CITY COUNCIL MEETING AGENDA

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

SCAN ME

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

Opening Agenda

1. Call meeting to order.

2. Pledge of Allegiance.

3. Presentation: 2023 Texas Women's Leadership Institute graduate – Kimberly Henry, Assistant to the City Manager.

4. Presentation: Chief's Direct Commendation Award in Police Department – Juan Canales.

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

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

7. Deliberate and act on 4th quarter report from the Rockport Cultural Arts District for Fiscal Year 2022-2023 marketing expenditures.

8. Deliberate and act on report from Rockport-Fulton Chamber of Commerce for Fiscal Year 2022-2023 marketing expenditures for HummberBird celebration.

9. Deliberate and act on report from Rockport-Fulton Chamber of Commerce for marketing expenditures made for 2023 Seafair.

10. Deliberate and act on 4th quarter report from the Texas Marine Science Institute/Mission Aransas National Estuarine Research Reserve for Fiscal Year 2022-2023 Bay Education expenditures.

11. Deliberate and act on taxicab permit request from Craig Potts, doing business as Rockport Ride, for a one-year period.

12. Deliberate and act on a Resolution adopting guidelines for City Council Board and Commission appointments.

Public Hearings

13. Conduct a Public Hearing on a proposal to increase water and wastewater rates for all customers outside of the City Limits of Rockport, Texas.

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:

14. Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation, or a settlement offer; and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) Utilities – repealing rates and rate setting; and 2) Concho Street & General Land Office (GLO) drainage projects.

15. Section 551.072 Deliberations about Real Property to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

16. Section 551.074 Personnel Matters - deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: A) City Secretary; B) Police Chief; and C) City Manager evaluation.

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.

Regular Agenda

17. Deliberate and act on request to close South Austin Street from Market Street to the south side of Wharf Street; West one-half block of Main Street to Austin Street and one-half block of East Main Street towards Water Street; and West one-half block of St. Mary's Street to Austin Street on March 15, 2024, from 4:00 p.m. to 11:00 p.m. and March 16, 2024, from 7:00 a.m. to 11:00 p.m., for the 5th Annual Crawfish Festival.

18. Deliberate and act on second and final 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 (1st 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. Deliberate and act on second and final reading of an Ordinance authorizing the closing, vacating and abandonment of a 0.167 acre of land being a 16-foot wide alley way out of Block No. 13, Bellevue Subdivision, Aransas County, Texas, according to the map recorded in Volume 1, Page 12, Plat Records Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment, authorizing the Mayor to execute a Quitclaim Deed for the 0.167 acre to be closed, vacated and abandoned; and providing for an effective date.

20. Deliberate and act on first reading of an Ordinance granting to AEP Texas, Inc., its successors and assigns, a non-exclusive franchise to construct, maintain and operate lines and appurtenances and appliances for conducting electricity in, over, under, and through the streets, avenues, alleys and public places of the City of Rockport, Texas.

21. Deliberate and act on first reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 26 "Businesses" by adding Article III Short Term Rentals; repealing all ordinances to the extent they are in conflict; providing for severability; providing for penalties; and providing an effective date.

22. Deliberate and act on first reading of an Ordinance amending City of Rockport Code of Ordinances Chapter 102 "Utilities", Article IV "Surcharge Revenue Account" Section 102.404 "Penalties" relating the consequences of opting out; repealing all prior ordinances in conflict herewith; and providing for an effective date.

23. ***Postponed – November 14, 2023:*** 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.

24. ***Postponed – November 14, 2023:*** 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.

25. ***Postponed – November 14, 2023:*** 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.

26. ***Postponed – November 14, 2023:*** 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 Wastewater 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.

27. Presentation on Concho Street Drainage project.

28. 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.

29. 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, December 8, 2023, at 8:30 a.m. and on the City's website at www.cityofrockport.com. I further certify that the following News Media were properly notified of this meeting as stated above*: The Rockport Pilot*.

Teresa Valdez, City Secretary

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

AGENDA ITEM: 3

Presentation: 2023 Texas Women's Leadership Institute graduate -Kimberly Henry, Assistant to the City Manager

SUBMITTED BY: City Manager Vanessa Shrauner

APPROVED FOR AGENDA: VRS

BACKGROUND: Please see the accompanying Press Release regarding Ms. Henry's recent graduation from The Texas Women's Leadership Institute.

FISCAL ANALYSIS: N/A

RECOMMENDATION: N/A.

TEXAS WOMEN'S LEADERSHIP INSTITUTE

FOR IMMEDIATE RELEASE

November 14, 2023

The Texas Women's Leadership Institute is proud to announce that Kimberly Henry of Rockport, Texas has completed the coursework and successfully graduated from the 2023 Texas Women's Leadership Institute. Ms. Henry was selected from a very competitive field of local government professionals from around the State of Texas. She was one of 20 female executives who were chosen to participate in a program designed to prepare and inspire women to become female city managers in Texas.

Ms. Henry participated in course discussions, tours, in-person sessions, completed assigned books and was introduced to the female leaders in the Texas city management profession. The combination of leadership assessments, tours, and case studies provides a well-rounded experience in learning more about the intricacies of the city management profession and creating a network of colleagues who will support each other in the future.

More about the program: The Texas Women's Leadership Institute was created by Texas Women Leading Government to increase the number of women who are ready to become city managers. The program is financially supported by the Texas City Management Association and is part of a national trend of academies addressing the lack of female representation in the chief executive role in cities across Texas.

Contact: Karen Daly, Executive Director
Texas Women's Leadership Institute
512.796.8456
Texaswomensleadership@gmail.com

CITY COUNCIL AGENDA
Regular Meeting: December 12, 2023

AGENDA ITEM: 4

Presentation – Chief's Direct Commendation Award in Police Department

SUBMITTED BY: Police Chief Greg Stevens

APPROVED FOR AGENDA: VRS

BACKGROUND: In 2020, Chief Stevens created the Chief's Direct Commendation award and codified it in RPD Policy 4.5.4 Awards, Certifications & Qualifications, Section V(A)(5), which reads as follows:

> CHIEFS DIRECT COMMENDATION – awarded to officers by the Chief of Police for specific actions well beyond the normal course of duty and typically under extraordinary circumstances, including when an officer's timely observation, diligence, perseverance, judgement, or demonstrated leadership results in the protection of life or property, the prevention of a major crime, the apprehension of a dangerous criminal, the solving a major crime, or the performance of an act clearly exceeding what is normally required or expected.

The award was meant to be bestowed only on rare occasions for exceptional performance. It exceeds a typical Letter of Commendation but does not require heroic actions such as that of police Medal of Valor. It is given only at the discretion of the Chief of Police and includes a uniform ribbon bar.

Detective Juan Canales is the third RPD officer to receive the Chief's Direct Commendation from Chief Stevens for his actions in a several months long investigation which culminated in numerous arrests including the arrest of a well-known Rockport drug dealer, two search warrants, the seizure of high quantities of several types of controlled substances, and illicit currency. A copy of the award citation is included in the backup documents along with several photographs from the investigation.

FISCAL ANALYSIS: None.

RECOMMENDATION: Not an action item.







CHIEF'S DIRECT COMMENDATION

Presented to Detective Juan Canales

In January 2023, Rockport Police Department CID detectives received information about a subject identified as Jason Moon selling illegal narcotics from two separate residences, one located on Hickory Ave and the other located on W. Terrace Blvd. Moon has long been known to detectives to be involved in criminal activity, including drug trafficking, in and around Rockport. RPD Detective Juan Canales opened an investigation into Moon's activities with the assistance of the Drug Enforcement Agency's Corpus Christi field office and a DEA Task Force Officer from the Aransas Pass Police Department. During the investigation, detectives learned through additional information that Moon was also selling illegal narcotics at the Village Inn Motel, located at 503 N. Austin. The Village Inn Motel is a known location of criminal activity, including drug use and trafficking in Rockport.

During a six-month investigation, dozens of hours of surveillance were conducted, several informants were debriefed, and an undercover RPD detective was able to purchase heroin twice from Moon. Detective Canales arrested Moon on July 14, 2023 on an outstanding probation violation warrant and found him to be in possession of both heroin and methamphetamine during that arrest. Moon faces additional pending charges including several counts of Delivery of a Controlled Substance in Penalty Group 1, Possession With the Intent to Deliver a Controlled Substance in Penalty Group 1, and Assault Causing Bodily Injury to a Family Member. As a result of this joint investigation, a total of 9 arrests were made with several of the suspects facing both federal and state charges related to the distribution and possession of illegal narcotics. Two search warrants were executed, and a total of 108.6 grams of heroin, 145.1 grams of methamphetamine, and 87.6 grams of crack cocaine were seized, along with $1,955 in illicit U.S. currency which has already been forfeited and awarded to the RPD.

While several other RPD investigators and patrol officers contributed to this successful investigation, Detective Canales' diligence, perseverance, field leadership, and innate investigative prowess went well beyond the normal course of duty and led to the apprehension and prosecution of a well-known local criminal as well as that of several others. Additionally, this investigation has led to other drug related investigations and operations which remain ongoing at this time. Detective Canales' work on this case clearly exceeded what is normally required or expected, and his actions brought great credit upon himself and the Rockport Police Department and were in keeping with the highest traditions of the law enforcement profession.

Chief of Police

Principal Locations



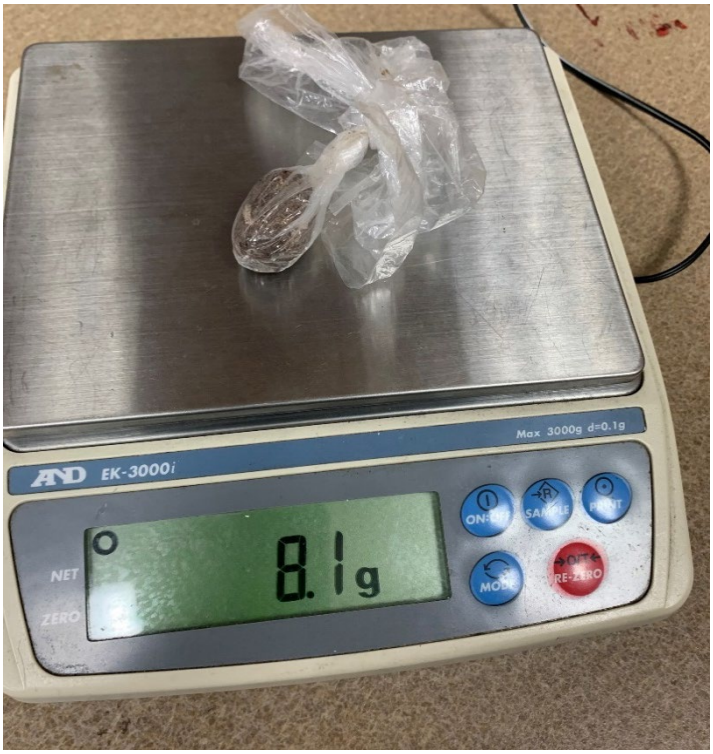




1st Undercover Heroin Buy



2nd Undercover Heroin Buy



Surveillance Photos







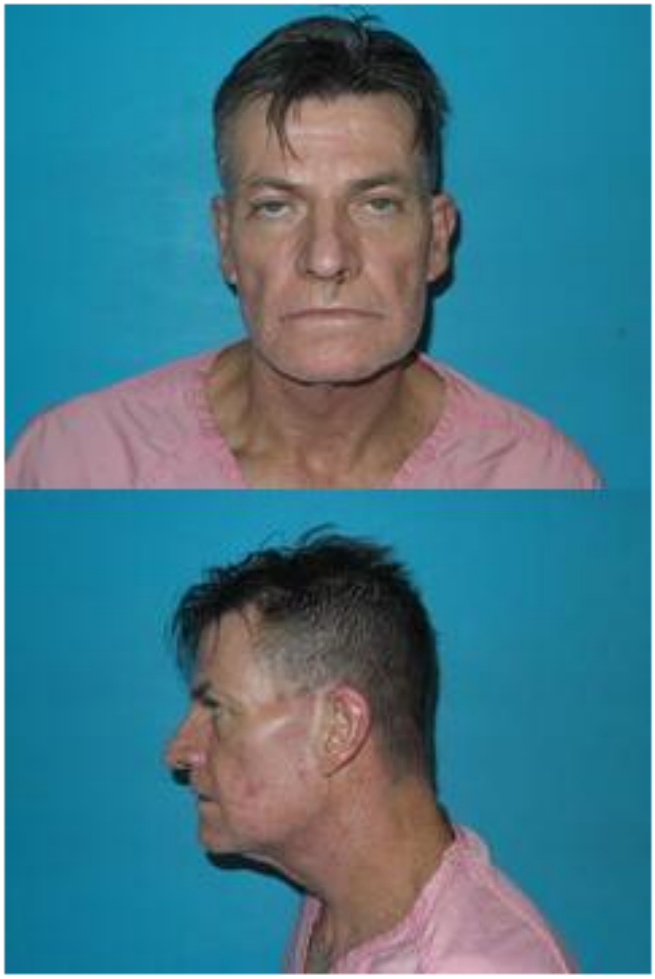


Primary Defendant

Jason David Moon, W/M, 11/30/1971

Charge(s) and Bond Amount(s):

- Charge:MTR-POSS CS PG 1 >=4G<200G
  - Authority:Not Set
  - Bond Details: No Bond
- Charge:MAN DEL CS PG 1 >=4G<200G
  - Authority:Not Set
  - Bond Details: $100,000.00/Surety Bond
- Charge:MAN DEL CS PG 1 >=4G<200G
  - Authority:Not Set
  - Bond Details: $100,000.00/Surety Bond
- Charge:ASSAULT CAUSES BODILY INJURY FAMILY MEMBER
  - Authority:Not Set
  - Bond Details: $1,500.00/Surety Bond



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

AGENDA ITEM: 6

Deliberate and act on approval of City Council Regular Meeting Minutes of November 14, 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 REGULAR MEETING
6:30 p.m., Tuesday, November 14 , 2023
Rockport Service Center, 2751 State Highway 35 Bypass

Members of the public could view the meeting via live stream. Public participation is valued and citizens wishing to express their views on any topic or agenda item could electronically submit a Citizen Participation Form in order to register to speak by going to https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation or scanning the QR code provided on the Agenda, or if attending the meeting in person register before the meeting begins. Using the same form, citizens could also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The comments were read and summarized in the minutes of the meeting.

On the 14th day of November 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
City Attorney Art Rodriguez, Jr. – *Via ZOOM*
Assistant to the City Manager Kimberly Henry
City Secretary Teresa Valdez
Director of Public Works and Building & Development Services Mike Donoho
Chief of Police Greg Stevens
Parks & Leisure Services Director Gene Camargo
Network Administrator Tommy Sauceda
Communications Center Director Lee Brown
Director of Finance Robbie Sorrell

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, November 14, 2023, in

the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

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

3. Proclamation: Geographic Information Systems (GIS) Day – November 15, 2023.

Mayor Pro-Tem Hattman read the Geographic Information Systems (GIS) Day Proclamation.

Mayor Jayroe proclaimed November 15, 2023, at Geographic Information Systems (GIS) Day in Rockport, Texas.

4. Proclamation: I Love Rockport Center for the Arts Day – December 9, 2023.

Mayor Pro-Tem Hattman read the I Love Rockport Center for the Arts Day Proclamation.

Mayor Jayroe proclaimed December 9, 2023, as I Love Rockport Center for the Arts Day in Rockport, Texas.

5. TxDOT Presentation & Proclamation: End The Streak Month – November 2023.

Danny Cox, TxDOT Maintenance Administrator, gave a presentation on TxDOT's "End The Streak" campaign.

Mayor Pro-Tem Hattman read the End The Streak Month Proclamation.

Mayor Jayroe proclaimed November 2023 as End The Streak Month in Rockport, Texas.

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

There were no citizen comments on items or subject matter that was not on the Agenda.

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 4th 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.**

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

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

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.**

Mayor Pro-Tem Hattman read comments from the Citizen Participation Forms received:

1) Christina Stinnett, 1508 South Doughty Street: Vote "No" on agenda items 12 through 15.
2) Elizabeth Johns, 45 Primrose Circle, Fulton: Vote "No" on agenda items 12 through 15.
3) Diana Vossen, 103 Sandollar Circle, Fulton: Vote "No" on agenda items 12 through 15.

Kristie Rutledge, 1411 Dana Drive, addressed the Council and commented: Vote against agenda items 12 through 15; if you correct your mistake, you are invalidating the petition from ratepayers outside of the City Limits asking the Public Utility Commission to review unjustified 47% surcharge.

Council Member Brundrett read comments from the Citizen Participation Forms received:

1) Mary Christine Ritter, 1901 Cochran Lane: Vote "No" on agenda items 12 through 15.
2) Houston Stern, 10 Primrose Drive, Fulton: Vote "No" on agenda items 12 through 15.

Council Member Hale read comments from the Citizen Participation Forms received:

1) Robert Little, 109 South 4th Street, Fulton: Vote "No" on agenda items 12 through 15.
2) Clyde & V.J. Barre, 114 Timber Lane Loop: Hold to rates already established; stop trying to gouge the citizens of Rockport.
3) Mary York, 132 Copano Heights Boulevard: I do not believe we should be charged a surcharge for water because we live outside the City Limits.

Council Member Rangel read comments from the Citizen Participation Forms received:

1) Jacob Morgan, 1919 Highway 35 North 665: Don't let our water rates turn into another City Hall or artificial turf fiasco; keep taxes from becoming theft.
2) Candace Sargent, 214 Portia Avenue: Vote "No" on agenda items 12 through 15.
3) Elizabeth Green, 104 Boardwalk Avenue: Vote "No" on agenda items 12 through 15.

The following people addressed the Council and commented:

1) Doug Webb, 130 Lamar Drive: Due to the sensitive nature of my concerns, I am having my written comments delivered to you tomorrow; Perhaps I could meet with the Mayor and my Ward Council Member or with all Council in Executive Session if permitted; commercial businesses have a great disadvantage from being within the City Limit of Rockport.
2) Marlene Oldham, 23 Camellia Circle, Fulton: Vote "No" on agenda items 12 through 15.
3) Mary Clare Kane, 38 Primrose Circle, Fulton: Vote "No" on agenda items 12 through 15.
4) Kathy Kane, 109 Boardwalk Avenue: Vote "No" on agenda items 12 through 15.
5) Patrick Kane, 1123 East Cedar Street: Vote "No" on agenda items 12 through 15; my contact at the Public Utility Commission said Rockport's rate studies are not rate studies.
6) Andrew Kane, 2106 Lakeview Drive: Vote "No" on agenda items 12 through 15; City staff and City Manager is lying to you that the printer did not print the notice correctly – their actions are intended to invalidate the petition.
7) Toby Kernan, 1401 Royal Oaks, Fulton: Hope you understand this is not fair and equitable.
8) Susie Devereaux, 41 Primrose Circle, Fulton: I oppose what is happening with the water rates.
9) Ron Devereauz, 41 Primrose Circle, Fulton: Vote "No" on agenda items 12 through 15.
10) Cindy & Bill Mathews, 105 Sandollar Circle, Fulton: Did not wish to speak although she filled out a card to address the Council.
11) Julie Kunse, 118 Sandollar Circle, Fulton: Mayor read comment – unfair, unethical and wrong.
12) Mary Ciuffo, 60 Begonia Circle, Fulton: Vote "No" on agenda items 12 through 15.

City Manager Vanessa Shrauner stated this Agenda item is to repeal the water rate increase adopted in Ordinance No. 1909 which was effective on September 15, 2023. Ms. Shrauner explained that last week it was brought to her attention that an entire paragraph was omitted from the notification that was sent with the utility bills. Ms. Shrauner said DataPros, the third-party processor for City Utility bills and inserts, stated they will take full responsibility for the error because they had reformatted the notice and left out a key element of the notification as required by the Public Utility Commission. Ms. Shrauner expressed that once this was pointed out to the City, it is incumbent on us to correct the mistake. Ms. Shrauner added she will be negotiating with DataPros for loss revenue.

MOTION: Council Member Rangel moved to postpone Agenda Items 12, 13, 14, and 15, as each state to partially repealing and/or amending rates for Ordinances 1909, 1910, City of Rockport Code of Ordinances 102, Article I and Article II until a public hearing be set per Section 11.05 Regulation of Rates, Subsection 2 of the Charter that states: Upon receiving written request from a utility or public service requesting a change in rates, or upon a recommendation from the City that rates for services provided by or owned by the City be changes, the City Council shall call a public hearing for consideration of the change. Mayor Pro-Tem Hattman seconded the motion.

Ms. Shrauner stated at this point it is about $43,000 a month to refund to customers, and the longer we go, the more legal fees and more staff fees, and this has to be corrected.

Discussion was held between Council and Ms. Shrauner.

Council Member Brundrett said he had submitted a list of questions to the City Manager, and he asked her to read them and the answers.

Ms. Shrauner read the following:

1) Cost to the City for refunding two months of fees: $86,000
2) Is there a rate that we could justify and keep citizens ok without going to PUC: The only rate that would allow for no PUC action would be the pre-September 15th rates.
3) 1:1 rate means that citizens of Rockport subsidize out of city users, correct? Yes, for example, a portion of administrative salary is paid from utility fund, but no supplies, training, computers, legal. No Information Technology comes from utilities, no communications comes from utilities, etc.
4) Potential cost to out of city rate payers if PUC finds in favor of the City? Is a question that the City Attorney could answer. (NOTE: The City Attorney was attending the meeting via ZOOM and his microphone went out, so the question did not get answered.)
5) Potential cost to the Citizens of Rockport if we do nothing and delay to see what happens in 6 months or so in a PUC hearing. $50 a month to refund? To let this go to a hearing and have the PUC tell us our rate is invalid and must be rescinded because we did not give proper notification, the cost will be not only the refund amount (750,000) but additional legal fees for the PUC to tell us we didn't give notification and we must repeal the rate; it's more like 12-24 months for a hearing.
6) Our rates are based on study by whom and when? We are still lower than those suggested rates…? Our rates start from a two-year-old NewGen Study, factor in the last two years inflation and the cost of service.

7) Why is the rate outside the City more than inside the City: Part of it is to pay for infrastructure and all of the personnel costs utilized by the utility fund are not captured in the utility funds- such as administration legal fees, supplies, training, etc. non-utility public works and finance. IT and communications also do not receive money from the utility funds.
8) Why would we not want to rescind if it is illegal, and the City will still be held accountable for the error? If I'm not correct will cost City taxpayers even more in the long run from legal fees and refunds with no guarantee? We do want to rescind. There was a mistake at the printer that caused us to not notify the public properly and the risk of continued overcollections is too great and based on legal advice – we need to.
9) How much money are we going to lose if we don't rescind? 12-24 months of the PUC process - $43,000 multiplied by 18 months is about $750,000, not including appeals plus time and legal fees.
10) How much does this impact the budget? Can't answer this at this moment.
11) How much money would we lose if we rescind go back to square one and not raise rates and revisit it next year? $43,000 multiplied by 12 months = $500,000+.
12) What legal ramifications if we don't rescind and move forward as is and what legal ramifications are there if we do rescind? If we do rescind, we are correcting the mistake swiftly and correctly. If we don't, it's the rate, plus court action, plus legal fees.

Council Member Hale stated these are first readings, so we are going to potentially postpone them all until the public hearing on December 12, 2023. Council Member Hale said she did not see all the Agenda items 12 through 15 as the same and if we wait until the public hearing with the second reading, we will be in January to potentially try to rectify this.

Mayor Jayroe called for the vote on the motion:

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

AGAINST MOTION: Council Member Hale and Mayor Jayroe

Motion carried 3-2.

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.

Postponed by vote in Agenda Item 12.

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.

Postponed by vote in Agenda Item 12.

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.**

Postponed by vote in Agenda Item 12.

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.**

Mr. Sorrell said that upon further research of the Code of Ordinances, it was revealed that the surcharge is not voluntary as originally described and operated as by the City, but mandatory. Mr. Sorrell explained the Council will need to decide whether to maintain as the Code is written or amend the Code.

Brief discussion was held among Council.

MOTION: Council Member Hale moved to postpone the 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 and changing the Administrative Fee from 5% to 2%, until Council can take action on possible revision to the "mandatory surcharge". Council Member Brundrett seconded the motion. Motion carried unanimously.

17. **Deliberate and act on second and 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.**

Public Works Director Mike Donoho said there had not been any changes in format or content since Council approved the first reading of the Ordinance on October 24, 2023.

MOTION: Council Member Brundrett moved to approve the second and 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, and with the additional amendment of the minimum height of 14' above public right-of-way. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

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 (1st 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.

Public Works Director Mike Donoho said the Planning and Zoning Commission recommend approval of the rezoning request.

MOTION: Mayor Pro-Tem Hattman moved to approve the 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 (1st 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. Council Member Rangel seconded the motion. Motion carried unanimously.

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.

Chief of Police Greg Stevens addressed the Council and stated at the August 22, 2023, City Council Meeting a discussion was held regarding complaints to Council Member Brundrett of heavy traffic driving at excessive speeds near the ABC Learning Center. Chief Stevens informed the Council a traffic study over a two-week period was conducted and the results do not support adding four-way stop signs.

Council Member Brundrett thanked the Police Department for gathering the statistics.

20. Discussion regarding a Downtown Information Center location.

City Manager Vanessa Shrauner distributed a handout of a map showing an alternate location for a Downtown Information Center. Ms. Shrauner stated before she came to Rockport, the Council had voted to close Main Street for this information center, but some push-back has been received. Ms. Shrauner explained the area outlined in red is a possible alternative.

Discussion was held between Council and Ms. Shrauner.

Ms. Shrauner said she will look for properties for sale in the area of Austin Street as possible locations for the Downtown Information Center.

21. City Manager Report:

A. Projects.

City Manager Shrauner said she had nothing to report.

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; 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 Downtown Merchants meeting last night.

Council Member Hale reported she had attended the Planning & Zoning Commission meeting. Council Member Hale stated there are now two vacancies on the Planning & Zoning Commission, so Council will need to make progress on filling those vacancies. Council Member Hale said she attended the Stormwater Advisory Committee meeting.

Mayor Pro-Tem Hattman reported the Arbor Day week went well and there were approximately 100-150 people attending. Mayor Pro-Tem Hattman said the Arbor Day in the District event was ruined because it rained.

Mayor Jayroe reported he attended the Stormwater Advisory Committee meeting, and they are looking at reorganizing into a Board of Advisors who are qualified to deal with drainage, stormwater and emergency issues.

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 156th 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; and B) Re-appointment of Alternate Municipal Court Judge.

At 8:17 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 551.072 Deliberation about Real Property to deliberate the purchase, exchange, lease, or value of real property: 16-foot alleyway out of Block No. 13, Bellevue Subdivision, City of Rockport, Aransas County, Texas; 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 156th Judicial District Court of Aransas County;* and 2) Concho Street & General Land Office (GLO) drainage projects; and 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; and 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.

At 9:33 p.m., Mayor Jayroe reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

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

MOTION: Council Member Brundrett moved to reappoint Diane Dupnik as Alternate Municipal Court Judge. Council Member Rangel seconded the motion. Motion carried unanimously.

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

Council took no action.

Jeff Hutt, 2201 Prairie Road, addressed the Council and said he was speaking for Kim Nguyen. Mr. Hutt said that before the demolition order there had been no code violations. Mr. Hutt asked Council to work with Ms. Nguyen.

Kim Nguyen, 1228 West Terrace Boulevard, addressed the Council and stated she loved the community and loves to live here.

Mayor Jayroe said his understanding is if the Court makes a decision, the City cannot do anything about a Court decision.

City Manager Vanessa Shrauner said Ms. Nguyen should work with her attorney through the Court.

27. Adjournment.

At 9:39 p.m., Council Member Brundrett moved to adjourn the meeting. Motion was seconded by Council Member Rangel. Motion carried unanimously.

APPROVED:

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

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

AGENDA ITEM: 7

Deliberate and act on 4th quarter report from the Rockport Cultural Arts District for Fiscal Year 2022-2023 marketing expenditures.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: The Rockport Cultural Arts District has been allocated $100,000.00 in FY 2022-2023 Hotel Occupancy Tax (HOT) funds. According to our agreement with the Rockport Cultural Arts District, HOT funds are paid in advance and a report of the previous quarter's expenditures is required. See the accompanying 4th quarter HOT expenditure report for additional information.

