recommending the “Voter Approved Rate with Unused Increment and that puts the deficit down to $830,427 which would be taken from reserves and puts the tax rate at $0.366078.

Ms. Shrauner stated the Council had not addressed employee merit or cost of living increases for the FY 2023-2024 budget. Ms. Shrauner said she did not think merit or cost of living increases should be made this year, but possibly a one-time payment to each employee based upon performance review. Her suggestion was: $0 – employee put on performance plan; $1000 – average performance and $1,500 – above average performance.

Discussion was held between Council, Ms. Shrauner and Staff regarding employee merit or cost of living increases or one-time payments.

Ms. Shrauner said she will work with staff to make the one-time payments budget neutral.

Discussion was held between Council, Ms. Shrauner and Staff about budget line items: Travel and training – virtual options; Overtime; and Contracted Services – Street Sweeper.

Discussion then continued on the tax rate.

Council Member Hale stated all the rates reduce the current tax rate and the City does not have control over the appraisals, and most are going up.

Council Member Brundrett said he would love to reduce more, but he does not see how that can be done without reducing services.

Discussion was held between Council and Ms. Shrauner regarding the City's reserves. The Council policy has been to maintain a 180-day reserve and we now have 90 days.

It was the consensus of Council to move forward with budget and tax rate ordinances utilizing the $0.366078 tax rate.

Brief discussion was held regarding the Budget adoption timeline.

3. Adjournment.

At 2:24 p.m., Council Member Hale moved to adjourn. Motion was seconded by Council Member Brundrett Motion carried unanimously.

APPROVED:

____
Tim Jayroe, Mayor

ATTEST:

____
Teresa Valdez, City Secretary

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING
6:30 p.m., Tuesday, August 22, 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 at the meeting.

On the 22nd day of August 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 Stephanie Rangel, Ward 1
Council Member Danielle Hale, Ward 2
Council Member Brad Brundrett, Ward 3

CITY COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT
City Manager Vanessa Shrauner
Assistant to City Manager Kimberly Henry
City Secretary Teresa Valdez
City Attorney Art Rodriguez, Jr.
Director of Public Works and Building & Development Services Mike Donoho
Parks & Leisure Services Director Gene Camargo
Information Technology Director Bob Argetsinger
Community Planner Carey Dietrich
Director of Finance Robbie Sorrell
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, August 22, 2023, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

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

3. Proclamation: GSM 100th Anniversary

Mayor Jayroe read a Proclamation congratulating GSM Insurors on their 100th Anniversary. Mayor Jayroe presented the Proclamation to McDavid family members.

4. Citizens to be heard.

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

Mayor Jayroe said Citizen Participation Forms had been received and Council Members will read the comments.

Mayor Pro-Tem Hattman read comments from the following:

1) Rebecca Lichtenberg, 114 Boardwalk Avenue: Protesting unfair implementation of an out of City surcharge on water usage.

2) Larry Gremminger, 32 Southpointe Circle: Recommend you obtain legal consultation before passing the water rate as proposed because it is not allowed by state law without a basis of service cost attributable to a distinct service area.

Council Member Brundrett read comments from the following:

3) Andrew Kane, 2106 Lakeview Drive: The 1.5% of the rate of in City customers for water is an illegal tax and against the state water code law Chapter 13 Section 13.182, 13.184, and 13.189. Table the rate vote tonight or suffer the consequences because you have been warned you are breaking the law and can and most likely will be sued for it seeking all illegal over charges for as many years as the law will allow.

4) Patrick Kane, 1123 E. Cedar Street: I object to the white washing of citizens to be heard comments in the City's minutes; I asked the City Council to end the out-of-town City rate premium.

5) Patrick Kane, 1123 W. Cedar Street: I am opposed to using a rate equal to 1.5 times of the inside City limit customer utility rates for out of City limit utility customers. The rate for all water and wastewater customers should be the same.

Council Member Hale read comments from the following:

6) Tamara Merson-Wren, 36 Southpointe Circle: Object to the proposed 50% rate hike for water for non-City residents; the extra "surcharge" acts as a tax on non-City residents.

7) Matt Maxfield, 10 Southpointe Circle: I urge City leaders to provide equity to County residents in the pricing of water to that of City residents. This inflated pricing for County residents is unlawful and inequitable.

8) Don Duncan, 20 Southpointe Circle: The type of rate separation for utility service being proposed for those that are out of Rockport City limits is illegal in Texas. It is a violation of Texas Water Code Chapter 13, and a violation of Chapter 552 Home Rule Municipality regulations.

Council Member Rangel read comments from the following:

9) Chad Stinson, P.O. Box 2561: It seems everything has increased in cost over the last year, so I can understand the need to increase utility rates, but I question increasing rates for customers outside the City limits more than customers living inside City limits. I do not know all of the details of this issue so I can only trust that the correction action will be taken.

10) Krisha Paul, 41 Lake Shore Circle: I feel like the City of Rockport is violating the law in Texas by charging our neighborhood of Cape Valero a higher price for our water and has been doing so for years.

Mayor Jayroe said he had received three "Appearance Before City Council" cards from citizens attending the meeting tonight:

11) Toby Kernan, 1401 Royal Oaks Trail, Fulton: We are neighbors, and we want to be together, we are friends, and we should amicably be able to solve this. Divide up so everybody gets the same rate.

12) Doug Webb, 130 Lamar Drive: Have promised that I will bring forth a petition which will force the City Council to go back to the previous rule regarding citizen comments at meetings, or call an expensive special election which will pass by a large majority. To avoid this expense and embarrassment, I want to meet with you/committee to discuss a compromise that might limit the number of speakers and time allotted to each citizen for each agenda item.

13) Kristie Rutledge, 1411 Dana Drive: You are not following your Ordinances; tonight there are three items I would like to speak on, and there is not enough time. Utility rate hike – these are unjust. Don't understand your budget-at the Strategic Planning Session on March 8, 2022, you allocated $3.6 million using Unspent Bond Proceeds and ARP for the Wastewater Treatment Plan and now it has disappeared, and I wonder if that has something to do with these rate increases. Fees need to be equitable and charge to new developers.

Consent Agenda

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

5. **Deliberate and act on approval of City Council Regular Meeting Minutes of August 8, 2023.**

6. **Deliberate and act on a Resolution authorizing publication of delinquent taxpayers' names.**

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

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

Regular Agenda

7. **Deliberate and act on possible approval of a first reading of an Ordinance repealing Chapter 66, Article II of the City's Code of Ordinances entitled "Minors; Curfew;" providing for repealing savings and severability clauses; and providing for an effective date.**

City Attorney Art Rodriguez, Jr., addressed the Council and stated the City's Ordinance in Chapter 66, Article II of the City's Code of Ordinances entitled "Minors; Curfew" is by virtue of House Bill 1819 passed in the 2023 regular session of the Texas Legislature repealed or non-enforceable.

Brief discussion was held between Council and Mr. Rodriquez.

MOTION: Council Member Brundrett moved to approve the first reading of an Ordinance repealing Chapter 66, Article II of the City's Code of Ordinances entitled "Minors; Curfew;" providing for repealing savings and severability clauses; and providing for an effective date. Council Member Rangel seconded the motion. Motion carried unanimously.

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

Director of Finance Robbie Sorrell addressed the Council. Mr. Sorrell stated this is the second reading of the Ordinance amending water rates for all customers. Mr. Sorrell said these rates, which are needed to support debt services and capital improvement projects were discussed at the August 1st and 3rd City Council Budget Workshops. Mr. Sorrell reviewed the proposed amended water rates as shown in the Ordinance.

Mayor Pro-Tem Hattman said Council had received questions about the out-of-city rates and she would like an explanation of the Article citizens are talking about. Mayor Pro-Tem asked the City Attorney to address the laws which the citizens are commenting about.

City Attorney Art Rodriguez, Jr. addressed the Council and stated he has been doing work in front of the Texas Commission on Environmental Quality (TCEQ) and the Public Utility Commission (PUC) with respect to rates. Mr. Rodriguez said that the provisions that were directly cited for you within Chapter 13 is related to Subchapter F which relates to utilities that are investor-owned utilities within the State and they are inapplicable to municipal owned utilities. Mr. Rodriguez explained if you read the definition of who they are regulating in those sections, they are specifically for investor-owned utilities because TCEQ and PUC were specifically set up for rate regulation of investor-owned utilities. Mr. Rodriguez stated for a utility that is a municipally owned utility that rate is solely with the governing body, which is City Council, to set rates. Mr. Rodriguez added there is relief that is granted to customers if there is a belief that the rates are not accurately set; there is a procedure, appellate process for people that live outside the cities – not only for city councils but for other types of governmental entities that have utilities. Mr. Rodrigeuz expressed that the statement that 13.184, 13.182 and 13.186 are applicable to the City is incorrect; if you read the law carefully in conjunction with 13.002 of the Water Code, we are specifically exempted from those provisions as a municipality.

Discussion was held between Council and City Manager Shrauner regarding the City's latest rate study conducted by New Gen in March 2022 and updated in August 2022, and the rates proposed for FY 2023-2024.

Council Member Hale stated in reviewing Council conversations held during budget workshops and the last Council meeting, this is not the first time rates are being discussed; we were looking at how to reduce the rates and still be able to do projects. Council Member Hale said if staff recommends and it is legal and within our rights, and if we do want to change, let's take it to another short workshop because any changes made now will have a ripple effect on everything.

Further discussion followed between Council.

MOTION: Mayor Pro-Tem Hattman moved to postpone Agenda Items 8, 9, 10, 11, 12, and 13 to a future meeting. Council Member Rangel seconded the motion. Motion carried 4-1.

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

AGAINST MOTION: Mayor Jayroe.

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

Postponed by motion in Agenda Item 8.

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

Postponed by motion in Agenda Item 8.

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

Postponed by motion in Agenda Item 8.

12. **Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities" Article V "Natural Gas Service" Division 2 "Connections" Section 102-517 Rates for Natural Gas Tap/Meter Installation, by adding additional meter sizes and amending installation/tap/meter fees when a new connection has been made to the City system(s); providing for the validity of said Ordinance; repealing all prior ordinances in conflict therewith, and providing for an effective date.**

Postponed by motion in Agenda Item 8.

13. **Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities" Article II "Water Service" Division2 "Connections" Section 102-41 Rates for Water Taps and Meter Installation; and Article III "Wastewater Service" Division3 "Connection Fees" Section102-246 Schedule of Fees, by amending installation/tap/meter fees when a new connection has been made to the City system(s); providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith, and providing for an effective date.**

Postponed by motion in Agenda Item 8.

14. **Discussion for proposal and possible future action regarding the addition of a school zone to the area around ABC Learning Center and the addition of a four-way stop at the intersection(s) next to the facility.**

City Manager Shrauner stated the requestor is not present at the meeting tonight so this will be put on a future agenda.

15. **City Manager Report:**
    A. Budget process timeline.

City Manager Shrauner distributed a Revised Budget Calendar to Council. Ms. Shrauner asked what day next week the Council would like to have the workshop to discuss utility rates. Ms. Shrauner suggested the Council begin the Workshop at 5:30 p.m. and a Special Meeting following the Workshop.

It was the consensus of Council to schedule a Workshop and Special Meeting for Wednesday, August 30, 2023, beginning at 5:30 p.m.

B. Projects

City Manager Vanessa Shrauner did not have a report on projects.

16. Reports from Council.

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

Council Member Rangel reported she attended the Texas Municipal League Newly Elected Officials Conference in San Antonio last week.

Council Member Hale reported she attended the Planning and Zoning Commission Meeting and they voted to recommend the Council remove Mr. Howard from the Planning and Zoning Commission due to absences. Council Member Hale reported the Planning and Zoning Commission will be adding some training to their meetings.

Council Member Brundrett reported drainage projects are still underway and constituents are happy to see work continuing.

Mayor Pro-Tem Hattman reported she attended the Chamber’s Tourism Development Council meeting. Mayor Pro-Tem Hattman stated there is a new and improved Chamber Governmental Affairs Commission and the first meeting went well.

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:

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: A) Concho Street & General Land Office (GLO) drainage projects; and B) Nguyen litigation.

At 7:41 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: Concho Street & General Land Office (GLO) drainage projects; and B) Nguyen litigation.

Open Session

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

At 8:08 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.

17. Adjournment.

At 8:08 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 OF ROCKPORT

MINUTES

CITY COUNCIL WORKSHOP & SPECIAL MEETING
5:30 p.m., Wednesday, August 30, 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 at the meeting.

On the 30th day of August 2023, the City Council of the City of Rockport, Aransas County, Texas, convened in a Workshop and Special Meeting at 5:30 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 Stephanie Rangel, Ward 1
Council Member Danielle Hale, Ward 2
Council Member Brad Brundrett, Ward 3

CITY COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT
City Manager Vanessa Shrauner
Assistant to City Manager Kimberly Henry
Director of Public Works and Building & Development Services Mike Donoho
Parks & Leisure Services Director Gene Camargo
Information Technology Director Bob Argetsinger
Community Planner Carey Dietrich
Director of Finance Robbie Sorrell
Communications Center Director Lee Brown

ELECTED OFFICIALS PRESENT

Opening Agenda

1. Call Workshop and Special meeting to order.

With a quorum of the Council Members present, the Workshop and Special Meeting of the Rockport City Council was called to order by Mayor Jayroe at 5:31 p.m. on Wednesday, August 30, 2023, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Workshop Agenda

2. Presentation and discussion on utilities rate options.

City Manager Vanessa Shrauner provided an overview of the different utility rate presentations provided during 2022 and the various water rate options she forwarded to the City Council last Thursday, August 24, 2023. The cost of the New Gen rate study in 2022 was about $32,000. Ms. Shrauner also provided a handout and explained the number of days reserve for the utility account.

Mayor Jayroe noted that due to location of our community and our susceptibility to weather emergencies, there is a need for six-months reserves, which has been the practice of Rockport for many years. We need to build our reserves back up to their six-month fund balance and we need to maintain our infrastructure.

Council Member Rangel questioned the comparison of different municipalities' utility rates provided by the City Manager and how those relate to our community. Ms. Shrauner explained how the populations and number of connections were all comparable. Council Member Rangel stated she preferred to reduce the differences between in-city vs. out-of-city residents and increase commercial.

Mayor Pro-Tem Hattman said that previous councils may have put off building fund reserves and CIP projects due to not wanting to increase rates; however, both reserves and Capital Improvement Program (CIP) projects are imperative for the City to thrive and our citizens deserve the beautiful community Rockport is known for.

Council Member Hale agreed that the City needs to invest in its infrastructure and that requires either an increase in rates (tax and utilities) or to take on debt, or a combination of both. There has always been a difference of in-city rates vs. out-of-city rates. The Council and Staff did good work at the August 1st and 3rd Workshops. We can't please everyone and we can't keep putting of the work that needs to be done because the costs just keep going up.

Council Member Rangel questioned why the CIP projects weren't being accomplished. Ms. Shrauner explained that staff cannot spend reserve funds without Council approval. With the reserve funds not being fully in place, there are no excess funds available for staff to complete the CIP projects.

Mayor Jayroe reminded everyone that the reserve balances and the ability to support CIP projects affects the city's bond ratings. Overall, we need to increase the sales tax within our community and not rely so much on *Ad Valorem taxes* . If we increase the commercial utility rates too high, that does not encourage new commercial growth.

There were additional discussions regarding in-city versus out-of-city rates and increasing commercial rates in order to reduce residential rates. Council Member Hale noted that the City Manager provided numerous rate options to Council last week, and they are good options. Now it appears that we are just playing with numbers.

Council took a recess from 6:28 p.m. until 6:41 p.m.

Mayor Pro-Tem Hattman stated that upon recognition of the commercial customer only being about 13% of all of the customers, there is really no way to reasonably increase their rates to make up for a decrease of the residential rates.

Council Member Hale stated she is supportive of the "combo of all" that was presented to Council last week via email. Mayor Jayroe agreed.

Ms. Shrauner moved on to discuss the wastewater rates and suggested either "combo of all" or the rates supported by the March 2022 presentation. A few of the council members supported the "combo of all."

Council took a recess from 7:17 p.m. until 7:29 p.m.

Special Meeting Agenda

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 at 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.

Citizens comments read or speaking during Citizens to be heard were: Patrick Kane of 1123 East Cedar Street, Rockport; Vicki Brignon of 209 Sandollar Crircle, Fulton, Jacob Morgan, 1919 Highway 35 North 665, Rockport; Andrew Kane of 2106 Lakeview Drive, Rockport; Kathy Kane of 109 Boardwalk Avenue, Rockport; and Kristie Rutledge of 1411 Dana Drive, Rockport. Comments included: the setting of reasonable rates for out-of-city utility customers, no surcharge for Fulton residents, quoting items from North Carolina Supreme Court; asking for justification of out-of-city rates or the out-of-city residents will contact the PUC; opposition of out-of-city utility rates; and concerns of capital improvement expenditures.

4. Deliberate and act on second and final reading of an Ordinance repealing Chapter 66, Article II of the City's Code of Ordinances entitled "Minors; Curfew;" providing for repealing savings and severability clauses; and providing for an effective date.

MOTION: Council Member Brundrett moved to approve the second and final reading of an Ordinance repealing Chapter 66, Article II of the City's Code of Ordinances entitled "Minors; Curfew;" providing for repealing savings and severability clauses; and providing for an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

Mayor Jayroe moved items 5 and 6 to later in the meeting.

7. ***Postponed – August 22, 2023:*** **Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article V. "Natural Gas Service", Division 3. "Service Charges" by amending natural gas rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date.**

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

8. ***Postponed – August 22, 2023:*** **Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances, Chapter 82 "Solid Waste" Article II. "Refuse Collection", Section 82.39 "Fee Schedule" setting new fees for service; repealing all prior ordinances in conflict herewith; and providing for publication and an effective date.**

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

9. ***Postponed – August 22, 2023:*** **Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities" Article V "Natural Gas Service" Division 2 "Connections" Section 102-517 Rates for Natural Gas Tap/Meter Installation, by adding additional meter sizes and amending installation/tap/meter fees when a new connection has been made to the City system(s); providing for the validity of said Ordinance; repealing all prior ordinances in conflict therewith, and providing for an effective date.**

MOTION: Council Member Hale moved to approve the second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities" Article V "Natural Gas Service" Division 2 "Connections" Section 102-517 Rates for Natural Gas Tap/Meter Installation, by adding additional meter sizes and amending installation/tap/meter fees when a new connection has been made to the City system(s); providing for the validity of said Ordinance; repealing all prior ordinances in conflict therewith, and providing for an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

10. ***Postponed – August 22, 2023:*** **Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities" Article II "Water Service" Division 2 "Connections" Section 102-41 Rates for Water Taps and Meter Installation; and Article III "Wastewater Service" Division 3 "Connection Fees" Section 102-246 Schedule of Fees, by amending installation/tap/meter fees when a new connection has been made to the City system(s);**

providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith, and providing for an effective date.

MOTION: Council Member Hale moved to approve the second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities" Article II "Water Service" Division 2 "Connections" Section 102-41 Rates for Water Taps and Meter Installation; and Article III "Wastewater Service" Division 3 "Connection Fees" Section 102-246 Schedule of Fees, by amending installation/tap/meter fees when a new connection has been made to the City system(s); providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith, and providing for an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

11. Discussion regarding the FY 23-24 City Budget.

City Manger Shrauner explained that due to the changes that are being made regarding the water and wastewater rates this evening, those items will return to their first reading of their respective ordinances tonight. All of the other ordinances read tonight were the second and final reading. They will be captured in the proposed budget. The water and wastewater rates will have a second reading next week on September 12, 2023. Next weeks agenda will also include the public hearings for the budget and tax rate, as well as the fist reading of the tax rate. The rest of the budget calendar stands as presented.

12. Discussion regarding the certified tax rolls from the appraisal district.

Finance Director Robbie Sorrel noted that we still do not have the certified tax rolls as of the posting of this agenda; however, since that time we have spoken with the Aransas County Appraisal District, and they have electronically certified the rolls and we should be receiving the hard copy later this week. Mr. Soto of the Appraisal District stated that they were able to successfully defend the protest and thereby bring in about another $35,000 to $36,000 maintenance and operation funds.

City Manager Shrauner noted that once the certified tax rolls are received by the City, the staff can update the figures within the proposed budget. This is a tight position due to late tax rolls. We can continue to have scheduled meetings next week and cancel those as needed.

Council Member Hale suggested that we use this time to provide the City Manager with any other suggestions to adjust the budget.

5. *Postponed – August 22, 2023:* Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article II. "Water Service", Division 3. "Service Charges" by amending water rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date.

City Manager Shrauner explained the handout of the Ordinance (attached hereto) includes the "Combo for All" that was just discussed in the workshop portion of this meeting.

Council Member Hale questioned if there is a way to put this on the web so the public can see it as soon as possible.

MOTION: Council Member Hale moved to approve the **first reading** of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article II. "Water Service", Division 3. "Service Charges" by amending water rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date. Mayor Pro-Tem Hattman seconded the motion. Motion carried 4 - 1:

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

AGAINST MOTION: Council Member Rangel

6. ***Postponed – August 22, 2023:*** **Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article III. "Wastewater Service", Division 4. "Service Charges" by amending wastewater rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date.**

City Manager Shrauner explained the handout of the Ordinance (attached hereto) includes the "Combo for All" that was just discussed in the workshop portion of this meeting.

MOTION: Mayor Pro-Tem Hattman moved to approve the **first reading** of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article III. "Wastewater Service", Division 4. "Service Charges" by amending wastewater rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date. Council Member Hale seconded the motion. Motion carried 4 – 1:

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

AGAINST MOTION: Council Member Rangel

13. Adjournment.

At 8:00 p.m., Mayor Pro-Tem Hattman moved to adjourn. Motion was seconded by Council Member Brundrett. Motion carried unanimously.

APPROVED:

____
Tim Jayroe, Mayor

ATTEST:

____
Teresa Valdez, City Secretary

ORDINANCE NO. 1909

AN ORDINANCE AMENDING THE CITY OF ROCKPORT CODE OF ORDINANCES CHAPTER 102 "UTILITIES," ARTICLE II. "WATER SERVICE," DIVISION 3. "SERVICE CHARGES" BY AMENDING WATER RATES FOR ALL CUSTOMERS; PROVIDING FOR THE VALIDITY OF SAID ORDINANCE; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. AMENDMENT

That Chapter 102 "Utilities," Article II. "Water Service," Division 3 "Service Charges" is hereby amended to wit:

Sec. 102-56. - Water rates inside city limits.

(a) There shall be charged and collected by the city from all residential customers of water supplied by the city inside its city limits, as now or hereafter established, the amount of money based upon the size of the customers tap and the customers usage (in gallons of water), as set forth in the following schedule of rates and charges:

(1) For the first 1,500 gallons, or fractional part thereof, used in any one regular billing cycle by any one user, the following sum per cycle:

Tap Size (In Inches)	MINIMUM CHARGES	NEW CHARGES
¾	~~$21.74~~	$22.52
1	~~$26.26~~	$27.21
1½	~~$48.64~~	$50.39
2	~~$75.52~~	$78.24
3	~~$147.21~~	$152.51
4	~~$227.87~~	$236.07
6	~~$227.87~~	$236.07

(2) If applicable, for all additional gallons used over 1,501 to 10,000, the sum of ~~$5.83~~ $6.04 per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

(3) Conservation billing. If applicable for all gallons used over 10,001 to 15,000, the sum of ~~$6.83~~ $7.08 each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(4) Conservation billing. If applicable for all gallons used over 15,001 and up, the sum of ~~$7.76~~ $8.04 for each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(b) There shall be charged and collected by the city from all commercial customers of water supplied by the city inside its city limits, as now or hereafter established, the amount of money based upon the size of the customers tap and the customer's usage (in gallons of water), as set forth in the following schedule of rates and charges, used in any one regular billing cycle by any one user, the following sum per cycle.

(1) For the first 1,500 gallons, or fractional part thereof, used in any one regular billing cycle by

any one user, the following sum per cycle:

Tap Size (In Inches)	MINIMUM CHARGES	NEW CHARGES
¾	~~$21.74~~	$23.91
1	~~$26.26~~	$28.89
1½	~~$48.64~~	$53.50
2	~~$75.52~~	$83.07
3	~~$147.21~~	$161.93
4	~~$227.87~~	$250.66
6	~~$227.87~~	$250.66

(2) If applicable, for all additional gallons used over 1,501 to 10,000, the sum of ~~$5.83~~ $6.41 per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

(3) Conservation billing. If applicable for all gallons used over 10,001 to 15,000, the sum of ~~$6.83~~ $7.51 each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(4) Conservation billing. If applicable for all gallons used over 15,001 and up, the sum of ~~$7.76~~ $8.54 for each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

Sec. 102-57. - Wholesale water rates.
There shall be charged and collected by the city from all contracted resale customers, the sum of ~~$6.30~~ $6.93 per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

Sec. 102-58. - Water rates outside city limits.
(a) There shall be charged and collected by the city from all customers of water supplied by the city outside its city limits, including customers residing within the Town of Fulton city limits, the amount of money based upon the size of the customer's tap and the customer's usage (in gallons of water), as set forth in the following schedule of rates and charges:

(1) For the first 1,500 gallons, or fractional part thereof, used in any one regular billing cycle by any one user, the following sum per cycle:

Tap Size (In Inches)	MINIMUM CHARGES	NEW CHARGES
¾	~~$29.95~~	$33.06
1	~~$36.21~~	$39.84
1½	~~$67.62~~	$73.41
2	~~$104.68~~	$113.73
3	~~$204.36~~	$221.27
4	~~$316.45~~	$342.26
6	~~$316.45~~	$342.26

(2) If applicable, for all additional gallons used over 1,501 to 10,000 gallons, the sum of ~~$8.16~~ $9.05 per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

(3) Conservation billing. If applicable, for all gallons used over 10,001 to 15,000 the sum of ~~$9.59~~ $10.55 per 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(4) Conservation billing. If applicable for all gallons used over 15,001 and up, the sum of ~~$10.90~~ $11.94 for each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(b) There shall be charged and collected by the city, for all commercial customers of water supplied by the city outside its city limits, as now or hereafter established, the amount of money based upon the size of the customers tap and the customer's usage (in gallons of water), as set forth in the following schedule of rates and charges, used in any one regular billing cycle by any one user, the following sum per cycle:

(1) For the first 1,500 gallons, or fractional part thereof, used in any one regular billing cycle by any one user, the following sum per cycle:

Tap Size (In Inches)	MINIMUM CHARGES	NEW CHARGES
¾	~~$29.95~~	$33.06
1	~~$36.21~~	$39.84
1½	~~$67.62~~	$73.41
2	~~$104.68~~	$113.73
3	~~$204.36~~	$221.27
4	~~$316.45~~	$342.26
6	~~$316.45~~	$342.26

(2) If applicable, for all additional gallons used over 1,501 to 10,000 gallons, the sum of ~~$8.16~~ $9.05 per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

(3) Conservation billing. If applicable, for all gallons used over 10,001 to 15,000 the sum of ~~$9.59~~ $10.55 per 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(4) Conservation billing. If applicable for all gallons used over 15,001 and up, the sum of ~~$10.90~~ $11.94 for each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

Secs. 102-59—102-70. - Reserved.

