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## CITY COUNCIL MEETING AGENDA

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Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, November 14, 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. Proclamation: Geographic Information Systems (GIS) Day – November 15, 2023.
4. Proclamation: I Love Rockport Center for the Arts Day – December 9, 2023.
5. TxDOT Presentation & Proclamation: End The Streak Month – November 2023.

6. 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.

7. Deliberate and act on approval of City Council Regular Meeting Minutes of October 24, 2023.
8. Deliberate and act on 4<sup>th</sup> quarter report from the Texas Maritime Museum for Fiscal Year 2022-2023 marketing expenditures.

9. Deliberate and act on a Resolution of the City of Rockport, Texas, authorizing the Rockport Police Department to apply for and operate a Local Border Security Program (Border Star) administered by the Office of the Governor for Fiscal Year 2024; and authorizing the Mayor to act as the Executive Officer and authorized representative in all matters pertaining to the participation in this grant program.
10. Deliberate and act on a Resolution of the City of Rockport, Texas, authorizing the Rockport Police Department to apply for and operate a State Homeland Security Program grant (SHSP) administered by the Office of the Governor, Homeland Security grants division for Fiscal Year 2024; and authorizing the mayor to act as the Executive Officer and authorized representative in all matters pertaining to the participation in this grant program.
11. Deliberate and act to accept Airplanes & Coffee decline of Hotel Occupancy Tax Agreement for Fiscal Year 2023-2024; to approve reallocation of funding to Wings Over Rockport; and approve Fiscal Year 2023-2024 Hotel Occupancy Tax Agreement with Wings Over Rockport.

#### **Regular Agenda**

12. Deliberate and act on first reading of an Ordinance partially repealing Ordinance No. 1909 regarding water rates for ratepayers located out of the city; providing for refunds; providing for the validity of said ordinance; repealing all prior Ordinances in conflict herewith; and providing for an effective date.
13. Deliberate and act on 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 out of City Customers; providing for the validity of said Ordinance; repealing all prior Ordinances in conflict herewith; and providing for an effective date.
14. Deliberate and act on first reading of an Ordinance partially repealing Ordinance No. 1910 regarding Wastewater rates for ratepayers located out of the city; providing for refunds; providing for the validity of said ordinance; repealing all prior Ordinances in conflict herewith; and providing for an effective date.
15. Deliberate and act on 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 Water Rates for out of City Customers; providing for the validity of said Ordinance; repealing all prior Ordinances in conflict herewith; and providing for an effective date.
16. Deliberate and act on second and final reading of an Ordinance amending City of Rockport Code of Ordinances Chapter 102, 'Utilities', Article IV. 'Surcharge Revenue Account', by amending Section 102-401 "Surcharge", to increase surcharge fee repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.
17. Deliberate and act on second & final reading of an Ordinance amending Rockport Code of Ordinances Chapter 106 entitled "Tree and Landscape Regulations," Article I entitled "In General," Section 106-7, entitled "Tree Preservation and Mitigation Account" and Article II,



entitled “Tree Regulations,” Section 106-15, entitled “Tree Preservation and Mitigation”; repealing all ordinances to the extent they are in conflict; providing for severability; providing for penalties provided in Section 1-7 of the City’s Code of Ordinances; finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law; and providing an effective date.

18. Deliberate and act on first reading of an Ordinance amending the Official Zoning Map as stipulated under Article 4.1 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land from R-1 (1<sup>st</sup> Single Family Dwelling District) for property located at 1875 State Highway 35 Bypass; also known as Certified Auto Repair, City of Rockport, Aransas County, Texas, to B-1 (General Business District) to comply with current use of property; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.

19. Discussion of traffic study results from previous Council discussion regarding proposal and possible future action regarding the addition of a four-way stop at the intersection(s) in the area around ABC Learning Center.

20. Discussion regarding a Downtown Information Center location.

21. City Manager Report:

A. Projects

22. 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:

23. Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) *Phong Nguyen et.al. v. City of Rockport Building Standards Commission*, Docket No. 23-0151, in the 156<sup>th</sup> Judicial District Court of Aransas County; and 2) Concho Street & General Land Office (GLO) drainage projects.

24. Section 551.074 Personnel Matters - deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: A) City Manager

Evaluation; b) Re-appointment of Alternate Municipal Court Judge.

### **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.

25. Deliberate and act to reappoint Alternate Municipal Court Judge.

26. Deliberate and act on *Phong Nguyen et.al. v. City of Rockport Building Standards Commission*, Docket No. 23-0151, in the 156<sup>th</sup> Judicial District Court of Aransas County.

27. Adjournment.

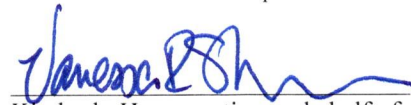
### **Special Accommodations**

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](mailto: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, November 10, 2023, at 5:00 p.m. and on the City's website at [www.cityofrockport.com](http://www.cityofrockport.com). I further certify that the following News Media were properly notified of this meeting as stated above: *The Rockport Pilot*.



Kimberly Henry, acting on behalf of  
Teresa Valdez, City Secretary