FISCAL ANALYSIS: Charged to account 6602097. YTD expenses are $100,000 out of $100,000.00 budgeted.

STAFF RECOMMENDATION: Staff recommends approval of the Rockport Cultural Arts District FY 2022-2023 Hotel Occupancy Tax funds 4th quarter expenditures, as presented.

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2022-2023							
Description of Expense	**Approved Budget**	**1st Quarter Expenses**	**2nd Quarter Expenses**	**3rd Quarter Expenses**	**4th Quarter Expenses**	**TOTAL**	*** Number of Heads in Beds**
Promotion of the Arts	20,400	-	8,000	16,165	-	24,165	
Historical Restoration/Preservation	31,600	-	-	2,835	25,000	27,835	
Administration/Staffing	48,000	25,000	17,000	6,000	-	48,000	
TOTAL REQUESTED	100,000	25,000	25,000	25,000	25,000	100,000	258,297 **

***Must attach supporting documentation.**

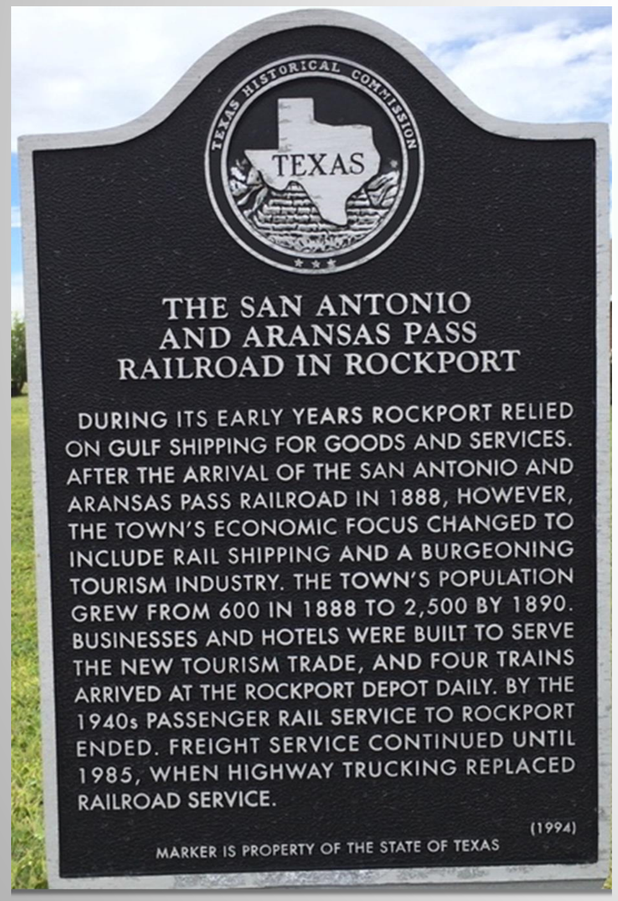
**Based on HOT Modeling Statistics

Description of Administrative Expenses	**Current Fiscal Year Administrative Expenses Projection**	**Fiscal Year Administrative Actual Expenses**	**Percentage of Fiscal Year Projections**
Wages, office, dues, insurance, utilities	98,814	72,652	73.52%
TOTALS	98,814	72,652	73.52%

ROCKPORT CULTURAL
ARTS DISTRICT

City of Rockport HOT Report July - September2023

Rockport SAAP Railroad Depot Museum





Museum and Passenger Train Zip Code Collection

7/1/23 - 9/30/23

Outside 75 Miles 52%

Florida, Virginia, Missouri, Texas (Austin, DFW, Houston, San Antonio)

Within 75 Miles 48%

54 Room Nights

- Expanded Artifact Collections and Displays
- Exhibit Opening “The Del Mar” Hotel July 8th
- Working with GLO/Clean Coast Texas to add Cistern and Irrigation to Depot property





Courtesy of James Moloney

Rockport's Grandest!

The Del Mar Hotel

Opening Reception July 8th 10am
Exhibition July 8th – Sep 29th

Janie White, Speaker
Great Granddaughter of Simon Sorenson
Owner of The Del Mar Hotel

100-year-old Artifacts
~Never publicly displayed~

A wonderful gift to the
Aransas County Historical Society
on loan to the
Rockport Cultural Arts District

Join Us At
The Rockport Railroad Depot Museum
S. Magnolia Street
Rockport, TX 78382

Hop Aboard!

Train Rides On The Rockport Beach

ROCKPORT
RAILROAD DEPOT

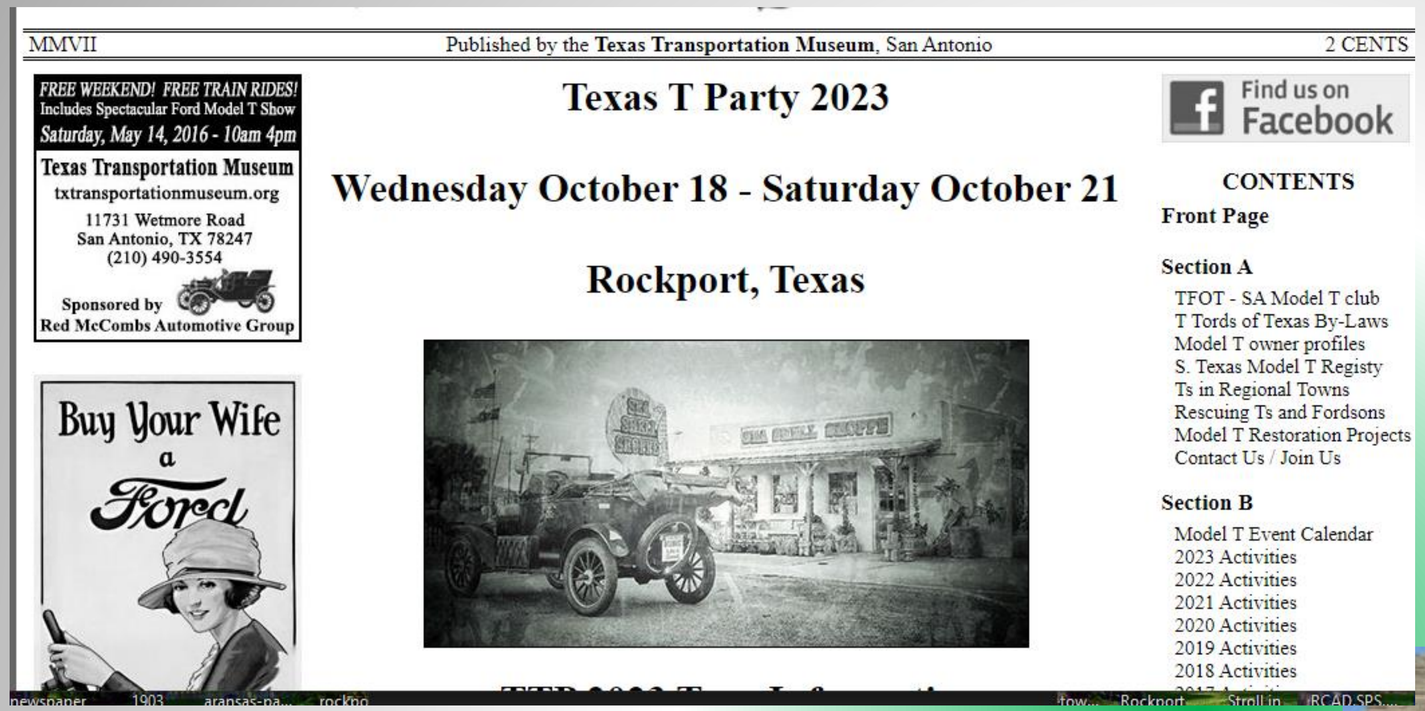
$3.00 PER RIDE
VENMO ACCEPTED

SATURDAY & SUNDAY
AFTERNOON RIDES

ALL PROCEEDS BENEFIT RCAD!



ROCKPORT CULTURAL
ARTS DISTRICT



MMVII | Published by the **Texas Transportation Museum**, San Antonio | 2 CENTS

FREE WEEKEND! FREE TRAIN RIDES!
Includes Spectacular Ford Model T Show
Saturday, May 14, 2016 - 10am 4pm
Texas Transportation Museum
txtransportationmuseum.org
11731 Wetmore Road
San Antonio, TX 78247
(210) 490-3554
Sponsored by
Red McCombs Automotive Group

Texas T Party 2023

Wednesday October 18 - Saturday October 21

Rockport, Texas

Find us on Facebook

CONTENTS

Front Page

Section A

TFOT - SA Model T club
T Tords of Texas By-Laws
Model T owner profiles
S. Texas Model T Registy
Ts in Regional Towns
Rescuing Ts and Fordsons
Model T Restoration Projects
Contact Us / Join Us

Section B

Model T Event Calendar
2023 Activities
2022 Activities
2021 Activities
2020 Activities
2019 Activities
2018 Activities



Statewide Texas “T” Party
Sponsored by
Rockport Cultural Arts District

ROCKPORT CULTURAL ARTS DISTRICT

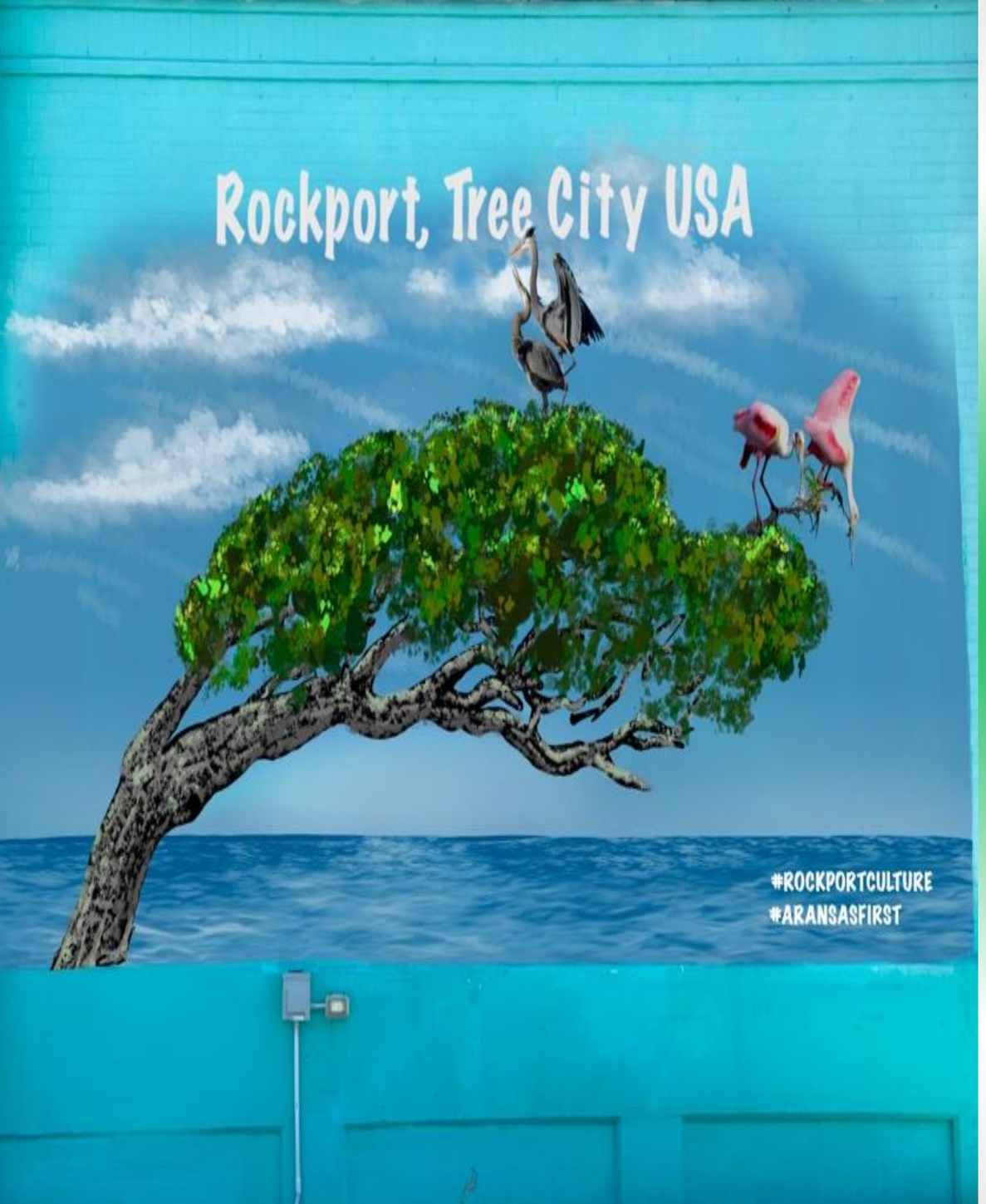




100 Ford Model T’s

200 Model T Members

Planned October 18th – 21st



Adding Attractions & Existing Attractions

- New High Attraction Events and Assets
  - 2023 Statewide Model “T” Party
  - New Windswept Oaks Mural Preparation
  - “Cultural Interface” Sculpture
  - Texas Inaugural Smithsonian Exhibit
- Five colorful “selfie” inviting Murals and Photo Board
- Second Saturdays
- Railroad Museum Exhibits
- Passport to the Past Program
- National/State Designated Historic Assets



Second Saturdays

April – December

- Themed Monthly Events
- Live Music / Artists
- District Merchant Engagement
  - Special Sale Events and Contests
- Marketing/Social Media/Videography
- Passenger Train Rides

Rockport Fulton Marketing Video

https://www.facebook.com/RockportCAD/videos/222828920476179











Rockport has many decorative

and abstract sculptures,

however,

“Cultural Interface”

will be a timeless homage to our

cultural heritage,

preserving our history.





“Cultural Interface” Sculptures

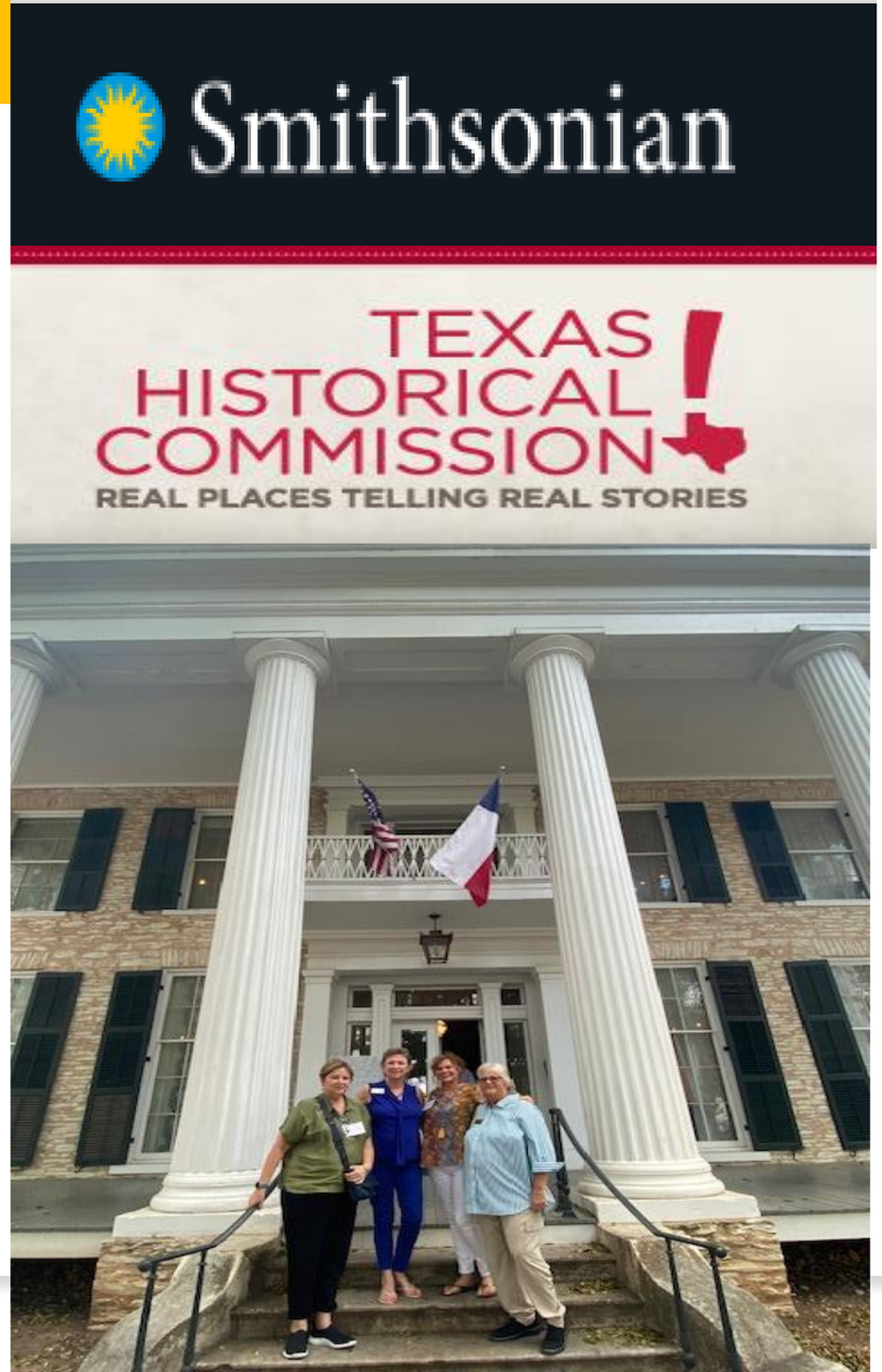
Tribute and Celebration of Our Multi-Cultural Heritage of Aransas County

Bronze Sculptures in Rockport

Engineering / Groundwork Proceeding

Project Timeline Complete 2023

Smithsonian's' Museum on Main Street



- Rockport Awarded Texas Inaugural Smithsonian Exhibit
- Partnership Rockport Cultural Arts District, Rockport-Fulton Chamber of Commerce, Aransas County Historic Society, Aransas County Historical Commission, History Center for Aransas County
- New County Community Center Building Location
- Six Week Exhibit Targeted to Host Thousands Daily
- Seven Texas Cities Selected including Rockport:
  - Bandera
  - Brenham
  - Buffalo Gap
  - Clifton
  - San Augustine
  - San Elizario

← Rockport Team Smithsonian Training in Austin 8/28

~ Arts Advocacy ~

Texas Commission on the Arts
State Cultural District

TEXANS FOR THE ARTS

ROCKPORT CULTURAL
ARTS DISTRICT

Cultural Districts Allocated $20M for 2024-2026 Legislative Session

Awarded $37,900

RCAD submitted $63K CAD Grant Request for City of Rockport New District Main Street Park

Awarded $48,000

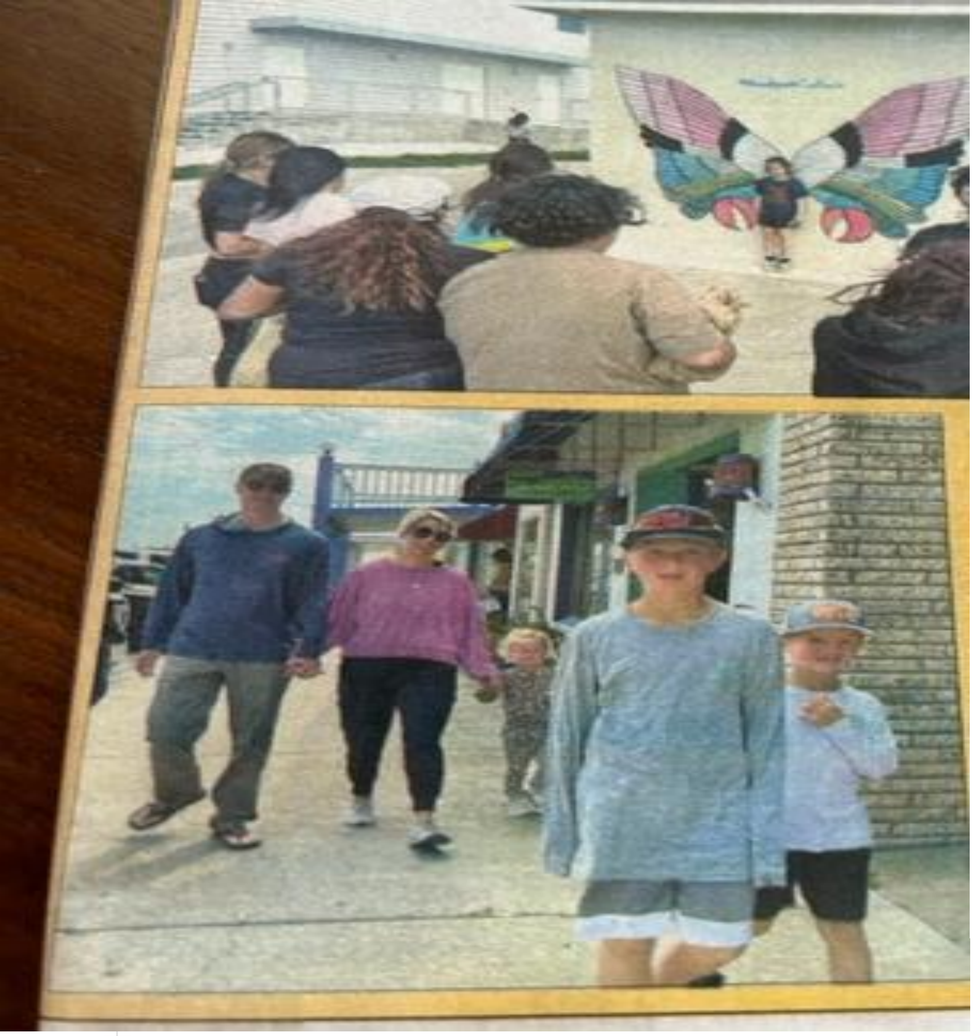
Rockport Center for the Arts granted $100K+, additional $80K CAD 2024 Art Festival Grant Submitted

Rockport Little Theatre accessed to submit future CAD Grant Requests

CAD 44 Block Area on the Rockport Bayfront Includes:

- Rockport San Antonio Aransas Pass Railroad Depot Museum
- State of Texas Maritime Museum
- Bay Education Center –UT Austin Marine Science Institute
- District – Galleries, Studios, Merchants, Restaurants, Winery and Brewery, Farmers and Makers Markets
- ACND Festival Grounds – two locations
- Rockport Beach Park, Harbor, Public Piers, Kayak Launch
- 22 Historical Markers / Other Significant Historical Assets
- Rockport-Fulton Chamber of Commerce
- Rockport Yacht Club and Aquarium Education Building
- Veterans Memorial Park
- Rockport Little Theatre
- Rockport Center for the Arts & Conference Center
- Rockport Aquarium (future)
- Aransas County Court House, Celebration Square and Community Building (future)
- City of Rockport City Hall (future)
- ACND Development Property (future)
- Bass Family Development (future)





MODEL USING # OF HOTEL ROOMS AS BASE – 3Q 2023

Base = Rockport - Fulton # of Hotel Rooms 3Q 2023

Base = Rockport - Fulton # of Hotel Rooms	3Q 2023
1. Number of Hotel Rooms in Rockport - Fulton (Source: Texas Comptroller)	2204
2. Number of Nights in 3Q 2023 (July - Sept)	92
3. Available Room Nights to Sell in Rockport - Fulton (1 * 2)	202,768
4. Rockport - Fulton Hotel Occupancy (Estimated by Source Strategies)	58.30%
5. Rockport - Fulton Rooms Nights Sold (3 * 4)	118,214
6. Number of Visitors in Each Room (Size of Party Assumption)	1.9
7. Number of Rockport - Fulton Hotel-based Visitors (5 * 6)	224,606
8. Average Number of Nights Spent in Rockport - Fulton (Assumption)	2.3
9. Number of "Heads in Beds" Rockport - Fulton (7 * 8)	516,594
Calculations by Prost Marketing, Inc	
10/10/2023	

Modeling Used to Capture “Heads in Beds” Statistics

Hotel Room Usage Model created by Prost Marketing, Inc. for the Rockport-Fulton Chamber of Commerce to capture organic marketing results (billboards, social media posts/boosts, murals, events, programs) from tourist visits reflecting impact. Approved by Scott Joslove, Texas Hotel and Lodging Association.

Marketing



RCAD/Area Marketing

- Professional Videography
- Rockport Channel
- Area Features

Social Media Campaign

- Events and Area Promotions
- District Businesses and Organizations
- Culinary Arts and Local Culture

Facebook Page

- 4.2 K Likes
- 5.0 K Followers

Railroad Depot Facebook Page

- 1.1 K Likes
- 1.3 K Followers





Quarterly District Merchant Information Exchange

August 21st







District Merchant Fall Scarecrow Decorating Contest
Supporting Local Non Profits



Thank you from the Rockport Cultural Arts District Board!!

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

AGENDA ITEM: 8

Deliberate and act on report from Rockport-Fulton Chamber of Commerce for Fiscal Year 2022-2023 marketing expenditures for HummerBird celebration.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: At the City Council Meeting held on July 26, 2022, Council received the Hotel Occupancy Tax fund request from the Rockport-Fulton Chamber of Commerce for the HummerBird event for September 2022. Budget deliberations were held through the summer to finalize the City's Fiscal Year 2022-2023 Budget, with formal adoption at the September 14, 2022, City Council Meeting. Upon approval of the Fiscal Year 2022-2023 Budget, the City Council awarded the HummerBird Committee $1,500.00 in funding. Attached is documentation submitted by the Chamber for payment.

FISCAL ANALYSIS: The FY 2022-2023 budget included $1,500 for HummerBird and is charged to account 6602048.

STAFF RECOMMENDATION: Staff recommends Council approve the report from Rockport-Fulton Chamber of Commerce HummerBird Committee for marketing expenditures made for 2023 HummerBird Celebration, and authorize disbursement of funds in the amount of $1,500.00 from the Hotel Occupancy Tax Fund for the event, as presented.

2023 HUMMERBIRD CELEBRATION REPORT

The 2023 HummerBird Celebration proved to be a tremendous success with a sell-out of the majority of scheduled activities. There were over 1,515 tickets, for various activities, purchased in advance of the event. Our Chairman – Melody Waggoner, 12 Committee Members, Chamber Staff and more than 125 Volunteers worked to create this spectacular event.

There were 1,169 seats purchased for the Speaker Program, over 1,000 at the Bird Banding demonstrations, 2,612 visitors to the Hummer Mall, 405 who participated in the Hummer Home Bus tours (this does not include the self-guided tours available one week prior and one week after the event), 800 that attended a breakfast or dinner, class, boat tour, or a field trip. Attendance this year is estimated to be just over 6,000.

Of the 2,631 zip codes captured at the Hummer Mall, there were 800 visitors from Rockport, 1,643 from across the state of Texas, and 188 out of state visitors.

Community Collaboration in and around the Community: This truly is a community-wide event:

-131 were in attendance at the welcome reception held at the Rockport Center for the Arts and dinner with keynote speaker at the ROCC Thursday evening.

- 405 went on a Hummer Home bus tours on a school bus. (This does not include the visitors who were able to visit the Hummer Homes on their own a week before and after the event).

-304 went on narrated boat trips at Fulton Harbor

- 90 attended photography classes at Rockport Conference Center.
- 105 were transported from Rockport on guided field trips to the Fennessey Ranch, Welder Wildlife Ranch, Barnhart Q5 Ranch
- 60 attended birding with experts at Goose Island State Park
- 1000-plus attended the Banding Demonstration at the public banding site in Rockport.
- 80 attended the Hummer Breakfast at the History Center

-30 attended a private bird and eco nature boat trip.

<u>Aransas Pathways Event</u> - There were 15 participants at the Aransas Pathways Poker Run organized to showcase five of the Aransas Pathway sites. Bella la Brew donated the coffee and the Rockport Bakery brought out donuts. Half of the participants were local and half from across Texas. The winner of the binoculars, donated by Land Sea & Sky, was from Mineola, Texas.