SECTION 2. REPEALER.

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

SECTION 3. 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 4. 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. Rates will become effective on September 15, 2023 and reflected on the November 1, 2023 billing.

APPROVED on first reading the 30th day of August 2023.

CITY OF ROCKPORT, TEXAS

Tim Jayroe, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED, PASSED and **ADOPTED** on second and final reading the 5th day of September 2023.

CITY OF ROCKPORT, TEXAS

Tim Jayroe, Mayor

ATTEST:

Teresa Valdez, City Secretary

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY OF ROCKPORT CODE OF ORDINANCES CHAPTER 102 "UTILITIES", ARTICLE III. "WASTEWATER SERVICE", DIVISION 4. "SERVICE CHARGES" BY AMENDING WASTEWATER RATES FOR ALL CUSTOMERS; PROVIDING FOR THE VALIDITY OF SAID ORDINANCE; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. AMENDMENT

That Chapter 102 "Utilities", Article II. "Wastewater Service", Division 4 "Service Charges" is hereby amended to wit:

Sec. 102-266. Wastewater rates inside city limits.

a) *Residential/single-family.* There shall be charged and collected by the city from all residential/single-family customers connected to wastewater utility system inside its city limits, as now or hereafter established, the amount of money based upon the customer's water tap and the customer's usage (in gallons of water, as set forth in the following schedule of rates and charges:

1. For the first 0 to 1,500 gallons, or fractional part thereof, used in any one billing calendar month by any one user, the following sum per month:

TABLE INSET:

Wastewater Tap Size (Inches)	Minimum Charge	New Rate
3/4	~~23.06~~	**$25.79**
1 or larger	~~26.27~~	**$29.42**

2. For all additional gallons used over 1,500 gallons the sum of $~~4.28~~ **$4.79** for each 1,000 gallons up to 5,000 gallons or fractional part thereof, used in any one billing cycle.
3. For all additional gallons used over 5,000 gallons the sum of $~~5.02~~ **$5.62** for each 1,000 gallons up to 15,000 gallons or fractional part thereof, used in any one calendar month.

b) *Nonresidential/non-single-family.* There shall be charged and collected by the city from all nonresidential/non-single-family customers connected to wastewater utility system inside its city limits, as now or hereafter established, the amount of money based upon the customer's water tap and the customer's water usage (in gallons of water), as set forth in the following schedule or rates and charges:

1. For the first 1,500 gallons, or fractional part thereof, used in any one billing calendar month by any one user, the following sum per month, to wit:

TABLE INSET:

Water Tap Size (Inches)	Minimum Charge	New Charges
3/4	~~$23.34~~	$29.64
1	~~$29.16~~	$37.03
1 -1/2	~~$35.01~~	$44.46
2	~~$46.68~~	$59.28
3	~~$93.36~~	$118.57
4 and larger	~~$145.87~~	$185.25

2. For all additional gallons used over 1,500 the sum of ~~$4.28~~ $5.44 for each 1,000 gallons up to 5,000 or fractional part thereof.
3. For all additional gallons used over 5,000 the sum of ~~$5.02~~ $6.38 for each 1,000 gallons or fractional part thereof.

Sec. 102-267. Wastewater rates outside city limits.

a) *Residential/single-family.* There shall be charged and collected by the city form all residential/single-family customers connected to wastewater utility system outside its city limits, as now or hereafter established, the amount of money based upon the customer's water tap and the customer's water usage (in gallons of water), set forth in the following schedule of rates and charges:

1. For the first 0 to 1,500 gallons, or fractional part thereof, used in any one billing calendar month by any one user the following sum per month:

TABLE INSET:

Water Tap Size (Inches)	Minimum Charge	New Charges
3/4	~~$32.70~~	$36.62
1 or larger	~~$40.84~~	$45.74

2. For all additional gallons used over 1,500 gallons the sum of ~~$5.97~~ $6.69 for each 1,000 gallons up to 5,000 gallons or fractional part thereof, used in any one billing cycle.
3. For all additional gallons used over 5,000 gallons the sum of ~~$7.05~~ $7.90 for each 1,000 gallons up to 15,000 gallons or fractional part thereof, used in any one calendar month.

b) *Nonresidential/non-single-family.* There shall be charged and collected by the city from all nonresidential/non-single-family customers connected to wastewater utility system outside its city limits, as now or hereafter established, the amount of money based upon the customer's water tap and the customer's water usage (in gallons of water), as set forth in the following schedule of rates and charges:

1. For the first 0 to 1,500 gallons, or fractional part thereof, used in any one billing calendar month by any one user, the following sum per month:

TABLE INSET:

Water Tap Size (Inches)	Minimum Charge	New Charges
3/4	~~$32.69~~	**$41.52**
1	~~$40.84~~	**$51.87**
1 1/2	~~$49.03~~	**$62.27**
2	~~$65.35~~	**$82.99**
3	~~$130.70~~	**$165.99**
4 or larger	~~$204.22~~	**$259.36**

2. For all additional gallons used over 1,500 the sum of ~~$5.95~~ **$7.56** for each 1,000 gallons up to 5,000 or fractional part thereof.
3. For all additional gallons used over 5,000 the sum of ~~$7.05~~ **$8.95** for each 1,000 gallons or fractional part thereof.

Sec. 102-268. Contracted wastewater rates.

Wastewater rates charged to contracted wastewater customers shall not be affected by this division.

Sec. 102-269. Rates if not on city water.

Any person using the city wastewater utility system, and not connected full-time to its municipal water system shall pay the following monthly charges:

TABLE INSET:

Account Type	Inside the City Limits	NEW – Inside City Limits	Outside the City Limits	NEW – Outside City Limits
Residential/Single-family	~~$41.41~~	**$46.38**	~~$55.89~~	**$70.98**
Nonresidential/non-single family	~~$47.13~~	**$52.79**	~~$63.58~~	**$80.75**
Commercial operations (car washes/laundry), minimum*	~~$205.23~~	**$229.86**	~~$272.96~~	**$346.66**

*Rate will be determined by the director of public works or his designee by comparing like services to other nonresidential users.

Secs. 102-270--102-290 Reserved for future use.

SECTION 2. REPEALER.

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

SECTION 3. 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 4. 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. Rates would become effective on September 15, 2023 and reflected on the November 1, 2023 billing.

APPROVED on first reading the 30^{th} day of August 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 September 2023.

CITY OF ROCKPORT, TEXAS

____
Tim Jayroe, Mayor

ATTEST:

____
Teresa Valdez, City Secretary

CITY OF ROCKPORT

MINUTES

CITY COUNCIL SPECIAL MEETING
6:30 p.m., Tuesday, September 5, 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 at the meeting.

On the 5th day of September 2023, the City Council of the City of Rockport, Aransas County, Texas, convened in a Special 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 Stephanie Rangel, Ward 1
Council Member Danielle Hale, Ward 2
Council Member Brad Brundrett, Ward 3

CITY COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT

City Manager Vanessa Shrauner
Assistant to City Manager Kimberly Henry
City Secretary Teresa Valdez
Director of Public Works and Building & Development Services Mike Donoho
Parks & Leisure Services Director Gene Camargo
Information Technology Director Bob Argetsinger
Chief of Police Greg Stevens
Community Planner Carey Dietrich
Director of Finance Robbie Sorrell
Communications Center Director Lee Brown

ELECTED OFFICIALS PRESENT

Opening Agenda

1. Call meeting to order.

With a quorum of the Council Members present, the Special Meeting of the Rockport City Council was called to order by Mayor Jayroe at 6:30 p.m. on Tuesday, September 5, 2023, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Mayor Jayroe led the Pledge of Allegiance to the U.S. flag.

Mayor Jayroe stated since the Agenda items are all related, he will allow citizens to speak when each Agenda item is addressed by Council.

2. 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 at the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited, disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

There were no citizens' comments regarding items that were not on the agenda.

Public Hearings

Mayor Jayroe opened the Public Hearings at 6:32p.m.

3. Conduct a public hearing on City of Rockport Fiscal Year 2023-2024 budget.

Council Member Brundrett read comments received from:

> Patrick Kane, 1123 East Cedar Street: Opposed to the City's proposed budget; City should be able to do better than maintain status quo if it is bringing in 12.91% more revenue from property taxes.

Kristie Rutledge, 1411 Dana Drive, addressed the Council and commented: Really concerned about lack of transparency – Capital Improvement Plan, previous monies allocated for certain projects and replaced with other projects, and why was Rockport Country Club sediment removal defunded. Would like to see what the Capital Improvement Plan for the General Fund and Utilities is and not see a vote by Council.

4. Conduct a public hearing for City of Rockport 2023 Property Tax Rate for taxpayers to have an opportunity to express their views on the tax rate; the City of Rockport will adopt the budget and tax rate for Fiscal Year 2023-2024 on September 12, 2023, at 6:30 p.m. at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Council Member Brundrett read comments received from:

> Patrick Kane, 1123 East Cedar Street: Opposed to the tax increase proposed by the City, which the state-mandated disclosure shows as a 16.33% increase in taxes on the average homestead.

Robin Wright, 1510 Bluebird Lane: Opposed to the property tax increase. Reject this increase.

Council Member Hale read comments received from:

Nancy Bolting, 201 Spanish Woods Drive: My husband and I support the new budget with the exceptions to the residential and commercial water rate increase .

Kristie Rutledge, 1411 Dana Drive, addressed the Council and commented: Opposed to the 16.3% tax increase; no justification for increasing any expenses this year. Not right to unnecessarily tax us.

Katy Jackson, 2205 Monkey Road, addressed the Council and commented: People speaking in opposition are jumping to conclusions and I having sat in the seat of Council Member know monies have to be budgeted and what is not spent goes into reserves and that is what kept the City from having to take out massive loans after Hurricane Harvey. Council's policy has been to have a 180-day reserve. Do demand that Council wisely spend money and hope that you do not lower the proposed rate, City needs the money.

Mayor Jayroe closed the Public Hearings at 6:46 p.m.

Regular Agenda

5. Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article II. "Water Service", Division 3. "Service Charges" by amending water rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date. If substantial changes to the proposed Ordinance are made, this will serve as the first reading of said Ordinance.

Kristie Rutledge, 1411 Dana Drive, addressed the Council and commented: Opposed to water rate increases; not supported by Capital Improvement Plan; passing off tax increase to Fulton and Aransas County residents because you are limited by the tax increase that you can adopt. Utility customers are paying premiums for new development.

Kathy Kane, 109 Boardwalk, addressed the Council and commented: Opposed to charges for out-of-city customers; these are not justified; peddling lower rates for in-city customers for votes.

Katy Jackson, 2205 Monkey Road, addressed the Council and commented: Provided definitions of "tax" and "fee" and stated as usual it comes down to definitions; water is a service therefore it is a fee and not a tax. Anybody within or outside the City can choose not to use City water; so instead of paying $10 more a month, go ahead and spend $50,000 to drill a well. Those rates pay for the time on utilities for the City Manager, Finance Director, Assistant to the City Manager, City Secretary; utilities do not pay for Human Resources or Public Communications functions which are necessary.

Council Member Brundrett read comments received from:

Patrick Kane, 1123 East Cedar Street: Opposed to the surcharge for out-of-city utility customers as it is unjust and not supported with any data.

Mayor Pro-Tem Hattman commented that the Human Resources is being paid out of the General Fund to fund utilities activities which is from *Ad Valorem* taxes which comes from City residents. When we look at raising the rates for outside City customers who are not paying the *Ad Valorem* taxes, they are getting the same services that City customers are receiving, but only paying the one fee. It is comparable because City customers pay two fees.

MOTION: Mayor Pro-Tem Hattman moved to approve the second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article II. "Water Service", Division 3. "Service Charges" by amending water rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date. Council Member Hale seconded the motion. Motion carried 4 - 1:

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

6. Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article III. "Wastewater Service", Division 4. "Service Charges" by amending wastewater rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date. If substantial changes to the proposed ordinance are made, this will serve as the first reading of said Ordinance.

Council Member Brundrett comments received from:

Patrick Kane, 1123 East Cedar Street: Opposed to the surcharge for out-of-city wastewater customers as it is unjust and not supported with any data.

Kristie Rutledge, 1411 Dana Drive, addressed the Council and commented: Utility rate increases are not justified by any projects that have been presented to the public; you have $336,000 projected for 2022-2023 for all utility capital improvements projects but there was $5.8 million budgeted; you have no idea what you are doing next year but you budgeted $4.9 million. To say that these rate increases are necessary to support your capital improvement plan are just wrong – it's just a lie. Why are you charging utility customers a franchise fee for a utility that the City owns. You are taking money from utility accounts, but you have no projects to support rate increases. Would like transparency with the public.

MOTION: Council Member Brundrett moved to approve the second & final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article III. "Wastewater Service", Division 4. "Service Charges" by amending wastewater rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date. Council Member Hale seconded the motion. Motion carried 4 - 1:

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

AGAINST MOTION: Council Member Rangel.

7. Deliberate and act on first reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2023 taxable property as submitted by the Appraisal District; levying a tax rate for $100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2023 of $0.213583 for the purposes of Maintenance and Operation, $0.146495 for the payment of Principal and Interest on debt of the City, and that the property tax rate be increased by the adoption of a tax rate of $0.360078 which is effectively a 11.26% increase in the tax rate; providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict herewith; and providing an effective date. This tax rate will raise more taxes for maintenance and operations than last year's tax rate. The tax rate will effectively be raised by 12.82% and will raise taxes for maintenance and operations on a $100,000 home by approximately (negative) $-6.93.

Director of Finance Robbie Sorrell stated this is the first reading of the Ordinance used to support the Fiscal Year 2023-2024 Budget, which is approaching $56 million.

Mayor Pro-Tem Hattman stated there were some citizen questions and she wants to make sure they are addressed so let's talk about the ARPA funds for the wastewater treatment plant improvements and that funds have not been taken away from that project.

City Manager Vanessa Shrauner stated the bid for the improvements was advertised last week and should be bid tomorrow and then construction will start. Ms. Shrauner said ARPA funds and unused Bond funds will be used and nothing has changed; the information you received from a citizen is incorrect.

Council Member Brundrett stated that nothing has been unfunded, but it is not in the Capital Improvement Plan (CIP) as funded.

Ms. Shrauner replied that the CIP and the unused bond funds are different items and those funds have now been isolated and are being spent on projects approved by Council. Ms. Shrauner explained that the CIP is what will be funded through debt or utility rates.

Mayor Pro-Tem Hattman stated that even through utility rates right now we are not able to fund any of those projects because we are still running in the hole, even with the rate increases. Mayor Pro-Tem Hattman said that right now we are just trying to play catch-up.

Ms. Shrauner stated that was correct, and even with the rate increases, there will not be enough revenue raised to fund the Capital Improvement Plan. Ms. Shrauner said right now you will still be taking out of the reserves to fund the utilities.

Mayor Pro-Tem Hattman asked what the reserves are right now for the utility fund and the general fund.

Ms. Shrauner answered that projected at the end of this coming Fiscal Year our utility fund will have gone down from 163 days of working balance to 90 days; $7.2 million down to $5.4 million.

Mayor Pro-Tem Hattman expressed that it means we are not building our reserves, we are lowering our reserves. Mayor Pro-Tem stated the CIP projects we are talking about, we can't even do them as of right now.

Ms. Shrauner said you would have to raise the rates enough to generate $1 million in excess revenue above our fees in order to pay the debt service on the proposed bond. Ms. Shrauner stated if we choose to pay as we go, we would need to raise $1.5 million. Ms. Shrauner explained we were not able to do any projects last year, so we are behind on that.

Mayor Pro-Tem Hattman reiterated that the money we are spending on utilities is for expenditures alone and not for any extra projects.

Mayor Pro-Tem Hattman said that another thing that was brought up was the Rockport Country Club. Mayor Pro-Tem Hattman stated $900,000 of unspent bond money was used to clean out sediments and we utilized those funds appropriately. Mayor Pro-Tem declared she wanted to make sure and clarify that and the money was not redirected to any other project, as stated earlier in a citizen comment.

Mayor Jayroe stated the City has about $3 million in work about to be done on the Wastewater Treatment Plant.

Ms. Shrauner stated we have not done the unspent bond projects as quickly as we would have liked because we have spent some time isolating the money to ensure it was there. Ms. Shrauner said that every project on the unspent bond funds will either be started or completed in this upcoming year.

Mayor Pro-Tem Hattman stated the City Council did have a 2-day budget workshop where we went line-by-line and we took the time to make sure we were not spending any more than we needed to. Mayor Pro-Tem Hattman said there was one thing the Council did not like to see and that was having money left over for drainage maintenance and the Council wants to make sure that is being spent.

Ms. Shrauner stated that any money allocated for maintenance will be spent.

Mayor Jayroe expressed it was absolutely necessary that we maintain our infrastructure, and we are doing everything we can with this budget.

Council Member Hale appreciated Mayor Pro-Tem Hattman comments and clarifying some of the inaccuracies that were provided during the Public Hearings. Council Member Hale added it was exceptionally clear in the workshops of what the Council's expectations are in regards to staff taking care of the unspent maintenance funds.

Council Member Brundrett commented he appreciated the fact that staff pumped the brakes a little and went through the unspent bond funds and we are going to work through it correctly and correct some of the wrongs that were found.

Mayor Pro-Tem Hattman asked Ms. Shrauner to explain the $1 million in water meters.

Ms. Shrauner explained there is a back order and back-log on orders for the type of water meters and end points that we need. Ms. Shrauner said we put in $1 million to buy them because we have to order and purchase, and we don't know when we will receive them and be billed. Ms. Shrauner expressed that is a revenue neutral item; we have $1 million budgeted, but we will receive that back when the meters are purchased – we don't give meters away for free. Ms. Shrauner explained we only put in 50% revenue because we think that is all we think we can sell but we feel like we need to get ahead on the ordering, and even if we only receive 50% revenue this year, we will receive it in the next year. Ms. Shrauner stated that is a revenue neutral item.

MOTION: Mayor Pro-Tem Hattman moved to approve the first reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2023 taxable property as submitted by the Appraisal District; levying a tax rate for $100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2023 of $0.213583 for the purposes of Maintenance and Operation, $0.146495 for the payment of Principal and Interest on debt of the City, and that the property tax rate be increased by the adoption of a tax rate of $0.360078 which is effectively a 11.26% increase in the tax rate; providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict herewith; and providing an effective date. This tax rate will raise more taxes for maintenance and operations than last year's tax rate. Council Member Brundrett seconded the motion. Mayor Jayroe conducted the roll call vote:

FOR MOTION: Council Member Rangel, Council Member Hale, Council Member Brundrett, Mayor Pro-Tem Hatman, and Mayor Jayroe.

AGAINST MOTION: None

Motion carried unanimously.

8. Adjournment.

At 7:16 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, September 12, 2023

AGENDA ITEM: 5

Deliberate and act on approval of 2023-2043 Property Tax Assessment/Collection Agreement with Aransas County.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

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

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

The table below shows the costs for previous years and the proposed cost for Fiscal Year 2023-2024.

Tax Year	Amount
2011-2012	$10,014.47
2012-2013	$10,204.98
2013-2014	$10,870.78
2014-2015	$10,387.34
2015-2016	$10,529.44
2016-2017	$12,182.94
2017-2018	$12,881.11
2018-2019	$13,630.04
2019-2020	$15,727.19
2020-2021	$18,651.08
2021-2022	$20,109.65
2022-2023	$19,709.49
2023-2024	$20,602.82

Please see the accompanying agreement for more information.

FISCAL ANALYSIS: Total amount $20,602.82 is to be paid in monthly payments beginning with $1,716.91 due by October 1, 2023, and $1,716.91 due by the first of each month thereafter, except for the last payment of $1,716.81 due by September 1, 2024.

RECOMMENDATION: Staff recommends Council approve the 2023-2024 Property Tax Assessment/Collection Agreement with Aransas County, as presented.

COST OF COLLECTING 2023 TAXES
FROM SEPTEMBER 1, 2023
THROUGH AUGUST, 31, 2024

	TOTAL TAX COLLECTION 2023/2024	COUNTY COLLECTION ONLY	THIS YEAR CHARGE TO OTHER ENTITIES	LAST YEAR CHARGE TO ENTITIES
SUPPLIES:				
TAX RATE SOFTWARE	700	200	500	
CHECKS	1200	360	840	
ENVELOPES	900	260	640	
GENERAL OFFICE SUPPLIES	2000	580	1420	1650
TOTAL COST OF SUPPLIES	**4,800.00**	**1,400.00**	**3,400.00**	1,650.00
OTHER CHARGES:				
POSTAGE	12,000.00	9,000.00	**3,000.00**	3,000.00
TELEPHONE FOR COMPUTER	1,900.00	1,250.00	**650.00**	650.00
BOND PREMIUMS	185.00	135.00	**50.00**	50.00
DATA PROCESSING	31,700.00	23,079.50	**8,620.50**	8,694.00
RENTAL OF EQUIPMENT	-	-	**-**	-
MISC REPAIR & MAINTENANCE	1,000.00	337.00	**663.00**	330.00
ADVERTISING & LEGALS	1,000.00	1,000.00	**-**	-
CONFERENCES/SCHOOLS	6,225.00	4,000.00	**2,225.00**	1,867.00
MISCELLANEOUS SUPPLIES			**-**	-
BANK CHARGES			**-**	-
RECORDS MANAGEMENT			**-**	-
TOTAL COST OF CHARGES:	**54,010.00**	**38,801.50**	**15,208.50**	**14,598.00**
PERSONNEL & BENEFITS:				
SALARY (TAX A/C)	45,864.50	45,864.50	**-**	-
SALARIES (ALL DEPUTIES)	226,060.76	113,030.38	**113,030.38**	106,105.75
TRAVEL (A/C & CHIEF DEPUTY)	1,600.00	1,000.00	**600.00**	600.00
TOTAL COST OF PERSONNEL:	**273,525.26**	**159,894.88**	**113,630.38**	**106,705.75**
TOTAL COST OF COLLECTION	**332,335.26**	**200,096.38**	**132,238.88**	**122,953.75**

PRO-RATA SHARE:	**Apr-23**	**ESTIMATED SHARE BASED ON % OF 2022 LEVY TOTALS**		
ARANSAS COUNTY	**30285**			
COUNTY ROAD & FLOOD	**30285**			
ARANSAS CO NAVIGATION	**30284**	**3.65**	**$ 4,826.72**	**$5,569.80**
ROCKPORT-FULTON ISD	**27021**	**79.02**	**$ 104,495.16**	**$95,645.72**
CITY OF ROCKPORT	**10126**	**15.58**	**$ 20,602.82**	**$19,709.49**
TOWN OF FULTON	**1882**	**1.45**	**$ 1,917.46**	**$1,586.10**
ARANSAS CO MUD #1	**416**	**0.30**	**$ 396.72**	**$442.63**
		100.00	**$ 132,238.88**	**$122,953.75**

INTERLOCAL COOPERATION AGREEMENT FOR TAX ASSESSMENT AND COLLECTION OF PROPERTY TAX IN 2023-2024 BETWEEN COUNTY OF ARANSAS, TEXAS, AND THE CITY OF ROCKPORT, TEXAS

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

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

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

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

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

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

1. Purpose. The purpose of this Agreement is for the Parties to establish the terms and conditions under which COUNTY will provide tax assessment and collection services for CITY. For the purposes of this Agreement, the terms "assessment" and "collection" shall mean all steps necessary to effect such functions including, but not limited to the calculation of tax, preparation of current and delinquent tax rolls, pro-ration of taxes, correction of clerical errors in tax rolls, collection of current liabilities, collection of delinquent taxes; and calculation of an effective tax rate required by §26.04 of the Texas Property Tax Code.

2. Term. This AGREEMENT by and between COUNTY and CITY shall be in effect from September 1, 2023 through August 31, 2024.

3. Notice of Termination of Agreement for Next Fiscal Year. Should CITY elect not to continue with an Assessment and Collection Agreement with COUNTY for the following fiscal year beginning September 1, 2024, CITY agrees to provide four (4) months' written notice to COUNTY, prior to the end of this Agreement, so as to prevent expenditures for the upcoming fiscal year.