Rockport Center for the Arts - More than 200 attendees from all over Texas and beyond attended the Welcome Reception and Keynote Presentation and Dinner on Thursday evening. They enjoyed Wine and Cheese and a welcome message from the Chairman of the event - Melody Waggoner. In addition, they received a presentation by native South Texan and nationally recognized photographer and videographer, Cissy Beasley.

The Aquarium Education Center was host to two panels featuring local birders who spoke about Birding in Texas Parks & In Your Backyard. Guests had the opportunity to talk one-on-one with local specialists about Birding in Aransas County.

Rockport Birding & Kayak Adventures departing from Fulton Harbor – Hosted 304 out-of-town guests, all eagar to see the birds of Aransas County on a boat birding tour.

Aransas Bay Adventures –offered 5 Private and Eco Bird & Nature Photography Boat Tours. There were 30 guests who had the unique opportunity to take a boat tour geared towards photographing birds.

Transportation was provided for those visitors who signed-up for the Half Day Birding Field Trips hosted by **Fennessey Rnch, Barnhart Q5 Ranch and the Welder Wildlife Refuge.**

Keynote Speaker Richard Crossley hosted a birding lecture and field trip along with a special presentation where 45 guests were given the tools on, "Learning to Look" as a birder.

A yearly favorite, 80 out-of-town guests signed-up for the **Hummer Breakfast at the History Center for Aransas County** where they admired the birds in the garden, as well as receiving a special presentation of the local history.

Bird Photography Classes are always a favorite and 35 visiting guests heard from local expect photographers John Martel and Debra Strothman.

The HummerBird Celebration offered a four-day **Speaker Program** featuring a variety of topics relating to birding and wildlife which filled 1,169 seats throughout the weekend.

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2022-2023			
Description of Expense	**Approved Budget**	**Amount of Expense**	***Number of Heads in Beds**
Advertising / Promotion		$8,153.00	
Total Reimbursement Request		$1,500.00	2,386

***Must attach supporting documentation**

See Enclosed

Projected Impact 0f 2023 HummerBird Celebration on Local Lodging

Property	Total Hotel/ Motel Rooms Available	Thus Sept 14		Fri Sept 15		Sat Sept 16		Sun Sept 17	
		%	Rms	%	Rms	%	Rms	%	Rms
Bay Front Cottages	27	16%	4	78%	20	78%	20	0%	0
Bay View Inn	12	100%	12	100%	12	100%	12	100%	12
Candle Light Cottages	6	0%	0	100%	6	100%	6	0%	0
Econo Lodge	79	50%	40	90%	71	90%	71	0%	0
Hunts Castle	76	20%	15	30%	23	15%	11	0%	0
Laguna Reef Hotel	51	0%	0	76%	39	76%	39	0%	0
Lighthouse Inn at Aransas Bay	78	89%	69	100%	78	100%	78	0%	0
Motel 6	50	100%	50	100%	50	100%	50	100%	50
OYO Hotel Rockport /Seaview	26	100%	26	100%	26	100%	26	100%	26
Pelican Bay Resort	28	100%	28	100%	28	100%	28	100%	28
Fairfield Inn Suites	87	53%	46	100%	87	97%	84	25%	22
Hampton Inn& Suites	91	55%	50	77%	70	89%	81	24%	22
Harbour Inn	16	100%	16	100%	16	100%	16	100%	16
Quality Inn	62	50%	31	95%	59	95%	59	40%	25
Sanddollar Resort Motel	37	30%	11	30%	11	30%	11	30%	11
Shivam Reef Motel	13	90%	12	90%	12	90%	12	15%	2
Studio 6 Suites - Blue Wave	28	13%	4	13%	4	13%	4	13%	4
Village Inn	26	80%	20	80%	20	80%	20	80%	20
Inn at Fulton Harbor	45	25%	11	67%	30	67%	30	20%	9
La Quinta Inn & Suites	72	51%	37	69%	50	86%	62	24%	17
Days Inn by Wyndham	50	24%	12	48%	24	76%	38	6%	3
Holiday Inn Express	69	50%	35	65%	45	65%	45	1%	6

Total Rooms Available	1029				
Total Rooms Impacted by Event		529	781	803	273	**2386**

NOTE: This does not include all propertiies. Only those that responded to our request for information.

Economic Impact Example:

If the average daily rate of local hotel/motels is $100, x 7% HOT tax collected = $7 x 2386 room nights = $16,702 HOT Tax generated by event.

2023 HUMMBER BIRD ADVERTISNG PROMOTION BUDGET

KIII TV - Corpus Christi	$1,000
Living Bird Magazine	$1,085
Rockport Pilot-Programs	$3,260.50
Street Banners / Installation	$977.50
Rockport Pilot-Sponsor Ad	$330
Helen Thompson Media-Social Media	$1,500
Total	$8,153.00

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

AGENDA ITEM: 9

Deliberate and act on report from Rockport-Fulton Chamber of Commerce for marketing expenditures made for 2023 Seafair.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: At a Regular City Council Meeting on July 11, 2023, Council received the Rockport-Fulton Chamber of Commerce Hotel Occupancy Fund request for Seafair 2023. Budget deliberations were held through the summer to finalize the City's Fiscal Year 2023-2024 Budget, with formal adoption at the September 12, 2023, City Council Meeting. Upon approval of the Fiscal Year 2023-2024 Budget, the City Council awarded the Seafair Committee $5,000.00 in funding.

The accompanying documentation is submitted by the Chamber for payment.

FISCAL ANALYSIS: Charged to account 6602047. The budgeted amount is $5,000.00.

STAFF RECOMMENDATION: Staff recommends approval of the report from Seafair Committee for marketing expenditures made for 2023 Seafair and authorize disbursement of funds in the amount of $5,000 from the Hotel Occupancy Tax Fund for the event pursuant to the contract Agreement, as presented.

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2023-2024			
Description of Expense	**Approved Budget**	**Amount of Expense**	***Number of Heads in Beds**
Billboards		$3,000.00	
Cable		$3,935.07	
Radio		$2,975.00	
Social Media		$ 500.00	
			*3,050
Total Reimbursement Request		$10,410.07	$5,000.00

***Must attach supporting documentation.**

2023 SeaFair Report

From the Committee Chairmen: "This year's Rockport-Fulton SeaFair was amazing," said Committee Chair Karl Hattman. "The turn-out was great, the music was great, the change in carnivals was a great success, the vendors did well, and the crowd (of all ages) had lots of fun. The festival attracted visitors from across the state and beyond." "We are looking forward to building on the success of 2023 at the next and 49th Annual SeaFair," said Co-Chair Jordan Pilgrim.

"It was a great team effort and the volunteers, Chamber staff and committee deserve many thanks and congratulations on this year's success," said Hattman.

Reports from the areas of SeaFair:

- County Judge Ray Garza was present during the Ribbon Cutting and Opening Ceremonies followed by a welcome message from Representative Todd Hunters office, a special presentation of the National Anthem sung by an individual who had just received word that day of their citizenship, and a fly-over from Vintage Air Tours. Chamber of Commerce Chairman of the Board Chad Lee and Chamber Bay Blazers welcomed the crowd and Judge Garza cut the ribbon officially opening the 2023 SeaFair event.
- Despite the Thursday weather and the inability to open the carnival to the public that evening, Merriam's Midway Shows Carnival proved to be a big hit throughout the weekend.
- The SeaFair parade had over 65 entries and a great spectator turn-out.
- Gate activity was strong. Ticket sales $9,464 does not include 12 and under free attendance. Carnival tickets sold were 5,255. Adding volunteers, sponsors, and VIP ticket sales, estimated attendance is 15,000 versus an attendance of 12,000 last-year. The increase is attributed to The Bellamy Brothers that drew a large crowd Friday night and the success of the carnival.
- There were a variety of 15 food vendors and trailers who reported strong sales. In addition there were 100 arts and crafts and market vendors on-site who reported being very pleased with their sales.
- Live entertainment was steady and strong throughout the weekend.
- Beer distributors did an excellent job helping throughout the weekend.
- The kid's scavenger hunt and fishing pool proved to be successful additions to the event.
- The Rockport Little Theater and the Rockport Fire Department did very well serving gumbo throughout the weekend.
- The Sunday car show featured an array of 30 cars dating from 1957 to 2016. Classics, Muscle cars, Low Riders, Step Sides and more were displayed.
- With over 50 entries, the Cardboard boat races were a tremendous success.
- As always festival goers enjoyed the hilarious crab races. This year a Friday evening race was added. This event continues to draw interest from racers and sponsors.
- Thanks to Ron Hoover, the fishing and pontoon boat display drew a lot of attention.
- Nonprofit and school groups such as the NJROTC and RFHS Project Graduation and Choir keeping the grounds clean, delivering water and working the soda booth. Through tips jars SeaFair was able to give back to these organizations.

2023 SEAFAIR ZIP CODE BREAKDOWN

	# of Zip Codes	Local	In-State Cities	Out-of-State
	Collected	Within 70 Miles	Outside 70 Miles	
	4,722	1,942	2,523	257
		42%	53%	5%

In-State Cities: (181 Texas Cities Represented)

Pipe Creek, Rockport, Fulton, San Antonio, La Vernia, Adkins, Ballinger, Ingleside, Sequin, Aransas Pass, Seadrift, New Braunfels, Corpus Christi, Kingsville, Breckinridge, Moody, Temple, Universal City, Huntsville, Saint Hedwig, Poteet, Houston, Grand Prairie, Hutto, Ben Bolt, Falls city, Cuero, Refugio, Beeville, Kilgore, Converse, North Richland Hills, Sinton, Amarillo, Pleasanton, Aqua Dulce, Goliad, Victoria, Brookshire, Bryan Sherman, Schertz, Pflugerville, Elgin, Austin, Wimberley, Diana, Dallas, Katy, Odem, Montgomery, Lubbock, Muleshoe, Georgetown, Portland, Robstown, Boerne, San Angelo, Sugarland, Humble, Liberty Hall, Larue, Taft, Tyler, Brazoria, Charlotte, Leander, Alice, Round Rock, Raymondville, Arlington, Lockhart, Uvalde, Bayside, Port Lavaca, Spring, Belmont, Fort Worth, Converse, Crosby, Weslaco, Porter, Pinehurst, Spring Branch, College Station, Temple, Schluneberg, Comfort, Kyle, Bastrop, Orange Grove, Celeste, Rockdale, Marion, Skidmore, Plano, Midland, Bulverde, Edroy, Magnolia, Burkburnett, Justin, Canyon Lake, Gonzales, San Marcos, Kingsburg, Royse City, Fulshear, Rosebud, Rockwell, Somerset, Bandera, Webster, Edinburg, Woodsboro, Plano, Laredo, Ben Sheeler, Palaciso, Weatherford, Hale Center, Sandia, Denison, Bishop, Riverside, Rivera, Hockley, Gregory, Lake Jackson, Sabinal, Orange, Karnes City, Kerrville, Hallettsville, Cibolo, Manchaco, Fisher, Luling, Benito, Southlake, Doss, Spearman, Glen Rose, Buda, Humble, Denton, Lorence, Conroe, Frankston, Mineral Wells, Stinnett, Ganado, Dale, Giddings, Ingram, Spicewood, Deer Park, Salado, La Grange,Dickinson, Von Ormy, Helotes, McNeil, Brownsville, Elmendorf, El Blanco, Lorena, Driftwood, Castroville, Gonzales, Livingston, League City, Raisin, Inez, Hewitt, Fredericksburg, Bay City, Flosesville, Mico, Marshall, Mission, Liberty Hill, Corsicana, Wharton, Mexico (TX), Stanton, Waco, Kenedy, Hondo, Flosesville, Rosharon, Harker He

Out of State: (23 States Represented)

FL, WI, KY MN, NV, LA, MO, NM, IN, OH, MA, IL, AL, AR, MT, KS, OK, WA, NY, IL, CA, GA, CO

2023 SEAFAIR LODGING IMPACT

Property	Total Hotel/ Motel Rooms Available	Thus Oct 5		Fri Oct 6		Sat Oct 7		Sun Oct 8	
		%	Rms	%	Rms	%	Rms	%	Rms
Bay Front Cottages	27	26%	7	74%	20	74%	20	7%	2
Bay View Inn	12	100%	12	100%	12	100%	12	100%	12
Candle Light Cottages	6	33%	2	33%	2	33%	2	0%	0
Econo Lodge	79	82%	65	100%	79	100%	79	0%	0
Hunts Castle	76	87%	66	87%	66	87%	66	0%	0
Laguna Reef Hotel	51	29%	15	29%	15	29%	15	0%	0
Lighthouse Inn at Aransas Bay	78	100%	78	100%	78	100%	78	0%	0
Motel 6	50	100%	50	100%	50	100%	50	100%	50
OYO Hotel Rockport /Seaview	26	100%	26	100%	26	100%	26	100%	26
Pelican Bay Resort	28	100%	28	100%	28	100%	28	100%	28
Fairfield Inn Suites	87	88%	77	88%	77	88%	77	25%	22
Hampton Inn& Suites	91	90%	82	90%	82	90%	82	24%	22
Harbour Inn	16	100%	16	100%	16	100%	16	100%	16
Quality Inn	62	85%	53	85%	53	85%	53	40%	25
Sanddollar Resort Motel	37	100%	37	100%	37	100%	37	30%	11
Shivam Reef Motel	13	90%	12	90%	12	90%	12	15%	2
Studio 6 Suites - Blue Wave	28	100%	28	100%	28	100%	28	13%	4
Village Inn	26	80%	20	80%	20	80%	20	80%	20
Inn at Fulton Harbor	45	100%	45	100%	45	100%	45	20%	9
La Quinta Inn & Suites	72	89%	64	89%	64	89%	64	24%	17
Days Inn by Wyndham	50	100%	50	100%	50	100%	50	25%	12
Holiday Inn Express	69	100%	69	100%	69	100%	69	17%	12

Total Rooms Available	1029					
Total Rooms Impacted by Event		902	929	929	290	**3,050**

NOTE: This does not include all propertiies. Only those that responded to our request for information.

Economic Impact Example:

If the average daily rate of local hotel/motels is $100, x 7% HOT tax collected = $7 x 3,050 room nights = $21,350 HOT Tax generated by event.

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

AGENDA ITEM: 10

Deliberate and act on 4th 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 4th quarter HOT expenditure report for additional information.

FISCAL ANALYSIS: Charged to account 6602003. The budgeted amount is $15,000.00 and YTD expenses are $23,659.29, but they only received the $15,000 budgeted.

STAFF RECOMMENDATION: Staff recommends Council approve the NERR UTMSI Fiscal Year 2022-2023 Hotel Occupancy Tax funds 4th quarter expenditures, as presented.

MISSION ★ ARANSAS NATIONAL ESTUARINE RESEARCH RESERVE

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

December 6, 2023

RE: Bay Education Center Hotel Occupancy Tax Quarterly Report July to September 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 FY2022 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 919 for the 4th quarter. The calculations are as follows per month: For the month of July, the visitor attendance was 1,123 visitors with 428 staying in hotels or short-term rentals. In the month of August, the visitor attendance was 546 visitors with 322 visitors staying in hotels or short-term rentals. September attendance was 358 visitors with 169 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	$6,119.25	$23,659.29	919
Total Requested	$15,000.00	$5,965.83	$5,842.15	$5,732.06	$6,119.25	$23,659.29	

*Number of Heads in Bed for the 4th 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	$4,405.00	100%
Paul Markley	$2,857.50	$2,857.50	100%
Michelle McCumber	$8,313.02	$8,313.02	100%
Sarah Melendez	$42,104.92	$42,104.92	100%
TOTALS**	$57,680.44	$57,680.44	

**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.
Happy Holidays!

Sincerely,

Katie Swanson
Interim Reserve Director

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

AGENDA ITEM: 11

Deliberate and act on taxicab permit request from Craig Potts, doing business as Rockport Ride, for a one-year period.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: City of Rockport Code of Ordinances Article II. Taxicabs states the following:

Sec. 110-26. Taxicabs must be owned by person conducting business.

It shall be unlawful for any person conducting a taxicab business in the city to use or operate, or cause to be used or operated, as a taxicab, any vehicle not owned by him.

Sec. 110-27. Insurance.

(a) The holder of any permit to conduct a taxicab business in the city shall, at all times during the life of such permit, keep each and every vehicle operated by him under his permit insured in a company authorized to do business in the state, indemnifying the permittee for injury or death or property damage resulting from the operation of such vehicle. Such policies of insurance shall not be cancelled or surrendered, except upon written notice to the city secretary. Failure of any permittee to procure and file the policies of insurance as required by this section shall immediately forfeit and make null and void such permit and all rights thereunder shall at once cease.

(b) Before any license or permit shall be issued to any owner or operator, or before any renewal of a license or permit shall be granted, the owner or operator should be required to file a certificate of insurance with the city secretary and thereafter with a company duly authorized to do business in the state and performable in the county insuring the public against any loss or damage that may result to any person or property from the operation of such vehicles; provided, that the maximum amount of recovery in such policy of insurance specified shall not, for each vehicles, $40,000.00 bodily injury for each person; $80,000.00 aggregate for bodily injury; and $30,000.00 property damage. Each insurance policy shall require notice from the insurer to the city at least ten days before any such policy is to be terminated for any reason by the insurer or by the insured.

Sec. 110-30. Application fee.

Any person desiring to engage in the business of operating taxi service shall make application to the city secretary. Such application shall be addressed to the city council and shall be signed, under oath, by the applicant. It shall state the name and address of such applicant; whether the applicant is an individual, firm or corporation, and if a firm, the name and address of each member thereof; and the number, types and seating capacity of each vehicle to be operated; shall be sworn to by the applicant; and shall be accompanied by an application fee of $50.00

Sec. 110-31. Approval or disapproval of application.

It shall be the duty of the city secretary, when an application for a permit under this article is filed with him, at the next regular meeting of the city council following the filing of such application, to

call the attention of the council thereto. Upon consideration of the application, the city council may approve or disapprove it, as in its discretion may seem to the best interest of the citizens of the city and the public in general.

Sec. 110-34. Term.

A permit issued under this division shall be valid for a period of one year from its issuance, unless sooner revoked.

Please see the accompanying Vehicle/Business Permit Application.

FISCAL ANALYSIS: The applicant has paid the $50.00 application fee and provided proof of the required insurance coverage. The $35.00 permit fee for each taxicab will be paid upon Council's approval of the application.

RECOMMENDATION: Staff recommends Council grant the taxicab permit to Rockport Ride, as presented.

CITY OF ROCKPORT
VEHICLE/BUSINESS PERMIT APPLICATION

☑ **TAXICAB** ☐ **LIMOUSINE or SIGHTSEEING** ☐ **WRECKER/TOW SERVICE**

***Instructions*: Any person desiring to operate any of the above services within the City Limits of Rockport, Texas must complete this application form, sign under oath having signature notarized, file it with the City Secretary's office, and abide by the Code of Ordinances, Chapter 110 "Vehicles for Hire" (copy attached).**

Application Fee: **Fifty ($50.00) dollars for any of the above services.**
Permit Fee: **Thirty-Five Dollars ($35.00) per vehicle for taxicabs, limousines and wrecker/tow trucks**

Applicant's Name: CRAIG POTTS
(please print)

Company Name: Rockport Ride

Mailing Address: Rockport (City) Tx (State) 78382 (ZipCode)

Telephone #: 361-230-6800 email: craig@pottscares.com

Owner(s) (please check box): ☑ **Individual** ☐ **Firm/Partnership** ☐ **Corporation**
(If Firm is checked, please give name and address of each member)

President: CRAIG POTTS
Address: 112 Whistlers Cv Rd
City/State/Zip Rockport TX 78382

Vice President _____
Address: _____
City/State/Zip _____

Secretary: _____
Address: _____
City/State/Zip _____

Treasurer: _____
Address: _____
City/State/Zip _____

(if additional room is needed, add sheet to last page)

1. **Number of vehicles proposed to be operated under such permit:** _____
(if one vehicle, complete information below; if more than one, complete Addendum #1)

Make: Toyota
Model: Sienna
VIN# : 5TDKZ3DC2JS957619
License #: TMV. 0485

2. **Term of permit issued shall be for one year from its issuance, unless revoked.**

3. **Vehicles must be owned by person conducting business.**

4. **Insurance:** **All services must file a certificate of insurance with the City Secretary.**

   A. Requirements for **taxicabs** should include $40,000 for injury or death of one (1) person, and $80,000 for injuries or death in any one (1) occurrence, and not less than $30,000 for injury to or destruction of property of any one (1) occurrence.

   B. Requirements for **wrecker/tow trucks** should include $100,000 for bodily injury for each person; $300,000 aggregate for bodily injury; and $100,000 property damage.

5. **Identification:** **Every holder of a "taxi" permit shall have and keep painted, in fast colors contrasting with the color of the vehicle, on each side of every vehicle used as a taxicab, the words "Taxi Permit-Rockport"; with letters not less than five inches in height.**

6. **Permit tag:** **A City of Rockport Vehicle/Business Permit shall be issued for each vehicle and shall be placed on the top right hand corner of the windshield or left side of carriage.**

7. **Regulations:** **Special regulations for sightseeing permit using horse-drawn carriages.**

   See Section 110-56 of the attached Ordinance for regulations.

8. **Standards:** All wreckers/tow trucks shall be rated at no less than one ton and have a minimum gross carrying capacity of 3,500 pounds.

9. **Equipment:** For wrecker/tow truck requirements see Section 110-68 - Minimum Standards of the attached Ordinance.

10. **Inspections:** Wreckers/Tow trucks will be inspected by the Rockport Police Dept. for compliance with the above standards and equipment requirements.

11. **Operational Guidelines:** For wrecker/tow truck requirements, see Section 110-71 of attached ordinance.

12. **Licenses:** For wrecker/tow truck requirements, see Section 110-72 of attached ordinance.

13. **Towing & Impounding:** For wrecker/tow truck requirements, see Section 110-73 of attached ordinance.

14. **Impoundment Fees:** See section 110-74 of attached ordinance.

(Signature of applicant) 11/15/23 (Date)

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF ARANSAS §

Craig Potts, **personally appeared before me, and being first duly sworn declared that he/she signed this application in the capacity designated, if any, and further states that he/she has read the above application and the statements therein contained are true.**

Sworn to and subscribed before me this 20th **day of** November 2023.

LAURA GERLICH FLANAGAN
Notary ID #2124720
My Commission Expires
February 28, 2027

Notary Public: Laura Gerlich Flanagan

My Commission Expires: 2-28-27

Addendum #1

Vehicle listing application, if more than one (1) vehicle:

1. Make: _____
   Model: _____
   VIN# : _____
   License #: _____
2. Make: _____
   Model: _____
   VIN# : _____
   License #: _____
3. Make: _____
   Model: _____
   VIN# : _____
   License #: _____
4. Make: _____
   Model: _____
   VIN# : _____
   License #: _____
5. Make: _____
   Model: _____
   VIN# : _____
   License #: _____
6. Make: _____
   Model: _____
   VIN# : _____
   License #: _____

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697

Jane Nelson
Secretary of State

Office of the Secretary of State

CERTIFICATE OF RESERVATION OF ENTITY NAME OF

Rockport Ride

The undersigned, as Secretary of State of Texas, hereby certifies that the above entity name has been reserved in this office pursuant to the provisions of Section 5.101 of the Texas Business Organizations Code for the exclusive use of

Rockport Ride
112 Whistlers Cove Rd, Rockport , TX 78382

for a period of one hundred twenty days after the date hereof.

This name reservation does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 11/16/2023

Jane Nelson
Secretary of State

Texas Department of Motor Vehicles

512-586-4843

WEB DEALER ORIGINAL TITLE

PROCESSING COUNTY: WILLIAMSON
RESIDENT COUNTY: WILLIAMSON
PLATE NO: TMV0485
DOCUMENT NO:
PREV DOC NO: 28695345160006626-TX (P)

TAC NAME: LARRY GADDES
DATE: 10/25/2023
TIME: 09:05AM
USER:

EFFECTIVE DATE: 10/25/2023
EXPIRATION DATE: 9/2024
WEB TITLE ID: 17468369

OWNER NAME AND ADDRESS
CRAIG ALLEN POTTS
3508 SANDY BROOK DR
ROUND ROCK, TX 78665

REGISTRATION CLASS: PASSENGER-LESS/EQL 6000
PLATE TYPE: PASSENGER-TRUCK PLT
ORGANIZATION:
STICKER TYPE: WS

VEHICLE IDENTIFICATION NO: 5TDKZ3DC2JS957619 VEHICLE CLASSIFICATION: PASS
YR/MAKE: 2018/TOYT MODEL: SIE BODY STYLE: VN UNIT NO:
EMPTY WT: 4500 CARRYING CAPACITY: 0 GROSS WT: 4500 TRAILER TYPE:
BODY VEHICLE IDENTIFICATION NO: TVL TRLR L/W/SQFT: 0'0"
PREV OWNER NAME: ROUND ROCK TOYOTA PREV CITY/STATE: ROUND ROCK, TX

INVENTORY ITEM(S)	YR
PASSENGER-TRUCK PLT	
WINDSHIELD STICKER	2024

VEHICLE RECORD NOTATIONS
ACTUAL MILEAGE
PAPER TITLE
MAJOR COLOR: SILVER
E-REMINDER

FEES ASSESSED		
TITLE APPLICATION FEE	$	13.00
TERP TITLE FEE	$	20.00
SALES TAX FEE	$	2,148.44
BUYERS TAG	$	5.00
TITLE CONVENIENCE FEE	$	10.00
WINDSHIELD STICKER	$	50.75
REG FEE-DPS	$	1.00
CNTY ROAD BRIDGE ADD-ON FEE	$	10.00
CHILD SAFETY FUND	$	1.50
INSPECTION FEE-NLTSI	$	8.25
PROCESSING AND HANDLING FEE	$	4.75
TOTAL	$	2,272.69

ODOMETER READING: 60250 BRAND: A
OWNERSHIP EVIDENCE: TEXAS TITLE
1ST LIEN DATE: 10/03/2023
AUSTIN TELCO FCU
11149 RESEARCH BLVD STE 300
AUSTIN, TX 78759

2ND LIEN

3RD LIEN

SALES TAX CATEGORY: SALES/USE

Date of Assignment/Sales Tax Date: 10/03/2023		
Sales Price	$	34,375.00
Less Trade In Allowance	$	0.00
Taxable Amount	$	34,375.00
Sales Tax Paid	$	2,148.44
Less Other State Tax Paid	$	0.00
Tax Penalty	$	0.00
TOTAL TAX PAID	$	2,148.44

CERTIFICATE OF TITLE WILL BE MAILED TO 1st LIENHOLDER.

THIS RECEIPT IS YOUR PROOF OF APPLICATION FOR CERTIFICATE OF TITLE AND REGISTRATION.

PEEL FROM BACK ONLY / DESPEGUE POR DETRÁS

WINDSHIELD STICKER / CALCOMANÍA DE PARABRISAS

OR

Peel sticker from any corner.
Despegue la calcomanía de cualquier esquina.

PLATE STICKER / CALCOMANÍA DE PLACA

Pat. No. 5,756,175

TWFG INS SERVICES
1201 LK WOODLAND 4020
THE WOODLANDS, TX 77380

PROGRESSIVE AUTO

Policy Number: 970421187
Underwritten by:
Progressive County Mutual Ins Co
November 15, 2023
Policy Period: Jun 22, 2023 - Jun 22, 2024

CRAIG POTTS
3508 SANDY BROOK DR
ROUND ROCK, TX 78665

1-512-252-2618
TWFG INS SERVICES
Contact your agent for personalized service.

agent.progressive.com
Online Service
Make payments, check billing activity, update policy information or check status of a claim.

1-800-274-4499
To report a claim.

Auto Insurance Coverage Summary

This is a copy of your Declarations Page

Your coverage began on June 22, 2023 at the later of 12:01 a.m. or the effective time shown on your application. This policy period ends on June 22, 2024 at 12:01 a.m.

This coverage summary replaces your prior one. Your insurance policy and any policy endorsements contain a full explanation of your coverage. The policy limits shown for a vehicle may not be combined with the limits for the same coverage on another vehicle. The policy contract is form 9611A TX (08/15). The contract is modified by forms 4884 (10/08), A284 TX (07/19), A229 TX (10/19) and A331 (11/21).