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

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

6. Compensation to COUNTY. CITY shall reimburse COUNTY for the actual cost of providing services under this Agreement from CITY'S current revenues for the fiscal year beginning September 1, 2023 and ending August 31, 2024. Because actual costs cannot be determined at this time, CITY shall pay COUNTY **Twenty Thousand Six Hundred Two Dollars and Eighty-Two Cents ($20,602.82)** as an operating budget for the described fiscal year, as follows:

OPERATING BUDGET PAYMENT SCHEDULE
to be paid out as follows:

Date	Payment Amount	Date	Payment Amount
10-1-2023	$1,716.91	4-1-2024	$1,716.91
11-1-2023	$1,716.91	5-1-2024	$1,716.91
12-1-2023	$1,716.91	6-1-2024	$1,716.91
1-1-2024	$1,716.91	7-1-2024	$1,716.91
2-1-2024	$1,716.91	8-1-2024	$1,716.91
3-1-2024	$1,716.91	9-1-2024	$1,716.81

7. Duties of the COUNTY TAX ASSESSOR-COLLECTOR:

a. *Tax Statements*. COUNTY TAX ASSESSOR-COLLECTOR shall prepare and mail all tax statements, provide necessary collection reports to CITY, prepare tax certificates, develop and maintain both current and delinquent tax rolls and such other records and forms as are necessary or required by law or State rules and regulations.

b. *Monthly Reports to CITY.* COUNTY TAX ASSESSOR-COLLECTOR will submit a monthly status report to CITY, in the format preferred by its governing body, at least eight (8) days prior to a regular meeting of its governing body (such schedule to be provided by CITY).

c. *Information shall be Available.* COUNTY TAX ASSESSOR-COLLECTOR undertakes and agrees to make available to CITY full information about the tax collection operation of COUNTY, and to promptly furnish written reports reasonably necessary to keep CITY advised of all relevant financial information affecting it.

d. *Collection of Delinquent Taxes*. COUNTY may contract with legal counsel for the collection of delinquent taxes.

e. *Bond*. COUNTY TAX ASSESSOR-COLLECTOR will agree to sign a bond, conditional on faithful performance of duties, payable to CITY. Said bond will be ordered by, approved by, and paid by CITY in an amount determined by CITY, as stated in Texas Property Tax Code 6.29(b).

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

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

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

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

g. *Refunds due to Property Tax Code*. Refunds resulting from corrections to the appraisal rolls, pursuant to §26.15 of the Property Tax Code, such as homestead exemptions, over 65 exemptions, disabled exemptions, clerical errors and court-ordered value changes, shall not be submitted for approval to CITY. COUNTY TAX ASSESSOR-COLLECTOR shall refund the property owner the difference between the tax paid and the tax legally due. All refunds will be held from CITY'S deposits, and an itemized list of all refunds, with pertinent data, will be submitted with the deposit record.

h. *Reviewing of Refund Requests; Processing Refunds over $2,500.00*. Pursuant to §31.11 of the Property Tax Code, refund requests will be submitted to the Aransas County Auditor to determine if payment was excessive or erroneous. If County Auditor determines payment was excessive or erroneous, COUNTY TAX ASSESSOR-COLLECTOR shall refund the amount of the overpayment or erroneous payment from available current tax collections. However, if the total of refund amount exceeds $2,500.00, COUNTY TAX ASSESSOR-COLLECTOR shall submit a refund request to the Aransas County Commissioner's Court for their determination of an excessive or erroneous payment and approval prior to processing refund.

i. *COUNTY ASSESSOR-COLLECTOR'S Records will be Available to CITY*. Upon receipt of at least forty-eight (48) hours of written notice, the COUNTY agrees to allow CITY access to tax records related to CITY in its possession. COUNTY is not responsible for paying for any expenses associated with CITY'S efforts to audit, duplicate, archive, or store records.

8. Duties of CITY:

a. *Collection of Delinquent Taxes*. CITY hereby agrees and expressly authorizes COUNTY to contract with private legal counsel for the collection of delinquent taxes, and COUNTY agrees to review proposed counsel with CITY before such contract is let. CITY further agrees that such fee, as is allowed by law and provided in the contract with private legal counsel, will be paid from delinquent tax collections for CITY.

b. *Operating Budget Payments*. CITY shall remit operating budget payments to COUNTY as described above.

c. *Actual Cost Payments*. In the event that the actual costs of the services exceed the operating budget payments, CITY will remit the additional payment within thirty (30) days of receiving an invoice from COUNTY, provided that such invoice is due to cost overruns.

d. *Additional Costs due to Changes*. CITY is responsible for payment of the actual costs of any necessary re-mailing of tax notices when such re-mailing is necessary because of changes made by CITY in its tax rate or allowable discount provisions.

e. *Additional Costs Due to Rollbacks or Other Modifications.* CITY agrees to pay the cost of reprocessing and mailing tax notices if CITY suffers a rollback or other modification of its tax rate as provided in Section 26.08 of Texas Property Tax Code, or any other necessary modifications, resulting from law changes made by the Texas Legislature.

f. *Bond*. CITY will order, approve, and pay for a bond in an amount determined by CITY to be sufficient, as stated in Texas Property Tax Code 6.29(b), to ensure the faithful performance of duties by the COUNTY TAX ASSESSOR-COLLECTOR.

g. *Payments of Taxes to CITY; Deposits*. CITY will immediately notify COUNTY if there is change to a deposit account that requires action.

h. *Returned Payments to COUNTY TAX ASSESSOR-COLLECTOR*. CITY acknowledges that COUNTY TAX ASSESSOR-COLLECTOR is paying out funds on a daily basis based upon payments to COUNTY TAX ASSESSOR-COLLECTOR, which is usually received in the form of a personal or business check and not in the form of a cashier's check. In the event that any check is returned by COUNTY TAX ASSESSOR-COLLECTOR'S depository **for any reason whatsoever** including, but not limited to, insufficient funds, forgery, refer to maker, account closed, or any other reason, CITY shall IMMEDIATELY REFUND to COUNTY TAX ASSESSOR-COLLECTOR the amount of the deposit represented by the returned check. In the event a tax payment deposited to CITY'S account, whose source was by credit card or other electronic payment, is disputed, canceled, refuted, or withdrawn by any person, firm, or entity, for any reason whatsoever, CITY shall IMMEDIATELY REFUND such payment to COUNTY TAX ASSESSOR-COLLECTOR.

i. *Notices, Hearings, Publication, and other Requirements*. CITY shall remain responsible for all notices, hearings, publications, and other requirements under the law related to its taxing activities.

j. *Records*. CITY shall promptly deliver records to COUNTY upon request and shall fully cooperate in furnishing or locating any other information or records COUNTY needs to perform its duties under this Agreement.

9. Indemnification and Tort Claim Act:

a. To the extent allowed by law, the COUNTY agrees to promptly defend, indemnify, and hold CITY harmless from and against any and all claims, demands, suits, causes of action, and judgments for (a) damages to the loss of property of any person; and or (b) the death, bodily injury, illness, disease, loss of services, or loss of income or wages to any person, arising out of or incident to, concerning or resulting from, the negligent or willful act or omission of the COUNTY, its agents, officers, and/or employees in the performance of duties pursuant to this Agreement.

b. To the extent allowed by law, the CITY agrees to promptly defend, indemnify, and hold the COUNTY harmless from and against any and all claims, demands, suits, causes of action, and judgments for (a) damages to the loss of property of any person; and or (b) the death, bodily injury, illness, disease, loss of services, or loss of income or wages to any person, arising out of or incident to, concerning or resulting from, the negligent or willful act or omission of the CITY, its agents, officers, and/or employees in the performance of duties pursuant to this Agreement.

c. Nothing in this Agreement shall be construed to waive, partially or in full, any immunities the Parties may have under the Texas Tort Claim Act or other laws.

10. Equipment and Personnel. During the time mutual aid is being furnished, all equipment used by the Party rendering aid shall continue to be owned, leased, or rented by the Party rendering aid. Once equipment, personnel, or other resources of a Party rendering aid are in the service of the requesting Party in accordance with the terms of this Agreement, such personnel and equipment shall be deemed to be employed or used, as the case may be, in the full line and cause of duty of the Party requesting aid. In addition, such personnel shall be deemed to be engaged in work for the employing entity and performing a governmental function.

11. Expending Funds. Each Party performing services or furnishing aid pursuant to this Agreement shall do so with funds available from current revenues of the Party. No Party shall have any liability for the failure to expend funds or to incur costs to provide aid hereunder.

12. Non-Discrimination. The Parties covenant that (1) no person shall be excluded from participation in, denied the benefit of, or otherwise subjected to discrimination under the terms of this Agreement on the ground of race, color, age, sex, handicap, or national origin; and (2) in carrying out the terms and conditions of this Agreement, no person shall be subjected to discrimination on the grounds of race, color, age, sex, handicap, or national origin.

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

the terms herein that are not specifically address in the amendment shall remain in full force and effect.

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

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

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

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

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

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

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

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

With a copy to:

County Tax Assessor-Collector
319 N Church St
Rockport, TX 78382

City Secretary
2751 SH 35Bypass
Rockport, TX 78382

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

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

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

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

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

"**COUNTY**"
County of Aransas, Texas

By:______________________________
Ray A. Garza, County Judge Date

ATTEST:

(SEAL)

____
Misty R.F. Kimbrough, County Clerk

Approved:

"**COUNTY TAX ASSESSOR-COLLECTOR**"
Aransas County Tax Assessor-Collector

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

Additional Signature Page Follows

"**CITY**"
City of Rockport, Texas

By:____
Tim Jayroe, Mayor Date

ATTEST:

(SEAL)

____
Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 12, 2023

AGENDA ITEM: 6

Deliberate and act on 3rd quarter report from the Texas Maritime Museum for Fiscal Year 2022-2023 marketing expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: The Texas Maritime Museum has been allocated $75,000.00 in FY 2022-2023 Hotel Occupancy Tax (HOT) funds. According to our agreement with the Museum, fiscal quarterly financial reports are required to be submitted to the City Council for approval. See the accompanying 3rd quarter HOT expenditure report for additional information.

FISCAL ANALYSIS: Charged to account 6602002. The budgeted amount is $75,000.00 and YTD expenses are $51,562.00.

STAFF RECOMMENDATION: Staff recommends Council approve the Texas Maritime Museum's FY 2022-2023 Hotel Occupancy Tax funds 3rd quarter expenditures and authorization to disburse 4th quarter funds in the amount of $18,750.00, as presented.

TEXAS MARITIME MUSEUM

1202 Navigation Circle · Rockport, Texas 78382 · (210) 249-1800 · Fax (361) 729-9938 · (866) 729-AHOY · E-mail: jparkoff@texasmaritimemuseum.org

August 11, 2023

Mayor Jayroe and Council Members
City of Rockport, Texas
2751 State Hwy 35 Bypass
Rockport, Texas 78382

RE: Hotel/Motel Occupancy Funds 2022-2023 3rd Quarterly Report

Dear Mayor and Council Members,

As previously mentioned, the Texas Maritime Museum has changed our data collection policies to ensure that the City of Rockport is receiving the data that is needed for these Hotel/Motel Occupancy statistics.

Our previous 1st quarter report estimated approximately 288 heads to beds based on our incomplete statistics using only zip codes. Since then, we have reprogramed our front desk tablets to ask for not only zip codes, but also potential Hotel/Airbnb accommodations, the number of nights people are staying, and a final option to decline answering for family privacy.

Using that new system for the 2nd quarter, we know that 3,801 people attended the museum. Of that, 2,059 people came from 75+ miles out. Visitors confirmed that 1,184 people utilized our city's hotels or other hot fund applicable locations.

Despite most of our Winter Snowbirds leaving, our 3rd quarter numbers rose to 4624. These numbers are increased due to our wine festival which brought in approximately 2,000 people. Of that, 1917 people came from 75+ miles out. Visitors confirmed that 913 people utilized our city's hotels or other hot fund applicable locations. For all three quarters, the combined total for actual heads to beds was 2,385.

The TMM is grateful for all past assistance given and look forward to continuing our mission to educate and excite the public about maritime history and its importance to the development and current livelihood of our great state.

Thank you again; I will be happy to answer any questions you might have.

Sincerely,

Justin Parkoff, PhD, RPA
Executive Director & Marine Archaeologist

COMPLETE ATTENDANCE SPREADSHEET

ATTENDANCE	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Total Attendance	2,650	3,801	4,624	-
75+ Miles Attendance	615	2,059	1,917	-
# of Heads in Beds	288 (partial data)	1,184	913	-
No or No Answer	no data	875	622	-

EXHIBIT "B"

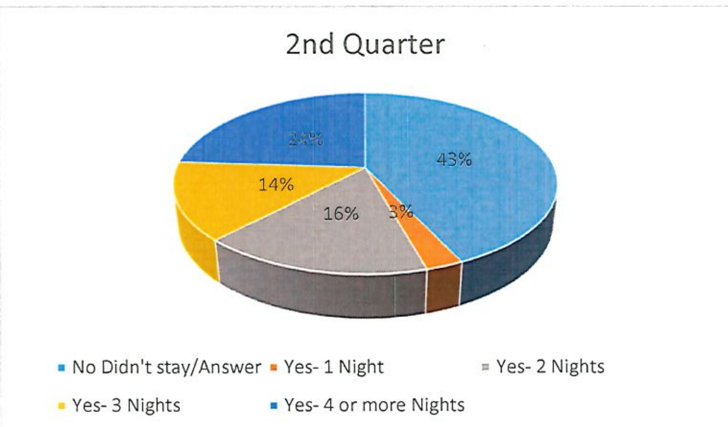
HOT FUNDING EXPENSE REPORT FY 2022-2023							
Description of Expense	**Approved Budget**	**1st Quarter Expenses**	**2nd Quarter Expenses**	**3rd Quarter Expenses**	**4th Quarter Expenses**	**TOTAL**	*** Number of Heads in Beds**
Advertising Expenses	$25,000.00	$4,979.50	----	$7,365.00		$12,344.50	
Curatorial/Exhibits	$9,000.00	$801.00	$1,258.00	$938.00		$2,997.00	
Educational	$5,000.00	$2,763.41	$1,500.00	$1,500.00		$5,763.41	
Office & Supplies	$4,000.00	$1,580.59	$1,500.00	$1,500.00		$4,580.59	
Website & Maintenance	$5,000.00	$1,312.50	$1,312.50	$1,312.50		$3,937.50	
Salaries	$27,000.00	$7,313.00	$7,313.00	$7,313.00		$21,939.00	
TOTAL REQUESTED	$75,000.00	$18,750.00	$12,883.50	$19,928.50		$51,562.00	2,385

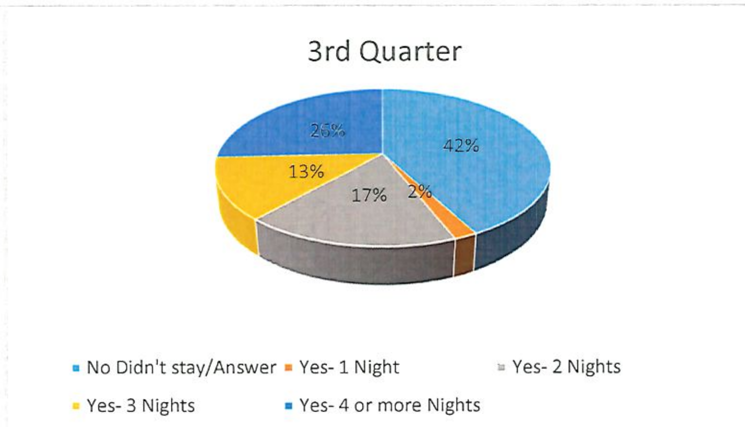
***Must attach supporting documentation.**

Description of Administrative Expenses	**Current Fiscal Year Administrative Expenses Projection**	**Fiscal Year Administrative Actual Expenses**	**Percentage of Fiscal Year Projections**
Salary Expenses	$29,250.00	$21,939.00	75%
TOTALS	$29,250.00	$21,939.00	75%

Overnight Stay in Area Lodging for total attendance 2023:

Month	January	February	March	April	May	June	July	August	September	October	November	December	Totals
Yes, Stayed	299	344	530	182	298	433							2086
No/Didn't Answer	226	259	401	133	143	346							1508
													3594





CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 12, 2023

AGENDA ITEM: 7

Deliberate and act on 3rd quarter report from the Texas Marine Science Institute/Mission Aransas National Estuarine Research Reserve for Fiscal Year 2022-2023 Bay Education expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: Texas Marine Science Institute/Mission Aransas National Estuarine Research Reserve (NERR UTMSI) has been allocated $15,000.00 in FY 2022-2023 Hotel Occupancy Tax (HOT) funds. According to our agreement with the NERR UTMSI, fiscal quarterly financial reports are required to be submitted to the City Council for approval. See the accompanying 3rd quarter HOT expenditure report for additional information.

The Bay Education Center staff has been notified to begin collecting hotel data from visitors.

FISCAL ANALYSIS: Charged to account 6602003. The budgeted amount is $15,000.00 and YTD expenses are $17.540.04.

STAFF RECOMMENDATION: Staff recommends Council approve the NERR UTMSI Fiscal Year 2022-2023 Hotel Occupancy Tax funds 3rd quarter expenditures and authorization to disburse 4th quarter funds in the amount of $3,750.00, as presented.

MISSION ★ ARANSAS NATIONAL ESTUARINE RESEARCH RESERVE

Honorable Mayor Tim Jayroe
2751 SH 35 N Bypass
Rockport, TX 78382

August 22, 2023

RE: Bay Education Center Hotel Occupancy Tax Quarterly Report April to June 2023

Dear Mayor Jayroe,

The Mission-Aransas National Estuarine Research Reserve (Reserve) at the University of Texas Marine Science Institute would like to thank you and the City of Rockport for the support of the Bay Education Center (BEC) through the Hotel Occupancy Tax (HOT) in the amount of $15,000 for FY2022. The funds have been instrumental in keeping the Bay Education Center open to the public for free. **In accordance with Exhibit A on how HOT funds were spent, the funds allowed the BEC to pay for operational expenses that go towards program development and enhancements so that tourists receive free programming throughout the year. The following is Exhibit B of how the funds for FY2023 have been spent through the 3rd quarter to June 2023 so that tourists have free admission to the BEC programming.** The Heads in Beds number was calculated to be 777 for the 3rd quarter. The calculations are as follows per month: For the month of April, the visitor attendance was 394 visitors with 165 staying in hotels or short-term rentals. In the month of May, the visitor attendance was 338 visitors with 171 visitors staying in hotels or short-term rentals. June attendance was 929 visitors with 441 staying in hotels or short-term rentals.

Exhibit "B:

HOT FUNDING EXPENSE REPORT FY 2022-2023							
Description of Expense	**Approved Budget**	**1st QRT Expenses (Oct-Dec)**	**2nd QRT Expenses (Jan-Mar)**	**3rd QRT Expenses (Apr-Jun)**	**4th QRT Expenses (Jul-Sep)**	**TOTAL**	***No. of Heads in Beds**
Programmatic & Visitor Operations		$5,965.83	$5,842.15	$5,732.06		$17,540.04	777
Total Requested	$15,000.00	$5,965.83	$5,842.15	$5,732.06	$0.00	$17,540.04	

*Number of Heads in Bed for the 3rd QRT only.

Description of Administrative Expenses	**Current Fiscal Year Administrative Expenses Projection**	**Fiscal Year Administrative Actual Expenses**	**Percentage of Fiscal Year Projections**
Adriana Reza	$ 4,405.00	$ 3,303.75	75%
Paul Markley	$ 2,857.50	$ 2,857.50	100%
Michelle McCumber	$ 8,220.00	$ 4,620.00	56%
Sarah Melendez	$ 42,000.00	$ 31,500.00	75%
TOTALS**	**$ 57,482.50**	**$ 42,281.25**	

**Fringe benefits have been excluded from the above administrative expense totals

We want to thank you again for the continued support and look forward to serving the community again this year.

Sincerely,

Katie Swanson
Interim Reserve Director

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 12, 2023

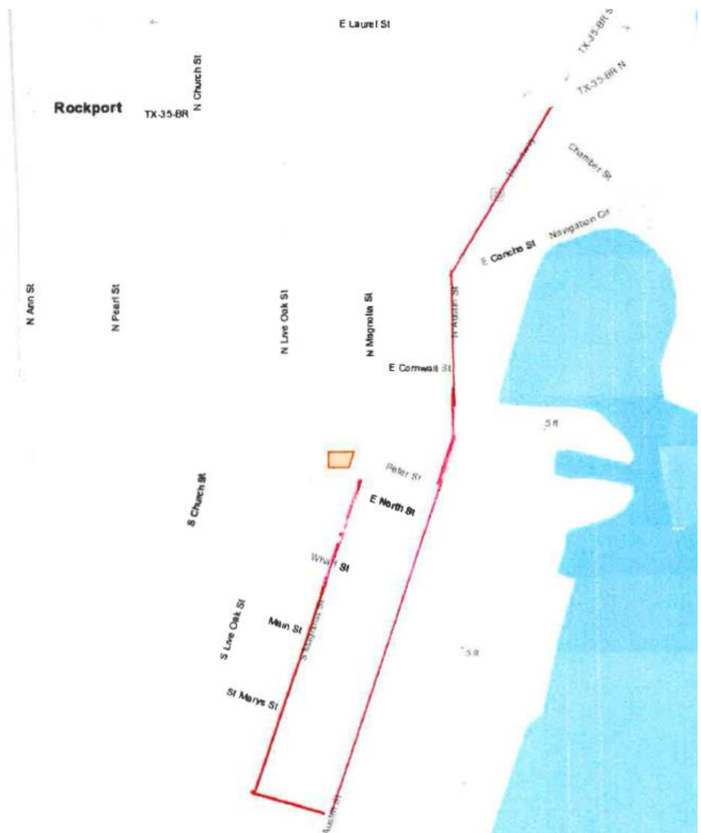
AGENDA ITEM: 8

Deliberate and act on request for closure of: Broadway Street at the intersection of Highway 35 North to Austin Street South to Market Street, West one block to Magnolia Street, then North on Magnolia Street to North Street, and closure of all street intersections along route, ending at The Rockport Railroad Depot for the Rockport Cultural Arts District Model T Parade on October 21, 2023.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: The Rockport Cultural Arts District is requesting street closures for a Model T Parade to be held on Saturday, October 21, 2023. The route will be as shown on the map below. See the accompanying parade application for additional details.



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

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

CITY OF ROCKPORT

APPLICATION FOR PARADE PERMIT

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

Applicant Name: WARREN HASSINGER ROCKPORT CULTURAL ARTS DISTRICT *Telephone No.* 214-395-7156

Applicant Address: 902 E. CORNWALL St. (Street Address) ROCKPORT, TX 78382 (City/State/Zip)

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

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

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

Organizing parade: JENNIFER DAY (Name) 902 E. CORNWALL St. (Address) ROCKPORT, TX 78382 (Telephone #)

Conducting parade: ______ (Name) (Address) (Telephone #)

Cleaning animal waste: ______ (Name) (Address) (Telephone #)

Date October 21st **, time** 11Am **proposed for commencement of the Parade and estimated duration:** 2 **(hrs)** — **(minutes).**

State the location point for assembly of parade: ______

State the location for disassembly of parade: Rockport RailROAD DEPOT - 105 S. MAGNOLIA

Description of the specific Parade route listing all streets to be utilized and direction of flow from the point of commencement to termination: COMMENCE NORTH ENTRANCE OF THE ROCKPORT CULTURAL DISTRICT - Hwy 35N AND BROADWAY - to AUSTIN Street South to MARKET STREET WEST ONE Block TO MAGNOLIA STREET, then North on MAGNOLIA STREET TO NORTH STREET, ENDING AT THE ROCKPORT RAILROAD DEPOT

Type of Parade: *Commercial* ______ *Non-commercial* ✓

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

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

State the estimated number of persons to participate in the parade: 200

State the estimated number of participants by category:

Vehicles 100 *Floats* ______ *Motorized displays* ______
Animals ______ *Type of Animals* ______
Marching Units ______ *Bands* ______ *Color Guards* ______
Drum & Bugle Segments ______ *Drill Teams* ______
Others not listed: ______

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

Signed: ______________ Signed: ______________

Signed: WARREN HASSINGER

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF ARANSAS §

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

(Seal)

GLORIA H VELA
Notary Public, State of Texas
Comm. Expires 08-18-2024
Notary ID 12498889-8

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

BYLAWS OF

ROCKPORT CULTURAL ARTS DISTRICT a Texas non-profit corporation

These bylaws (the "**Bylaws**") govern the affairs of Rockport Cultural Arts District, a Texas nonprofit corporation.

1. Name, Purposes, and Powers.

1.01 **Name.** The name of this corporation is Rockport Cultural Arts District (the "**Corporation**").

1.02 **Purposes.** The Corporation is formed exclusively for charitable purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "**Code**") or the corresponding section of any future federal tax code. Within the scope of the foregoing purposes, and not by way of limitation thereof, the Corporation is organized and operated to promote cultural arts and education by partnering with the community to leverage the Corporation's resources to positively impact Aransas County and its residents.

1.03 **Powers.** The Corporation shall have all of the powers, duties, authorizations, and responsibilities as provided in the Texas Business Organizations Code (the "**TBOC**"); provided, however, the Corporation shall neither have nor exercise any power, nor engage directly or indirectly in any activity, that would invalidate its status as an organization that is exempt from federal income tax as an organization described in Section 501(c)(3) of the Code.

2. Offices.

Principal Office. The Corporation's principal office in Texas will be located at 902 E. Cornwall, Rockport, Texas 78382

2.01

. The Corporation may have such other offices, in Texas or elsewhere, as the Board (as defined in Section 3 hereof) may determine. The Board may change the location of any office of the Corporation.