Motor Vehicle Crime Prevention Authority Fee

Your payment includes a $4.00 fee per vehicle each year. This fee helps fund:

- auto burglary, theft, and fraud prevention;
- criminal justice efforts; and
- trauma care and emergency medical services for victims of accidents due to traffic offenses.

By law, we send this fee to the Motor Vehicle Crime Prevention Authority (MVCPA).

Drivers and household residents

CRAIG POTTS
Additional information: Named insured

Continued

Outline of coverage

2017 FORD F250 CREW PICKUP
VIN: **1FT7W2BT7HEC00839**
Garaging ZIP Code: 78665
Primary use of the vehicle: Commute
Annual miles: 6,000 - 7,999
Length of vehicle ownership when policy started or vehicle added: 5 years or more
Information regarding your vehicle history (prior damage, theft or title issues) has impacted how we determine your premium.

	Limits	Deductible	Premium
Liability to Others			$902
Bodily Injury Liability	$250,055 each person/$500,055 each accident		
Property Damage Liability	$100,055 each accident		27
Personal Injury Protection	$2,525 each person/each accident		87
Uninsured/Underinsured Motorist Bodily Injury	$100,055 each person/$300,055 each accident		76
Uninsured/Underinsured Property Damage	$100,055 each accident	$250	476
Comprehensive	Actual Cash Value	$495	343
Collision	Actual Cash Value	$495	55
Rental Reimbursement	up to $50 each day/maximum 30 days		10
Roadside Assistance			**$1,976**
Total premium for 2017 FORD			

2018 TOYOTA SIENNA SPORT VAN
VIN: **5TDKZ3DC2JS957619**
Garaging ZIP Code: 78665
Primary use of the vehicle: Pleasure/Personal
Annual miles: 8,000 - 9,999
Length of vehicle ownership when policy started or vehicle added: Less than 1 month
Information regarding your vehicle history (prior damage, theft or title issues) has impacted how we determine your premium.

	Limits	Deductible	Premium
Liability to Others			$869
Bodily Injury Liability	$250,055 each person/$500,055 each accident		
Property Damage Liability	$100,055 each accident		51
Personal Injury Protection	$2,525 each person/each accident		165
Uninsured/Underinsured Motorist Bodily Injury	$100,055 each person/$300,055 each accident		98
Uninsured/Underinsured Property Damage	$100,055 each accident	$250	361
Comprehensive	Actual Cash Value	$495	438
Collision	Actual Cash Value	$495	70
Rental Reimbursement	up to $50 each day/maximum 30 days		10
Roadside Assistance			**$2,062**
Total premium for 2018 TOYOTA			**$4,038.00**
Subtotal policy premium			65.00
Policy fee			8.00
Motor Vehicle Crime Prevention Authority Fee			**$4,111.00**
Total 12 month policy premium and fees			

Premium discounts

Policy	
970421187	Multi-Policy, Agency Package, Automatic Card Payments (ACP), Home Owner, Multi-Car, Continuous Insurance: Platinum and Three-Year Safe Driving

Lienholder information

Vehicle	Lienholder
2017 FORD F250 1FT7W2BT7HEC00839	University Federal CU Austin, TX 78766
2018 TOYOTA SIENNA 5TDKZ3DC2JS957619	Austin Telco Federal Credit Union Austin, TX 78759

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

AGENDA ITEM: 12

Deliberate and act on a Resolution adopting guidelines for City Council Board and Commission appointments.

SUBMITTED BY: City Manager Vanessa Shrauner

APPROVED FOR AGENDA: VRS

BACKGROUND: Historically not all wards have been represented on committees. The basis of the resolution is to have an at least one appointee from each ward to be selected by the ward council representative. Additionally, a handbook is created to give appointees direction in their job and potential candidates an overview of what they are applying for.

Please see the accompanying Resolution & Exhibits.

FISCAL ANALYSIS: N/A

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

RESOLUTION NO. 2023 - __

A RESOLUTION ADOPTING GUIDELINES FOR CITY COUNCIL BOARD AND COMMISSION APPOINTMENTS

WHEREAS, the work performed by citizens serving on boards and commission is a vital part of the work of the City of Rockport government; and

WHEREAS, board and commission members assist the City Council in setting policy, implementing public policy and in communicating that policy to the community; and

WHEREAS, the Board and Commission Member Appointment Policy, as presented, will provide consistent guidelines for City Council board and commission member appointments.

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

(1) The City Council of the City of Rockport, Texas, approves and adopts the Guidelines for City Council Board and Commission Appointments attached hereto as Exhibit A, and made a part hereof by this reference.
(2) The City Council approves the Boards and Commission Handbook attached hereto as Exhibit B, and made a part hereof by this reference.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT THE ___ DAY OF _____ 20__.

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

EXHIBIT "A"

Guidelines for Board and Commission Appointments

Board appointments are generally made by the City Council. Each Council Member should appoint one person from their Ward to serve on each board. The positions above the number of Council people are to all be chosen by the Mayor with input from the City Council. The Mayor and Council may request an interview with a candidate prior to appointment.

Individuals who are qualified voters in the City may be appointed to serve on one or more boards, commissions, or committees. To be appointed, an individual must receive a majority vote of the council. Individuals are encouraged to contact their City Council representative(s) and advise them of the board(s)/commission(s) in which they are interested. Individual board qualifications and specific duties can be found in the Rockport Code of Ordinances.

All individuals considered for appointment by the City Council to a board, commission or committee must have an application on file in the Office of the City Secretary not later than the *14th* calendar day before the date appointments are considered by City Council.

Applications for appointments are kept on file for no more than two years. After a year, applicants are asked to submit a new application to ensure that the information is accurate. Please contact the City Secretary's Office at (361) 729-2213 for more information.

Members of a board, commission, or committee serve without compensation. Meeting minutes are kept by each board, commission, or committee appointed by the City Council. If any member of a board, commission, or committee is absent from three consecutive regular meetings without explanation acceptable to a majority of the other members, such member forfeits his/her position on said board, commission, or committee.

No officer of the City nor any person who holds a compensated appointive position with the City shall be appointed to any board , commission or committee created or established by the Home Rule Charter other than in an advisory position. Any person that has an ongoing substantial interest in a business entity may not apply for the conflicting board.

A person continues in office on a board, commission, or committee, until a successor is elected or appointed, as applicable, and is qualified.

All board appointees are confined by the Texas Open Meetings Act and the Public Information Act.

Each board, commission and committee established by the City Council will annually submit a written summary reporting its activities to the City Council.

EXHIBIT “B”

CITY of ROCKPORT, TEXAS

Est. 1870

BOARDS AND COMMISSIONS HANDBOOK

EXHIBIT "B"

Welcome!

On behalf of the City Council, I would like to thank you for your willingness to serve the City as an appointed member of a board or commission. Your commitment of time and talent is a very important contribution to our community.

The work performed by citizens who serve as volunteers on these boards and commissions is a vital part of our city government. Board and commission members assist the City Council in setting public policy, implementing public policy and in communicating that policy to the community.

In recognition of the important civic commitment members of boards and commissions have made, this orientation handbook has been prepared to assist new members in performing their duties.

It is our hope that your service to the City of Rockport will be both rewarding and fulfilling. Again, thank you for your willingness to serve.

Mayor
Rockport City Council

EXHIBIT "B"

TABLE OF CONTENTS

SECTION	TITLE	PAGE
1	**DEFINITIONS AND LEGAL LIABILITY**	
1.1	Boards and Commissions Defined	1
1.2	Definition of Terms	1
1.3	Advisory Boards & Commissions	2
1.4	Decision-making Boards and Commissions	2
1.5	Legal Liability	3
2	**APPOINTMENT PROCESS**	
2.1	How Public Officials are Appointed	4
2.2	Notice of Appointment	4
2.3	Eligibility and Qualifications	4
2.4	Oath of Office	5
3	**RESPONSIBILITIES OF PUBLIC OFFICIALS**	
3.0	Open Government Training	5
3.1	Texas Open Meetings Act	5
3.1.1	Closed Meetings	5
3.1.2	Penalties	6
3.2	Robert's Rules of Order	6
3.3	Agendas	6
3.4	Role of the Chairman	6
3.5	Quorum	7
3.6	Public Hearings	7
3.7	Minutes	7
3.8	Texas Public Information Act	7
3.8.1	Penalties	8
3.9	Meeting Attendance	8
3.9.1	Voting by Proxy Prohibited	8
3.10	City Staff Support	9
3.11	Reports to the City Council	9

EXHIBIT "B"

APPENDIX

APPENDIX	TITLE	PAGE
A	Description of Boards and Commissions	A-1
B	Application for City Boards and Commissions	A-2
C	Statement of Officer and Oath of Office	A-4

EXHIBIT "B"

CHAPTER 1: DEFINITIONS AND LEGAL

LIABILITY

1.1 Boards and Commissions Defined

The work performed by citizens serving on boards and commissions is a vital part of the work of the City of Rockport government. Rockport has two types of boards and commissions: ADVISORY and DECISION-MAKING. Additionally, there are boards whose membership is appointed by the City Council but are separate entities. Appendix A provides a general description of each type of board and commission.

1.2 Definitions of Terms

AGENDA is required of a meeting of a city governmental body. An agenda stating the date, hour, place, and subject of each meeting must be posted at City Hall for at least seventy-two (72) hours preceding the scheduled time of the meeting. Only those matters posted on the agenda can be discussed and acted on by the governmental body.

BOARD means a board or commission:

- which is established by city ordinance, city charter, interlocal contract, or state law;
- serves as a group of persons appointed by City Council that acts as an instrumentality of the city; and
- any part of whose membership is appointed by the City Council but does not include a board or commission which is the governing body of a separate political subdivision of the state.

CITY COUNCIL means the legislative and governing body of the City of Rockport consisting of five members who are elected by the citizens of Rockport for two-year terms.

CITY means the City of Rockport, Texas.

DELIBERATION means a verbal exchange during a meeting between a quorum of a governmental body, or between a quorum of a governmental body and another person, concerning an issue within the jurisdiction of the governmental body or any public business.

MEETING means a deliberation between a quorum of a governmental body, or between a quorum of a governmental body and another person, during which public business or public policy over which the governmental body has supervision or control is discussed or considered or during which the governmental body takes formal action. A social or informal event where council members attend is not considered a meeting.

MINUTES of every called meeting are required to be prepared, approved, and signed by the Chairman and attested to by the Secretary. The minutes become part of the City's permanent records.

EXHIBIT "B"

OFFICER means the legislative and governing body of the City of Rockport consisting of the five Council Members including the Mayor and Mayor Pro Tem.

PUBLIC OFFICIAL means any person who is appointed to a board or commission by the City Council.

1.3 Advisory Boards and Commissions

Advisory boards and commissions advise the City Council on public policy and play a very important role in city government by providing the Council with creative ideas, feedback from the community, and by serving as a sounding board for proposed public policy. It is important to remember that the role of advisory boards is not to set public policy but to advise the City Council. Member serving on Advisory Boards and Commission should take an oath of office and are subject to the Texas Open Meetings Act and the Texas Public Information Act.

ADVISORY BOARDS AND COMMISSIONS

Name	Members	Term (Yrs.)
Parks and Leisure Services Advisory Board	7	3
Tree and Landscape Committee	7	3

1.4 Decision-making Boards and Commissions

Decision-making boards and commissions are "quasi-judicial" and are governed by state law. Decision-making boards set or enforce public policy and are potentially subject to review by the courts. Members serving on decision-making boards should take an oath of office and are subject to the Texas Open Meetings Act and the Texas Public Information Act.

DECISION-MAKING BOARDS AND COMMISSIONS

Name	Members	Term (Yrs.)
Building and Standards Committee	7	2
Planning and Zoning Commission	7	3
Zoning Board of Adjustments	7	2

1.5 Legal Liability

It is important to understand that the actions of members of the various City boards can subject the City to liability and subject the board members to personal liability. Therefore, board members are strongly encouraged to consult with the City Attorney anytime they feel their actions, while serving

on such board, may have some legal consequences. The law in this area is quite complex and requires a thorough analysis of the law and facts pertaining to each particular situation.

As a general rule, quasi-judicial public officials cannot be held personally liable for erroneous acts while honestly exercising the judicial or quasi-judicial functions of their office. The board members who render decisions are considered quasi-judicial public officials. The problem with stating such a general rule as a proposition of law is that there will always be exceptions to the general rule. For example, if a court finds that a quasi-judicial public official performs certain functions in excess of his/her authority and such functions were not performed under a good faith assumption that the officer had the authority to act, then the public official will subject himself/herself to personal civil liability. If a person is damaged by the excessive acts of a quasi-judicial public official, then that public official will have to pay damages to the person harmed. The aggrieved person can also seek other remedies such as an injunction compelling the public official to perform or refrain from performing a particular act.

Officers of the city can also subject themselves, as well as the City, to liability if they perform their functions in a manner that denies an individual any right that is secured to that individual by the constitution or a statute. An example of how this type of liability could arise is if an officer illegally discriminates against an individual. A city and its officers, as a governmental entity, must treat all individuals or groups equally. Therefore, officers of the City should treat all individuals and groups in the same manner. If an officer illegally discriminates against an individual or group, that individual or group can seek monetary damages from the City and the individual officer for a violation of his rights under the state and federal civil rights statutes.

When members of boards are acting in good faith and within the bounds allowed by the City ordinances and procedures and the state and federal law, the City will provide a defense for such members to the greatest extent permissible. However, if a board or commission member violates a criminal law while serving in his/her official capacity, the City generally will not provide that member with a defense. The reason for this is that if a criminal law was violated, the board member was probably acting outside the bounds of his authority.

The above discussion is by no means intended to be a comprehensive and complete discussion of legal liabilities to which the City or the board member may be subjected. You are reminded that the City Attorney is available to the city boards and should be consulted on such questions.

CHAPTER 2: APPOINTMENT PROCESS

2.1 How Public Officials are Appointed.

The City Council (and/or Mayor) is responsible for appointments to all of Rockport's boards. All efforts will be made to ensure that each Ward is represented on each board. Citizens interested in being appointed are urged to obtain an application form (see Appendix A) from the City Secretary's office at

City Hall or on the City's Web page: www.rockporttx.gov and communicate your interest to your Ward's Council Member. Applications must be received at least 14 business days prior to the Council meeting scheduled with the appointment on the agenda.

2.2 Notice of Appointment

The City Secretary will notify the City Council prior to the expiration of board terms. Appointments will be placed on a City Council agenda for Council action. After the City Council appoints a person to serve as a member of a board, the City Secretary will notify the appointee in writing of the appointment and furnish new members with a copy of this Boards and Commissions Handbook.

2.3 Eligibility and Qualifications

The City Council strives to appoint the most qualified citizens to serve on boards. Appointments, in most cases, will be made from applications on file with the City Secretary. The qualifications required to serve on a particular board are determined by Rockport Code of Ordinances. Many of the boards do not have specific eligibility requirements beyond voting residency, leaving the membership qualifications to the discretion of the City Council. Appointments to boards having eligibility requirements must be made in accordance with the governing City ordinance. Board members must continue to meet the eligibility requirements during the entire time they serve on the board.

2.4 Statement of Officer and Oath of Office

A Statement of Officer must be completed by all appointed board members and an Oath of Office (Appendix C) will be administered to all members of decision-making boards. The oath of office can be administered by the City Secretary or a Notary. The necessary forms are available in the City Secretary's office.

CHAPTER 3: RESPONSIBILITIES OF PUBLIC OFFICIALS

3.0 Open Government Training

Effective January 1, 2006, elected and appointed officials are required by state law to receive training in Texas open government laws. The Office of the Attorney General offers free video training courses to attend in person or online by visiting their website at https://www.texasattorneygeneral.gov/open-government. Board members may check with the City Secretary for additional options. All newly appointed municipal board members must complete the Open Meetings portion of the training within ninety (90) days of their appointment. The Certificate of Completion must be kept on file with the City Secretary for five (5) years.

EXHIBIT "B"

3.1 Texas Open Meetings Act

The Texas Open Meetings Act is codified in the Texas Government Code Section 551.001. This article generally requires that meetings of a governmental body be open to the public and enumerates some exceptions to the requirement. The Act also requires that the public be given notice of the time, place, and subject matter of meetings of governmental bodies. The Texas Open Meetings Act prohibits the use of secret ballots in meetings of governmental bodies.

3.1.1 Closed Meetings

The Rockport City Council is the only City board authorized under law to conduct closed meetings.

The Texas Open Meetings Act does allow for closed meetings on a few limited subjects. Closed meetings are only allowed for discussion of items that include pending litigation, certain personnel matters, receiving a gift or donation, to discuss deployment or implementation of security personnel or devices, and the lease or acquisition of real estate.

Before a closed meeting can be held, notice of the meeting identifying the sections of the Texas Open Meetings Act authorizing the closed meeting must be posted 72-hours in advance of the meeting. A quorum of the governmental body must convene in an open meeting and the presiding officer publicly announces that a closed meeting will be held and identifies the sections of the Texas Open Meetings Act authorizing the closed meeting. No final action, decision, or vote can be made in a closed meeting. All final actions, decisions and votes must be made in an open meeting.

Further, the governmental body is required to keep a certified agenda of the matters discussed in the closed meeting and a record of any further action taken. The presiding officer must include an announcement at the beginning and end of the closed meeting indicating the time and place that the meeting started and ended and must certify by his/her signature that the agenda is a true and correct record of the proceedings. It is a misdemeanor offense for any individual to make public such certified agenda unless directed by a court order. The certified agenda must be preserved in a safe and secure place for a minimum of two (2) years. The City Secretary or City Attorney are available to answer questions pertaining to agendas, minutes, or any other questions that may arise regarding the Texas Open Meetings Act.

3.1.2 Penalties

A fine of not less than $100.00 nor more than $500.00 or imprisonment in the county jail for not less than one (1) month nor more than six (6) months, or both fine and imprisonment, can be imposed for violating the provisions of the Texas Open Meetings Act or conspiring to circumvent the provisions of the Texas Open Meetings Act by meeting in numbers less than a quorum for the purposes of secret deliberations.

EXHIBIT "B"

3.2 Robert's Rules of Order

Meetings are generally conducted under standard parliamentary rules as outlined in Robert's Rules of Order.

3.3 Agendas

City boards and commissions are expected to abide by the Texas Open Meetings Act and their agendas are properly posted on the City hall bulletin board at least seventy-two (72) hours preceding the scheduled time of the meeting. Only those matters posted on an agenda can be discussed and acted upon by the governmental body.

At the time of posting, copies of the agenda must be given to all members of the boards or commissions pertaining to the meeting being posted. If non-members attend the meeting, they should also be provided with an agenda. The agenda should be prepared (under the direction of the board chairman) by the board secretary, who is usually the staff person to the board.

Generally, the order of business on the agenda is: declaring a quorum, the reading, correcting, and passing of the minutes from the last meeting, and specific information listed for each agenda item to inform the public of the item being discussed. A general listing such as "Committee Reports" is not allowed. Items to be discussed must be specific.

3.4 Role of the Chairman

The role of the board chairman is to provide leadership to the group. He/She has certain duties and responsibilities which must be performed:

1. Ensure that the meeting is conducted in accordance with established rules; and
2. Maintain order and bring the group to a conclusion on the matters before it.

3.5 Quorum

A quorum is the minimum number of members needed to officially conduct business. The quorum is generally established by the ordinance, resolution, or other document which establishes the board. Where no statement on the quorum number exists, the quorum is the majority of the members. If no quorum exists, the meeting should be canceled and rescheduled.

3.6 Public Hearings

Public hearings are open forums that allow the public an opportunity to express their opinion on a specific issue related to the City of Rockport. Public hearings are generally conducted in the following manner:

1. The chairman of the board formally opens the public hearing.

2. After hearing all citizens who wish to comment on the issue, the chairman formally closes the public hearing.

3. Members of the board may ask questions directed at the citizen speaking during the public hearing. After the public hearing is closed, members of the public may speak ONLY in answer to a question directed to them by a member of the board.

4. If a public hearing draws a large number of interested citizens, a time limit for individual speakers may be set by the chairman before the public hearing opens, typically 3 or 4 minutes.

5. The chairman may use his/her judgment about how strictly this format is followed.

3.7 Minutes

Minutes of all City advisory and decision-making board are required to be prepared, approved, signed, and retained permanently in a safe and secure place. The minutes of City advisory and decision-making boards MUST be signed by the chairman and attested to by the secretary or other member of the board once the minutes are approved by a majority of the members in a called meeting. The minutes become a part of the city's permanent records.

3.8 Texas Public Information Act

The Texas Public Information Act (formerly known as Texas Open Records Act) is codified in the Texas Government Code section 552.001. It declares the basis for the policy of open government expressed in the Public Information Act. It finds that basis in "the American constitutional form of representative government" and "the principle that government is the servant and not the master of the people." The Texas Public Information Act applies to virtually all local and state governmental bodies, private entities that are supported by or that expend public funds and/or information held by private entities in the constructive possession of governmental bodies.

All information held by a governmental body must be released unless the information falls within one of the acts specifying exceptions to disclosure. Virtually all information in the physical possession of a governmental body is subject to the act.

A written request for information that is received from a citizen by a public official under the Texas Public Information Act, should immediately be filed with the City Secretary. The City Secretary may forward the open records request to the City Attorney for direction. The City Secretary will either produce the requested public information or forward a letter to the requestor stating the reasons why the information cannot be produced.

If the City Secretary cannot produce public information for inspection or duplication within ten (10) business days after the date the information is requested, the City Secretary is required to

"certify that fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available for inspection or duplication" and, if necessary, request an opinion from the Attorney General.

3.8.1 Penalties

A fine of not less than twenty-five ($25.00) dollars or more than four thousand ($4,000) dollars or confinement in the county jail for not less than three (3) days or more than three (3) months, or both fine and confinement, can be imposed for violating the provisions of the Texas Public Information Act.

3.9 Meeting Attendance

A public official shall be expected to maintain a suitable attendance record. It is important to keep in mind that your attendance is very important to the board you are serving on and that the City Council appointed you for your expertise.

3.9.1 Voting by Proxy

Proxy voting is automatically prohibited.

3.10 City Staff Support

Each public official is encouraged to communicate openly with the City management staff. Suggestions, opportunities, and constructive criticism are necessary for a proper relationship with management. However, each public official is strongly encouraged to communicate with the appropriate department head assigned to that board. Contact with operational type people or individuals below the department head level is discouraged. The community development director working with the planning and zoning members is an example of appropriate relationships.

3.11 Reports to the City Council

The City Council is highly dependent on each board member to make recommendations and offer possible solutions to City projects and opportunities. All members are encouraged to communicate the position of the total or majority of the group. Such communication or recommendations should be in formal or written form from the entire board. Of course, each public official may from time-to-time want to visit informally with a member of the City Council. This one-on-one informal communication is necessary, but to protect the integrity of the organization, the complete City Council should be addressed in terms of the majority of the members of the board.

EXHIBIT "B"

DESCRIPTION OF BOARDS AND COMMISSIONS

Building and Standards Commission meets as needed to provide final interpretations concerning alleged violations of ordinances by upholding or overturning decisions made by the building officials. Members must be knowledgeable of the building, plumbing, mechanical, electrical and fire codes adopted by the City.

Parks and Leisure Services Advisory Board meets once a quarter to make recommendations to the City Council regarding sports and recreational programs, and facilities and helps ensure that they meet present and future needs and guide the staff in needed improvements.

Planning and Zoning Commission meets the first and third Mondays of each month and makes decisions regarding platting or replatting of land into subdivisions within the corporate City Limits and within the extraterritorial jurisdiction of the City and makes recommendations to the City Council regarding the regulations of the use of land, location of buildings, and the locations of businesses, in respect to their environments.

Tree and Landscape Committee meets as needed to discuss beautification of the City through the planting and maintenance and preservation of trees and assist staff with the annual Arbor Day event.

Zoning Board of Adjustments meets as needed to hear and decide special exceptions to the City Zoning Ordinance and rules on appeals. This board is autonomous.

Applications are public information. Incumbents whose terms expire are automatically considered for reappointment unless they indicate non-interest. Applications are kept on file for two (2) years from date of application.

EXHIBIT “B”

APPENDIX A

APPLICATION FOR CITY BOARDS & COMMISSIONS

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

APPLICATION FOR
BOARD OR COMMISSION APPOINTMENT

Check area of Interest:

- □ Park and Leisure Services Advisory Board
- □ Planning and Zoning Commission
- □ Tree & Landscape Committee
- □ Zoning Board of Adjustment/Building Standards Commission

Name: _____ Age (Optional): _____
Home Address: _____ Ward No: _____
Home Phone: _____ Work Phone: _____
Business Address: _____
E-mail Address: _____
Resident of City for _____ years Voter Registration No. _____
Occupation: _____
Education: _____
Special Knowledge or Experience Applicable to City Board or Commission Function: *(attach additional information if needed)*

_____

□	Banking/Finance	□	Business Development
□	Building/Construction	□	Promotion/Marketing
□	Real Estate/Development	□	Manufacturing/Industrial Operations
□	Industrial Training	□	Law/Contract Administration

Other Information (civic activities, etc.) _____
_____

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

□ **Yes** □ **No**

Date: _____ Signature: _____

RETURN COMPLETED FORM TO THE CITY SECRETARY'S OFFICE

ALL INFORMATION MUST BE FURNISHED IN ORDER TO BE CONSIDERED

Email to: tvaldez@cityofrockport.com

ACTIVE BOARDS/COMMISSIONS

Parks and Leisure Services Advisory Board – An Advisory Board to the City Council. Board serves as an advocacy group on all Parks and Leisure Services matters, i.e. develops and implements funding strategies, planning and development of the capital improvement plans, assist in development of programs and events sponsored by the Parks & Leisure Services Department. Board consists of 7 members that serve 3 year overlapping terms and meet monthly on the 4th Monday at 6:00 pm.

Planning and Zoning Commission – This commission was established in Article X of the Home Rule Charter. It consists of 7 members with overlapping 3 year terms that meet on a monthly basis. Purpose is to review all current and proposed ordinances and amendments pertaining to planning and zoning and make recommendations to the City Council for action to be taken.

Tree & Landscape Committee – This committee was adopted by Ordinance No. 1349 in 2006. It shall consist of 5 qualified voters in the City of Rockport, 1 member from the Planning & Zoning Commission, 1 member from the Parks & Leisure Services Advisory Board and 1 City official serving as an ex-officio member. Members shall serve 3 year overlapping terms.

Zoning Board of Adjustment/Building & Standards Commission – The Zoning Board of Adjustment was adopted by Ordinance No. 1512. The Building & Standards Commission was adopted by Ordinance No. 1508. Resolution No. 1010-19 combined the two and designated the Zoning Board of Adjustment to serve as the Building & Standards Commission. The Zoning Board of Adjustment was established to grant special exceptions when provided by the Zoning Ordinance and hear appeals to decisions of the administrative officials. The Building & Standards Commission is a quasi-judicial board which is charged with hearing & making determination as to substandard or dangerous conditions of buildings and structures within the bounds of the law created by the City Council under authority granted by Local Government Code Chapter 54, Subchapter C.

EXHIBIT “B”

APPENDIX B

STATEMENT OF OFFICER
&
OATH

Form #2201 Rev. 05/2020 **Submit to:** **SECRETARY OF STATE** **Government Filings** **Section P O Box 12887** **Austin, TX 78711-2887** **512-463-6334** **512-463-5569 - Fax** **Filing Fee: None**	**STATEMENT OF OFFICER**

Statement

I, _____ , do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: _____

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: _____ _____

Signature of Officer

Print Reset

Form 2201 - Statement of Officer
(General Information)

The attached form is designed to meet minimal constitutional filing requirements pursuant to the relevant provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

Execution and Delivery Instructions
A Statement of Officer required to be filed with the Office of the Secretary of State is considered filed once it has been received by this office.

***Mail*:** P.O. Box 12887, Austin, Texas 78711-2887.
***Overnight mail or hand deliveries*:** James Earl Rudder Officer Building, 1019 Brazos, Austin, Texas 78701.
***Fax**:* (512) 463-5569**.**
***Email*:** Scanned copies of the executed Statement may be sent to *register@sos.texas.gov*

NOTE: The Statement of Officer form, commonly referred to as the "Anti-Bribery Statement," must be executed and filed with the Office of the Secretary of State before taking the Oath of Office (Form 2204).