2.02 **Registered Office and Registered Agent.** The Corporation will maintain a registered office and registered agent in Texas. The registered office may, but need not, be identical with the Corporation's principal office in Texas. The Board may change the registered office and the registered agent as permitted in the TBOC.

3. Board of Directors.

3.01 **Management of Corporation.** A board of directors elected in accordance with the provisions of this Section 3 (the "**Board**") will manage corporate affairs.

3.02 **Number, Qualifications, and Tenure of Directors.** The number of Directors will be a number determined by the Board that is not less than five (5). Directors need not be Texas residents. Each director will serve for a term of three (3) years. A director may be elected to succeed himself or herself.

reasonable and commensurate with the services performed.

3.18 **Removing Directors.** The Board may vote to remove a director at any time without cause. A meeting to consider removing a director may be called and noticed following the procedures provided in these Bylaws for a special meeting of the Board or the members of the corporation. The notice of the meeting will state that the issue of possibly removing the director will be on the agenda and the notice will state the proposed cause (if any) for removal. At the meeting, the director may present evidence of why he or she should not be removed and may be represented by an attorney at and before the meeting. Also, at the meeting, the Corporation will consider possible arrangements for resolving the problems that are in the mutual interest of the Corporation and the director. A director may be removed by the affirmative vote of seventy-five (75%) percent of the Board.

4. **Officers.**

4.01 **Officer Positions.** The Corporation's officers will be a president, a secretary, one or more vice presidents, and a treasurer. The Board may create additional officer positions, define the authority and duties of each such position, and elect or appoint persons to fill the positions. The same person may hold any two or more offices, except for president and secretary.

4.02 **Election and Term of Office.** The Corporation's officers will be elected annually by the Board at the annual Board meeting. If officers are not elected at this time, they will be elected as soon thereafter as possible. Each officer will hold office until a successor is duly selected and qualifies. An officer may be elected to succeed himself or herself in the same office.

4.03 **Removal.** Any officer elected or appointed by the Board may be removed by the Board with or without good cause. Removing an officer will be without prejudice to the officer's contractual rights, if any.

4.04 **Vacancies.** The Board may select a person to fill a vacancy in any office for the unexpired portion of the officer's term.

4.05 **President.** The president is the Corporation's chief executive officer. He or she will supervise and control all of the Corporation's business and affairs and will preside at all meetings of the members and of the Board. The president may execute any deeds, mortgages, bonds, contracts, or other instruments that the Board authorizes to be executed; provided, however, that the president may not execute instruments on the Corporation's behalf if this power is expressly delegated to another officer or agent of the Corporation by the Board, these Bylaws, or statute. The president will perform other duties prescribed by the Board and all duties incident to the office of president.

4.06 **Vice President.** When the president is absent, cannot act, or refuses to act, a vice president will perform the president's duties. When acting in the president's place, the vice president has all the powers of, and is subject to all the restrictions on the president. If there is more than one vice president, the vice presidents will act for the president in the order of appointment. A vice president will perform other duties as assigned by the president or Board.

4.07 **Treasurer.** The treasurer will:

(a) Have charge and custody of, and be responsible for all the Corporation's funds and securities.

(b) Receive and give receipts for monies due and payable to the Corporation from any source.

(c) Deposit all moneys in the Corporation's name in banks, trust companies, or other depositaries as these Bylaws provide or as the Board or president directs.

(d) Write checks and disburse funds to discharge the Corporation's

CITY COUNCIL AGENDA
Regular Meeting: September 12, 2023

AGENDA ITEM: 9

Deliberate and act on adoption of a Resolution of the City Council of the City of Rockport, Texas declaring certain City property surplus and authorizing the disposition and donation of said property to further a public purpose; and establishing an effective date.

SUBMITTED BY: Police Chief Greg Stevens

APPROVED FOR AGENDA: VRS

BACKGROUND: In Fiscal Year 2022-23, the Rockport Police Department (RPD) took delivery of new patrol vehicles to replace aging patrol vehicles. The replaced vehicles have reached their end of useful life for the RPD's law enforcement needs. However, the replaced vehicles are equipped with law enforcement specialty equipment which cannot be cost effectively transferred to the new patrol vehicles; requiring removal of specialty equipment prior to an auction disposition.

The City of Rockport and the Town of Fulton have a memorandum of understanding in place that aids the law enforcement response in the form of manpower. The Town of Fulton has requested assistance in the form of an out-of-service vehicle donation due to budgetary constraints.

After discussions with the Fulton Interim Police Chief, Ty Gerstenberger, the Town of Fulton and the City of Rockport both benefit from this proposition. The City of Rockport would avoid the costs of removal and disposal all law enforcement specialty equipment along with preparation of the vehicle for auction (costs which are rarely recovered at auction), and the Town of Fulton gains an essentially fully equipped police package patrol vehicle at little to no costs.

Therefore, at the request of Interim Chief Gerstenberger, the RPD would like to donate patrol vehicle 6018 to the Fulton Police Department to enhance the safety and security of our law enforcement partner, benefiting the entire Rockport/Fulton community. Specifically, the City of Rockport will be donating to the Town of Fulton a 2017 Chevrolet Tahoe, VIN 1GNLCDEC2HR363462 and Texas registration 137-3621, along with its currently installed law enforcement specialty equipment. These items were purchased new through the regular budgetary process and have been fully depreciated.

FISCAL ANALYSIS: Patrol unit 6018 was decommissioned after replacement with new equipment. The vehicle was set for auction but would require extensive man hours to remove all police specialty equipment. Cost to remove all equipment is not likely to be offset at auction. Our fiscal recommendation is to donate the vehicle as is to a partner police agency.

RECOMMENDATION: Police Chief Greg Stevens recommends adoption of Resolution.

RESOLUTION NO. 2023 - __

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS DECLARING CERTAIN CITY PROPERTY SURPLUS AND AUTHORIZING THE DISPOSITION AND DONATION OF SAID PROPERTY TO FURTHER A PUBLIC PURPOSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Rockport, as a home rule municipality, with full power and right of self-government, as provided by the Constitution and laws of this State, may exercise exclusive dominion over all public property in any manner permitted by the Constitution and laws of the State of Texas, including the authority to buy, sell, lease, mortgage, hold, manage and control such property as its interests require; and

WHEREAS, included among the management responsibilities of public property is the authority and duty to declare property that staff determined to be of no further use to the City to be surplus; and

WHEREAS, surplus property is personal property that is not needed or required for an entity's foreseeable needs but still has some usefulness for the purpose it was originally intended; and

WHEREAS, the City is authorized to dispose of personal property that is found to be surplus in any manner that does not violate the Constitution; and

WHEREAS, the City has determined that the donation of certain surplus property to the Fulton Police Department would be beneficial to the City and serve a public purpose.

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

Section 1. The City Council of the City of Rockport, Texas hereby declares the property listed in the attached Exhibit A as surplus, authorizes the donation of said property to the Fulton Police Department and authorizes the City Manager to execute all necessary documents to complete the transfer of said property in accordance with the foregoing legislative findings.

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 Resolution for all purposes and are adopted as part of the judgement and findings of the City Council.

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

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED and **APPROVED** the 12th day of September 2023.

CITY OF ROCKPORT

____
Tim Jayroe, Mayor

ATTEST:

____
Teresa Valdez, City Secretary

EXHIBIT A

Rockport Patrol Vehicle 6018 being a:

2017 Chevrolet Tahoe with currently installed law enforcement specialty equipment

VIN 1GNLCDEC2HR363462

Texas Registration: 137-3621

Fulton Police Department

201 N. 7th Street, Fulton, Texas 78358
Ph: 361-729-5533; Fax: 361-729-7029
After Hours: 361-729-1111
policeofficer@fultontexas.org

Chief Stevens,

I am respectfully requesting consideration from the Rockport Police Department to acquire an equipped police unit that is no longer in use. The Fulton Police Department is adding an additional Police Officer. If Rockport Police Unit 6018 is available, it would be very much utilized by the Fulton Police Department.

Thank you,

Ty Gerstenberger
Fulton Police Department

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 12, 2023

AGENDA ITEM: 10

Deliberate and act on recommendation to City Council to remove Planning & Zoning Commission Board Member W. Kent Howard as per Article IX Section 9.05(5) of the City of Rockport Code of Ordinances.

SUBMITTED BY: Community Planner / Carey Dietrich

APPROVED FOR AGENDA: VRS

BACKGROUND: Board Member W. Kent Howard has not attended meetings in a consistent manner, missing 9 meetings out of 10 conducted in 2023, and has not responded to meeting notifications with a reason for absence. Therefore, as per Article IX Section 9.05(5) of the City Code of Ordinances: "Any member of a board, commission or committee who is absent from three (3) consecutive regular meetings without explanation acceptable to a majority of the other members shall forfeit his position on the board, commission or committee."

Please see the accompanying attendance spreadsheet for more information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Planning & Zoning Commission recommends by a unanimous vote that Council take action to remove Planning & Zoning Commission Board Member W. Kent Howard as per Section 9.05(5) of the City of Rockport Code of Ordinances.

.

PLACE #	MEMBER'S NAME	Orginal Appt. Date	Appt. Date	Expiration Date	Ward #	2023 Meetings Attended - January to Present	2023 Meetings Absent- January to Present		
1	Ric Young	1/14/2020	7/12/2022	2024	4	7	3	ex	
	123 Royal Oaks Dr								
	Rockport, TX 78382								
	214-535-1029								
	ricyoung@reagan.com								
2	Warren Hassinger	6/11/2019	7/11/2023	2025	3	7	3	ex	
	2517 Turkey Neck Circle								
	Rockport, TX 78382								
	512-247-8352 (Hm)								
	warrenhassinger@sbcglobal.net								
3	Kim Hesley	6/12/2018	6/8/2021	2024	3	10	0		Secretary
	2003 Tule Park Dr.								
	Rockport, TX 78382								
	361-205-4039								
	kimhesley@reagan.com								
4	Thomas Blazek	8/10/2021	7/11/2023	2025	4	9	1	ex	
	102 St Andrews Street								
	Rockport, TX 78382								
	361/205-0419								
	tomblazek@aol.com								
5	Ruth Davis	2004	7/12/2022	2024	1	8	2	ex	Chair
	P.O. Box 706								
	Fulton, TX 78358-0706								
	361-229-4272								
	scottyslock@icloud.com								
6	Patricia A. Impens	6/8/2021	7/11/2023	2025	1	9	1	ex	
	1401 Smokehouse Rd								
	Rockport, Tx 78382								
	361-463-1419								
	3488patty@gmail.com								
7	W. Kent Howard	2015	6/8/2021	2024	3	1	9	not ex	
	7 Olde Towne Lane								
	Rockport, TX 7882								
	301-908-5851								
	howardgroup819@gmail.com								

CITY COUNCIL AGENDA
Regular Meeting: Tuesday September 12, 2023

AGENDA ITEM: 11

Deliberate and act on a request by the Tree & Landscape Committee to approve expenditures from the Tree Mitigation Fund in the amount of $28,388.00 for the purpose of purchasing trees and educational items for the Arbor Day Events being held in November 2023.

SUBMITTED BY: Community Planner / Carey Dietrich

APPROVED FOR AGENDA: VRS

BACKGROUND: The Tree & Landscape Committee are requesting funds to purchase trees for planting in conjunction with an Arbor Day Celebration the week of November 3, 2023 through November 11, 2023. The Committee has conducted three (3) workshops in planning the week's festivities.

Please see the accompanying Tree Planting Schedule, Quantity, and Expense, and the Tree Mitigation Fund Balance for more information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends approval of a request by the Tree & Landscape Committee to approve expenditures from the Tree Mitigation Account in the amount of $28,388.00 for the purpose of purchasing trees and educational items for the Arbor Day Events being held in November 2023.

Tree Planting Schedule, Quantity & Expense

Friday November 3rd- Magnolia Park (3) *Planted by City/Navigation/County*

Saturday November 4th- Bent Oak Rockery (25) *planted by City Staff/volunteers*

Sunday November 5th-Fulton Mansion (4) *planted by Mansion staff*

Monday November 6th- McDonalds Park (10) *planted by city staff*

Tuesday 7th- Connie Hagar (1) *planted by friends of Connie Hagar*

Wednesday 8th –Pride Park or Memorial park (3) *planted by city /soccer team*

Thursday 9th- Tiger Field (6) *plant w/county tree committee*

Thursday 9th since 10th is holiday for city-Downtown Rockport /in front of Avidity hair saloon (1) *planted by city*
Friday 10th -Live Oak Elementary/school will plant for us (1) *planted by school staff/kids*

Saturday November 11th- Veterans Memorial Park (1 or 2) *planted by veterans (city put in holes on 11/9)*

-14 Additional Trees to be on display Downtown at future bathroom site and be planted upon bathroom completion.

Tree Planting Quantity and location

The City will be planting 43 trees and the 20 additional trees will be planted by other public entities and will be in view by the public and maintained.

City to plant:
-Magnolia Park (4) *Planted by City/Navigation/County/Fulton*

-Bent Oak Rockery (22) *planted by City Staff/ (3) volunteers*

-McDonalds Park (10) *planted by city staff*

-plus 4 Additional Trees to be on display Downtown at future bathroom site and be planted upon bathroom completion or other designed location (maybe train depot parking lot/new city building).

City Total= 43

Other public entities to plant:

-*History center (1) planted by County Staff (Already request letter)*

-Connie Hagar (1) *planted by friends of Connie Hagar*

-Fulton Mansion (4) *planted by Mansion staff*

-Tiger Field (6) *plant w/county Staff and county tree committee*

-Live Oak Elementary/school will plant for us (1) *planted by school staff/kids*

-Aransas County Airport-(1) Planted by airport maintenance staff (Already Received request letter)

-Veterans Memorial Park (1 or 2) *planted by navigation district*

-TXDOT -(4)trees planted by their staff

Other entities to plant =20

Materials and costs:

(63) $180 per tree 3" caliper/ delivered = $11,340
(49) $125 per tree, mulch, wire protection etc. $6,125
(49) $158 trees drip for establishment & water meter $7,742
Total Estimated costs for tree planting = $25,207

Just in case this can be added :

Educational Materials and Cost:

(4) Educational posters at $48 each + Shipping and tax =$300
(2) Historical Tree Marker plates = $300

Total Estimated material costs=$600

Additional 10% Cost for unseen increase in cost expenditures:$2,580.7

Total Funds Requested $28,388

ADDRESS	AMOUNT		PAYMENT	PAID BY	DATE
622 E Market	$	13,600.00	CK 0464775	Speedy Stop Food Stores	11/3/2022
802 ENTERPRISE	$	5,000.00	CK 8395	RICKS HOMES	2/27/2023
1824 YOUNG ST	$	1,000.00	MO 22-019041493	Darcy & Stacy Dorn	3/1/2023
1824 YOUNG ST	$	1,000.00	MO 22-019041494	Darcy & Stacy Dorn	3/1/2023
1824 YOUNG ST	$	1,000.00	MO 22-019041495	Darcy & Stacy Dorn	3/1/2023
1824 YOUNG ST	$	375.00	MO 22-019041496	Darcy & Stacy Dorn	3/1/2023
105 PEACHTREE DR	$	650.00	CK 297	AARON M PRIDGEON	4/5/2023
802 ENTERPRISE	$	15,000.00	CK 1072	RICKS HOMES	4/21/2023
802 ENTERPRISE	$	12,750.00	CK 1080	RICKS HOMES	5/22/2023
1812 W MARKET ST	$	20,100.00	CK 1001	MICHAEL HUNTER	5/31/2023

Total Fees Paid **$ 70,475.00**

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 12, 2023

AGENDA ITEM: 12

Conduct a Public Hearing to consider a request for a Conditional Use Permit (CUP) to bring the existing RV Park into compliance with current City codes and to remodel existing features in the RV Park on property located at 1331 State Hwy 188; also known as Lot 1R & 2, Coastal Paradise Subdivision, being 17.989 acres, City of Rockport, Aransas County, Texas.

SUBMITTED BY: Community Planner / Carey Dietrich

APPROVED FOR AGENDA: VRS

BACKGROUND: Property owners, Sea Grass, LP, wish to bring the existing RV Park into compliance with current City Code and upgrade some existing features within the park.

FISCAL ANALYSIS: N/A

RECOMMENDATION: No action required. Public Hearing only.

PUBLIC HEARING
Planning & Zoning Commission and City Council

NOTICE is hereby given that the Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 5, 2023, at 5:30 p.m. and the Rockport City Council will hold a Public Hearing on Tuesday, September 12, 2023 at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request for a Conditional Use Permit to bring the existing RV Park into compliance with the current Ordinance and to remodel existing features in the RV Park located at 1331 SH 188; also known as Lot 1R & 2, Coastal Paradise Subdivision, 17.989 acres, City of Rockport, Aransas County, Texas,

Members of the public can view the meeting remotely via live stream at the address that will be provided on the Planning & Zoning Commission Agenda of September 5, 2023, and the City Council Agenda of September 12, 2023, and posted on the City's website www.cityofrockport.com.

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 Planner by 3:00 p.m. on the day of the Planning & Zoning Commission meeting or 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.

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

POSTED the 16th day of August 2023 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, August 19, 2023, Edition, in accordance with the City of Rockport Code of Ordinances.

CITY OF ROCKPORT, TEXAS

Teresa Valdez, City Secretary

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

PROPERTY ADDRESS/LOCATION
1331 State Hwy 188

APPLICANT/PROPERTY OWNER
Sea Grass of Rockport, LP, Owner

PUBLIC HEARING DATE
P&Z – Tuesday, September 5, 2023
CC – Tuesday, September 12, 2023

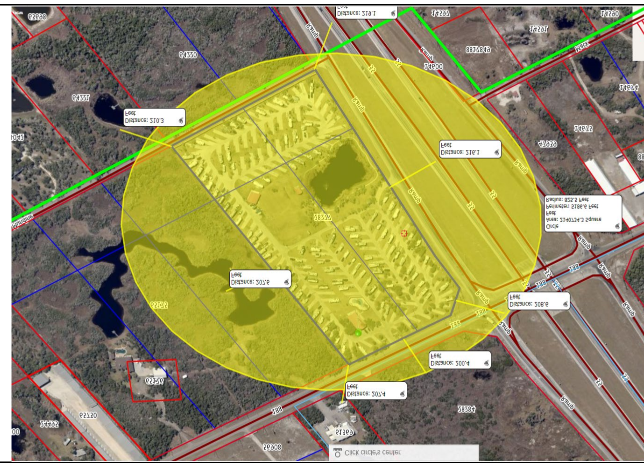
P&Z DATE
Tuesday, September 5, 2023

CITY COUNCIL DATE(S)
1st Reading - Tuesday, September 12, 2023
2nd Reading – Tuesday, September 26, 2023

BRIEF SUMMARY OF REQUEST

Property owners, Sea Grass at Rockport, LP, wish to bring the existing RV Park into compliance with current City Code and upgrade some existing features within the park.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, August 19, 2023 edition and mailed out to three (3) property owners within a 200-foot radius of the property. No letters For or Against the request have been received at this time.



MAP SOURCE: Pictometry

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-1 – 1st Single Family Dwelling District	RV Park Resort	***N*** – R-1 (1st Single Family Dwelling District) ***S*** **–** Not in City Limits ***E*** **–** Bypass / B1 (General Business District) ***W*** **–** R-1 (1st Single Family Dwelling District)	Existing RV Park	17.989 acres

STAFF RECOMMENDATION

APPROVE **APPROVE WITH CONDITIONS** **DENY**

COMPATIBILITY with the ZONING ORDINANCE

The Current Future Land Use Map suggests Commercial Use

PROPERTY HISTORY

The RV Park was constructed prior to annexation in 2017 under the name of Lagoons RV Park Resort. The new owners, Sea Grass at Rockport LP, wish to upgrade some of the features of the Park and bring the park into compliance with current RV Park regulations.

ATTACHMENTS (CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING PETITION/ APPLICATION FORM

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

OTHER (DESCRIBE)

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 12, 2023

AGENDA ITEM: 13

Deliberate and act on first reading of an Ordinance granting a Conditional Use Permit (CUP) for the purpose of bringing the existing RV Park into compliance with current City Codes and to remodel existing features in the RV Park on property located at 1331 State Highway 188; also known as Lot 1R & 2, Coastal Paradise Subdivision, being 17.989 acres, City of Rockport, Aransas County, Texas; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

SUBMITTED BY: Assistant Director Building & Development Services/Community Planner – Carey Dietrich

APPROVED FOR AGENDA: VRS

BACKGROUND: Property owners, Sea Grass, LP, wish to bring the existing RV Park into compliance with current City Code and upgrade some existing features within the park.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Planning & Zoning Commission, by a unanimous vote, recommends approval of the request and approval of the first reading of an Ordinance granting a Conditional Use Permit (CUP) for the purpose of bringing the existing RV Park into compliance with current City Codes and to remodel existing features in the RV Park on property located at 1331 State Highway 188; also known as Lot 1R & 2, Coastal Paradise Subdivision, being 17.989 acres, Rockport, Aransas County, Texas; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

ORDINANCE NO. ________

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE PURPOSE OF BRINGING THE EXISTING RV PARK INTO COMPLIANCE WITH CURRENT CITY CODES AND TO REMODEL EXISTING FEATURES IN THE RV PARK ON PROPERTY LOCATED AT 1331 STATE HIGHWAY 188; ALSO KNOWN AS LOT 1R & 2, COASTAL PARADISE SUBDIVISION, BEING 17.989 ACRES, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS; SUBJECT TO COMPLIANCE WITH THE CONDITIONS STATED WITHIN THIS ORDINANCE, AS WELL AS THOSE STIPULATED IN THE CITY OF ROCKPORT CODE OF ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a Conditional Use Permit was received in the office of the Building Department, Rockport, Texas; and

WHEREAS, On August 16, 2023, notice was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass and on the City's webpage www.cityofrockport.com; and

WHEREAS, on August 18, 2023 notice was mailed to affected property owners within 200' of subject property; and

WHEREAS, on August 19, 2023, the City caused to be published "Notice of Public Hearing" in the official newspaper of the City notifying area residents and the public in general to participate and make their views known regarding this request; and

WHEREAS, on September 5, 2023, at 5:30 p.m., the Planning & Zoning Commission did hold a Public Hearing; and

WHEREAS, on September 5, 2023, the Planning & Zoning Commission did meet and said Commission by unanimous vote of approval, recommends Council to accept and approve this request for a Conditional Use Permit (CUP) for property located at State Hwy 188, and

WHEREAS, on September 12, 2023, at 6:30 p.m., the Rockport City Council did hold a Public Hearing; and

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

SECTION 1 – CONDITIONAL USE PERMIT

That, pursuant to Section 118-23 "Conditional Use Permit" (CUP), of the Rockport Code of Ordinances, a Conditional Use Permit is hereby granted to property located at 1331 State Hwy 188 for the purpose of bringing the existing RV Park into compliance with current city codes, subject to compliance with the following conditions and all applicable regulations and conditions contained in the City of Rockport Code of Ordinances:

1. Must meet requirements of the City of Rockport Code of Ordinances, including, but not limited to Chapter 118, Sec 118-23 and Sec 118-24;

2. Any use other than that granted herein or permitted by right in the "R-1" zoning district shall be treated as an amendment to the Conditional Use Permit and shall be required to re-submit a Conditional Use Permit request as outlined in the Zoning Ordinance.

SECTION 2

That the recitals contained in the preamble hereto 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

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance and the remainder of this Ordinance shall be enforced as written.

SECTION 4

That 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 5

Any individual, firm, corporation, utility, or business entity that violates the provisions of this Ordinance shall, upon conviction, be fined as provided in Section 1-7 of the City Code.

SECTION 6

The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City under any section or provisions of any ordinances in effect at the time of passage of this Ordinance.

SECTION 7

The provisions of this Ordinance shall be cumulative of all ordinances not repealed by this Ordinance and ordinances governing or regulating the same subject matter as that covered herein.

SECTION 8

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

APPROVED on first reading the _____ day of September 2023.

CITY OF ROCKPORT, TEXAS

____
Tim Jayroe, Mayor

ATTEST:

____
Teresa Valdez, City Secretary

APPROVED, PASSED and ADOPTED on second and final reading, this ____day of September 2023.

CITY OF ROCKPORT, TEXAS

____
Tim Jayroe, Mayor

ATTEST:

____
Teresa Valdez, City Secretary

CITY OF ROCKPORT

ZONING AND LAND DEVELOPMENT APPLICATION

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

A. REQUESTING: Rezoning [ ] Conditional Permit [X]

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

B. ADDRESS AND LOCATION OF PROPERTY ______________________
1331 SH 188 Aransas Pass, Tx 78336

C. CURRENT ZONING OF PROPERTY: R1

D. PRESENT USE OF PROPERTY: RV Park

E. ZONING DISTRICT REQUESTED: CUP

F. CONDITIONAL USE REQUESTED: RV Park

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

- Lot or Tract 1R & 2 Block ____________
- Tract ______________________ of the ____________ Survey as per metes and bounds (field notes attached)
- If other, attach copy of survey or legal description from the Records of Aransas County or Appraisal District.

H. NAME OF PROPOSED DEVELOPMENT (if applicable) ______________
Sea Grass at Rockport

I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): 17.8acres

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

To bring existing RV Park into compliance with current ordinance and to remodel existing park features.

K. OWNER'S NAME: (Please print) Sea Grass of Rockport LP

ADDRESS: 1308 Common St Ste 205 #13

CITY, STATE, ZIP CODE: New Braunfels Tx 78130

PHONE NO 830.237.2573

L. REPRESENTATIVE: (If Other Than Owner) Branodn Namken

ADDRESS: 1308 Common St Ste 205 #13

CITY, STATE, ZIP CODE: New Braunfels Tx 78130

PHONE NO 830.237.2573

NOTE: Do you have property owner's permission for this request?