Commentary

Article XVI, section 1 of the Texas Constitution requires all elected or appointed state and local officers to take the official oath of office found in section 1(a) and to subscribe to the anti-bribery statement found in section 1(b) before entering upon the duties of their offices.

Elected and appointed state-level officers required to file the anti-bribery statement with the Office of the Secretary of State include members of the Legislature, the Secretary of State, and all other officers whose jurisdiction is coextensive with the boundaries of the state or who immediately belong to one of the three branches of state government. Questions about whether a particular officer is a state-level officer may be resolved by consulting relevant statutes, constitutional provisions, judicial decisions, and attorney general opinions. For more information, see Op. Tex. Att'y Gen. No. JC-0575 (2002) (determining the meaning of "state officer" as it is used in Article XVI).

Effective September 1, 2017, Senate Bill 1329, which was enacted by the 85th Legislature, Regular Session, amended chapter 602 of the Government Code to require the following judicial officers and judicial appointees to file their oath and statement of officer with the secretary of state:

> Officers appointed by the supreme court, the court of criminal appeals, or the State Bar of Texas; and
> Associate judges appointed under Subchapter B or C, Chapter 201, Family Code.

Local officers must retain the signed anti-bribery statement with the official records of the office. *As a general rule, city and county officials do not file their oath of office with the Secretary of State– these officials file at the local level. The Legislature amended the Texas Constitution, Article 16, Section 1, in November 2001 to no longer require local level elected officials to file with our office.* **The Office of the Secretary of State does NOT file Statements or Oaths from the following persons**: Assistant District Attorneys; City Officials, including City Clerks, City Council Members, Municipal Judges, Justices of the Peace, and Police/Peace Officers; Zoning/Planning Commission Members; County Officials, including County Clerks, County Commissioners, County Judges, County Tax Assessors, and District Clerks; and Officials of Regional Entities, such as, Appraisal Review Districts, Emergency Service Districts, and School Districts (ISD's).

Questions about this form should be directed to the Government Filings Section at (512) 463-6334 or register@sos.texas.gov

Revised 05/2020

In the name and by the authority of

The State of Texas

OATH OF OFFICE

I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the City of Rockport, of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

_____
Affiant

SWORN TO and subscribed before me by affiant on this _____ day of _____ 202__.

_____
Signature of Person Administering Oath

[notary seal]

_____
Printed Name

_____
Title

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

AGENDA ITEM: 13

Conduct a Public Hearing on proposal to increase water and wastewater rates for all customers outside of the City Limits of Rockport, Texas.

SUBMITTED BY: Robbie Sorrell, Director of Finance

APPROVED FOR AGENDA: VRS

BACKGROUND: See the accompanying hearing notice for additional detail.

FISCAL ANALYSIS:

RECOMMENDATION: Not an action item, public hearing only.

PUBLIC HEARING

Rockport City Council

NOTICE is hereby given that the City of Rockport will hold a Public Hearing on Tuesday, December 12, 2023, at 6:30 p.m. at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, on a proposal to increase water and wastewater rates for all customers outside of the City Limits of Rockport, Texas.

The City encourages citizens to participate and to make their views known at this public hearing. For further information please contact the Director of Finance Robbie Sorrell at 361-729-2213 ext. 228 or email at finance@cityofrockport.com. This facility and parking spaces are wheelchair accessible. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting by contacting the Office of the City Secretary at 361/729-2213 extension 225 or email at tvaldez@cityofrockport.com. Braille is not available.

POSTED this the 15th day of November 2023, by 5:00 p.m., on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas 78382 and on the webpage at www.cityofrockport.com.

PUBLISHED in *The Rockport Pilot* in the Saturday, November 25, 2023, Edition.

CITY OF ROCKPORT

Teresa Valdez, City Secretary

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

AGENDA ITEM: 17

Deliberate and act on Deliberate and act on request to close South Austin Street from Market Street to the south side of Wharf Street; West one-half block of Main Street to Austin Street and one-half block of East Main Street towards Water Street; and West one-half block of St. Mary's Street to Austin Street on March 15, 2024, from 4:00 p.m. to 11:00 p.m. and March 16, 2024, from 7:00 a.m. to 11:00 p.m., for the 5th Annual Crawfish Festival.

SUBMITTED BY: City Manager Vanessa Shrauner

APPROVED FOR AGENDA: VRS

BACKGROUND: The requestor has asked to close Austin Street for a Crawfish Festival. This is closing a public street for a private event. Please see attached documentation

FISCAL ANALYSIS:

RECOMMENDATION:

Rockport Crawfish Cookoff & tasting

October 31, 2023

City Manager
2751 St. Hwy 35 Bypass
Rockport, Texas 78382

Dear Mayor and City Council,
On behalf of SR Boil House, the Board of Directors of the Rockport Crawfish Cook-Off and Tasting, we would like to share that we are in the planning process of the 5th Annual Crawfish Cook-Off and Tasting scheduled for March 15th-16th. This year we aim to make an even bigger and better event than last year. Each year we have more then doubled the event in size including, vendors, food trucks, a carnival, live music entertainment, cook-off teams and much more. With utilizing the Rockport Beach park festival grounds and the area infront of the Water Street downtown, our 5th year has outgrown the usual places for this amazing event. Last year having hosted more then 20k+ people during this two day spectacular event to date has donated more then $60,000 to local youth and non-profit organization in the Rockport-Fulton area.

Therefor, we are requesting that S. Austin St. from Market street to the south side of Warf St. be shut down from March 15th, 4pm to 11pm and March 16th, 7am -11pm. Side street closures would include: 1/2 block East and West on Main St. St. Mary's St. Included is a map visual view of the streets we're requesting be closed. Also, we are hoping to gaine signed consent from any businesses that would be affected by the street closures for and permission to close the streets. We are excited to host the 5th Annual Crawfish festival in the downtown area. We hope to showoff our beautiful downtown as well as bring more business for the downtown merchants and more tax revenue to our city. A safety plan, trash plan, parking plan as well and and traffic plan has been included with this request.

Augie Garcia
Sr Boil House
Rockport Crawfish Cook-Off and Tasting.

Rockport Crawfish Cookoff & tasting

INSURANCE BINDER

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 11/27/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Next First Insurance Agency, Inc.
PO Box 60787
Palo Alto, CA 94306

CONTACT NAME:
PHONE (A/C, No, Ext): (855) 222-5919 FAX (A/C, No):
E-MAIL ADDRESS: support@nextinsurance.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : State National Insurance Company, Inc.	12831
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
SR Boil House LLC
113 S Kossuth St
Rockport, TX 78382

COVERAGES **CERTIFICATE NUMBER:** 555257497 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC OTHER:	X		NXTMR13528-03-GL	04/27/2023	04/27/2024	EACH OCCURRENCE	$1,000,000.00
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$100,000.00
							MED EXP (Any one person)	$15,000.00
							PERSONAL & ADV INJURY	$1,000,000.00
							GENERAL AGGREGATE	$2,000,000.00
							PRODUCTS - COMP/OP AGG	$2,000,000.00
								$
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY HIRED AUTOS ONLY SCHEDULED AUTOS NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB [ ] OCCUR EXCESS LIAB [ ] CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [ ] N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE [ ] OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	Professional Liability			NXTMR13528-03-GL	04/27/2023	04/27/2024	Each Occurrence: Aggregate:	$1,000,000.00 $2,000,000.00

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate Holder is City of Rockport. This Certificate Holder is an Additional Insured on the General Liability policy per the Additional Insured Automatic Status Endorsement. All Certificate Holder privileges apply only if required by written agreement between the Certificate Holder and the insured, and are subject to policy terms and conditions.

SPECIMEN - No Insurance Provided

CERTIFICATE HOLDER
City of Rockport
402 E Laurel St
Rockport, TX 78382

LIVE CERTIFICATE
Click or scan to view

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

The ACORD name and logo are registered marks of ACORD

EVENT WASTE MANAGEMENT PLAN

EVENT INFORMATION

Event name: 5th Annual Rockport Crawfish Cook-Off and Tasting

Event date: March 15 -16

Event address/location: 501 S Austin St

Expected attendance: 8000-10000

CONTACT INFORMATION

Primary contact (name): Augustine Garcia

Contact phone: 361-205-9595

Cell phone: 361-205-9595

Email address: srboilhouse@gmail.com

Applicant signature:_____

Secondary contact (name): Summer Morrow

Contact phone (during event):361-205-2555

Email address:rockportcrawfest@gmail.com

WASTE MANAGEMENT CONTRACTED SERVICES

Garbage dumpsters/Totes/Bins:

Company: Repubic Waste Management / Rockport Roll Off

Contact: Mike Reeves / Joe Peirce

Phone: 361-549-3097 / 361-834-3553

Porta potties: ☐ Check box if same contractor as above

Company: Texas Throne

Contact: Katherine Miller

Phone:361-438-9972

WASTE MANAGEMENT PLAN

Waste management commitment

- Every effort will be made to encourage waste diversion through the provision of an adequate number of clearly labeled receptacles for garbage, recyclables, and compost waste on each event day. Furthermore, the event will ensure that all requirements outlined in the provincial and municipal bylaws are adhered to including ensuring all receptacles are emptied into containers by midnight on each day of the event or removed same-day by the contracted provider.

- All event vendors (e.g. food trucks) will be notified of our waste management plan, specifically that they are expected to support the waste diversion efforts including the safe disposal of grey water and cooking oils.

- All waste brought on-site will be removed following the event (on the last day of the event), including a thorough site clean to ensure all waste is removed from the event grounds as well as the immediate surrounding area (e.g. approx. 100 feet radius surrounding the event site).

- There will be a sufficient number of washrooms to ensure there is a minimum of one washroom (e.g. porta potty) for every 200 people attending the event.

- The event will ensure safe potable and/or bottled drinking water is provided at the event, that water is not drawn from un-permitted water receptacles (e.g. public taps located on-site or near-by), and ensure all provincial and municipal health and safety requirements are met for water and food services.

Waste management goals

- Achieve 100% diversion of recyclables.
- Reduce general waste by 50%.
- Return the event site to its original (or better) condition within 12 hours of the event.

Requirements

Your plan details must include:

- Disposal bin placement (if you are arranging for a disposal bin). A site plan showing the disposal bin's location(s) and all recycling andwaste container locations.
- Information about private company hired to clean up. Your plan must list the company name, contact person and phone number. In addition, include the time you have hired them to do the clean-up. A copy of the contract is required.
- How your waste management plan will be communicated to vendors, volunteers and attendees.

Waste collection, bins and materials

Private company name: Volunteers
Contact name:Augie Garcia
Contact phone:361-205-9595
Cell phone: 361-205-9595
Number of hired staff:
Number of volunteers: 15

Waste receptacles provided for the event are as follows:

Garbage Dumpsters - 3
Garbage Totes - 60
Garbage Bins - 1

☐ Check this box if you are managing your own waste (e.g., using residential bins, managing litter with volunteers, etc.)

Typical waste by material type

List types of waste that will be generated by your event. All food services will provide compostable and/or recyclable plates, drinking vessels, and eating utensils.

Serve ware: Cups, Trays,

Packaging materials (e.g. cardboard, plastic film): None

Containers (e.g. water bottles, juice boxes, pop cans):Water Bottles and misc. concession waste

Other (e.g. food waste): Crawfish waste

Hand wash stations

The following number of washrooms will be provided at the event: 5
Washrooms (washroom facilities located on-site at event, e.g. public washrooms in park):0
Washrooms (washroom facilities located within one city block of the event site, e.g. public washrooms at nearby park or commercial building) 0
Porta Potties (located on-site) 60

Water

(Water required for drinking, food safety service, and event installations (e.g. pools) will be provided by the event and/or event vendors per the local health and safety requirements that will be approved prior to the event.):

_____

Event site map (Refer to the attached site map for the placement of all waste receptacles and washrooms at the event.)

Approvals
This Event Management Plan Will be implemented by:

Name: _____ DateRecieved:_____

Signature:_____ ApprovedBy:_____

Rockport Crawfish Cookoff & tasting

Safety Plan

Safety Plan for the

Rockport Crawfish Cook-Off and Tasting

During our festival , the safety of participants, volunteers, and vendors is our highest responsibility. Our Safety Plan outlines the procedures that will be used to increase public safety and will prepare organizers and volunteers on how to deal with emergency situations. The event coordinators would like the event to free of incident but understand that situation can arise. We would like to insure to our stake holders that we have prepared our event and staff to handle any situation and take pride on creating a safe event for our community.

Event Information

Event Name	Rockport Crawfish Cook-Off and Tasting
Event Date	March 15th and 16th 2024
Event Location	Downtown Rockport, Austin St.
Est. Attendance	8-10k per day
Event Start/ End Times	March 15 5pm-11 March 16 10am-11pm

Contact Information

Event Day Contact	Augie Garcia
Event Day Contact Info	361-205-9595
Safety Leader	Genave Garcia
Safety Leader Contact Info	361-230-3120

First Aid

1) Who will provide on-site First Aid during your event?

Allegiance Mobile Health

2) How many First Aid attendants will be on-site during your event?

2

Activities

1) What medium to high-risk activities will take place during your event (bouncy castles, alcohol consumption, fireworks, etc.)? What plans or procedures are in place to minimize the risk factors? If you require additional space, please include on a separate piece of paper.

Risk Mitigation

1) What steps will be taken if the following incidents take place? How will you communicate these incidents to event participants?
   a. A lost child

   Each gate exit along with event coordinators are equipped with radios/walkie talkies. We will use code Superman. When the announce that code the team will litterally fly to the exits, saftey coordinator will take the microphone on main stage to announce the missing child and local police officers on duty will be notified.

   b. A medical emergency

   During an medical emergency the effected party will be directed to the nearest first aid station. EMS will be notified and event coordinators will document the emergency.

   c. A fire emergency

   During a fire emergency safety coordinators will be notified. Safety officers will attempt to control the fire with extinguishers. Local police on duty will be notified. If the fire is to big to control locally the fire department will be notified and the are will be cleared of all pedestrians.

   d. An evacuation

   In the event of an evacuation, event coordinators will take the stage to announce the evacuation. Event coordinator will announce where the exits are and the reason for the evacuation. Emergency exist will be open to provide multiple ways for the crowds to disperse.

   e. Event Cancellation

   Notification will be announce via social media as well as email and call list. The event refund policy will take effect to ensure that the patrons are satisfied.

Communication Info

1) What method of communication will you use to keep event organizers and volunteers informed during the event?

   Radios and walkie talkies are given to staff and volunteers.

2) Where will your volunteer headquarters be located?

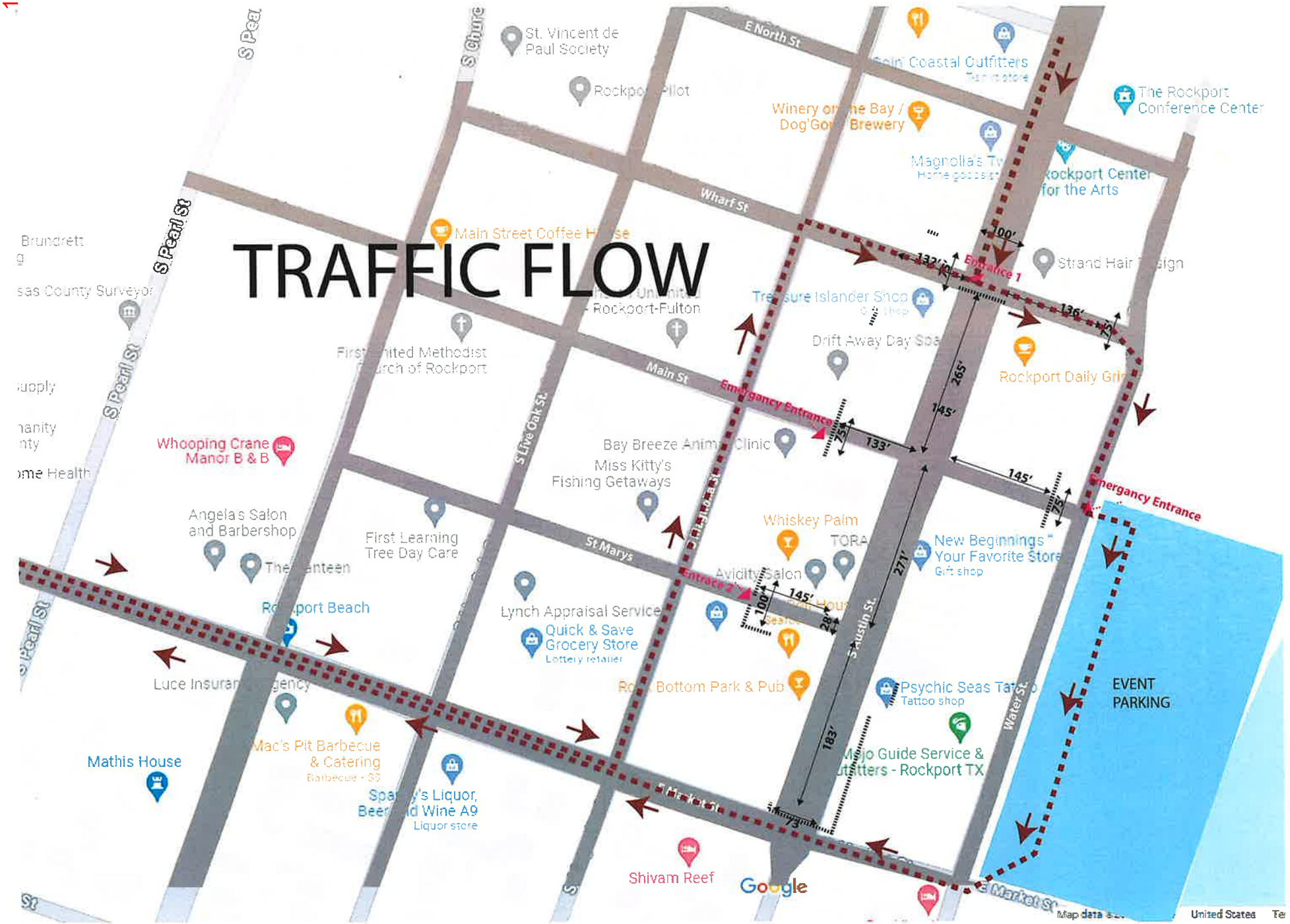
   Volunteers headquarters will be stage at SR Boil House.

3) Safety Protocols will be communicated to vendors by:

   Safety protocols are delivered in a vendor packet. During our vendor meeting we will read and discuss the safety protocols and each vendor will sign their confirmation that they understand safety protocols.

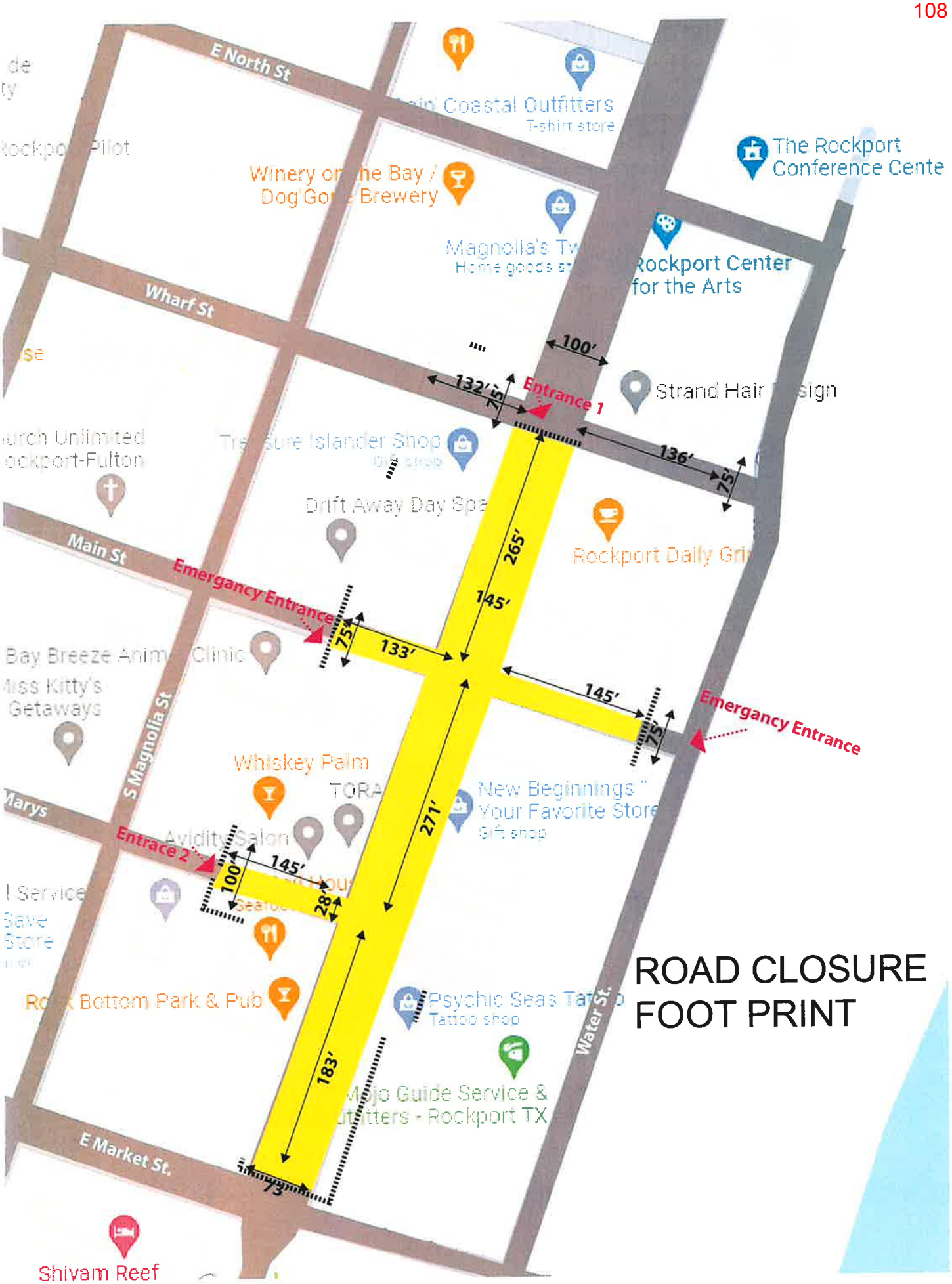
Rockport Crawfish Cookoff & tasting

Traffic Plan


TRAFFIC FLOW
S Pearl St
S Chase
E North St
Wharf St
Main St
St Marys
S Live Oak St
S Austin St
Water St
Market St
St. Vincent de Paul Society
The Rockport Conference Center
Main Street Coffee House
Rockport-Fulton
First United Methodist Church of Rockport
Drift Away Day Spa
Rockport Daily Grill
Strand Hair Design
Treasure Islander Shop
Emergency Entrance
Entrance 1
Entrance 2
Whooping Crane Manor B & B
Bay Breeze Animal Clinic
Miss Kitty's Fishing Getaways
Angela's Salon and Barbershop
First Learning Tree Day Care
Whiskey Palm
TORA
New Beginnings "Your Favorite Store"
Gift shop
Avidity Salon
Lynch Appraisal Service
Quick & Save Grocery Store
Lottery retailer
Rockport Beach
Bottom Park & Pub
Psychic Seas Tattoo
Tattoo shop
Mojo Guide Service & Outfitters - Rockport TX
Mac's Pit Barbecue & Catering
Barbecue
Mathis House
Liquor store
Shivam Reef
EVENT PARKING
100'
132'
136'
265'
145'
133'
75'
271'
110'
183'
Google
Map data
United States

Rockport Crawfish Cookoff & tasting

Road Closure and Event Footprint



ROAD CLOSURE
FOOT PRINT

Rockport Crawfish
Cookoff & tasting

Event Layout


legend
Fence / Barricade
Light towers
Vendors
Cook-Off Teams
Trash Cans
Portable Basthrooms
Handwash Stations
Garbage Dumpsters
GATE
GATE
Emergency / Team Exit
Emergency / Team Exit
GATE
STAGE



Business Concent Signature

Option 1
Partial Closure

Rockport Crawfish Cookoff & tasting

October 31, 2023

City Manager
2751 St. Hwy 35 Bypass
Rockport, Texas 78382

Dear Mayor and City Council,
This is my written consent to agree or not agree to close down the street in front of my business for the purpose of the 5th Annual Crawfish Cook-Off and Tasting. I understand Austin St. and the aforementioned streets in the attachment map, will be closed on March 15th-16th. Friday from 4pm untill 11pm and Saturday 7am till 11:00pm.

Augie Garcia
Sr Boil House

1.	Jacklin Johnson	☑ Agree	☐ Disagree
2.	Marsha Reid	☑ Agree	☐ Disagree
3.	Christian Garcia	☑ Agree	☐ Disagree
4.	Tasha Martin	☑ Agree	☐ Disagree
5.	Tracy Borrel	☑ Agree	☐ Disagree
6.	Diane Loyd	☑ Agree	☐ Disagree
7.	Rebecca Vinson	☒ Agree	☐ Disagree
8.	Harold Shaw Charleston	☒ Agree	☐ Disagree
9.	Michelle Serino New Braunfels	☑ Agree	☐ Disagree
10.	Latte M Lord	☑ Agree	☐ Disagree
11.	Janice Tarango	☑ Agree	☐ Disagree
12.	Molly Baker Hockey Dad	☑ Agree	☐ Disagree
13.	Deborah Glenn	☑ Agree	☐ Disagree
14.	Michelle McMahon	☑ Agree	☐ Disagree
15.	Elisa C Baker	☑ Agree	☐ Disagree
16.	Sam Rue	☐ Agree	☑ Disagree
17.	Casey Whatley	☑ Agree	☐ Disagree
		☐ Agree	☐ Disagree
		☐ Agree	☐ Disagree

Not Available

Coastal Merchitile	☐ Agree	☒ Disagree
Randy Mani	☐ Agree	☒ Disagree
Psychic Seas Tattoo	☐ Agree	☒ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree
	☐ Agree	☐ Disagree

1. Avidity Salon
2. Sassy's Boutique
3. SR Boilhouse
4. Rockbottom
5. Beach House
6. For the Birds
7. Treasure Island
8. Moon Over Water Gallery & Artist MARket
9. New Beginnings
10. Songbird Chic
11. Whiskey Palm
12. Baker Law Firm
13. Rockport Gallery
14. Rockport Daily Grind
15. Elisa Baker ART
16. Mermaid Ranch
17. Rockport Livin

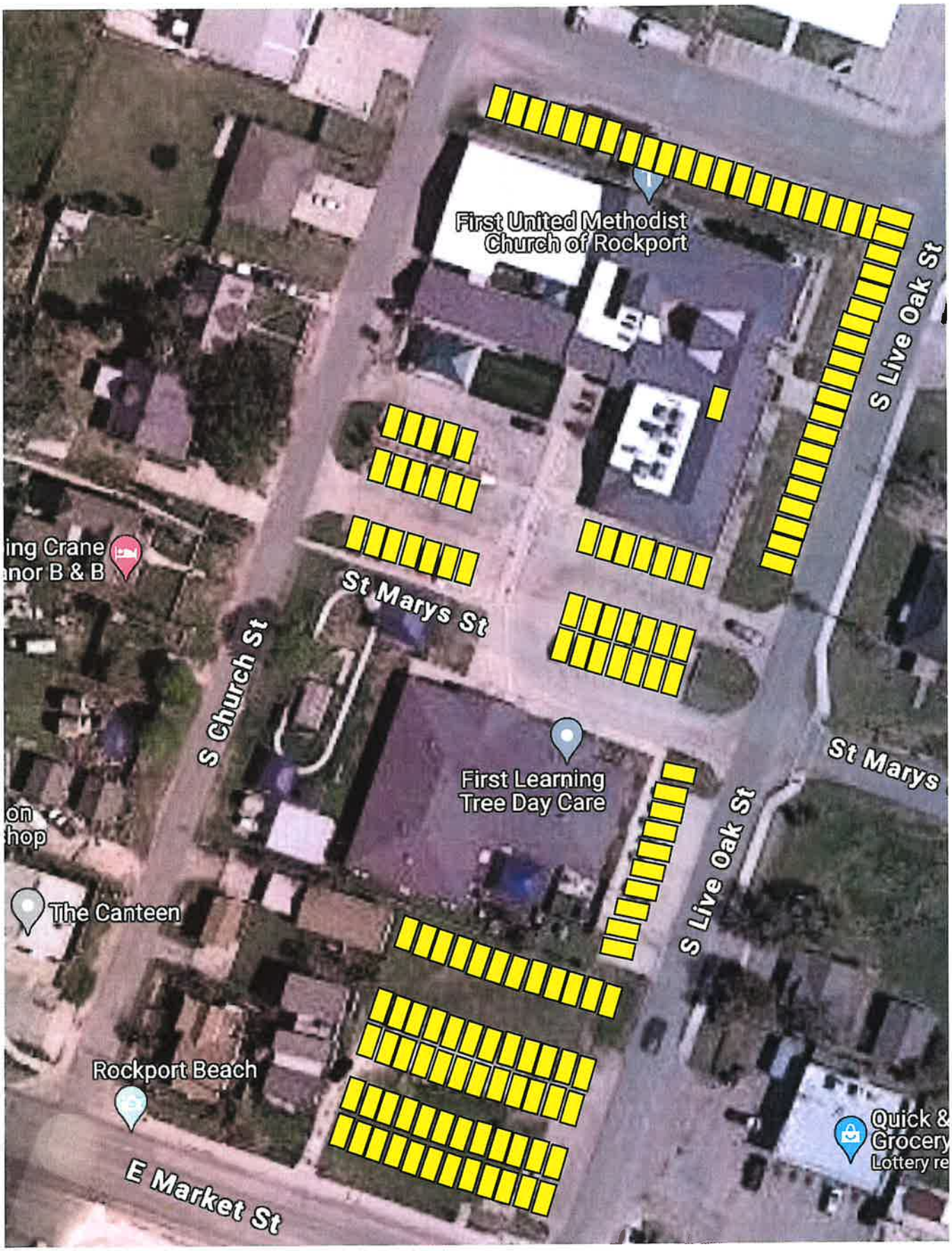




Parking Plan for the 2024 Rockport Crawfish Cook-Off and Tasting

Attached you will find maps of the potential parking areas that can be used for the festival. Athought this is a total representation of the event parking, it will serves as a base for potential parking areas. All these areas have not yet been approved, but the land owners have been contacted about the possiblity of being used. The event will have Golf Cart shuttles to and from each of these areas. Insurance binders will be provided for areas being used as advertised parking. Our best guestimate for parking which does not included additional parking through out downtown is 1293 parking spots. This has the potential to serve 5,000 - 6000 patrons. As parking space becomes available the maps will be updated.