YES X NO ______

M. FILING FEE:

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

(Make check payable to the City of Rockport)

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

Signed: ______________________
(Owner or Representative)

(FOR CITY USE)

Received by:______________ Date: ___________ Fees Paid: $_______________

Submitted Information (_____accepted) (_____ rejected) by: _______________

If rejected, reasons why: ____

Receipt No. ________________________

STAFF REPORT

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

PROPERTY ADDRESS/LOCATION
1331 State Hwy 188

APPLICANT/PROPERTY OWNER
Sea Grass of Rockport, LP, Owner

PUBLIC HEARING DATE
P&Z – Tuesday, September 5, 2023
CC – Tuesday, September 12, 2023

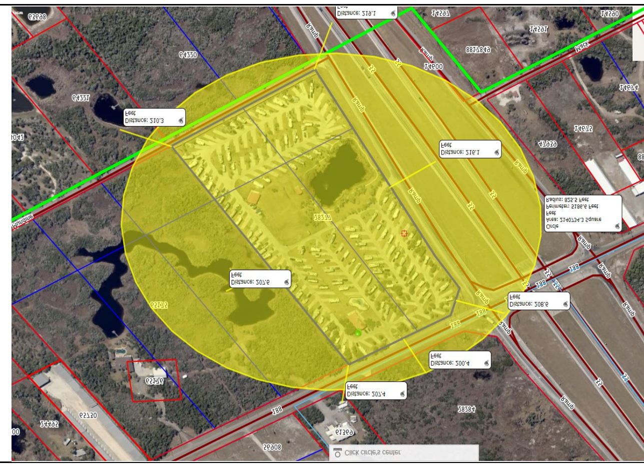
P&Z DATE
Tuesday, September 5, 2023

CITY COUNCIL DATE(S)
1st Reading - Tuesday, September 12, 2023
2nd Reading – Tuesday, September 26, 2023

BRIEF SUMMARY OF REQUEST

Property owners, Sea Grass at Rockport, LP, wish to bring the existing RV Park into compliance with current City Code and upgrade some existing features within the park.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, August 19, 2023 edition and mailed out to three (3) property owners within a 200-foot radius of the property. No letters For or Against the request have been received at this time.



MAP SOURCE: Pictometry

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-1 – 1st Single Family Dwelling District	RV Park Resort	***N*** – R-1 (1st Single Family Dwelling District) ***S*** **–** Not in City Limits ***E*** **–** Bypass / B1 (General Business District) ***W*** **–** R-1 (1st Single Family Dwelling District)	Existing RV Park	17.989 acres

STAFF RECOMMENDATION

APPROVE **APPROVE WITH CONDITIONS** **DENY**

COMPATIBILITY with the ZONING ORDINANCE

The Current Future Land Use Map suggests Commercial Use

PROPERTY HISTORY

The RV Park was constructed prior to annexation in 2017 under the name of Lagoons RV Park Resort. The new owners, Sea Grass at Rockport LP, wish to upgrade some of the features of the Park and bring the park into compliance with current RV Park regulations.

ATTACHMENTS (CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING PETITION/ APPLICATION FORM

LEGAL NOTICE

LEGAL DESCRIPTION

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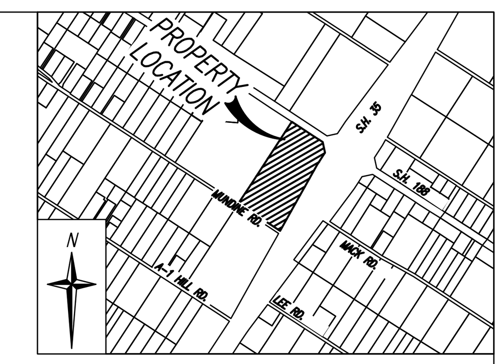
OTHER (DESCRIBE)



VICINITY MAP
1"=2000'
SOURCE: TNRIS GIS

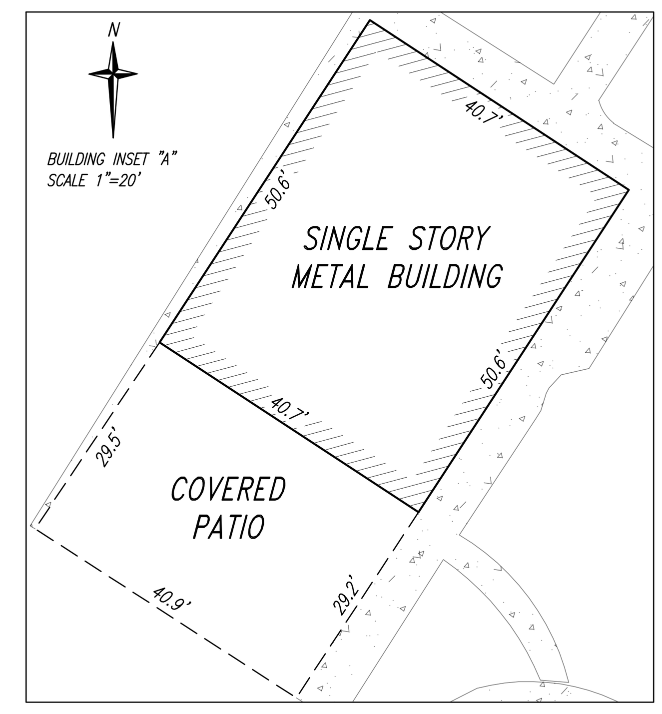
EASEMENT/EXCEPTION NOTE
THE FOLLOWING EASEMENTS ARE NOT DEFINABLE OR BLANKET IN NATURE:

g. Terms, conditions, and stipulations in that certain City/Developer Water Construction Agreement, by and between City of Rockport, Texas and Smith & Wilson Properties, LLC, as recorded in Clerk's File No. 344459, of the Official Public Records of Aransas County, Texas.
h. Assignment and Assumption of Leases dated August 2, 2021, executed by J & S Paradise Lagoons, LLC to McDonald and Sons, LLC, recorded in Clerk's File No. 385024, of the Official Public Records of Aransas County, Texas.
i. Resolution regulating private sewage facilities in Aransas County, Texas, of record in Clerk's File No. Volume 15, Page 235 et seq., Commissioners Court Records of Aransas County, Texas.
j. Master Flood Hazard Prevention Ordinance for the City of Rockport, Texas, Ordinance No. 771, adopted February 27, 1987, approved first reading on April 14, 1987, filed April 29, 1987, recorded Clerk's File No. 154973, of the Real Property Records of Aransas County, Texas; and recorded in Volume 16, Pages 338-354, Commissioners Court Records and Volume 21, Page 283, Commissioners Court Records, Aransas County, Texas.
k. Resolution with reference to Subdivision Plats amended by the Commissioners Court dated May 9, 1979, of record in Volume 17, Page 444, Commissioners Court Records, Aransas County, Texas.
l. Oil, Gas and Mineral Lease dated February 11, 1997 between River Oaks Trust Co. as Trustee of the Jean McCambbell Davis Trust #0875, and the John S. Campbell Trust #0836, et al, as Lessor, and Ameritex Ventures, Ltd., as Lessee, recorded in Clerk's File No. 213529, of the Oil and Gas Records of Aransas County, Texas.
m. Oil, Gas and Mineral Lease dated February 11, 1997 between River Oaks Trust Co. as Trustee of the Jean McCambbell Davis Trust #0875, and the John S. Campbell Trust #0836, et al, as Lessor, and Ameritex Ventures, Ltd., as Lessee, recorded in Clerk's File No. 214299, of the Oil and Gas Records of Aransas County, Texas.
n. Oil, Gas and Mineral Lease dated February 11, 1997 between River Oaks Trust Co. as Trustee of the Jean McCambbell Davis Trust #0875, and the John S. Campbell Trust #0836, et al, as Lessor, and Ameritex Ventures, Ltd., as Lessee, recorded in Clerk's File No. 213531, of the Oil and Gas Records of Aransas County, Texas.
o. Oil, Gas and Mineral Lease dated February 11, 1997 between River Oaks Trust Co. as Trustee of the Jean McCambbell Davis Trust #0875, and the John S. Campbell Trust #0836, et al, as Lessor, and Ameritex Ventures, Ltd., as Lessee, recorded in Clerk's File No. 213530, of the Oil and Gas Records of Aransas County, Texas.
p. Oil, Gas and Mineral Lease dated February 11, 1997 between River Oaks Trust Co. as Trustee of the Jean McCambbell Davis Trust #0875, and the John S. Campbell Trust #0836, et al, as Lessor, and Ameritex Ventures, Ltd., as Lessee, recorded in Clerk's File No. 213528, of the Oil and Gas Records of Aransas County, Texas.
q. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated June 8, 1983, recorded in Clerk's File No. 128035, Official Public Records of Aransas County, Texas, which document contains the following language "..a stated 1/10th mineral reservation..". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).

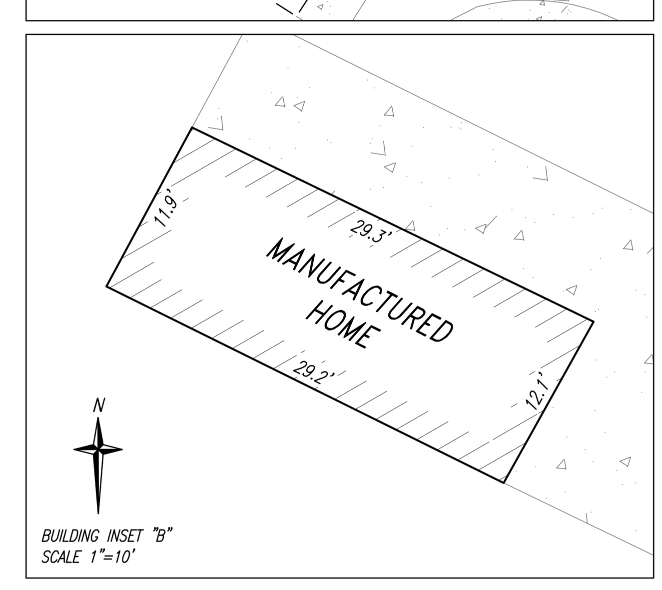
** NOTES **

1. THE BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH, BASED UPON RTK/GNSS OBSERVATIONS. REFERENCED TO N.A.D. 83, TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE. CORRECTED TO HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET.
2. THE BASIS OF ELEVATIONS FOR THIS SURVEY IS DERIVED FROM RTK/GNSS ON SITE OBSERVATIONS BASED ON NAVD88 VERTICAL DATUM.
3. THIS SURVEY MEETS OR EXCEEDS THE TEXAS BOARD OF PROFESSIONAL ENGINEERS & LAND SURVEYORS MINIMUM STANDARDS FOR LAND TITLE SURVEYS.
4. ALL DISTANCES TO STRUCTURES ARE TAKEN PERPENDICULAR FROM LOT LINES.
2. THIS TRACT DOES NOT LIE WITHIN THE BOUNDARIES OF A SPECIAL FLOOD HAZARD AREA AS APPROXIMATELY SHOWN ON F.E.M.A. FLOOD INSURANCE MAP (FIRM) #48007C0325G EFFECTIVE 02/17/2016.
3. WHERE SURVEYED OR COMPUTED COURSES DIFFER FROM THOSE OF RECORD, THE RECORD COURSE IS EXPRESSED IN PARENTHESIS, I/E, 1680.61' (1680.00').
4. ON-SITE SEPTIC FACILITIES SHOWN ARE PLACED APPROXIMATELY BASED UPON AS-BUILT INFORMATION PROVIDE BY THE COUNTY.
5. THE ZONING DESIGNATION FOR THIS PROPERTY IS R1 SINGLE FAMILY RESIDENTIAL ACCORDING TO THE CITY OF ROCKPORT ZONING MAP.
6. THIS SURVEY WAS PREPARED FOR CORRIDOR TITLE COMPANY OF NEW BRAUNFELS AND SHOULD ONLY BE USED FOR A SINGLE PROPERTY TRANSACTION. THIS SURVEY WAS PERFORMED FOR A SINGLE CONVEYANCE OF THE SUBJECT PROPERTY FOR THE EXCLUSIVE USE OF THE PARTIES OF THE SAID TRANSACTION AND IS NOT INTENDED FOR USE BY OTHER PARTIES IN THE FUTURE.

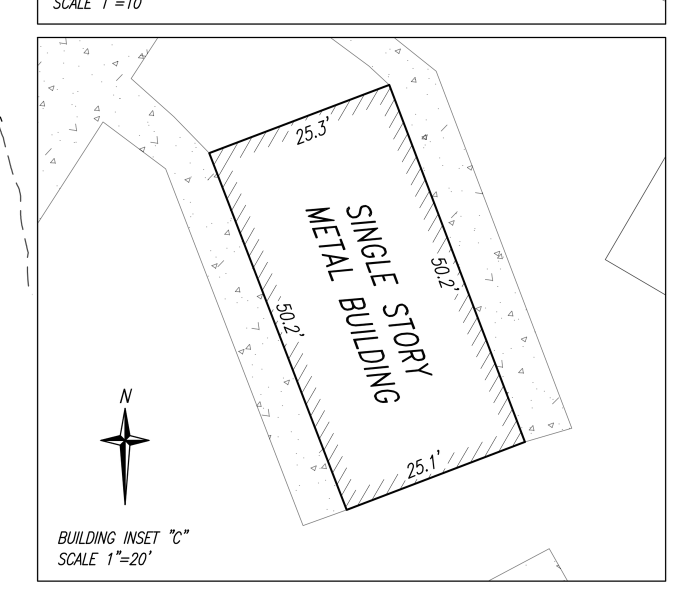
THIS SURVEY WAS CONDUCTED ACCORDING TO INFORMATION PROVIDED IN COMMITMENT FOR TITLE INSURANCE FILE NUMBER GF 22-3225-CH EFFECTIVE 10/23/2022.



BUILDING INSET "A"
SCALE 1"=20'



BUILDING INSET "B"
SCALE 1"=10'



BUILDING INSET "C"
SCALE 1"=20'

ALTA/NSPS SURVEY

BEING LOT 1-R AND LOT 2, COASTAL PARADISE SUBDIVISION, A SUBDIVISION IN ARANSAS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 6, PAGE 267, MAP RECORDS OF ARANSAS COUNTY, TEXAS
"A.K.A. 1331 STATE HIGHWAY 188"

** SURVEYOR'S CERTIFICATION **

TO: RREAF HOLDINGS, LLC, A TEXAS LIMITED LIABILITY COMPANY, CORRIDOR TITLE OF NEW BRAUNFELS, ITS SUCCESSORS AND ASSIGNS:
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2020 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5,6b,7a,8-11,13,14,&16-19 OF TABLE A THEREOF.
THE FIELDWORK WAS COMPLETED ON DECEMBER 15, 2022.

DATED: DECEMBER 27, 2022

Gary Max Brandenburg, R.P.L.S.
Registration No. 5164

STATE OF TEXAS
REGISTERED
GARY MAX BRANDENBURG
5164
PROFESSIONAL
LAND SURVEYOR

* LEGEND *

- FOUND 5/8" ø IRON ROD UNLESS OTHERWISE NOTED
- TxDOT CONCRETE HIGHWAY RIGHT OF WAY MONUMENT
- SET 5/8" I.R. W/CAP STAMPED "WES 10194410"
- "X" CUT IN CONCRETE
- PP UTILITY POLE
- LIGHT POLE W/ ELECTRIC TRANSFORMER
- W WATER WELL
- CO CLEANOUT

(COURSE VALUE PER PLAT VOL. 6, PG. 267 O.P.R.A.C.T.)
O.P.R.A.C.T. = OFFICIAL PUBLIC RECORDS OF ARANSAS COUNTY TEXAS
O.S.S.F. = ON-SITE SEWAGE FACILITIES

PROPERTY LINE
UTILITY EASEMENT
CONTOUR LINES — 20 —
BUILDING SETBACK LINE (PER PLAT)
EDGE OF PAVEMENT
CHAIN LINK FENCE LINE
BARBED WIRE FENCE — X —
WOOD FENCE
OVERHEAD ELECTRIC LINE — EX-OHE —
UNDERGROUND ELECTRIC LINE — E —
FIBER OPTIC LINE — FO —
WATER LINE — EX-W —
POND/BODY OF WATER
BUILDING
CONCRETE

WELLBORN
ENGINEERING & SURVEYING

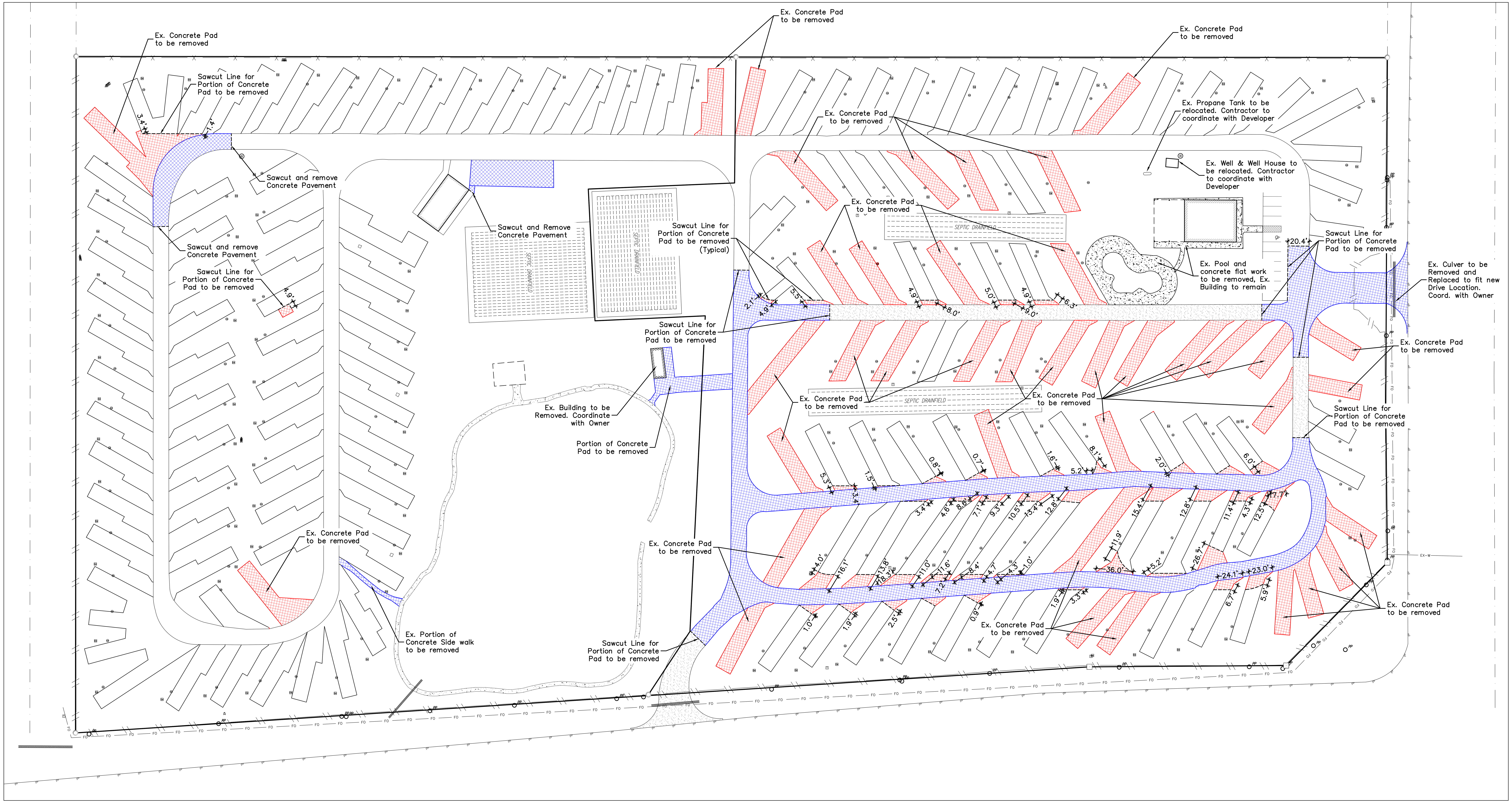
631 WATER STREET
KERRVILLE, TX 78028
830-217-7100

wellbornengineering.com
FIRM# 10194410
T.B.P.E.L.S.

PROJECT:	SCALE:	FIELD:	DRAFTING:	CHECKED:
WES: 22-009	1" = 40'	JS/CM	BM	GMB

LAST FIELD VISIT: 12.21.2022
LAST DRAFT REVISION: 12.27.2022

SHEET NO. 1 of 1



LEGEND

- = PROPERTY BOUNDARY
- E = EXISTING ELECTRIC METER
- W = EXISTING WELL
- CO = EXISTING CLEANOUT
- PP = EXISTING POWER POLE
- = EXISTING WATER VALVE
- EX–W = EXISTING WATER LINE
- FO = EXISTING FIBER OPTIC LINE
- EX–OHE = EXISTING OVERHEAD ELECTRIC LINE
- X X = EXISTING FENCE
- = EXISTING STORM SEWER PIPE
- = EXISTING BUILDING
- = EXISTING CONCRETE PAVEMENT
- = EXISTING CONCRETE SIDEWALK
- = PROPOSED SAWCUT
- = EXISTING CONCRETE DRIVE TO BE REMOVED
- = EXISTING CONCRETE PAD TO BE REMOVED

0 25 50 75 100

SCALE: 1"=50'

WELLBORN ENGINEERING & SURVEYING

631 Water Street
Kerrville, TX 78028
Phone: 830–217–7100
Texas Registration No. F–7761
wellbornengineering.com

This document is released for interim purposes only. It is incomplete and may not be used for regulatory approval, permit, or construction. Michael Wellborn, P.E. License # 88685

Demolition Coordination Exhibit for Sea Grass RV Park

Rockport, Texas

Revisions

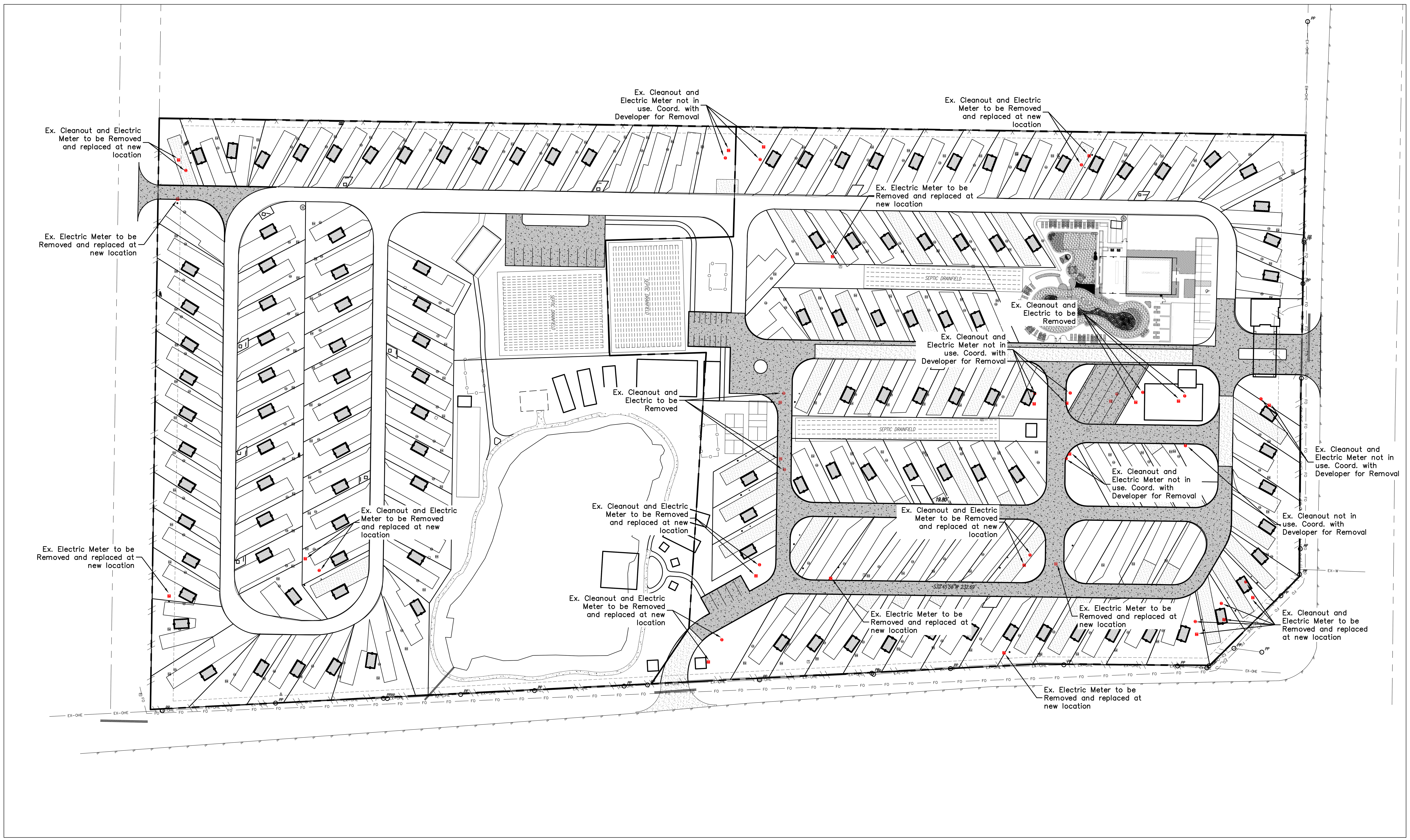
No.	Date	Description
1	7.28.2023	Demolition Coordination

Scale
1"=50' for 22"x34" sheets

WES Project No.
WES–22–009

Sheet No.