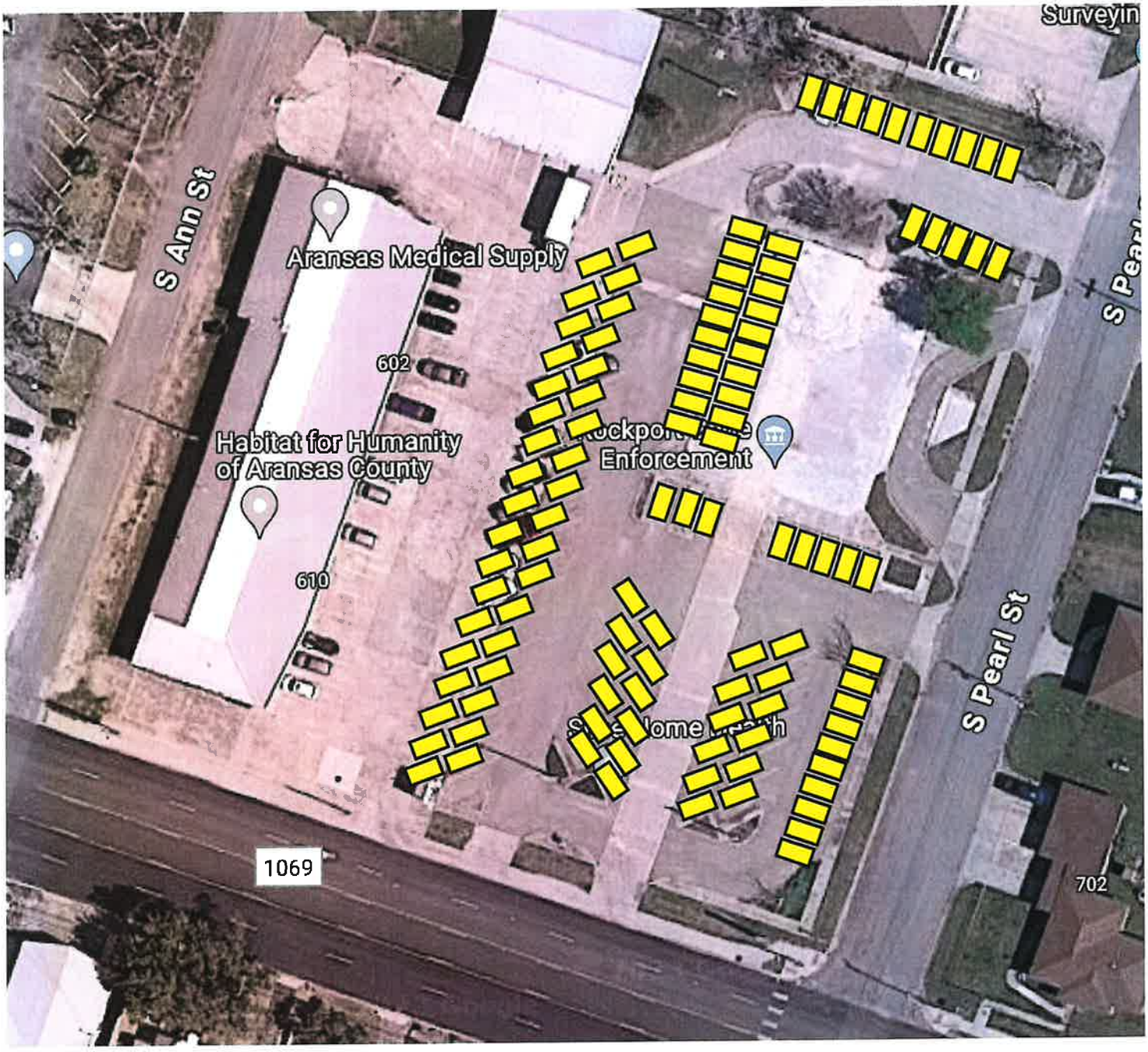
1st Learning Tree 150 parking spots
600 Potential guest



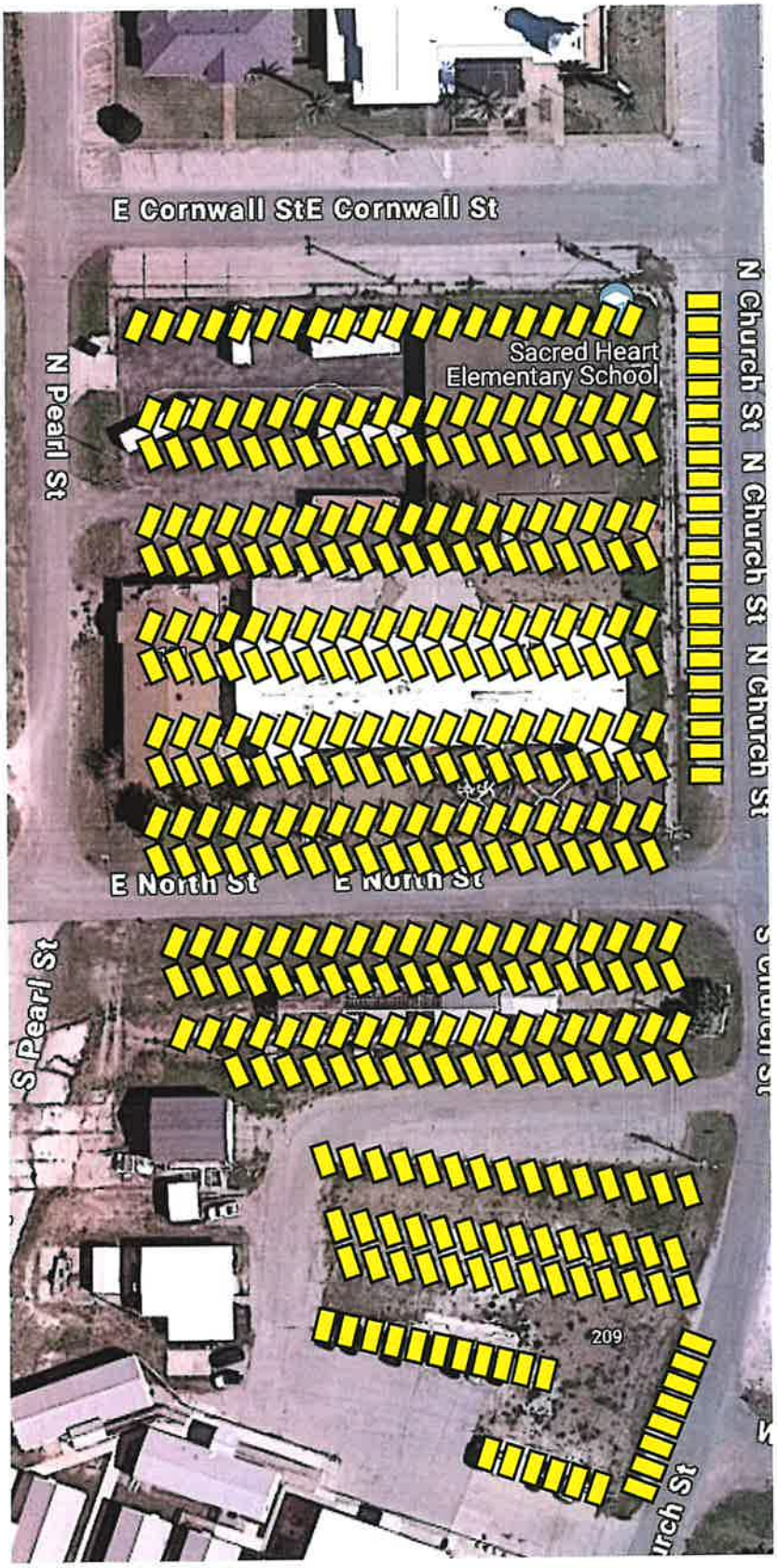


76 parking spots
304 Potential guest

Old City Hall Area 114 parking spots 456 guest



Sacred Heart Area
189 parking spots
756 guest







Depot - 56 spots 224 guest / Church Umlimited 80 spots - 320 guest / addition 78 parking spots - 312 guest

From: Bonnie Carlisle
To: Teresa Valdez; Tim Jayroe; Vanessa Shrauner
Subject: Petition regarding closing Austin Street
Date: Monday, November 27, 2023 4:15:16 PM

WARNING: This email is from an external source. Do not click links or open attachments without positive sender verification of purpose. Never enter Username, Password or sensitive information on linked pages from this email. If you are unsure about the message, please forward to itstaff@cityofrockport.com for assistance.

Message sent to Sr Boil House regarding application for closing Austin Street.

Summer- it's Bonnie Carlisle with The Coastal Mercantile. I am home sick today and closed tomorrow but want to go on record to let you and the City know that I disagree with having this festival and closing the street Spring Break weekend unless an appropriate plan is made and presented to those of us affected before being submitted to the city. I will send a screen shot of this text to the city manager as well.

Sincerely,
Bonnie Carlisle
The Coastal Mercantile

From: Bonnie Carlisle
To: Teresa Valdez; Tim Jayroe; Vanessa Shrauner
Date: Monday, November 27, 2023 4:27:13 PM
Attachments: image.png

WARNING: This email is from an external source. Do not click links or open attachments without positive sender verification of purpose. Never enter Username, Password or sensitive information on linked pages from this email. If you are unsure about the message, please forward to itstaff@cityofrockport.com for assistance.

This is the plan that Augie shared with us as tentative. Where is parking? This plan includes utilization of not only Austin Street but also Main Street. How would any of our employees or customers park to access our store or get to work? This is not a plan without a parking plan.

Sincerely,
Bonnie Carlisle
The Coastal Mercantile



From: Ramona Day
Sent: Wednesday, November 29, 2023 10:20 PM
To: Vanessa Shrauner <vshrauner@cityofrockport.com>; Rangel Stephanie <ward1council@cityofrockport.com>
Subject: Crawfish Festival Event

WARNING: This email is from an external source. Do not click links or open attachments without positive sender verification of purpose. Never enter Username, Password or sensitive information on linked pages from this email. If you are unsure about the message, please forward to itstaff@cityofrockport.com for assistance.

Hello Vanessa and Stephanie,

I am one of the owners (along with my husband Craig Day) of Latitude 28.02 Coastal Cuisine and Fine art at 105 N. Austin Street. We are both against the Crawfish event on the street in downtown Rockport especially during Spring Break. Spring Break is one of the busiest times of the year for us and access to our restaurant is critical to the livelihoods of us and our employees. The weekend of March 15-16 will be the busiest weekend of Spring Break and ease of car access is critical.

Why not use the festival grounds where there is more available parking and pay the fee like other events in the City?

Thank you,

Ramona Day

To:-

City Council
City Manager - Vanessa Strauner
City Secretary - Teresa Valdez

Subject:- Petition not to close any section of Downtown Austin St., Rockport Texas 78382 on March 15th & 16th 2024

I walked the main Austin Street area from Thusday 30th Nov to Saturday the 2nd December to find what the Merchants and Residents thoughts are.....

I had lots of feedback from the merchants and would love to share them with you.

I was very careful who I asked to sign the petition:-

Some problem areas:-

1/ Some Employees wanted to sign. Loss of income was their concern.

2/ Merchants who sublet from another Merchant.
Wind Way Gallery
Magnolia 2
Drift Away Day Spa

Please find attached copies of the petition.

I plan to attend the next council meeting on Tuesday 12th December

Please advise if you need any additional information.....

Thanks

12/3/23

Billy McCrea
Attitudes & Latitudes
209 S Austin Street
Rockport Tx 78382

email bmccrea56@gmail.com
Tel:- 832-721-8021

CONTENTS

1/ Summary of Petition

2/ Signed Petition (3 pages)

3/ Copies of Business Cards

Summary of Signatories
Petition not to close any section of Downtown Austin St., Rockport Texas 78382
on March 15th & 16th 2024

Prepared By William F McCrea 11/30/23 - 12/2/23
Attitudes and Latitudes 209 S. Austin St., Rockport TX 78382

Ref	Address		Business Name
1	209	Austin	Attitudes & Latitudes
2	111	Austin	The Gallery Anita Diebel Studio (Moving to 1102 Wharf)
3	120	Austin	Sea Shell Shop
4	323	Market	Magnolia Two (Sub Let)
5	1012	North	Coast Modern
6&7	1007	North	Winery on the Bay
8	201	Austin	Magnnolias
9	205	Austin	Texas by Design
10	404	Austin	Elisa Baker Art
11	406	Austin	The Coastal Mercantile
12	502	Austin	Mermaid Ranch
13	1004	Main	Drift Away Day Spay
14&15	105	Austin	Latitudes
16	1104	Wharf	Southern RabyneBoutique
17	215	Water	Residence
18	1104	Wharf	Pottery
19	302	Austin	John Martell
20	215	Austin	Oh My
21	207	Austin	Gypsey
22	1102	Wharf	The Strand
23	302	Austin	Daily Grind
24	213	Austin	Sazons
25	302	Austin	Suite 4 - Gallery & Artisan Market
26	301	Austin	Treasure Island
27	312	Austin	Rowdy Maui
28&29&30	1005	Main	Groomer / Vet Block
31	2115	Austin	James Charlie Jewelery
32	203	Austin	Wind Way
33	1010&1012	Wharf	Tiki Boutique
34	416	Austin	Songbird Chic
35	201	Austin	Magnolia Two
36	415	Austin	4 The Birds
37	415	Austin	Salt Flats Gallery
38	103	Austin	Goin Coastal
39	105	Austin	Latitudes
40	1004	Main	Drift Away Day Spay
41	1004	Main	Drift Away Day Spay
42	1004	Main	Drift Away Day Spay
43	203	Austin	Wind Way

WFM-Cre 12/3/23

Petition not to close any section of Downtown Austin St., Rockport Texas 78382 on March 15th & 16th 2024

	Name	Address	Title	Signature	Date
1	WILLIAM McCRETT	209 S AUSTIN ATTORNEY & COUNSELOR AT LAW	OWNER	WMC	11/29/23
2	ANITA DIEBEL	111 N. AUSTIN Til Dec 31	owner		11/29/23
		1102 E Wharf Jail			
3	Deborah James	120 N. Austin St. Shell Shoppe	owner		11/29/23
4	Lee Hutchinson	323 E. Market St - Rockport	Owner		11/29/23
5	Mike Catlin	1012 Ednorth st. Rockport	owner		11-29-23
6	Dan Parker	1007 E North St Rockport	owner		11/29/23
7	Debra Parker	1007 E North St Rockport	owner	Debra Parker	11-29-23
8	Jana Brandon (H2D6ZH)	201 Austin St.	owner		11-29-23
9	Peggy Thompson	205 S. Austin Rockport	Owner	Peggy Thompson	11-29-23
10	Elva Cruz	404 S AUSTIN Rockport	owner		11-29-23
11	Becky Faul	406 S. Austin St. Rockport	Manager		11-29-23
12	Susan Gerhardt	502 S. Austin St. Rockport	Owner		11-29-23
13	Jason & Jillian Crow	1004 E. Main st, Suite B Dat tt Away Day Spa	Owner		11-29-23
14	CRAIG DAY	105 N AUSTIN ST. LM Tunes	OWNER		11-29-23
15	Ramona Ray	105 N Austin St - Lat. Tudes	owner		11-29-23
16	Maria Ramos	1104 E. Wharf St. Southern Rep. mang.			11-30-23
17	Vicki Tatter	215 Water St: residence	owner		11-30-23
18	Stan Jones	110 E Wharf St. Unique Clay	owner	Stan Jones	11-30-23
19	Jessica Rhoten	302 S. Austin	Owner		11(30)23
20	Raquel Moreno	215 S. Austin Oh My Candy	Manager		11-30-23
21	Ashley Beever	207 S. Austin St	owner		11/30/23
22	Melissa Wilson	1102 E. Wharf St. The Strand	mgr.		11/30/23
23	Michael Menaron	302 S. Austin - Rockport Daily Grind	Owner		11/30/23
24	Ruben SAZON	213 S. Austin - SAZON'S	owner		11/30/23
25	Karen Rest	302 S Austin St Suite 4	owner		11/30/23
26	Rebecca Vinson	301 S Austin st Treasure Island	manager		11-30-23
27	Kacie Stanford	312 S. Austin Rowdy Mavi	owner		11/30/23
28	Teresa Thomas	1005 E Main St.	Owner		11/30/23
29	Teresa Thomas				
30	Grooming Dales				

12/3/23

1/3

Petition not to close any section of Downtown Austin St., Rockport Texas 78382 on March 15th & 16th 2024

	Name	Address	Title	Signature	Date
31	Kaila Kattner	211 S. Austin St James Charles Jewelry	Manager		12/1/23
32	Angalee DeForest	203 S Austin – Wind Way Gallery	Manager		12/1/23
33	Paulette Becnar	1010 & 1012 Tiki Boutique	owner	Paulette Becnar	12/1/23
34	Patti McLead	416 S Austin Songbird Chic	owner	Patti McLead	12/1/23
35	Michelle Lewis	201 S Austin Street Magnolia	owner		12.2.23
36	Pare Howard	4 The Birds	owner	Pare Howard	12-2-23
37	Diana Lloyd	Duck Pond Alley	owner	Diana Lloyd	12-3-23

2/3 12/3/23

13

Petition not to close any section of Downtown Austin St., Rockport Texas 78382 on March 15th & 16th 2024

	Name	Address	Title	Signature	Date
38	Cassie McElvany	103 S. Austin	manager	Cassie McElvany	11/29/23
39	Tina McDonald	105 N Austin St.	manager	T McDonald	11/29/23
40	Bill Morrison	1004 E. Main Street	Owner	BM	11/29/23
41	Savannah Molina	1004 E. Main St.	owner	SM	11/30/23
42	Katelyn Tarlton	1004 E Main St	Owner	Katelyn	11/30/23
43	Teresa Hunter	1004 E Main ST	Owner	TH	11/30/23
44	Sandy Reese	203 S. Austin	Partner	Sandy Reese	12/1/23

WMC 12/3/23

3/3

THE GALLERY @ ANITA DIEBEL STUDIO



Attitudes and Latitudes LLC

William F McCrea
CFO

209 S. Austin Street
Rockport, TX 78382

Phone: 361-450-8180
Cell: 832-721-8021

Deborah James

120 N. Austin Street
Rockport, Texas 78382
(361) 729-6325

SEA SHELL SHOPPE

MARY ULRICH, LMT
Medical and Relaxation Massage
(361)463-8867
111 N. Austin St.,Rockport, TX. 78382

Licensed by Texas Dept of Health Sevices
And the Ohio State Medical Board

Daniel Parker
Debbie Parker
General Partner
361-727-9888
info@wineryonthebay.com

Winery on the Bay
DOG GONE BREWERY

1007 E. North Street
Rockport, Texas 78382

www.wineryonthebay.com
www.doggonebrewery.com

Ph. 361.450.0487
coastmodern.net

COAST MODERN

1012 E. North St. Rockport, TX 78382

@3rdcoastmodern

Framing | Art | Beach Lifestyle

Elisa Baker Art



Email: elisa@elisabakerart.com
www.ElisaBakerArt.com
facebook.com/elisabakerart
361.205.0507

CUSTOM EMBROIDERY • GIFTS • GALLERY

Texas by design
ROCKPORT • TX

Peggy Thompson
(512) 217-5077
peggythompson2@yahoo.com
Texas by Design

(361) 729-8995
205 S. Austin St.
Rockport, TX 78382

MERMAID RANCH
Coastal Decor
502 S. Austin St., Rockport, TX 78382
One-of-a-Kind Coastal Furnishings * Home Accessories
Unique Art * Clothing * Gifts & Jewelry
Susan Gerhardt, Owner
phone: 361-450-5002

Mermaid Ranch Coastal Decor

email:mermaidranch@peoplepc.com

Becky Faul
Manager
becky@thecoastalmercantile.com

THE COASTAL MERCANTILE

Cell: 512.945.7969
Store: 361.450.1044

406 S Austin St. Rockport, TX 78382
www.thecoastalmercantile.com

1/3

Drift Away Day Spa

361-450-5056
1004 East Main Street, Ste B, Rockport, TX 78382

Massage * Nails * Skin Care

Southern Rayne Boutique

www.southernrayne.com
361-450-5155
southernrayneboutique@gmail.com
1104 E. Wharf St., Rockport, Tx 78382



John Martell
FINE ART PHOTOGRAPHY

302 S Austin Street
Rockport, TX 78382
361.729.8000
Tues-Sat 9:00-4:00
martelljohn@hotmail.com
www.JohnMartellPhotography.com

Rockport Daily Grind
Michell Mock-McMahon, Owner

361-230-1895
rockportdailygrind@yahoo.com

302 S. Austin St., Rockport, TX 78382

Facebook: RockportDailyGrind
Instagram: @rockportdailygrind1_

Website: rockportdailygrind.com

Over Water Gallery

GALLERY & ARTISAN MARKET

302 South Austin Street
Suite 4
Rockport, Texas 78382

ROWDY MAUI

ART BY KACIE LEAH
LOCALLY MADE BADASSERY
NEON, NOSTALGIA & PROFANITIES
312 S AUSTIN
ROCKPORT TX
361-523-8036
ROWDYMAUI.COM

CANINE HAIR STYLES
SMALL ANIMAL GROOMING

EXOTIC BIRDS
BIRD GROOMING

Groomingdales

TERESA THOMAS

(361) 729-2053
groomingdales@charterinternet.com

1005 E. MAIN STREET
ROCKPORT, TX 78382

James Charlie Jewelry

Silver • Gemstones • Gifts
James Bailey & Charlie Munoz

---

www.windwaygallery.com
361-790-8331
windwayart@gmail.com

WIND WAY GALLERY
203 South Austin Street-Rockport, Texas 78382

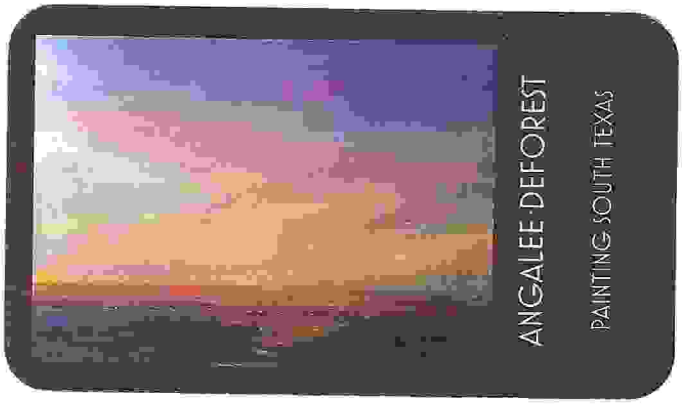


SANDY REESE

Artist

Wind Way Gallery
203 So. Austin
Rockport, TX 78382

Mobile 214-557-2459
sandyreeseart@yahoo.com



Songbird Chic
Decor For Your Nest

416 S. Austin St., Rockport, Texas 78382 361.450.1418

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

AGENDA ITEM: 18

Deliberate and act on second and final 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 (1st 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.

SUBMITTED BY: Carey Dietrich- Asst. Director Building & Development/ Community Planner

APPROVED FOR AGENDA: VRS

BACKGROUND: Property owner James Cruse wishes to rezone his property located at 1875 State Highway 35 Bypass to B-1 (General Business District) to comply with current use of property; currently zoned R-1 (1st Single Family Dwelling District).

A public notice regarding this item was published in The Rockport Pilot in the Saturday, September 30, 2023, edition and mailed out to eleven (11) property owners within a 200-foot radius of the property. Two letters For and none Against the request have been received at this time.

There have been no changes in format or content since Council approved the first reading of the Ordinance on November 14, 2023.

Please see the accompanying zoning change request application and Section 118-15 of the Code of Ordinances for detail information.

RECOMMENDATION: Approval of the second and final 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 (1st 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.

ORDINANCE NO. ____

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 (1ST 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.

WHEREAS a request to re-zone property was received in the office of the Building Department, Rockport, Texas; and

WHEREAS, On September 26, 2023, notice was posted on the bulletin boards at the City of Rockport Service Center, 2751 State Highway 35 Bypass, and on the City's webpage www.cityofrockport.com; and

WHEREAS, on October 5, 2023, notice was mailed to affected property owners within 200' of subject property; and

WHEREAS, on September 30, 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 October 16, 2023, at 5:30 p.m., the Planning & Zoning Commission did hold a Public Hearing; and

WHEREAS, on October 16, 2023, the Planning & Zoning Commission did meet and said Commission voted to recommend to the City Council to Approve this request to re-zone property, located at 1875 State Highway 35 Bypass, from R-1 (1st Single Family Dwelling District) to B-1 (General Business District) to comply with current use of property; and

WHEREAS, on October 24, 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 – AMENDMENT

That, pursuant to Article 4 of the City of Rockport Zoning Ordinance Number 1027, the current zoning of land located at 1875 State Highway 35 Bypass; also known as Certified Auto Repair, City of Rockport, Aransas County, Texas; be changed from R-1 (1st Single Family Dwelling District) to B-1 (General Business District).

SECTION 2 - REPEALER

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

SECTION 3 - SEVERABILITY

It is the intention of the City Council of the City of Rockport that if any phrase, sentence, section, or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

SECTION 4 - EFFECTIVE DATE

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

APPROVED on first reading this the 14th day of November 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 _____2023.