EX1



LEGEND

= PROPERTY BOUNDARY
= LOT LINES
= EXISTING WELL
= EXISTING CLEANOUT
= EXISTING POWER POLE
= EXISTING WATER VALVE
EX-W = EXISTING WATER LINE
FO = EXISTING FIBER OPTIC LINE
EX-OHE = EXISTING OVERHEAD ELECTRIC LINE
X X = EXISTING FENCE
= EXISTING STORM SEWER PIPE
= EXISTING BUILDING
= EXISTING CONCRETE PAVEMENT
= EXISTING CONCRETE SIDEWALK
= PROPOSED CONCRETE PAVEMENT
= PROPOSED CONCRETE RV STALL
= PROPOSED BUILDING
= PROPOSED CANOPY
= PROPOSED STRIPING (4" YELLOW STRIPE)
= EXISTING ELECTRIC METER TO BE REMOVED/RELOCATED
= EXISTING CLEANOUT TO BE REMOVED/RELOCATED

0 30 60 90 120

SCALE: 1"=60'

WELLBORN ENGINEERING & SURVEYING
631 Water Street
Kerrville, TX 78028
Phone: 830-217-7100
Texas Registration No. F-7761
wellbornengineering.com

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Utility Coordination Exhibit for Sea Grass RV Park

Rockport, Texas

Revisions

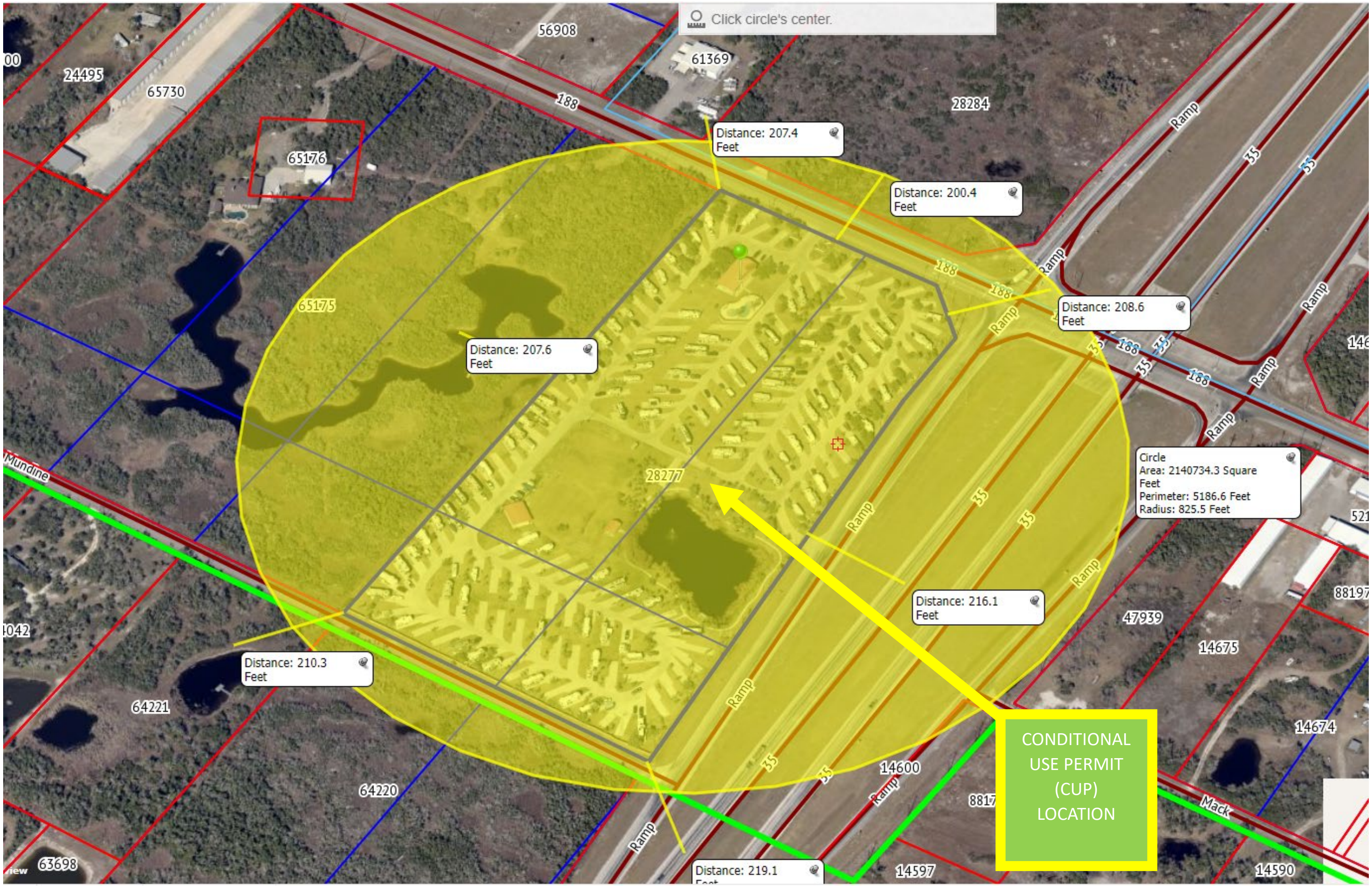
No.	Date	Description
1	7.28.2023	Utility Coordination

Scale
1"=60' for 22"x34" sheets

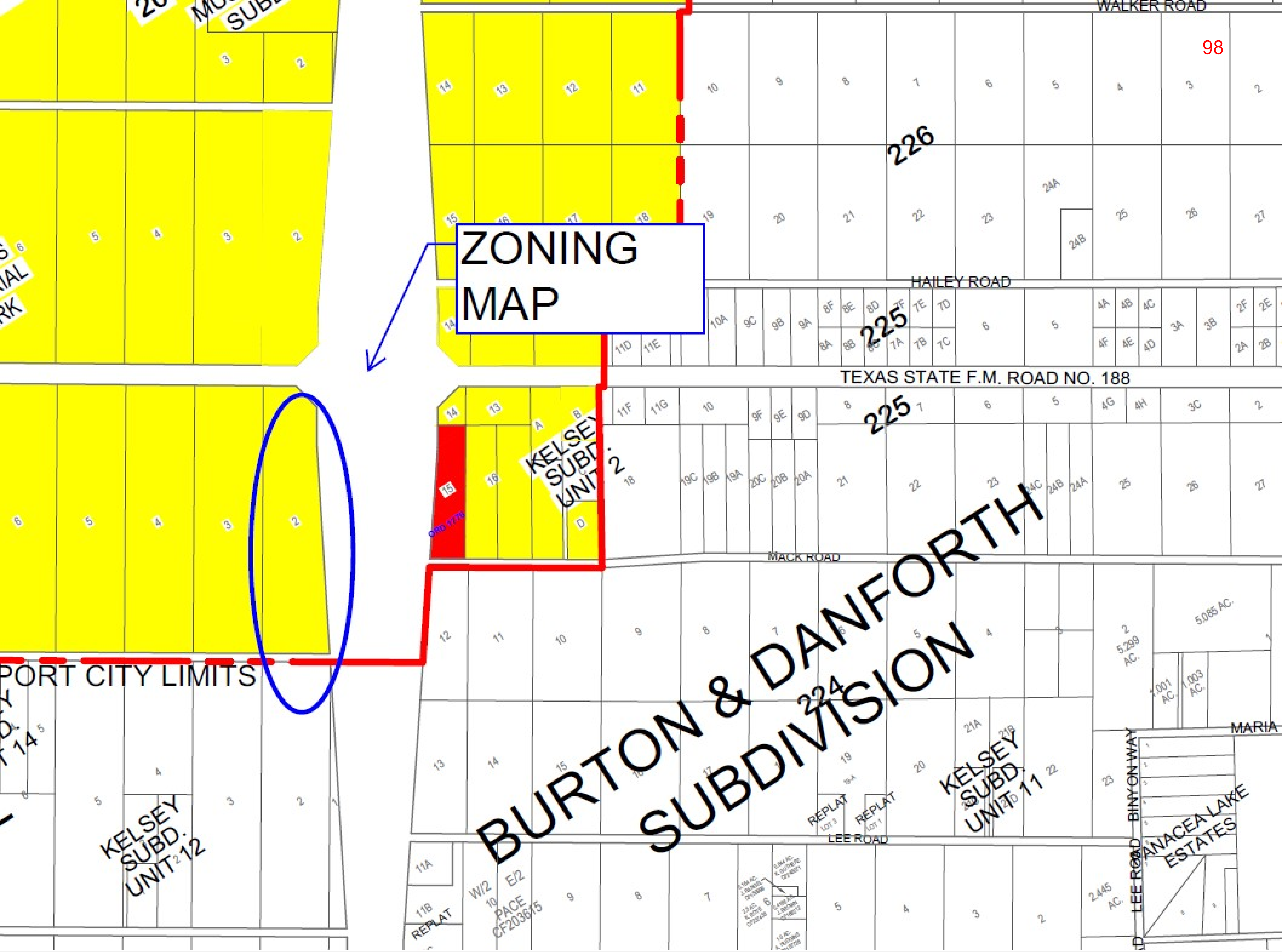
WES Project No.
WES-22-009

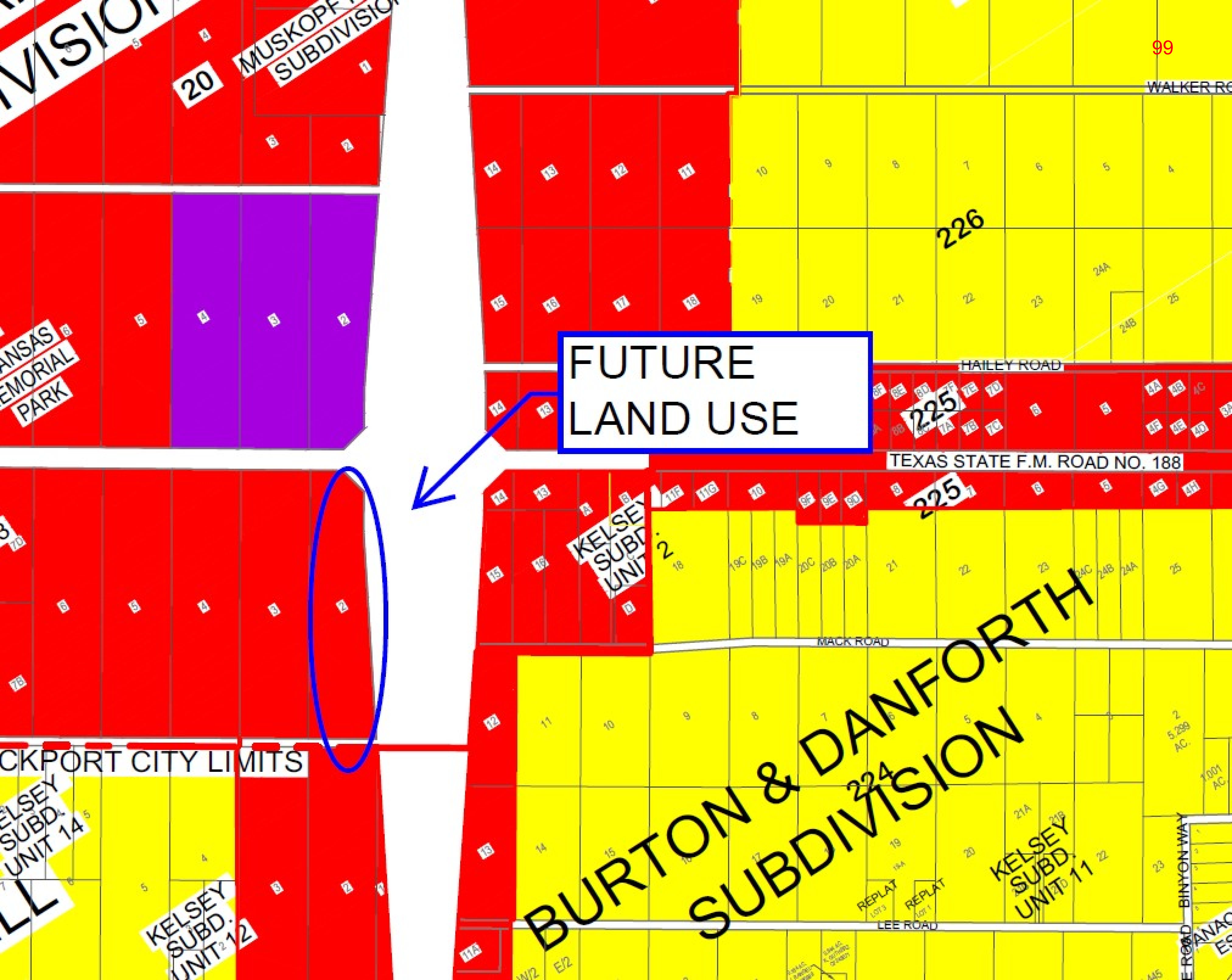
Sheet No.

EX2


Click circle's center.
Distance: 207.4 Feet
Distance: 200.4 Feet
Distance: 208.6 Feet
Distance: 207.6 Feet
Circle
Area: 2140734.3 Square Feet
Perimeter: 5186.6 Feet
Radius: 825.5 Feet
Distance: 216.1 Feet
Distance: 210.3 Feet
Distance: 219.1
56908
61369
28284
24495
65730
65176
65175
28277
47939
14675
88197
14674
64221
64220
14600
14597
14590
63698
188
35
Ramp
Mundine
Mack
CONDITIONAL USE PERMIT (CUP) LOCATION

Property ID	Property Owner	Situs Address	Mailing Address	City	State	ZIP
65175	Tonne Clifford D	1371-1471 SH 188	P O Box 1813	Rockport	Tx	78381
61369	Dysarz Edward D Etux Mary Jane	1390 SH 188	18 Front St	Rockport	Tx	78382
28284	Harrison & Harrison Holdings LLC	1350 SH 188	2003 Marshall Ln	Aransas Pass	Tx	78336
	Ruth Davis	Planning and Zoning Commi	Po Box 706	Fulton	TX	78358
	Ric Young	Planning and Zoning Commi	123 Royal Oaks Dr	Rockport	Tx	78382
	Kim Hesley	Planning and Zoning Commi	2003 Tule Park Drive	Rockport	TX	78382
	W. Kent Howard	Planning and Zoning Commi	7 Olde Towne Lane	Rockport	TX	78382
	Warren Hassinger	Planning and Zoning Commi	2517 Turkey Neck Circle	Rockport	TX	78382
	Thomas Blazek	Planning and Zoning Commi	102 St Andrews St	Rockport	Tx	78382
	Patricia A Impens	Planning and Zoning Commi	1401 Smokehouse Rd	Rockport	Tx	78382


ZONING MAP
WALKER ROAD
HAILEY ROAD
TEXAS STATE F.M. ROAD NO. 188
MACK ROAD
LEE ROAD
226
225
225
224
KELSEY SUBD. UNIT 2
BURTON & DANFORTH SUBDIVISION
KELSEY SUBD. UNIT 11
KELSEY SUBD. UNIT 12
PORT CITY LIMITS
BINYON WAY
LEE ROAD
MARIA
PANACEA LAKE ESTATES
REPLAT
REPLAT
W/2 E/2 10 PACE CF203615
5.085 AC.
5.299 AC.
1.001 AC.
1.003 AC.
2.445 AC.



FUTURE LAND USE
MUSKOPF SUBDIVISION
WALKER RO
HAILEY ROAD
TEXAS STATE F.M. ROAD NO. 188
MACK ROAD
LEE ROAD
BINYON WAY
226
225
224
20
KELSEY SUBD. UNIT 2
KELSEY SUBD. UNIT 14
KELSEY SUBD. UNIT 12
KELSEY SUBD. UNIT 11
BURTON & DANFORTH SUBDIVISION
CKPORT CITY LIMITS
ANSAS MEMORIAL PARK
REPLAT

CITY COUNCIL AGENDA
Regular Meeting: September 12, 2023

AGENDA ITEM: 14

Discussion for proposal and possible future action regarding the addition of a school zone to the area around ABC Learning Center and the addition of a four-way stop at the intersection(s) next to the facility.

SUBMITTED BY: Police Chief Greg Stevens

APPROVED FOR AGENDA: VRS

BACKGROUND: Complaints to Councilman Brad Brundrett of heavy traffic driving at excessive speeds near the ABC Learning Center, located at 1422 E. Cedar Street, has prompted the need for discussion about possibly created a school speed zone with reduced speed limits on the streets around the facility and/or the addition of four-stop signs at one or more of the intersections near the facility.

The police chief will research whether a "learning center" qualifies for having a school zone on its surrounding streets and will survey the area for the impact of adding four-way stop signs. It may be advantageous to conduct a traffic study over a few weeks to determine the traffic volume and actual speeds vehicles are traveling to better understand the best course of action.

FISCAL ANALYSIS: No physical impact.

RECOMMENDATION: Not an action item.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 12, 2023

AGENDA ITEM: 15

Deliberate and act to adopt, on first and only reading, an Ordinance of the City of Rockport adopting a budget and appropriating resources for Fiscal Year 2023-2024, beginning October 1, 2023, and ending September 30, 2024; in accordance with existing statutory requirements; repealing all conflicting ordinances; containing a severability clause; and providing for an effective date.

SUBMITTED BY: Robbie Sorrell, Director of Finance

APPROVED FOR AGENDA: VRS

BACKGROUND: Public Hearing of the 2023-2024 Budget was held at the Rockport Service Center on September 5, 2023. Notice of this Budget reading was also provided at that time.

FISCAL ANALYSIS: Exhibit "A" of the attached Ordinance records the appropriations for the Fiscal Year beginning October 1, 2023 and ending September 30, 2024.

RECOMMENDATION: Staff recommends adoption, on first and only reading, of an Ordinance adopting an approving the City of Rockport Annual Budget and Capital Improvement Program for the Fiscal Year beginning October 1, 2023, and ending September 30, 2024, as presented, as a recorded vote, as required by Local Government Code.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROCKPORT, TEXAS, ADOPTING A BUDGET AND APPROPRIATING RESOURCES FOR FISCAL YEAR 2023-2024, BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; REPEALING ALL CONFLICTING ORDINANCES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager and staff have prepared and filed with the City Secretary a proposed budget for the operation of the City during Fiscal Year 2023-2024; and

WHEREAS, the City Manager of the City of Rockport has submitted to the Mayor and Council a proposed budget of the revenues and expenditures/expenses of conducting the affairs of said City and providing a complete financial plan for Fiscal Year beginning October 1, 2023, and ending September 30, 2024; and

WHEREAS, the City Council on September 5, 2023, conducted a public hearing to receive input from citizens of the City concerning the content of the budget, and for which notice was duly posted in *The Rockport Pilot;* and

WHEREAS, the City has acknowledged that this budget will raise more revenue from property taxes than last year's budget by an amount of $1,050,240, which is a 12.91 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is $243,085; and

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

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

Section 1: The proposed budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024, as submitted to the City Council by the City Manager, which budget is attached hereto as Exhibit "A," for all purposes is hereby approved and adopted as the City's budget of all revenue and expenditures/expenses of the City of Rockport, Texas for Fiscal Year 2023-2024; and

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

Section 3: The sum of Fifty-five Million, Seven Hundred Eighty Thousand, Fifty One dollars ($55,780,051) is hereby appropriated for the City's FY 2023-2024 budget. Further, these funds are for payment of operating, capital, and debt service expenses associated with the operation and administration of the City, according to the various purposes and intents described in the FY 2023-2024 budget document.

Section 4: The budget includes certain unlisted, authorized and unpaid encumbrances from the prior fiscal year to be carried over to the 2023-2024 Budget by the City Manager or his designee.

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

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

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

PASSED, APPROVED and **ADOPTED** on this the 12th day of September 2023, by roll call vote as follows:

FOR MOTION:

AGAINST MOTION:

CITY OF ROCKPORT, TEXAS

____
Tim Jayroe, Mayor

ATTEST:

____
Teresa Valdez, City Secretary

EXHIBIT A

Consolidated Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	% Change Budget to Proposed
Resources					
General Fund	$ 11,854,517	$ 12,618,118	$ 13,453,484	$ 13,950,355	10.6%
Utility Fund - Water and Wastewater	13,280,821	12,645,249	13,679,323	15,009,014	18.7%
Natural Gas Fund	3,312,567	3,139,041	3,231,350	3,360,450	7.1%
Aquatic Center Fund	537,126	443,979	575,136	574,755	29.5%
Sanitation Fund	2,971,728	2,719,000	3,016,000	3,466,000	27.5%
Utility Surcharge Fund	181,712	175,699	181,500	186,500	6.1%
Fleet Maintenance Fund	831,708	1,051,606	923,703	1,072,893	2.0%
Hotel Occupancy Tax Fund	1,552,155	1,608,393	1,635,367	1,448,576	-9.9%
Communications Center Fund	984,310	1,059,550	1,164,639	1,152,085	8.7%
Municipal Court Security & Technology Fund	6,726	13,700	6,500	6,500	-52.6%
Municipal Court Juvenile Case Manager Fund	4,403	15,000	20,000	20,000	33.3%
I&S Debt Service Fund	3,547,216	3,568,838	3,568,904	3,759,910	5.4%
Utility Debt Service Fund	2,015,553	2,158,070	2,158,070	2,260,649	4.8%
Vehicle & Equipment Replacement Fund	729,809	917,000	917,000	75,000	-91.8%
General Fund CIP	8,388,588	16,968,845	13,858,945	4,528,566	-73.3%
Utility System CIP	705,562	5,622,000	336,330	4,908,798	-12.7%
Total Resources	**$ 50,904,501**	**$ 64,724,088**	**$ 58,726,251**	**$ 55,780,051**	-13.8%
Expenditures					
General Fund	$ 12,729,850	$ 12,618,118	$ 13,453,484	$ 13,950,355	10.6%
Utility Fund - Water and Wastewater	12,137,795	12,645,249	13,679,323	15,009,014	18.7%
Natural Gas Fund	3,192,361	3,139,041	3,231,350	3,360,450	7.1%
Aquatic Center Fund	535,880	443,979	575,136	574,755	29.5%
Sanitation Fund	2,460,337	2,719,000	3,016,000	3,466,000	27.5%
Utility Surcharge Fund	197,526	175,699	181,500	186,500	6.1%
Fleet Maintenance Fund	939,539	1,051,606	923,703	1,072,893	2.0%
Hotel Occupancy Tax Fund	805,501	1,608,393	1,635,367	1,448,576	-9.9%
Communications Center Fund	1,004,208	1,059,550	1,164,639	1,152,085	8.7%
Municipal Court Security & Technology Fund	9,963	13,700	6,500	6,500	-52.6%
Municipal Court Juvenile Case Manager Fund	17,199	15,000	20,000	20,000	33.3%
I&S Debt Service Fund	3,112,574	3,568,838	3,568,904	3,759,910	5.4%
Utility Debt Service Fund	2,176,670	2,158,070	2,158,070	2,260,649	4.8%
Vehicle & Equipment Replacement Fund	1,485,596	917,000	917,000	75,000	-91.8%
General Fund CIP	5,131,044	16,968,845	13,858,945	4,528,566	-73.3%
Utility System CIP	51,931	5,622,000	336,330	4,908,798	-12.7%
Total Expenditures	**$ 45,987,974**	**$ 64,724,088**	**$ 58,726,251**	**$ 55,780,051**	-13.8%
Resources Over(Under) Expenditures	**$ 4,916,527**	**$ 0**	**$ 0**	**$ 0**	

Proposed Annual Budget
and
Capital Improvement Program

October 1, 2023 - September 30, 2024

This budget will raise more revenue from property taxes than last year's budget by an amount of $1,050,240, which is a 12.91 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is $243,085.

Property Tax Rate Comparison:

	2023-2024	**2022-2023**
Property Tax Rate:	$0.360078/100	$0.378149/100
No-New-Revenue Tax Rate:	$0.323639/100	$0.352885/100
No-New-Revenue Maintenance & Operations Tax Rate:	$0.189317/100	$0.188294/100
Voter-Approval Tax Rate:	$0.360078/100	$0.378149/100
Debt Rate:	$0.146495/100	$0.157638/100

Total debt obligation for City of Rockport secured by property taxes: $29,785,013.

Proposed Budget - 9/12/2023
Budget Presentation - 8/8/2023 Budget
Workshop – 8/1/2023 Preliminary
Budget – 7/24/2023

Annual Budget and Capital Improvement Program

Proposed Budget – 9.12.23

Table of Contents

CITY MANAGER BUDGET MEMORANDUM

August 8, 2023

To the Honorable Mayor and City Council Members:

Introduction

In accordance with Article VII of the City of Rockport Charter and Chapter 102 of the Texas Local Government Code, I am submitting to you a draft budget under unusual circumstances. This is the first time in recent history that a budget will be produced prior to having the certified tax rolls prior to the submission of the budget. This budget, serving for the fiscal year 2023-2024 beginning October 1, 2023, is incredibly preliminary, a rough estimation and at best, premature. However, it is a starting point. This document will serve as the framework for the final budget when certified tax rolls are received on the August 24, 2023 due date.

The development of this budget has been a collaborative process with input from every department, the City's leadership team and City Council. This budget addresses many, but certainly not all, of the City's operational needs, while remediation efforts of previous financial practices.

The budgetary and accounting policies contained within conform to generally accepted accounting principles (GAAP) as established by the Governmental Accounting Standards Board. The accounts of the City are organized based on funds and account groups, each of which is considered a separate budgetary and accounting entity. Within the budget, the City's various funds are grouped into general fund types and proprietary fund types. The budget is prepared on the GAAP basis, with all governmental funds determined by using the modified accrual basis of accounting and proprietary funds established by using the accrual basis of accounting.

This budget focuses on the emphasis of openness of decision making, conservative expenditures, and looking to the future health of the City's financial status. Mother nature has given us a bumpy recent history so working towards mitigating the negative ramifications of environmental disruptions has become a key focus area and the budget is reflective of that. Additionally, supply chain issues are affecting how this budget was developed. A significant sum has been added to get a stock of water meters built up to keep up with development. Finally, a key element in this budget is an emphasis on training of staff. A priority of mine is to create an environment where customer service excellence is ingrained in the culture. A knowledgeable, team-oriented staff is crucial to this outcome.

Economic Outlook

The City of Rockport is a tourist destination that is also in a period of rapid growth. Consequently our static population of approximately 11,000 is growing rapidly with an estimated 2,300 new homes currently approved for development, our tourist population continues to thrive. The impact on the budget is not something to be over looked. While we have a static population, we must plan infrastructure and services for a transient population of 35,000+.

There continues to be a shortage of labor in restaurants and retail areas, primarily attributed to attainable housing. And this does not appear to be an area that is of great interest to the incoming development. The, relatively new EDC, has taken this area on as a project and we will work cooperatively to regenerate this market area.

We are not immune to the national inflation that is higher than usually expected. While we have seen a slow in inflation, it still continues to affect the expenditures of the city. We are still reeling from the 8% increase in 2022, an additional 4.26% increase has been the experience for 2023. For 2024 the projection is 3%.

In the last two months (June and July) there has been a decrease in Sales Tax over the same two months last year. This is of note as these are typically our two busiest months as far as tourism and sales tax are concerned.

As expected, there is a subsequent decrease in Hotel Motel Taxes collected from last year. This fund is healthy and the distribution for FY 23-24 is less than the anticipated collection. The fund is solvent but must be given an eye of caution to maintain this status.

Notable Policies and Programs

The submission of a balanced budget summary that shows the relationship between revenues and expenditures is attached. However, it is worth mentioning again that we do not have the Certified Tax Rolls. Additionally, we have not made all the requested changes in the Budget Workshop on 8/3/2023. These numbers WILL change.

As a result of discussion at the Budget Workshop, staff will begin negotiation for a developer contribution withing our development agreements to cover the lost income during the period of time of which we are conducting an Impact Fee study. In the budget, an overall fee study has been approved to bring our fees closer to market rate.

Staff received a 5% COLA last year. This year, we are not in a position to offer a COLA or merit raise. Instead, a one time payment of either $1000 or $1500 will be awarded based on satisfactory or excellent performance, respectively.

Health Insurance

As experienced across all of the workforce, we have experienced a large raise in health insurance premiums. TML health insurance proposed an increase of 12%. This is an increase of $140,529.12. We have opted to raise our deductible from $1,500 to $2,000 and the max out of pocket from $5,000 to $6,000, making our annual increase $64,148.88 or 5.4%.

Unfunded Issues

The City continues to need additional funding for capital needs associated with maintenance concerns now and in the future associated with new growth. Specifically, additional funding for capital is needed, but not addressed in the FY 2023-2024 budget, for (1) drainage, (2) streets, (3) park land acquisition and development, and (4) utility line replacement and expansion. Making significant progress on street work, park land acquisition, and development will require issuance of general obligation (GO) bonds, tax notes, or some other debt instrument. Drainage can also be served by GO bonds or tax notes but ideally should have a dedicated, recurring funding source such as a drainage utility district (which is a separate taxing authority) or a drainage fee. In both instances the amount of fee that an individual property owner pays is determined by the amount of impervious cover their property has, i.e., how much stormwater they are contributing to the drainage system. Capital needs associated with the water, wastewater, and natural gas utilities may be achieved with the issuance of revenue bonds paid for by increased utility customer rates. All of these items require in depth workshop discussions by the City Council and ultimately a vote by the citizens of Rockport with the consideration of a bond package.

We are at a precipice with our police officer count, and at this point, do not have funding to support a larger force. Moving forward, an evaluation of law enforcement priorities, exploration of optional funding sources and staffing levels will need to be conducted.

Taxes and Growth of City Government

This area will be addressed once certified tax rolls are received.

Conclusion

Good things are happening in Rockport right now. The Cultural Arts District is alive with improvements. The new City Hall and Courthouse are nearing completion. The Center for the Arts is open and thriving and events occur nearly every weekend. There are approximately 2,300 new homes proposed to be built, potentially exploding the population. Our festivals continue to grow in number and attendance. All the while making a collaborative effort to maintain our local charm for the entire peninsula.

This brings challenges as well. Infrastructure and services are under pressure to meet the demands of this, with little or no additional resources. At this point, Rockport has a sales/ad valorem tax ratio that is not sustainable so new creative policies and opportunities must be explored.

The proposed FY 2023-2024 Budget is extremely conservative in both revenue and expenditures and addresses only maintaining the status quo. The development of this budget is continually mindful that meeting the fundamental health, safety, and welfare needs of our citizens are essential to making a progressive and successful community.

The staff has worked extremely hard and done an outstanding job with the development of this budget, under extremely unique circumstances. Thank you to the City Council for devoting the time needed to discuss critical issues and understand the difficult choices to be made to keep the functions of the city operational.

Respectfully,

Vanessa R Shrauner

Vanessa Shrauner
City Manager

To: Mayor and City Council

From: Vanessa Shrauner, City Manager

Subject: Budget Workshop Information

Date: July 28, 2023

There are some minor changes from the last budget you received. The biggest one being that we received an estimate of taxable value. **Let me take this chance to remind you that we are not anticipated to have the Certified Taxable Value until August 24th. Anything contained in the attached budget IS NOT based on Certified Tax Rolls. We are working off estimates only.**

The estimated taxable value for the 23-24 Budget year is $2,677,824,883 which is $429,752,629 over last years value. There is still more than 10% of the properties under protest so values cannot be certified until there is less than 5%.

Some of the changes you will see are:

1. Added Watchguard and Incode projects to the Police Department. These are contracted services for a total of $152,938.
2. An encumbrance for the trail expansion from the Pool to Tule creek.
3. There were adjustments to the Police budget that were net zero changes, but movement was made across departments.
4. A credit card fee revenue of $160,000 was added to account for the new fee council just enacted.
5. A FEMA grant revenue was added amounting to $2,040,000.

There are other minor changes you will see as you go through the book, and we will be prepared to discuss them at our Budget Workshop August 1st,2023 9:00 here at the RSC.

See you then.

To: Mayor and City Council

From: Vanessa Shrauner, City Manager

Subject: Budget Workshop Information

Date: July 24, 2023

My first year in Rockport has been one full of learning experiences and growth. Familiarizing myself with the budget, the budget development process has been very eye opening. While we have recognized certain hurdles in the budget, we are confident in our capacity to overcome them.

Inflation is down from the summer highs of 2022 but is still far above the pre-Covid rates thus we are still feeling the budgetary effects of the increases. This year's incremental increase, although modest, becomes more pronounced and remains significant when considered in conjunction with last year's inflation. TML health insurance proposed an increase of 12%. This is an increase of $140,529.12. We have opted to raise our deductible from $1,500 to $2,000 and the max out of pocket from $5,000 to $6,000, making our annual increase $64,148.88 or 5.4%.

Additionally, when formulating the budget, it was discovered that wind insurance for City facilities had not been adequately budgeted in past years (it was paid, not budgeted). This cost is estimated at just over $400,000 per year, with a re-rate due to us any day now. The addition of The Downtown Anchor Project will add another estimated $425,000. Making our total wind insurance cost near an additional $1,000,000 in this year's budget to cover the cumulative costs. We divided this amount between the appropriate funds.

We have discussed the use of the Community Disaster Loan. It has been assumed that the loan has been credited as revenue for the past five years, therefore it has been included in the budget and spent. By not drawing from the loan the current year budget will be affected and we will feel an impact for several years to come while building our reserves to our 180-day level.

We anticipate the new City Hall being ready for occupation in February of 2024. As far as the budget is concerned, we have included nine months of operations cost in the budget, with all relevant expenses highlighted for clarity. The cumulative costs are included in the bottom line. However, additional janitorial staff are not included in the proposed draft budget, but are in the new initiatives for consideration.

The appraisal district has informed us that, due to the high number of appeals, the estimated collections will not be available until the middle to late August. To formulate our budget for the current year, we relied on the present property tax collections along with a conservative 3% increment to account for new property values added. Additionally, we opted to maintain sales tax at its current level due to a decrease in the current year, making an increase unwise at this point.

The attached budget reflects a spending reduction of 13.7%, however, it also reflects a reduction of revenue of 15.9%. The budget IS NOT balanced as we are waiting on even preliminary numbers from the appraisal district. You should see some more accurate information in the binder you will receive this Friday. The General Fund shows an increase of 12.3% in expenditures with the bulk being realized in insurance (as noted above), and contract services.

Utility System fund reflects an increase in spending of 16.7% or $2,105,864.00. This is primarily in the Water Distribution Department. There is a shortage of the type of meters that we need for our automated meter reader system. With our predicted substantial growth, we need approximately 2300 meters to maintain the pace of development. We have asked for $1,000,000 for the stated number of meters, however, with supply chain issues, we do not know when we will receive or will be billed for these products. But we intend to order in phases. Failure of us to get orders in and get in the queue could curtail development. This large order is only partially covered in the projected water price as the revenue from this growth will not be realized immediately.

Currently, we have not received information from San Patricio Water Supply as to a change in water purchase price. Our Rate Study does not account for this item. We will need to discuss water rates when we receive this information.

Subsequently, the Wastewater Department estimates a reduction in expenditures of 3.2% or $76,161 while Utility Customer Service predicts an increase of 10.9% or $84,803. Finally, non-departmental spending in the Utility Fund increased 16.1% or about $596,089 which can be primarily attributed to the portion of windstorm insurance we allocated into this fund.

While we work through the potential sale of the Natural Gas System, we will need to continue to operate as usual and remain in compliance with the Railroad Commission. Preliminarily, the Natural Gas System is solvent.

The Community Aquatic center is projected to need a transfer of $409,505 from the General Fund to break even. This is 55% more than was budgeted last year. The staff has been instructed to work towards programing some revenue generating activities with the hope of reducing the transfer amount.

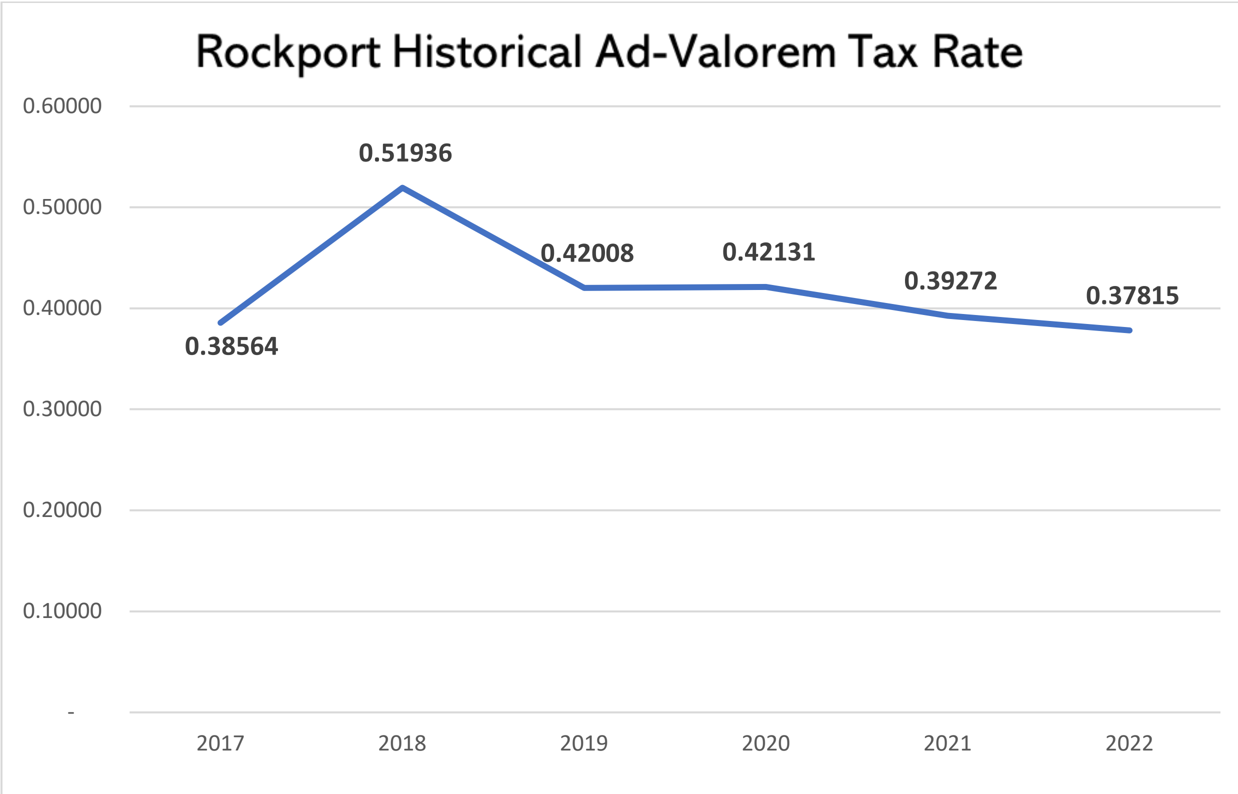
We are estimating an approximate 14% drop in Hotel Motel Tax collections. The projected revenue and the use of reserves to fund the council approved projects, will leave the fund balance with at least 365-day reserve.

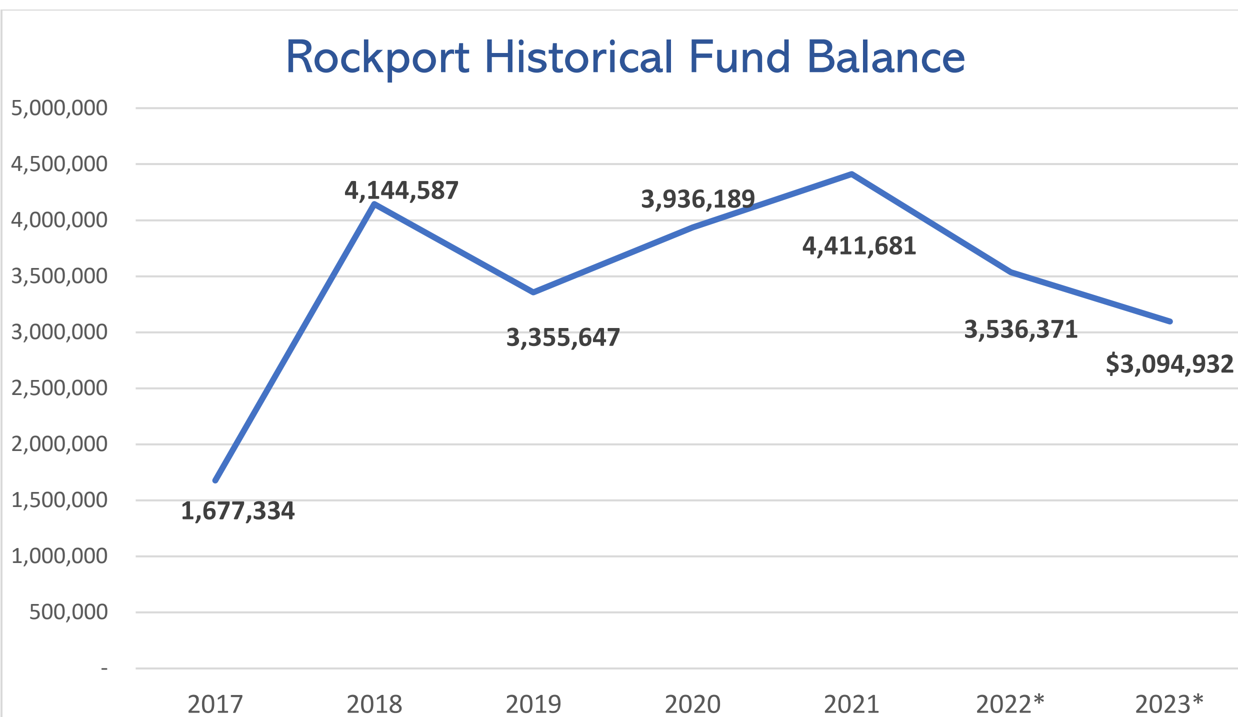
I have included the preliminary CIP Projects; however, a full discussion needs to take place around this fund. The remaining funds are either passed through or funded by transfers or billing from other entities. However, of note is that a payment to Republic Services out of the Sanitation Department was unattended to in 2020 leaving us with an unpaid balance of approximately $200,000 that we have budgeted for the coming year. There has been a miscommunication of billing practices between the City and Republic in that they have billed us another approximate $250,000 going back as much as three years. We must do a forensic style audit of these bills to determine exactly what is owed by the City. They have been informed that we may need to take as long to pay as they took to bill.

In addition to the information above, I have not included the $4.6 million worth of requested new initiatives. These will be prioritized in the event that funding becomes available, grant or otherwise. I also have not considered a cost of living or merit increase for employees. These need to be looked at after a tax estimation is given.

Please reach out with any questions you may have. We will update data when we receive it and should have a lot more information when we receive a preliminary tax number. You will get a binder Friday in preparation for our Budget Workshop on August 1st.

And just because I like a good graph:





PROPERTY TAX RATE CALCULATIONS

Certified Ad Valorem Tax Rate Comparison FY 2023-2024

	Adopted 2022 Tax Rate	I&S Rate $.146495 PRELIMINARY 2023 No-New Revenue Tax Rate	2023 Voter-Approval Tax Rate	De Minimis Tax Rate $500,000 Above NNR	2023 Unused Increment Tax Rate
M & O Tax Rate	$ 0.220511	$ 0.177144	$ 0.195943	$ 0.211997	$ 0.213583
I & S Tax Rate	$ 0.157638	$ 0.146495	$ 0.146495	$ 0.146495	$ 0.146495
Total Tax Rate	**$ 0.378149**	**$ 0.323639**	**$ 0.342438**	**$ 0.358492**	**$ 0.360078**
Total Taxable Value	**$ 1,858,965,488**	**$ 2,229,968,040**	**$ 2,229,968,040**	**$ 2,229,968,040**	**$ 2,229,968,040**
Total Tax Levy					
Total Tax Levy	$ 7,029,659	$ 7,217,046	$ 7,636,258	$ 7,994,257	$ 8,029,624
Over 65 Frozen Taxes	$ 1,092,975	$ 1,235,778	$ 1,235,778	$ 1,235,778	$ 1,235,778
Disabled Frozen Taxes	$ 14,899	$ 17,207	$ 17,207	$ 17,207	$ 17,207
Total Tax Levy	**$ 8,137,533**	**$ 8,470,031**	**$ 8,889,243**	**$ 9,247,242**	**$ 9,282,609**
Total Tax Revenue					
Total Levy	$ 8,137,533	$ 8,470,031	$ 8,889,243	$ 9,247,242	$ 9,282,609
Collection Ratio	98.75%	98.50%	98.50%	98.50%	98.50%
Total Tax Revenue	**$ 8,035,814**	**$ 8,342,981**	**$ 8,755,904**	**$ 9,108,533**	**$ 9,143,370**
Revenue Allocation by Fund					
M & O General Fund	$ 4,685,945	$ 4,566,536	$ 5,010,128	$ 5,386,401	$ 5,423,459
I&S Debt Service Fund	$ 3,349,869	$ 3,776,445	$ 3,745,776	$ 3,722,132	$ 3,719,911
Total Tax Revenue	**$ 8,035,814**	**$ 8,342,981**	**$ 8,755,904**	**$ 9,108,533**	**$ 9,143,370**
Revenue Difference from 2022					
Additional Revenue		**$307,167**	**$720,090**	**$1,072,719**	**$1,107,556**
% Increase in Revenue		**3.7%**	**8.2%**	**11.8%**	**12.1%**

Residential Taxpayer Impact Analysis

Residential Value	Tax Paid 2022 Rate	2023 NNR	Difference from No-New-Revenue Rate 2023 VAR	De Minimus Rate	Unused Increment
Average Market - $360,487	$1,363.18	$1,166.68	$67.77	$125.64	$131.36
Average Taxable - $304,659	$1,152.06	$986.00	$57.27	$106.18	$111.01

Residential Value	Tax Paid 2022 Rate	NNR 2023 Tax Difference from 2022	Difference in Tax Paid from Last Year's Tax Rate 2023 VAR	De Minimus Rate	Unused Increment
Average Market - $360,487	$1,363.18	-$196.50	-$128.73	-$70.86	-$65.14
Average Taxable - $304,659	$1,152.06	-$166.07	-$108.80	-$59.89	-$55.05

CONSOLIDATED FUNDS

Consolidated Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	% Change Budget to Proposed
Resources					
General Fund	$ 11,854,517	$ 12,618,118	$ 13,453,484	$ 13,950,355	10.6%
Utility Fund - Water and Wastewater	13,280,821	12,645,249	13,679,323	15,009,014	18.7%
Natural Gas Fund	3,312,567	3,139,041	3,231,350	3,360,450	7.1%
Aquatic Center Fund	537,126	443,979	575,136	574,755	29.5%
Sanitation Fund	2,971,728	2,719,000	3,016,000	3,466,000	27.5%
Utility Surcharge Fund	181,712	175,699	181,500	186,500	6.1%
Fleet Maintenance Fund	831,708	1,051,606	923,703	1,072,893	2.0%
Hotel Occupancy Tax Fund	1,552,155	1,608,393	1,635,367	1,448,576	-9.9%
Communications Center Fund	984,310	1,059,550	1,164,639	1,152,085	8.7%
Municipal Court Security & Technology Fund	6,726	13,700	6,500	6,500	-52.6%
Municipal Court Juvenile Case Manager Fund	4,403	15,000	20,000	20,000	33.3%
I&S Debt Service Fund	3,547,216	3,568,838	3,568,904	3,759,910	5.4%
Utility Debt Service Fund	2,015,553	2,158,070	2,158,070	2,260,649	4.8%
Vehicle & Equipment Replacement Fund	729,809	917,000	917,000	75,000	-91.8%
General Fund CIP	8,388,588	16,968,845	13,858,945	4,528,566	-73.3%
Utility System CIP	705,562	5,622,000	336,330	4,908,798	-12.7%
Total Resources	**$ 50,904,501**	**$ 64,724,088**	**$ 58,726,251**	**$ 55,780,051**	-13.8%
Expenditures					
General Fund	$ 12,729,850	$ 12,618,118	$ 13,453,484	$ 13,950,355	10.6%
Utility Fund - Water and Wastewater	12,137,795	12,645,249	13,679,323	15,009,014	18.7%
Natural Gas Fund	3,192,361	3,139,041	3,231,350	3,360,450	7.1%
Aquatic Center Fund	535,880	443,979	575,136	574,755	29.5%
Sanitation Fund	2,460,337	2,719,000	3,016,000	3,466,000	27.5%
Utility Surcharge Fund	197,526	175,699	181,500	186,500	6.1%
Fleet Maintenance Fund	939,539	1,051,606	923,703	1,072,893	2.0%
Hotel Occupancy Tax Fund	805,501	1,608,393	1,635,367	1,448,576	-9.9%
Communications Center Fund	1,004,208	1,059,550	1,164,639	1,152,085	8.7%
Municipal Court Security & Technology Fund	9,963	13,700	6,500	6,500	-52.6%
Municipal Court Juvenile Case Manager Fund	17,199	15,000	20,000	20,000	33.3%
I&S Debt Service Fund	3,112,574	3,568,838	3,568,904	3,759,910	5.4%
Utility Debt Service Fund	2,176,670	2,158,070	2,158,070	2,260,649	4.8%
Vehicle & Equipment Replacement Fund	1,485,596	917,000	917,000	75,000	-91.8%
General Fund CIP	5,131,044	16,968,845	13,858,945	4,528,566	-73.3%
Utility System CIP	51,931	5,622,000	336,330	4,908,798	-12.7%
Total Expenditures	**$ 45,987,974**	**$ 64,724,088**	**$ 58,726,251**	**$ 55,780,051**	-13.8%
Resources Over(Under) Expenditures	**$ 4,916,527**	**$ 0**	**$ 0**	**$ 0**	

GENERAL FUND

Fund: 01- General
Consolidated Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
General Fund Resources					
Property Taxes	$ 4,015,913	$ 4,760,916	$ 4,705,012	$ 5,495,959	15.4%
Other Taxes	3,731,266	3,771,126	3,787,126	3,887,126	3.1%
Franchise Fees	1,681,685	1,690,880	1,670,215	1,787,000	5.7%
Licenses & Permits	660,740	671,000	478,525	548,175	-18.3%
Intergovernmental Revenues	239,336	90,500	131,846	85,500	-5.5%
Fines & Fees	154,895	168,000	157,300	161,600	-3.8%
Interest Revenue	13,730	7,500	105,000	105,000	1300.0%
Charges for Services	75,107	111,700	49,250	50,200	-55.1%
Operating Transfers	1,149,067	1,234,618	1,234,618	1,293,443	4.8%
Event Revenues	3,381	5,000	5,000	5,000	0.0%
Other Revenues	129,397	106,878	299,465	82,000	-23.3%
Use of Reserves	-	-	830,127	449,352	0.0%
Total Resources	**$ 11,854,517**	**$ 12,618,118**	**$ 13,453,484**	**$ 13,950,355**	10.6%
General Fund Expenditures					
Personnel	$ 6,584,404	$ 6,886,465	$ 7,136,670	$ 7,315,128	6.2%
Contracts & Services	1,698,730	1,471,560	1,755,885	2,464,568	67.5%
Supplies	1,158,628	826,795	683,125	998,155	20.7%
Travel & Training	137,843	190,450	199,701	202,844	6.5%
Intergovernmental Transfers	1,686,927	1,772,391	1,786,634	1,280,367	-27.8%
Maintenance	600,602	878,226	691,855	849,263	-3.3%
Capital Outlay/Project	498,219	324,650	401,038	337,150	3.9%
Operating Transfers	364,497	267,581	798,576	502,880	87.9%
Total Expenditures	**$ 12,729,850**	**$ 12,618,118**	**$ 13,453,484**	**$ 13,950,355**	10.6%
Resources Over(Under) Expenditures	**$ (875,333)**	**$ (0)**	**$ 0**	**$ (0)**	