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

RECEIVED
SEP 11 2020
BY: J. Doyle

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 [X] Conditional Permit [ ]

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

B. ADDRESS AND LOCATION OF PROPERTY 1875 State Highway 35 Bypass Rockport TX 78382

C. CURRENT ZONING OF PROPERTY: R1

D. PRESENT USE OF PROPERTY: B1

E. ZONING DISTRICT REQUESTED: B1

F. CONDITIONAL USE REQUESTED: _____

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

- Lot or Tract 1 Block 1
- 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) _____

I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): 65,149

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

Operating Business Need to get back to what it was before Annex

K. OWNER'S NAME: (Please print) James Cruse

ADDRESS: 121 Rattlesnake Pt Rd

CITY, STATE, ZIP CODE: Rockport TX 78382

PHONE NO 361 386-0285

L. REPRESENTATIVE: (If Other Than Owner) _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

PHONE NO _____

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: 9/11/23 Fees Paid: $ 165.00

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
1875 SH 35 Bypass

APPLICANT/PROPERTY OWNER
James Cruse, Owner

PUBLIC HEARING DATE
P&Z - Monday, Monday, October 16, 2023
CC – Tuesday, October 24, 2023

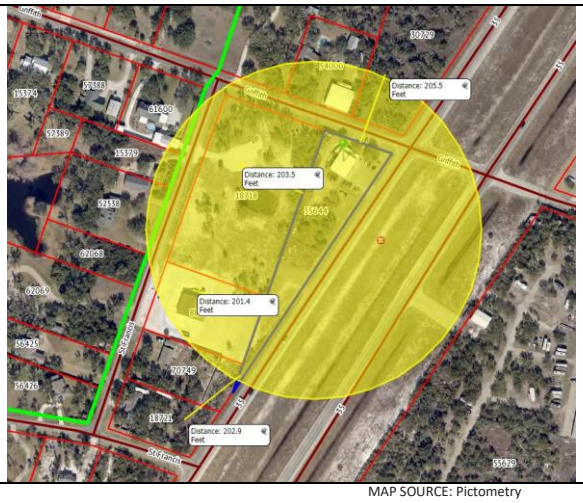
P&Z DATE
Monday, October 16, 2023

CITY COUNCIL DATE(S)
1st Reading - Tuesday, November 14, 2023
2nd Reading – Tuesday, December 12, 2023

BRIEF SUMMARY OF REQUEST

Property owner James Cruse wishes to rezone his property located at 1875 SH 35 Bypass, to B-1 (General Business District) to comply with current use of property; currently zoned R-1 (1st Single Family Dwelling District).

A public notice regarding this item was published in The Rockport Pilot in the Saturday, September 30, 2023, edition and mailed out to eleven (11) property owners within a 200-foot radius of the property. Two letters For and none 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	Certified Auto Repair Shop	***N*** – R-1 (1st Single Family Dwelling District) ***S*** – R-1 (1st Single Family Dwelling District) ***E*** – Hwy 35 Bypass ***W*** – R-1 (1st Single Family Dwelling District)	Auto Repair Shop Building and parking lot	1.4965 acres

STAFF RECOMMENDATION

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

COMPATIBILITY with the ZONING ORDINANCE

The Current Future Land Use Map suggests Commercial Use

PROPERTY HISTORY

Certified Auto Repair was in full operation prior to annexation and remains in full operation.

ATTACHMENTS (CIRCLE)

SUBMITTED PLANS | PUBLIC HEARING PETITION/ APPLICATION FORM | LEGAL NOTICE | LEGAL DESCRIPTION

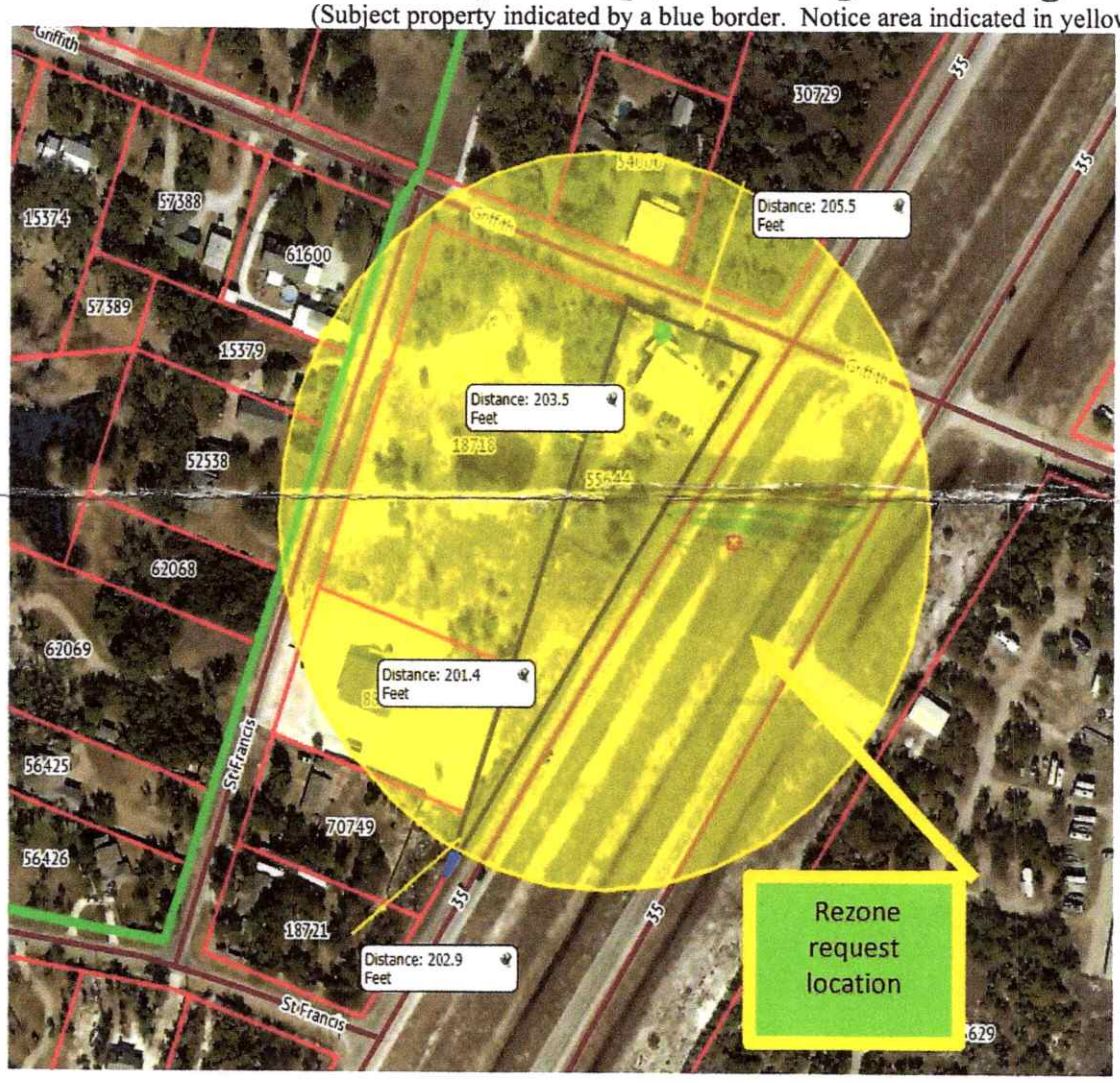
PUBLIC COMMENTS | AGENCY COMMENTS | RESPONSE TO STANDARDS

OTHER (DESCRIBE)

Property ID	Property Owner	Situs Address	Mailing Address	City	State	ZIP
30729	Chen Jingqiu	1901-1939 SH 35 Bypass	7948 Greenhollow Ln	Dallas	Tx	75240
54000	Jon Lucas	344 Griffith Dr	344 Griffith Dr	Rockport	Tx	78382
64916	James & Amy Riley	340 Griffith DR	340 Griffith Dr	Rockport	Tx	78382
18718	Brian Phillips & Tami Domasco	102 St Francis Cir	325 Griffith Dr	Rockport	Tx	78382
70749	Suzanne Campbell	208 St Francis Cir	1919 Hwy 35 N PMB 631	Rockport	Tx	78382
18721	COFIDENTIAL					
52538	Michael & Darla Williams	111 St Francis Cir	P.O. Box 567	Rockport	Tx	78381
61600	Brian Phillips	325 Griffith Dr	325 Griffith Dr	Rockport	Tx	78382
15379	Michael & Darla Williams	107 St Francis Cir	P.O. Box 567	Rockport	Tx	78381
62068	Danny Mitchell	201 St Francis Cir	P.O. Box 1791	Orange Grove	Tx	78372
8821912	Chris & Cindy Anderson	202 St Francis Cir	P.O. Box 1895	Aransas Pass	Tx	78335
55644	James Cruse - C A R Certified	1875 SH 35 Bypass	1875 SH 35 Bypass	Rockport	Tx	78382
	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
	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

Location Map of Proposed Change of Zoning Request

(Subject property indicated by a blue border. Notice area indicated in yellow.)



FAQ

Why am I receiving this notice?

Texas law requires that property owners within 200 feet of a zoning request be notified of the possible change to the property.

What do I do now?

It is your right to either object or support the proposed request. If you wish to do so, simply fill out this letter and return it to the City of Rockport by mail:

ATTN:
Building Department
City of Rockport
2751 SH 35 Bypass
Rockport, TX 78382

If you have any questions regarding this notice, please contact Carey Dietrich, Community Planner, at **361-790-1125, ext. 226.**

City of Rockport
Building & Development Department
2751 S.H. 35 Bypass
Rockport, TX 78382

CORPUS CHRISTI TX 784 1 1
10 OCT 2023 PM
FIRST-CLASS
US POSTAGE PITNEY BOWES
ZIP 78382 02 7H 0006090064
$ 000.63⁰
OCT 05 2023

Brian Phillips & Tami Domasco
325 Griffith Dr
Rockport, Tx78382

SITUS ADDRESS: 102 St Francis Cir

78382871 20 H006

18718

CITY of ROCKPORT, TEXAS

PUBLIC HEARING
Planning & Zoning Commission and City Council

NOTICE is hereby given that the Planning & Zoning Commission will hold a Public Hearing on Monday October 16, 2023, at 5:30 p.m. and the Rockport City Council will hold a Public Hearing on Tuesday, October 24, 2023, at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, , to consider a request to rezone property located at 1875 SH 35 Bypass; also known as S1558 Domasco Subdivision, Block 1, Lot 1 & PT of Lot 2, being 1.4965 acres, City of Rockport, Aransas County, Texas, to B-1 (General Business District) to comply with current use of property; currently zoned R-1 (1st Single Family Dwelling District).

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 October 16, 2023, and the City Council Agenda of October 24, 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 this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125.

CITY OF ROCKPORT, TEXAS
/s/ Teresa Valdez, City Secretary

---

* TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: Tami Domasco

Address: 325 Griffith Drive City/State: Rockport, TX

(✓) IN FAVOR ( ) IN OPPOSITION Phone: 361.463.6989

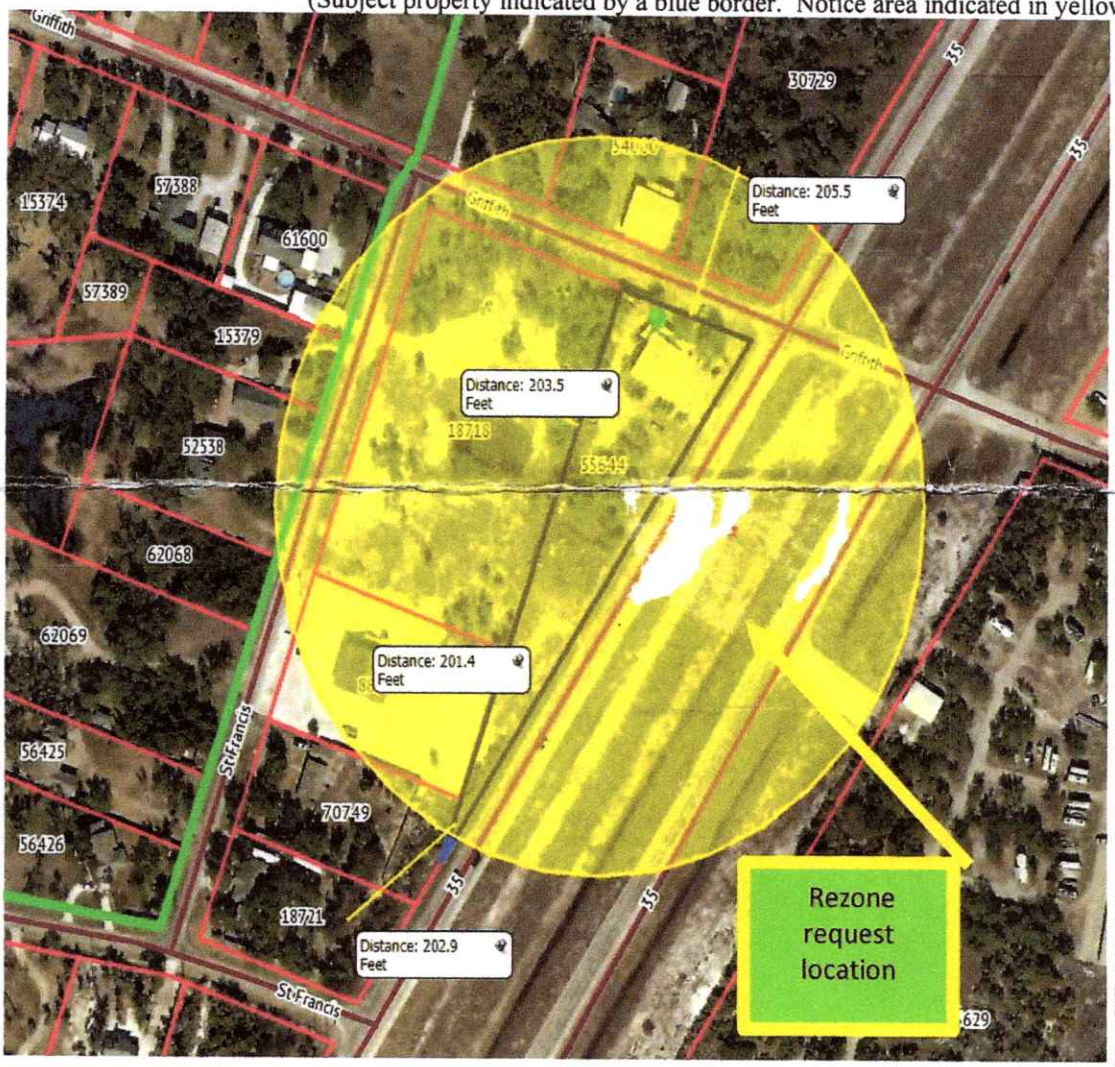
REASON:

Tami Domasco
Signature

See map on reverse side.

Location Map of Proposed Change of Zoning Request

(Subject property indicated by a blue border. Notice area indicated in yellow.)



FAQ

Why am I receiving this notice?

Texas law requires that property owners within 200 feet of a zoning request be notified of the possible change to the property.

What do I do now?

It is your right to either object or support the proposed request. If you wish to do so, simply fill out this letter and return it to the City of Rockport by mail:

ATTN:
Building Department
City of Rockport
2751 SH 35 Bypass
Rockport, TX 78382

If you have any questions regarding this notice, please contact Carey Dietrich, Community Planner, at **361-790-1125, ext. 226.**

CITY of ROCKPORT, TEXAS Est. 1870

City of Rockport
Building & Development Department
2751 S.H. 35 Bypass
Rockport, TX 78382

CORPUS CHRISTI TX 784 1 L
10 OCT 2023 PM

FIRST-CLASS

US POSTAGE PITNEY BOWES
ZIP 78382 02 7H 0006090064
$ 000.63⁰
OCT 05 2023

Brian Phillips
325 Griffith Dr
Rockport, Tx78382

SITUS ADDRESS: 325 Griffith Dr

78C

CITY of ROCKPORT, TEXAS

PUBLIC HEARING
Planning & Zoning Commission and City Council

NOTICE is hereby given that the Planning & Zoning Commission will hold a Public Hearing on Monday October 16, 2023, at 5:30 p.m. and the Rockport City Council will hold a Public Hearing on Tuesday, October 24, 2023, at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, , to consider a request to rezone property located at 1875 SH 35 Bypass; also known as S1558 Domasco Subdivision, Block 1, Lot 1 & PT of Lot 2, being 1.4965 acres, City of Rockport, Aransas County, Texas, to B-1 (General Business District) to comply with current use of property; currently zoned R-1 (1st Single Family Dwelling District).

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 October 16, 2023, and the City Council Agenda of October 24, 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 this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125.

CITY OF ROCKPORT, TEXAS
/s/ Teresa Valdez, City Secretary

---

* TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: Brian Phillips
Address: 325 Griffith Drive City/State: Rockport, TX 78382

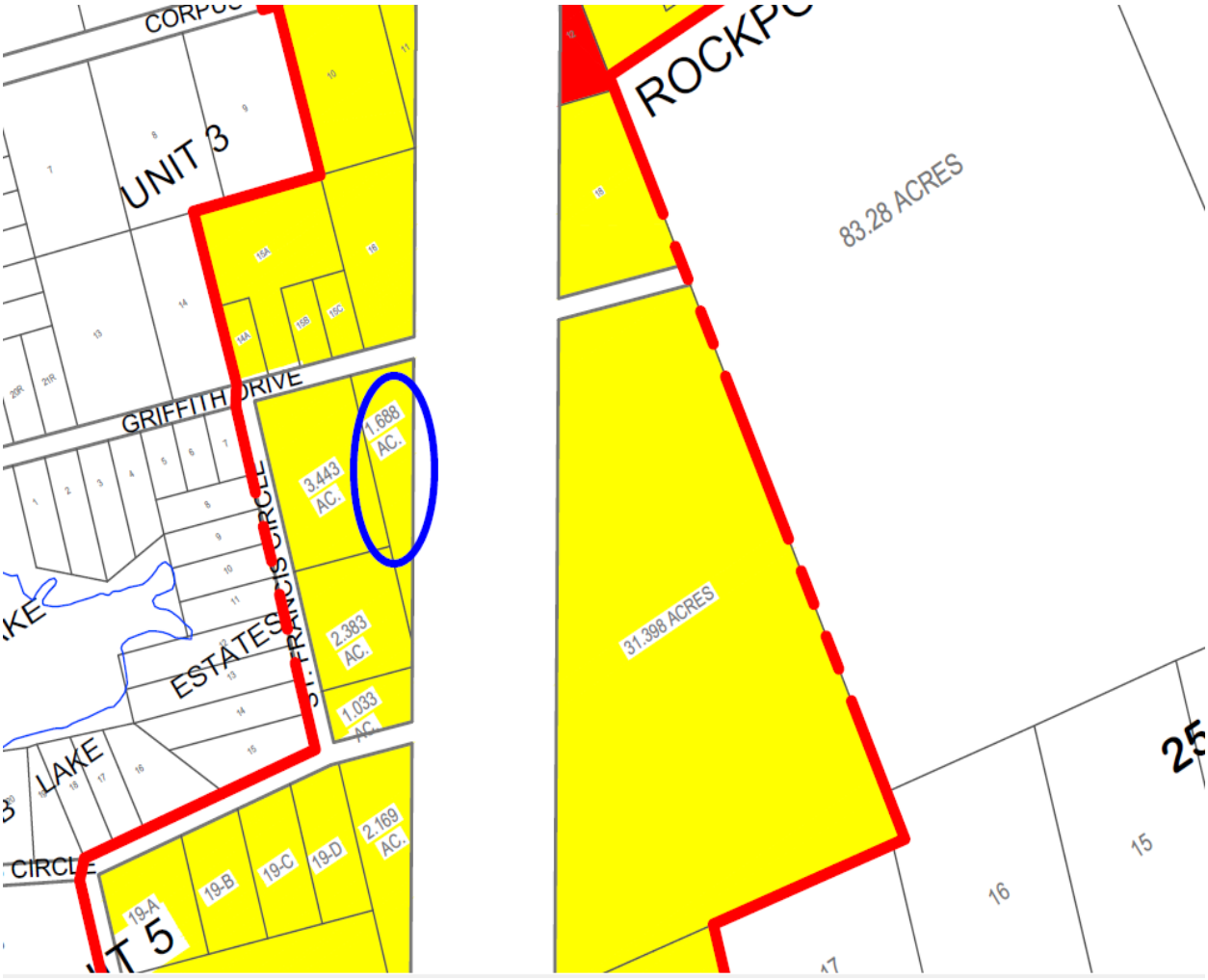
(✓) IN FAVOR ( ) IN OPPOSITION Phone: 361.548.5319

REASON:

BP
Signature

See map on reverse side.

Zoning Map


UNIT 3
GRIFFITH DRIVE
ESTATES
ST. FRANCIS CIRCLE
LAKE
CIRCLE
1.688 AC.
3.443 AC.
2.383 AC.
1.033 AC.
2.169 AC.
19-A
19-B
19-C
19-D
83.28 ACRES
31.398 ACRES
16
15

Future Land Use



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

AGENDA ITEM: 19

Deliberate and act on second and final reading of an Ordinance authorizing the closing, vacating and abandonment of a 0.167 acre of land being a 16-foot wide alley way out of Block No. 13, Bellevue Subdivision, Aransas County, Texas, according to the map recorded in Volume 1, Page 12, Plat Records Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment, authorizing the Mayor to execute a Quitclaim Deed for the 0.167 acre to be closed, vacated and abandoned; and providing for an effective date.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: VRS

BACKGROUND: Brodie Miller is requesting the permanent closure, abandonment, and vacating of a 16-foot wide alley way out of Block No. 13, Bellevue Subdivision, Aransas County, Texas. The Public Works and Building and Development Departments have evaluated the request and state that granting the petition will have no negative impact on current or expected future utilities, transportation needs, or development.

Per City Ordinance No. 1092 "Public Way Closure Policy" an appraisal is required Staff has published notification and scheduled the Public Hearing to move the process along as quickly as possible. According to the Ordinance: "Upon close of the public hearing, Council shall either grant or deny the request by petitioner. Such petition, if not acted upon at the meeting at which it appears on the agenda for public hearing, may at such time be passed, tabled or continued on the agenda to any subsequent City Council meeting."

The City received the appraisal of $5,000 and Council approved the first reading of the Ordinance at the October 24, 2023 Council Meeting with the amendment that the cost for the property would not exceed $5,000.

Mr. Miller requested a re-appraisal of the property because the alleyways are in the middle of his property and do not benefit the City in any way. The property was reappraised at a value of $0.

For additional information see attached Ordinance No. 1092 and the Petition from Brodie Miller.

FISCAL ANALYSIS: The City has received the appraisal of $0 for the 0.167 acre of land, being a 16-foot wide alley way out of Block No. 13, Bellevue Subdivision.

RECOMMENDATION: Staff recommends Council approve the second and final reading of the Ordinance authorizing the closing, vacating and abandonment of a 0.167 acre of land being a 16-foot wide alley way out of Block No. 13, Bellevue Subdivision, Aransas County, Texas, according to the map recorded in Volume 1, Page 12, Plat Records Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment, authorizing the Mayor to execute a Quitclaim Deed for the 0.167 acre to be closed, vacated and abandoned; and providing for an effective date.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CLOSING, VACATING AND ABANDONMENT OF 0.167 ACRE OF LAND BEING A 16-FOOT WIDE ALLEYWAY OUT OF BLOCK NO. 13, BELLEVUE SUBDIVISION, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 1, PAGE 12, PLAT RECORDS ARANSAS COUNTY, TEXAS; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH VACATION AND ABANDONMENT; AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED FOR THE 0.167 ACRE TO BE CLOSED, VACATED AND ABANDONED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockport, Texas is a Home-Rule City incorporated and operating under the laws of the State of Texas, which has the authority under its Charter and Chapter 282 and 253 of the Local Government Code, as amended, to close, vacate and abandon municipal rights-of-way, streets or alleys, by ordinance, when such action is in the best interest of and serves the public purpose; and

WHEREAS, the City of Rockport has received a request from the abutting property owner Brodie Miller for the City to close, vacate and abandon the 0.167 acre of land being a 16-foot wide alleyway out of Block No. 13, Bellevue Subdivision, City of Rockport, Aransas County, Texas; and

WHEREAS, the property owner is the sole property owner abutting the 0.167 acre, such that there are no other abutting property owners to be notified of the vacation and abandonment; and

WHEREAS, the City Manager and Public Works Department have reviewed the requested vacation and abandonment 0.167 acre of land being a 16-foot wide alleyway out of Block No. 13, Bellevue Subdivision, City of Rockport, Aransas County, Texas, and the sale of the 0.167 acre of land to Brodie Miller; and the City Council now finds that the utilities currently existing, or that will exist in the future, if any, in the area of the unopened street and/or public right-of-way will be sufficiently protected by being either relocated or placed into easements, and that the utility companies serving the area including and surrounding the right-of-way have determined that their utilities, if existing, will also be sufficiently protected by the same means; and

WHEREAS, the City of Rockport did cause to be published a Notice in the official newspaper of the City on Saturday, October 7, 2023, advising of a Public Hearing to be held on Tuesday, October 24, 2023, at 6:30 p.m. at the Rockport Service Center; and

WHEREAS, the City Council of the City of Rockport, Texas, finds and declares that it is in the best interest of all citizens of the City of Rockport, Texas that the 0.167 acre of land being a 16-foot wide alleyway out of Block No. 13, Bellevue Subdivision, City of Rockport, Aransas County, Texas, be vacated and abandoned and sold to Brodie Miller for fair market value and deposited in the street maintenance fund, as required by state law.

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

Section 1: That the identified 0.167 acre of land being a 16-foot wide alleyway out of Block No.13, Bellevue Subdivision, City of Rockport, Aransas County, Texas, on Exhibit "A," attached hereto and made a part of this Ordinance for all purposes, be, and the same is hereby closed, abandoned and vacated insofar as the right, title or interest of the public is concerned.

Section 2: That said 0.167 acre of land being a 16-foot wide alleyway out of Block No. 13, Bellevue Subdivision, City of Rockport, Aransas County, Texas is not needed for public roadway purposes and it is in the public interest of the City of Rockport to close, abandon and vacate said described portion of the street and/or public right-of-way for use as roads and roadways.

Section 3: That the 16-foot wide alleyway out of Block No. 13, Bellevue Subdivision, City of Rockport, Aransas County, be closed, abandoned and vacated, as shown by the survey and metes and bounds attached hereto as Exhibit "A" and made a part hereof for all purposes, be deeded by quitclaim deed to Brodie Miller.

Section 4: That the Mayor is hereby authorized and directed to convey and transfer by quitclaim deed the 16-foot wide alley out of Block No. 13, Bellevue Subdivision, City of Rockport, Aransas County, Texas, that is to be closed, abandoned and vacated for the fair market value of the street, which is the interest of the City of Rockport, Texas, in and to the said streets and/or public rights-of-ways, except for any past, present, or future utility easement belonging to the City.

Section 5: That the closing, vacation, abandonment and transfer provided for herein shall extend only to the public right and title in and to the tract of land described in this Ordinance and shall be construed only to that interest the governing body of the City of Rockport may legally and lawfully close, abandon, vacate and convey.

Section 6: That the consideration for said transfer to Brodie Miller shall be deposited in the street maintenance fund of the City of Rockport as is required by provisions of the state law as set forth in the Local Government Code, Section 253.001, as amended.

Section 7: Any previously adopted ordinances, and any subsequent amendments to them, that conflict with this Ordinance are all hereby repealed.

Section 8: 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 9: This ordinance shall become effective upon adoption on second reading by the Rockport City Council.

APPROVED on first reading on the 24th day of October 2023.

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

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

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

EXHIBIT "A"

PROPOSED CLOSING OF A 16.0 FOOT WIDE ALLEY OUT OF BLOCK NO. 13 BELLEVUE SUBDIVISION VOLUME 1, PAGE 12 PLAT RECORDS ARANSAS COUNTY, TEXAS.