WATER/WASTEWATER FUND

Fund: 02 - Water/Wastewater Fund
Consolidated Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Water/Wastewater Fund Resources					
Interest Revenues	$ 14,458	$ 3,000	$ 222,054	$ 200,000	6566.7%
Charges for Services	13,065,555	12,457,249	13,160,525	14,629,014	17.4%
Operating Transfers	90,000	90,000	90,000	90,000	0.0%
Other Revenues	110,808	95,000	206,744	90,000	-5.3%
Total Resources	**$ 13,280,821**	**$ 12,645,249**	**$ 13,679,323**	**$ 15,009,014**	18.7%
Water/Wastewater Fund Expenditures					
Personnel	$ 2,021,801	$ 2,287,649	$ 2,369,038	$ 2,450,529	7.1%
Contracts & Services	1,052,906	836,000	1,593,278	1,785,314	113.6%
Supplies	4,102,261	4,598,335	4,667,312	5,052,660	9.9%
Travel & Training	26,332	43,600	44,139	40,600	-6.9%
Intergovernmental Transfer	228,551	272,698	272,698	-	-100.0%
Maintenance	944,926	1,018,249	1,126,679	1,939,786	90.5%
Capital Outlay/Project	59,553	41,350	53,476	31,350	-24.2%
Operating Transfers	3,701,465	3,547,368	3,552,704	3,708,775	4.6%
Total Expenditures	**$ 12,137,795**	**$ 12,645,249**	**$ 13,679,323**	**$ 15,009,014**	18.7%
Resources Over(Under) Expenditures	**$ 1,143,026**	**$ 0**	**$ (0)**	**$ 0**	

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NATURAL GAS FUND

Fund: 08 - Natural Gas Fund
Consolidated Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Natural Gas Fund Resources					
Interest Revenues	$ -	$ 1,000	$ -	$ -	-100.0%
Charges for Services	3,296,863	3,112,050	3,200,000	3,342,000	7.4%
Other Revenues	15,704	25,991	31,350	18,450	-29.0%
Total Resources	**$ 3,312,567**	**$ 3,139,041**	**$ 3,231,350**	**$ 3,360,450**	7.1%
Natural Gas Fund Expenditures					
Personnel	$ 631,026	$ 688,845	$ 691,059	$ 663,143	-3.7%
Contracts & Services	180,207	122,900	118,715	154,900	26.0%
Supplies	1,365,676	1,141,000	1,012,476	1,137,094	-0.3%
Travel & Training	20,628	25,000	25,817	24,000	-4.0%
Intergovernmental Transfer	21,100	21,100	21,100	-	-100.0%
Maintenance	376,227	318,964	451,752	403,147	26.4%
Capital Outlay/Project	40,139	65,000	163,199	55,000	-15.4%
Operating Transfers	557,358	756,232	747,232	923,166	22.1%
Total Expenditures	**$ 3,192,361**	**$ 3,139,041**	**$ 3,231,350**	**$ 3,360,450**	7.1%
Resources Over(Under) Expenditures	**$ 120,206**	**$ 0**	**$ 0**	**$ (0)**	

AQUATIC CENTER FUND

Fund: 05 - Aquatic Center Fund
Consolidated Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Aquatic Center Fund Resources					
Intergovernmental Revenues	$ 37,000	$ 37,000	$ 37,000	$ 37,000	0.0%
Charges for Service	132,669	131,850	128,750	128,250	-2.7%
Operating Transfers	364,497	263,806	409,386	409,505	55.2%
Miscellaneous Revenues	2,960	11,323	-	-	-100.0%
Total Revenues	**$ 537,126**	**$ 443,979**	**$ 575,136**	**$ 574,755**	29.5%
Aquatic Fund Expenditures					
Aquatic Center Oper & Maint	$ 535,880	$ 443,979	$ 575,136	$ 574,755	29.5%
Total Expenditures	**$ 535,880**	**$ 443,979**	**$ 575,136**	**$ 574,755**	29.5%
Resources Over(Under) Expenditures	**$ 1,246**	**$ 0**	**$ 0**	**$ 0**	

FLEET MAINTENANCE FUND

Fund: 15 - Fleet Maintenance
Resources vs Expenditures Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Revenues					
Intergovernmental Revenue	$ -	$ 4,000	$ -	$ -	-100.0%
Charges for Services	547,268	702,439	558,945	737,086	4.9%
Operating Transfers	284,431	332,000	339,701	332,000	0.0%
Other Revenues	9	13,167	25,057	3,807	-71.1%
Total Fleet Maintenance Fund Revenues	**$ 831,708**	**$ 1,051,606**	**$ 923,703**	**$ 1,072,893**	2.0%
Expenses					
Fleet Operation/Maintenance	$ 939,539	$ 1,051,606	$ 923,703	$ 1,072,893	2.0%
Total Utility System Fund Expenses	**$ 939,539**	**$ 1,051,606**	**$ 923,703**	**$ 1,072,893**	2.0%
Revenues Over(Under) Expenses	**$ (107,831)**	**$ 0**	**$ 0**	**$ (0)**	

COMMUNICATIONS CENTER FUND

Fund: 16 - Communications Center Fund
Consolidated Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Revenues					
Intergovernmental Revenue	$ 479,384	$ 500,163	$ 542,502	$ 597,932	19.5%
Operating Transfers	504,926	558,950	605,943	554,153	-0.9%
Other Revenues	-	437	16,194	-	-100.0%
Total Communication Center Fund Revenues	**$ 984,310**	**$ 1,059,550**	**$ 1,164,639**	**$ 1,152,085**	8.7%
Expenses					
Personnel	$ 974,952	$ 1,012,642	$ 1,112,606	$ 1,101,339	8.8%
Contracts & Services	4,771	18,700	5,562	7,300	-61.0%
Supplies	1,093	1,050	1,550	1,050	0.0%
Travel & Training	2,050	3,330	5,336	6,330	90.1%
Intergovernmental Transfer	2,974	3,000	3,000	3,000	0.0%
Operating Transfers	18,368	20,828	20,828	33,066	58.8%
Totommunications Center Fund Expenses	**$ 1,004,208**	**$ 1,059,550**	**$ 1,164,639**	**$ 1,152,085**	8.7%
Revenues Over(Under) Expenses	**$ (19,898)**	**$ -**	**$ -**	**$ -**	0.0%

HOTEL OCCUPANCY TAX FUND

Fund: 27 - Hotel Occupancy Tax Fund
Budget Summary
Resources vs Expenditures Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Revenues					
Hotel Occupancy Tax Revenues	$1,552,155	$1,355,000	$ 1,275,000	$ 1,159,262	-14.4%
Use HOT Reserves	-	253,393	360,367	289,314	14.2%
Total Fund Revenues	**$ 1,552,155**	**$ 1,608,393**	**$ 1,635,367**	**$ 1,448,576**	-9.9%
Expenses					
Tax Administration	$ 805,501	$1,608,393	$ 1,614,135	$ 1,448,576	-9.9%
Non-Departmental	-	-	21,232	-	0.0%
Total Fund Expenses	**$ 805,501**	**$ 1,608,393**	**$ 1,635,367**	**$ 1,448,576**	-9.9%
Revenues Over(Under) Expenses	**$ 746,654**	**$ (0)**	**$ -**	**$ (0)**	

SANITATION FUND

Fund: 03 - Sanitation Fund
Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Revenues					
Charges for Services	$ 2,971,728	$ 2,719,000	$ 3,016,000	$ 3,266,000	20.1%
Use of Reserves	-	-	-	200,000	0.0%
Total Revenues:	**$ 2,971,728**	**$ 2,719,000**	**$ 3,016,000**	**$ 3,466,000**	27.5%
Expenditures					
Administration	$ 2,460,337	$ 2,703,000	$ 3,000,000	$ 3,450,000	27.6%
Non-Departmental	-	16,000	16,000	16,000	0.0%
Total Expenditures:	**$ 2,460,337**	**$ 2,719,000**	**$ 3,016,000**	**$ 3,466,000**	27.5%
Resources Over(Under) Expenditures	**$ 511,391**	**$ -**	**$ -**	**$ -**	0.0%

UTILITY SURCHARGE FUND

Fund: 09 - Utility Surcharge Fund
Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Revenues					
Charges for Services	$ 181,712	$ 175,699	$ 181,500	$ 186,500	6.1%
Total Revenues:	**$ 181,712**	**$ 175,699**	**$ 181,500**	**$ 186,500**	6.1%
Expenditures					
Administration	$ 187,650	$ 166,515	$ 172,316	$ 177,316	6.5%
Non-Departmental	9,876	9,184	9,184	9,184	0.0%
Total Expenditures:	**$ 197,526**	**$ 175,699**	**$ 181,500**	**$ 186,500**	6.1%
Revenues Over (Under) Expenditures:	**$ (15,814)**	**$ 0**	**$ 0**	**$ 0**	0.0%

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MUNICIPAL COURT SECURITY &Y &TECHNOLOGY FUNDS

Fund: 07 - Municipal Court Security & Technology Funds
Consolidated Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Municipal Court Fund Resources					
Fines & Fees	$ 6,726	$ 7,700	$ 6,500	$ 6,500	-15.6%
Other Revenues	-	6,000	-	-	-100.0%
Total Revenues:	**$ 6,726**	**$ 13,700**	**$ 6,500**	**$ 6,500**	-52.6%
Municipal Court Fund Expenditures					
Building Security	$ -	$ 3,700	$ 3,000	$ 3,000	-18.9%
Court Technology	9,963	10,000	3,500	3,500	-65.0%
Total Expenditures:	**$ 9,963**	**$ 13,700**	**$ 6,500**	**$ 6,500**	-52.6%
Resources Over(Under) Expenditures	**$ (3,237)**	**$ -**	**$ -**	**$ -**	

MUNICIPAL COURT JUVENILE CASE MANAGER FUND

Fund: 13 - Municipal Court Juvenile Case Manager Fund
Revenue vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	% Change FY 23-24
Revenues					
Fines and Fees	$ 4,403	$ 7,500	$ 5,400	$ 5,400	-28.0%
Operating Transfers	-	7,500	14,600	14,600	94.7%
Total Revenues:	**$ 4,403**	**$ 15,000**	**$ 20,000**	**$ 20,000**	33.3%
Expenditures					
Intergovernmental Transfers	$ 17,199	$ 15,000	$ 20,000	$ 20,000	33.3%
Total Expenditures:	**$ 17,199**	**$ 15,000**	**$ 20,000**	**$ 20,000**	33.3%
Revenues Over (Under) Expenditures:	**$ (12,796)**	**$ -**	**$ -**	**$ -**	0.0%

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II&S AND UTILITY DEBTIY SERVICE FUNDS

Fund: 30 - I&S Debt Service Fund
Resources vs Expenditures Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Revenues					
Property Taxes	$ 3,535,527	$ 3,303,838	$ 3,380,000	$ 3,759,910	13.8%
Interest Revenues	11,689	-	15	-	0.0%
Use of Reserves	-	265,000	188,889	-	-100.0%
Total Revenues:	**$ 3,547,216**	**$ 3,568,838**	**$ 3,568,904**	**$ 3,759,910**	5.4%
Expenditures					
Bank & Agent Fees	$ 5,114	$ 5,050	$ 5,116	$ 5,050	0.0%
Principal & Interest	3,107,460	3,563,788	3,563,788	3,754,860	5.4%
Total Expenditures:	**$ 3,112,574**	**$ 3,568,838**	**$ 3,568,904**	**$ 3,759,910**	5.4%
Revenues Over/(Under) Expenditures:	**$ 434,642**	**$ -**	**$ -**	**$ -**	0.0%

Fund: 32 - Utility Debt Service Fund
Resources vs Expenditures Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Revenues					
Interest Revenues	$ -	$ 2,000	$ -	$ -	-100.0%
Operating Transfers	2,015,553	2,156,070	2,158,070	2,260,649	4.9%
Total Revenues:	**2,015,553**	**2,158,070**	**2,158,070**	**2,260,649**	4.8%
Expenditures					
Non-Departmental	$2,176,670	$2,158,070	$2,158,070	$2,260,649	4.8%
Total Expenditures:	**2,176,670**	**2,158,070**	**2,158,070**	**2,260,649**	4.8%
Revenues Over/Under) Expenditures	**$ (161,117)**	**$ -**	**$ -**	**$ -**	0.0%

VEHICLE & EQUIPMENT REPLACEMENT FUND

Fund: 80 - Vehicle & Equipment Replacement Fund
Consolidated Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Revenues					
General Fund					
Interest Revenues	$ 4,135	$ 1,000	$ 28,000	$ 25,000	2400.0%
Operating Transfers-General Fund	451,785	483,132	483,132	-	-100.0%
Use of Reserves	-	139,070	112,070	-	-100.0%
Utility Fund					
Operating Transfers-Utility Fund	$ 228,551	$ 272,698	$ 272,698	$ -	-100.0%
Operating Transfers-Gas Fund	21,100	21,100	21,100	-	-100.0%
Other Revenues					
Insurance Claims	$ 24,238	$ -	$ -	$ -	0.0%
Use of Reserves - Tax Notes	-	-	-	50,000	0.0%
Total Revenues:	**$ 729,809**	**$ 917,000**	**$ 917,000**	**$ 75,000**	-91.8%
Expenditures					
General Fund					
Police	$ 505,559	$ 375,000	$ 375,000	$ 50,000	-86.7%
Streets & Drainage	129,047	21,000	21,000	25,000	19.0%
Parks	154,050	94,000	94,000	-	-100.0%
Building & Development	10,277	-	-	-	0.0%
Utility Fund					
Water	$ 193,264	$ 266,000	$ 266,000	$ -	-100.0%
Wastewater	307,849	73,000	73,000	-	-100.0%
Gas Fund					
Gas	$ 185,550	$ 88,000	$ 88,000	$ -	-100.0%
Total Expenditures:	**$ 1,485,596**	**$ 917,000**	**$ 917,000**	**$ 75,000**	-91.8%
Revenues Over/(Under) Expenditures:	**$ (755,787)**	**$ -**	**$ -**	**$ -**	

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GENERAL & UTILITY CAPITAL IMPROVEMENT FUNDSL

General Fund Capital Improvement Projects
Consolidated Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Revenues					
Interest Income	$ 139,562	$ 48,000	$ -	$ -	-100.00%
Miscellaneous Revenues	-	-	-	-	0.00%
General Fund Transfers	-	-	370,815	75,000	0.00%
Grant Proceeds	-	-	-	4,188,750	0.00%
Bond Proceeds - 2022 Tax Note	7,640,000	-	-	-	0.00%
Bond Premium - 2022 Tax Note	609,026	-	-	-	0.00%
Use of Hotel Occupancy Tax Funds	-	500,000	-	-	-100.00%
Use of Reserves	-	16,420,845	13,488,130	264,816	-98.39%
Total Revenues:	**$ 8,388,588**	**$ 16,968,845**	**$ 13,858,945**	**$ 4,528,566**	-73.31%
Expenditures					
Buildings & Facilities					
City Hall	$ 3,690,045	$ 12,000,000	$ 10,500,000	$ 1,500,000	-87.50%
Bond/Tax Issuance Costs	129,026	-	-	-	0.00%
911 Communication Center Backup	-	-	451,745	-	0.00%
Police					
Body/In Car Cameras	$ -	$ -	$ 95,204	$ -	0.00%
Streets and Drainage					
Streets & Drainage Projects	$ 9,135	$ 1,561,845	$ -	$ -	-100.00%
Holly & Kluge Trail Rehabilitation	-	-	-	500,000	0.00%
Sabinal Retention Pond & Fiber	-	-	-	1,723,750	0.00%
2007 Bond					
Traylor Blvd Pavement Repairs	$ -	$ -	$ 89,549	$ -	0.00%
Concho Street Stormwater Drainage	1,203,162	2,500,000	1,686,077	-	-100.00%
RCC Drainage Lakes-Unspent Bonds	-	-	505,526	-	0.00%
RCC Drainage Lakes-General Fund	-	-	370,815	-	0.00%
Parks and Leisure Services					
Park Improvements	$ 84,509	$ -	$ -	$ -	0.00%
Memorial Park Improvements	-	105,000	-	105,000	0.00%
Bent Oaks Property Projects	-	172,000	130,974	41,026	-76.15%
Magnolia Park Improvements	-	30,000	-	30,000	0.00%
Zachary Taylor Park - Parking	-	5,000	-	5,000	0.00%
Tule Hike & Bike Trail - Parking	-	10,000	-	23,790	137.90%
Austin Street Beautification	-	10,000	-	10,000	0.00%
Downtown Visitors Center & Restrooms	-	500,000	-	500,000	0.00%
Fleet					
Fleet Improvements	$ 15,167	$ -	$ -	$ -	0.00%
Carwash Canopy (FEMA)	-	-	-	40,000	0.00%
Aquatic Center					
Trail Expansion - Pool to Tule Creek	$ -	$ 25,000	$ 29,055	$ -	-100.00%
Parking Lot	-	50,000	-	50,000	0.00%
Total Expenditures:	**$ 5,131,044**	**$ 16,968,845**	**$ 13,858,945**	**$ 4,528,566**	-73.31%
Revenues Over/(Under) Expenditures:	**$ 3,257,544**	**$ -**	**$ -**	**$ -**	0.00%

Utility System Capital Improvement Projects
Consolidated Resources vs Expenditure Summary

	FY 21-22 Actual	FY 22-23 Budget	FY 22-23 Projected	FY 23-24 Proposed	FY 23-24 % Change
Revenues					
Water Impact Fees	$ 441,056	$ 300,000	$ 132,000	$ 132,000	-56.0%
Sewer Impact Fees	231,717	50,000	60,000	60,000	20.0%
Water Bond Proceeds	-	-	-	500,000	0.0%
Wastewater Bond Proceeds	-	-	-	500,000	0.0%
Operating Transfers - Gas	-	-	-	100,000	0.0%
Interest Revenues	20,089	1,800	6,000	6,000	233.3%
Use of ARPA Funds	12,700	3,000,000	53,930	1,800,000	-40.0%
Use of Fund Balance		2,270,200	84,400	1,810,798	-20.2%
Total Revenues:	**$ 705,562**	**$ 5,622,000**	**$ 336,330**	**$ 4,908,798**	-12.7%
Expenditures					
Water System					
Downtown Water Line	$ -	$ -	$ -	$ 100,000	0.0%
Tank Maint Program	-	320,000	-	320,000	0.0%
Water Line Replacement/small extensions	-	500,000	-	500,000	0.0%
Water Line Extension (new development - impact fees)		-	132,000	657,537	0.0%
Wastewater System					
ForceMain Upgrade	$ -	$ 345,000	$ 38,400	$ 384,265	11.4%
Key Allegro Bridge Utility Relocate	221	-	-	-	0.0%
WWTP Rehabilitation	51,710	3,625,000	$ 53,930	1,800,000	-50.3%
SCADA System		230,000	$ -	230,000	0.0%
Sewer Line Replacement/small extensions		500,000		500,000	0.0%
Sewer Line Extension (new development - impact fees)	-	-	$ 60,000	316,996	0.0%
Check Valves	-	52,000	$ 52,000	-	-100.0%
Natural Gas System					
Steel Line Replacement	$ -	$ -	$ -	$ 100,000	0.0%
Compliance & Valuation Study	-	50,000	-	-	-100.0%
Total Expenditures	**$ 51,931**	**$ 5,622,000**	**$ 336,330**	**$ 4,908,798**	-12.7%
Revenues Over/(Under) Expenditures:	**$ 653,631**	**$ -**	**$ -**	**$ -**	

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 12, 2023

AGENDA ITEM: 16

Deliberate and act on second and final reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2023 taxable property as submitted by the Appraisal District; levying a tax rate for $100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2023 of $0.213583 for the purposes of Maintenance and Operation, $0.146495 for the payment of Principal and Interest on debt of the City, and that the property tax rate be increased by the adoption of a tax rate of $0.360078 which is effectively a 11.26% increase in the tax rate; providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict herewith; and providing an effective date.

This tax rate will raise more taxes for maintenance and operations than last year's tax rate.

The tax rate will effectively be raised by 12.82% and will raise taxes for maintenance and operations on a $100,000 home by approximately (negative) $-6.93.

SUBMITTED BY: Director of Finance Robbie Sorrell

APPROVED FOR AGENDA: VRS

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

The FY 2023-2024 proposed *ad valorem* tax rate is the Voter Approval Tax Rate and is sufficient to maintain operations and support debt service.

State law requires a taxing unit's governing body to **vote on a tax rate by a record vote,** even if the rate is the No-New-Revenue Tax rate or below the No-New-Revenue Tax Rate. Additionally, the governing body is required by Senate Bill 2 to host one public hearing on the proposed tax rate. The public hearing was conducted on September 5, 2023.

FISCAL ANALYSIS: The presented 2023 *ad valorem* tax rate is sufficient to maintain maintenance and operations and fund debt service principal and interest payments in FY 2023-2024.

STAFF RECOMMENDATION: Staff recommends Council approve the second and final reading of the Ordinance approving the assessment and renditions for the 2023 taxable property as submitted by the Appraisal District; levying a tax rate for $100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2023 of $0.213583 for the purposes of Maintenance and Operation, $0.146495 for the payment of Principal and Interest on debt of the City, and that the property tax rate be increased by the adoption of a tax rate of $0.360078 which is effectively a 11.26% increase in the tax rate; and providing an effective date.

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE ASSESSMENT AND RENDITIONS FOR THE 2023 TAXABLE PROPERTY AS SUBMITTED BY THE APPRAISAL DISTRICT; LEVYING A TAX RATE FOR $100.00 VALUATION FOR THE CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS FOR THE TAX YEAR 2023 OF $0.213583 FOR THE PURPOSE OF MAINTENANCE AND OPERATION, $0.146495 FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON DEBT OF THE CITY, AND THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF $0.360078 WHICH IS EFFECTIVELY A 11.26% INCREASE IN THE TAX RATE; PROVIDING FOR A LIEN ON ALL REAL AND PERSONAL PROPERTY TO SECURE PAYMENT OF TAXES DUE THEREON; CONTAINING A SEVERABIILTY CLAUSE; REPEALING ALL ORDINANCES AND PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 12.82 PERCENT AND WILL RAISE TAXES FOR MAINTENENACE AND OPERATIONS ON A $100,000 HOME BY APPROXIMATELY (NEGATIVE) $-6.93.

WHEREAS, the City Council of Rockport, Texas has on this date by way of separate Ordinance, duly approved and adopted a Budget for the operation for the City for Fiscal Year 2023-2024); and

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

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

WHEREAS, it is necessary to levy such an *ad valorem* tax at a given rate to generate revenues sufficient to meet the projected expenses of the City for FY 2023-2024; and

WHEREAS, the City has fully and timely complied with all notice and other requirements relative to the adoption of a tax rate for FY 2023-2024.

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

Section 1: There is hereby levied for the FY 2023-2024 upon all real property situated within the corporate limits of the City of Rockport, Texas, and upon all personal property which was owned within the corporate limits of the City of Rockport, Texas, on January 1, 2023, except so much thereof as may be exempt by the Constitution or laws of the State of Texas, a total tax of $0.360078 on each $100 of assessed valuation on all taxable property, which total tax herein so levied shall consist and be comprised of the following components:

a) An *ad valorem* tax rate of $0.213583 on each $100 of assessed valuation of all taxable property is hereby levied for general City purposes and to pay the current operating expenses of the City of Rockport, Texas, for the fiscal year ending September 30, 2024, which tax, when collected shall be appropriated to and for the credit of the General Fund of the City of Rockport, Texas.

b) An *ad valorem* tax rate of $0.146495 on each $100 of assessed valuation of taxable property is hereby levied for the purpose of creating an Interest and Sinking Fund with which to pay the interest and principal of the valid bonded indebtedness, and related fees of the City of Rockport, now outstanding and such tax, when collected, shall be appropriated and deposited in and to the credit of the general Debt Service Fund of the City of Rockport, Texas, for the fiscal year ending September 30, 2024.

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

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

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

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

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

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

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

APPROVED on first reading on the 5th day of September 2023, by roll call vote as follows:

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

AGAINST MOTION: None

CITY OF ROCKPORT, TEXAS

____

Tim Jayroe, Mayor

ATTEST:

____

Teresa Valdez, City Secretary

APPROVED, PASSED and **ADOPTED** on second and final reading the ____ day of September 2023 by roll call vote as follows:

FOR MOTION:

AGAINST MOTION:

CITY OF ROCKPORT, TEXAS

____

Tim Jayroe, Mayor

ATTEST:

____

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 12, 2023

AGENDA ITEM: 17

Deliberate and act to ratify the property tax increase reflected in the 2023-2024 Annual Budget and Capital Improvement Plan.

SUBMITTED BY: Robbie Sorrell, Director of Finance

APPROVED FOR AGENDA: VRS

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

The vote will ratify the property tax increase reflected in the 2023-2024 Annual Budget and Cpaital Improvement Plan.

FISCAL ANALYSIS: This budget will raise $1,050,240 more in new revenue than last year, an increase of 12.91%, according to the state required No-New-Revenue Tax Rate calculation and includes revenue from new value, e.g. new construction, annexation, new personal property of $243,085. The FY 2023-2024 budget applies the Unused Increment Rate to the Voter Approval Rate.

RECOMMENDATION: Staff recommends Council ratify the property tax increase reflected in the 2023-2024 Annual Budget and Capital Improvement Plan.