SCALE 1" = 50'

SEPTEMBER 19, 2023

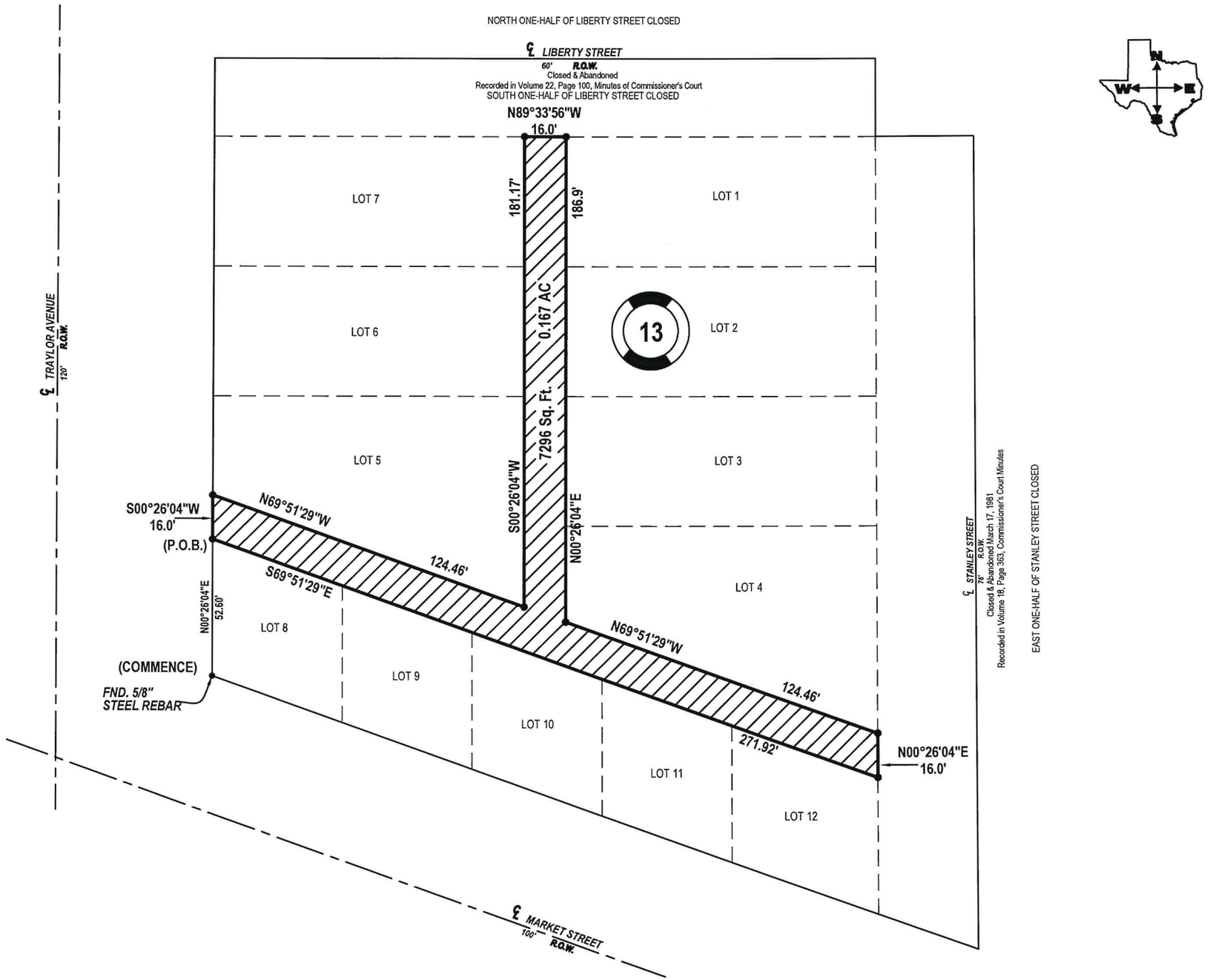
NOTE: See accompanying Field Note description.

Filename: 230918d3

Prepared For

Rockport Veterinary Clinic, LLC

Griffith & Brundrett Surveying & Engineering, Inc.
411 S. Pearl St., P.O. Box 2322
Rockport, Texas 78381
:361-729-6479
:361-729-7933
:jerryb@gbsurveyor.com
:www.gbsurveyor.com



FIELD NOTES
SEPTEMBER 19, 2023

EXHIBIT "B"
0.167 AC

BEING THE DESCRIPTION OF A 16.0 FOOT WIDE ALLEY WAY OUT OF BLOCK NO. 13, BELLEVUE SUBDIVISION, ARANSAS COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 1, PAGE 12, PLAT RECORDS ARANSAS COUNTY, TEXAS, WITH SAID 16.0 FOOT WIDE ALLEY BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE at a 5/8" steel rebar found in the North R.O.W. line of Market Street, a platted 100.0 foot wide county roadway and the East R.O.W. line of Traylor Avenue, a platted 120.0 foot wide county roadway, and being the Southwest corner of Lot No. 8, Block No. 13, Bellevue Subdivision; **THENCE**, North 00°26'04" East along and with the East R.O.W. line of Traylor Avenue a distance of 52.60 feet to a point in the Northwest corner of Lot No. 8, Block No. 13 and being the **SOUTHWEST** corner and **PLACE OF BEGINNING** of this description;

THENCE, South 69°51'29" East along and with the North line of Lot Nos. 8, 9, 10, 11 and 12, Block No. 13, a distance of 271.92 feet to a point in the West R.O.W. line of Stanley Street, a 76.0 foot wide county road closed and abandoned on March 17, 1981, Commissioner' Court Minutes, recorded in Volume 18, Page 363, Aransas County, Texas and the Northeast corner of Lot No. 12 and being the **SOUTHEAST** corner of this description;

THENCE, North 00°26'04" East along and with the West R.O.W. line of said closed and abandoned Stanley Street, a distance of 16.0 feet to a point in the Southeast corner of Lot No. 4, Block No. 13 and being the Lower **NORTHEAST** corner of this description;

THENCE, North 69°51'29" West along and with the South boundary line of Lot No. 4, Block No. 13, a distance of 124.46 feet to a point and being an **INTERIOR** corner of this description;

THENCE, North 00°26'04" East along and with the West boundary line of Lot Nos. 4, 3, 2 and 1, Block No. 13, a distance of 186.9 feet to a point in the South R.O.W. line of Liberty Street, a 60.0 foot wide county road closed and abandoned by Commisioner's Court Minutes, recorded in Volume 22, Page 100, Aransas County, Texas, and being the Upper **NORTHEAST** corner of this description;

THENCE, North 89°33'56" West a distance of 16.0 feet to a point in the South R.O.W. line of Liberty Street, closed and abandoned and the Northeast corner of Lot No. 7, Block No. 13, and being the Upper **NORTHWEST** corner of this description;

THENCE, South 00°26'04" West along and with the East boundary line of Lot Nos. 7, 6 and 5, Block No. 13, a distance of 181.17 feet to a point and being an **INTERIOR** corner of this description;

THENCE, North 69°51'29" West along the South boundary line of Lot No. 5, Block No. 13 a distance of 124.46 feet to a point in the East R.O.W. line of Traylor Street and the Southwest corner of Lot No. 5 and being the Lower **NORTHWEST** corner of this description;

THENCE, South 00°26'04" West a distance of 16.0 feet to the **PLACE OF BEGINNING** and containing 0.167 acre or 7296 square feet of land more or less.

SEE ACCOMPANYING EXHIBIT "A" DATED SEPTEMBER 19, 2023
FILENAME: 230918d3

230918d1fn

Rec'd Sept. 12, 2023 - Incomplete
No metes and bounds and survey of area to be vacated.
Rec'd Sept. 21, 2023 - Survey & metes and bounds

9/11/2023
(Date)

The Honorable Mayor and City Council
c/o City Secretary Teresa Valdez
City of Rockport
2751 SH 35 Bypass
Rockport, TX 78382

RE: Petition for closure, abandonment and vacating of Unnamed Alleyways

Dear Mayor and Council Members:

We, the undersigned petitioners, respectfully request that the undeveloped

Unnamed alleyways within Block 13 Bellevue Addition
(description of property to be vacated, closed, abandoned)

be closed, abandoned, and vacated. The requested section to be closed is more particularly described in the attached survey and metes and bounds description. The petitioners are the only property owners abutting the requested closure. See highlighted portion of Exhibit A attached.

If approved, this request will allow replat of Block 13 into one property
(describe reason/intent for request and how it will benefit petitioners)

The closure will/will not affect any existing utilities.
(select one)

Petitioner No. 1

Brodie Miller
(Printed Name of Owner)

(Signature of Owner)

9/11/2023
(Date Signed)

Physical Address of Property:

702 W. Market St.
Rockport, TX 78382

Mailing Address of Owner:

702 W. Market St.
Rockport, TX 78382

Email - bandvm@yahoo.com

Petitioner No. 2

(Printed Name of Owner)

(Signature of Owner)

(Date Signed)

Physical Address of Property:

Rockport, TX 78382

Mailing Address of Owner:

Petitioner No. 3

_____
(Printed Name of Owner)

_____
(Signature of Owner)

_____
(Date Signed)

Physical Address of Property:

_____
Rockport, TX 78382

Mailing Address of Owner:

_____
_____

Petitioner No. 4

_____
(Printed Name of Owner)

_____
(Signature of Owner)

_____
(Date Signed)

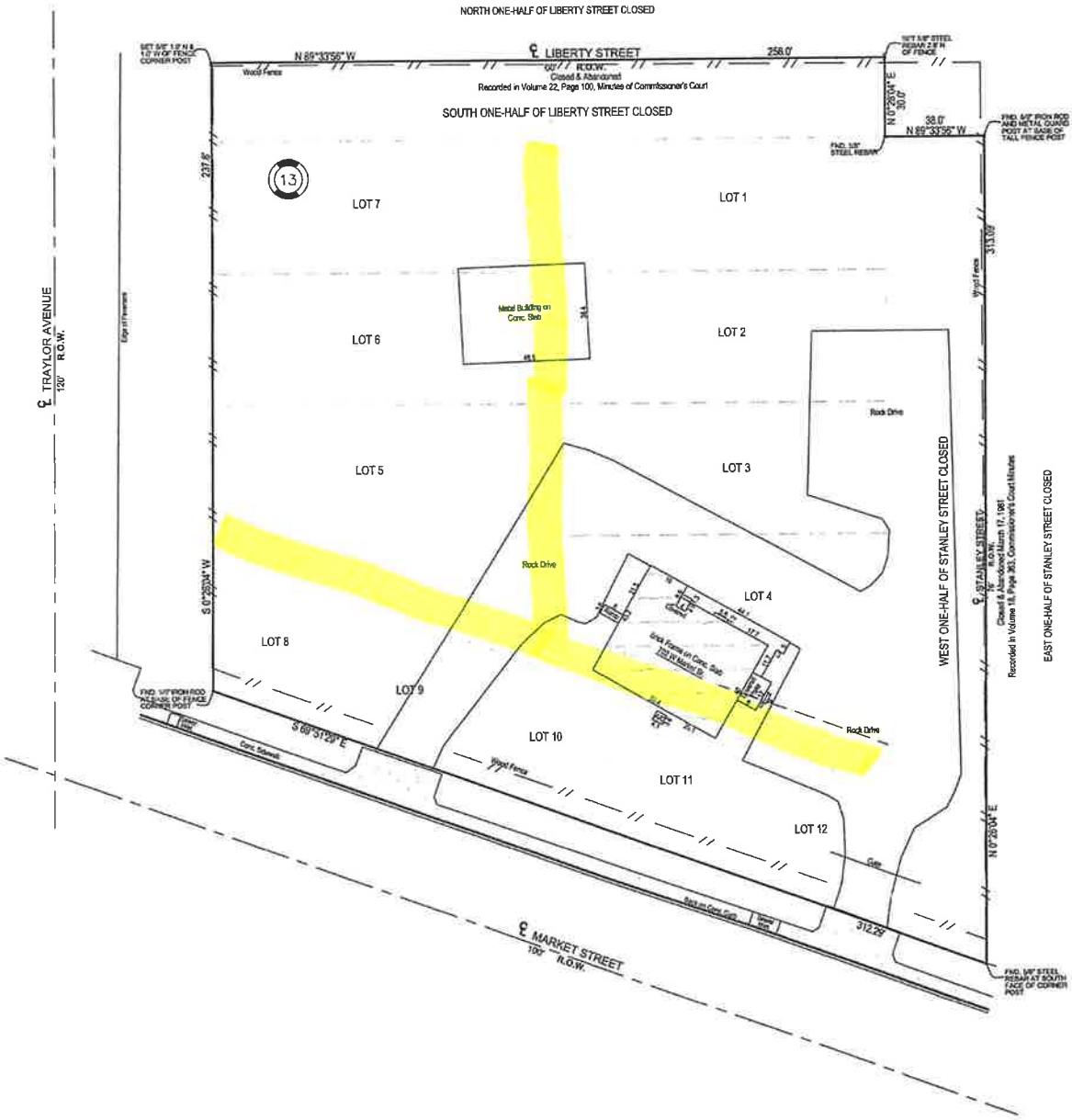
Physical Address of Property:

_____
Rockport, TX 78382

Mailing Address of Owner:

_____
_____

Exhibit A



PLAT BEARING USED FOR DIRECTIONAL CONTROL UNLESS OTHERWISE SHOWN

COPYRIGHT NOTICE
ANY COPY OF THIS DRAWING MUST BEAR THE SURVEYOR'S ORIGINAL SEAL AND SIGNATURE IN RED INK OR THE DRAWING IS AN UNAUTHORIZED REPRODUCTION WHICH MAY HAVE BEEN ALTERED OR CHANGED WITHOUT THE SURVEYOR'S KNOWLEDGE OR CONSENT.
THIS ORIGINAL WORK IS PROTECTED UNDER COPYRIGHT LAWS, TITLE 17, UNITED STATES CODE SECTIONS 101 & 102. ALL VIOLATORS WILL BE PROSECUTED TO THE FULLEST OF THE LAW.

THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD HAZARD MAP DATED 2/17/21 AND FOUND THAT THE PROPERTY DESCRIBED HEREON IS ZONE X LOCATED IN A "SPECIAL FLOOD HAZARD AREA" ZONE A
BASE ELEVATION N/A PANEL NO. 0240G COMMUNITY NO. 485432
THIS INFORMATION IS BASED ON SCALING THE LOCATION OF THIS SURVEY ON THE ABOVE REFERENCED MAP AND IS INTENDED TO BE USED TO DETERMINE INSURANCE RATES ONLY, AND NOT TO IDENTIFY SPECIFIC FLOODING CONDITIONS

SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS OR OWNERSHIP OF TITLE EVIDENCE. SURVEYOR DID NOT REVIEW EXCEPTIONS IN SCHEDULE B OF THE TITLE COMMITMENT TO DETERMINE WHETHER THEY DO OR DO NOT AFFECT SUBJECT PROPERTY.

5/8" STEEL REBARS FOUND OR SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE SHOWN. ALL SET RODS ARE CAPPED WITH "GRIFFITH AND BRUNDRETT".

BEING ALL OF BLOCK 13,
THE WEST ONE-HALF OF STANLEY STREET CLOSED,
THE SOUTH ONE-HALF OF LIBERTY STREET CLOSED
AND ALLEYS IN BLOCK 13 CLOSED,
BELLEVUE SUBDIVISION

ARANSAS COUNTY, TEXAS

RECORDED IN VOLUME 1, PAGE 12,
PLAT RECORDS OF ARANSAS COUNTY, TEXAS

SCALE 1" = 30' NOVEMBER 18, 2021

I, J.L. BRUNDRETT, JR., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY SHOWS A SURVEY ON THE GROUND OF THE FOREGOING PROPERTY AND THAT THERE ARE NO VISIBLE EASEMENTS, ENCROACHMENTS OR PROTRUSIONS (EXCEPT AS SHOWN HEREON.)

J.L. BRUNDRETT, JR. R.P.L.S. REG. NO. 2133
TBPELS FIRM REG. NO. 10004800

Griffith & Brundrett Surveying - Engineering Inc
411 S Pearl St, P.O. Box 2322
Rockport, Texas 78381
(361) 729-6479
(361) 729-7811
www.gbsurveying.com

DATE: November 15, 2021
SCALE: 1" = 30'
FILE NAME: 211115dh3

Prepared For:
Rockport Veterinary Clinic, LLC


13668
59463
63087
71115
65169
69872
69873
63494
53725
48755
64081
13676
64336
64337
58325
53723
13680
49662
18756
18757
18781
18782
18783
18784
8820907
18786
54348
70203
50291
18790
13663
13667
8821518
24367
24366
24365
24364
24363
24362
59286
52102
33748
33770
33773
33763
33749
33760
48747
66104
33744
33745
70375
8819469
STEART ST
TRAYLOR AVE
W MARKET ST
LORENA ST
+ Show Search Results
E Sabinal St
W Terrace Blvd
W Market St
Pine Ave
Hickory Ave
Stearl St
N Hood St
N Kossuth St
N Ann St
Mathis St
22 ft
60m
200ft

EXHIBIT "A"

PROPOSED CLOSING OF A 16.0 FOOT WIDE ALLEY OUT OF BLOCK NO. 13 BELLEVUE SUBDIVISION VOLUME 1, PAGE 12 PLAT RECORDS ARANSAS COUNTY, TEXAS.

SCALE 1" = 50'

SEPTEMBER 19, 2023

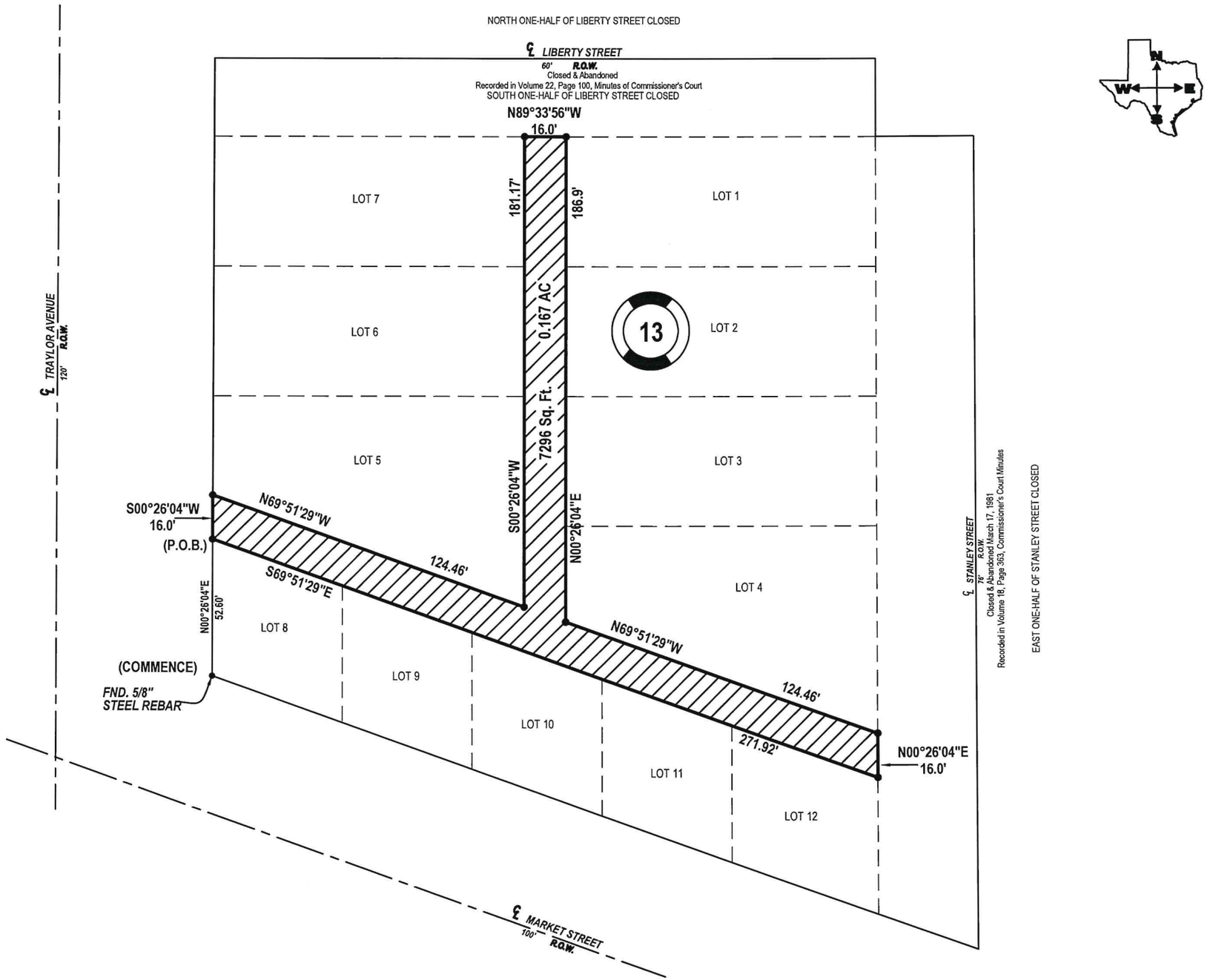
NOTE: See accompanying Field Note description.

Filename: 230918d3

Prepared For

Rockport Veterinary Clinic, LLC

Griffith & Brundrett Surveying & Engineering, Inc.
411 S. Pearl St., P.O. Box 2322
Rockport, Texas 78381
:361-729-6479
:361-729-7933
:jerryb@gbsurveyor.com
:www.gbsurveyor.com



FIELD NOTES
SEPTEMBER 19, 2023

EXHIBIT "B"
0.167 AC

BEING THE DESCRIPTION OF A 16.0 FOOT WIDE ALLEY WAY OUT OF BLOCK NO. 13, BELLEVUE SUBDIVISION, ARANSAS COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 1, PAGE 12, PLAT RECORDS ARANSAS COUNTY, TEXAS, WITH SAID 16.0 FOOT WIDE ALLEY BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE at a 5/8" steel rebar found in the North R.O.W. line of Market Street, a platted 100.0 foot wide county roadway and the East R.O.W. line of Traylor Avenue, a platted 120.0 foot wide county roadway, and being the Southwest corner of Lot No. 8, Block No. 13, Bellevue Subdivision; **THENCE**, North 00°26'04" East along and with the East R.O.W. line of Traylor Avenue a distance of 52.60 feet to a point in the Northwest corner of Lot No. 8, Block No. 13 and being the **SOUTHWEST** corner and **PLACE OF BEGINNING** of this description;

THENCE, South 69°51'29" East along and with the North line of Lot Nos. 8, 9, 10, 11 and 12, Block No. 13, a distance of 271.92 feet to a point in the West R.O.W. line of Stanley Street, a 76.0 foot wide county road closed and abandoned on March 17, 1981, Commissioner' Court Minutes, recorded in Volume 18, Page 363, Aransas County, Texas and the Northeast corner of Lot No. 12 and being the **SOUTHEAST** corner of this description;

THENCE, North 00°26'04" East along and with the West R.O.W. line of said closed and abandoned Stanley Street, a distance of 16.0 feet to a point in the Southeast corner of Lot No. 4, Block No. 13 and being the Lower **NORTHEAST** corner of this description;

THENCE, North 69°51'29" West along and with the South boundary line of Lot No. 4, Block No. 13, a distance of 124.46 feet to a point and being an **INTERIOR** corner of this description;

THENCE, North 00°26'04" East along and with the West boundary line of Lot Nos. 4, 3, 2 and 1, Block No. 13, a distance of 186.9 feet to a point in the South R.O.W. line of Liberty Street, a 60.0 foot wide county road closed and abandoned by Commisioner's Court Minutes, recorded in Volume 22, Page 100, Aransas County, Texas, and being the Upper **NORTHEAST** corner of this description;

THENCE, North 89°33'56" West a distance of 16.0 feet to a point in the South R.O.W. line of Liberty Street, closed and abandoned and the Northeast corner of Lot No. 7, Block No. 13, and being the Upper **NORTHWEST** corner of this description;

THENCE, South 00°26'04" West along and with the East boundary line of Lot Nos. 7, 6 and 5, Block No. 13, a distance of 181.17 feet to a point and being an **INTERIOR** corner of this description;

THENCE, North 69°51'29" West along the South boundary line of Lot No. 5, Block No. 13 a distance of 124.46 feet to a point in the East R.O.W. line of Traylor Street and the Southwest corner of Lot No. 5 and being the Lower **NORTHWEST** corner of this description;

THENCE, South 00°26'04" West a distance of 16.0 feet to the **PLACE OF BEGINNING** and containing 0.167 acre or 7296 square feet of land more or less.

SEE ACCOMPANYING EXHIBIT "A" DATED SEPTEMBER 19, 2023
FILENAME: 230918d3

230918d1fn

ORDINANCE NO. 1092

AN ORDINANCE ESTABLISHING A POLICY AND PROCEDURE FOR CITIZENS TO REQUEST THE ABANDONING, ALTERING, CLOSING OR VACATING OF STREETS, ALLEYS AND OTHER PUBLIC WAYS OR PORTIONS THEREOF; ESTABLISHING ADMINISTRATIVE FEES TO BE PAID BY PETITIONERS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockport, Texas, has the power to establish, construct, alter, close, vacate and abandon public streets, alleys and other public ways to the City; and

WHEREAS, the City Council of the City of Rockport, Texas, deems it reasonable and proper to establish a policy and a procedure whereby persons may initiate, by petition, a request for the City to proceed in the exercise of said powers by the City where such is not deemed necessary for future use; and

WHEREAS, the City Council of the City of Rockport, Texas, deems it reasonable and proper that any person or persons requesting by petition that the City consider and exercise said powers regarding street, alleys and other public ways, should give notice of such request, provide certain other documents, and pay the expenses associated with the request:

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

Section 1. AMENDMENT AND ADDITION OF POLICY TO CHAPTER 86

Article IV of Chapter 86, "Streets, Sidewalks and Other Public Places," is amended by creating "Division 1. - Generally" from existing Sections 86-76 through 86-80; and by adding "Division 2. - Public Ways Closure Policy," Sections 86-85 through 86-95, as follows:

ARTICLE IV. STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

DIVISION 1. GENERALLY

(No change to §§ 86.76 through 86-80)

. . . .

DIVISION 2. PUBLIC WAY CLOSURE POLICY

Sec. 86-85. Policy. No street, alley or other public way, or portion thereof, shall ever be closed, narrowed or vacated if doing so would result in a violation of or be in conflict with the City of Rockport's land development codes, or otherwise be contrary to the best interest of the public, considering all reasonable future use of such street, alley or other public way. Any petitioner requesting a street, alley or other public way, or portion thereof, be closed, narrowed or vacated must comply with all the following sections of this policy, but such shall constitute only a request and not be permitted except pursuant to the provisions hereof.

Sec. 86-86. Petition Required. Any person or persons (herein "petitioner") desiring to have the City Council exercise its powers regarding the closing, narrowing or vacating of streets, alleys or other public ways, or portions thereof, must file with the City Secretary a petition, on a form acceptable by the City, directed to the City Council requesting that such action be taken. The petition must be signed and acknowledged by all current owners of property abutting the street, alley or public way or portion thereof sought to be closed. The petitioner may not rely solely on the most recent county certified tax rolls to determine the current names

and addresses of all abutting property owners. A list of the owners' names and addresses of all property abutting the street, alley, public way or portion thereof that is the subject of the petition must be attached to the petition. The City may require the petitioner to provide copies of documents filed in the Aransas County Deed Records to evidence the current abutting owners. The petition shall not be accepted unless and until all requirements of this policy have been met and the City is satisfied that all current abutting property owners have signed the petition. Upon acceptance, the City Secretary shall provide copies of the petition to the City Manager and all other City staff or officials whom the City Manager directs.

Sec. 86-87. Fee. Upon the filing of a petition with the City Secretary, an administration fee shall be paid to the City in an amount equal to Fifty and No/100 Dollars ($50.00) for the first one hundred feet (100') linear length of affected property and Ten and No/100 Dollars ($10.00) for each thirty-five feet (35') of affected length, or portion, thereafter.

Sec. 86-88. Survey Required. For a petition to be accepted, petitioner must provide a survey or plat, together with a typed legal description, of the street, alley or other public way, or portion thereof, sought to be abandoned, altered, closed or vacated and the property abutting thereon, prepared by a licensed land surveyor. The costs of the survey or plat shall be paid by the petitioner.

Sec. 86-89. Review by City Staff. The City staff shall review the request as to the impact on utilities, drainage and/or the future traffic needs and circulation, and shall issue a report to the City Secretary and City Manager, outlining the staff's findings and its recommendation for consideration by the City Council. A staff report finding no objection to the request shall not bind the City Council to grant the petition, and is as such only advisory upon the Council.

Sec. 86-90. Notice of Public Hearing on the Petition. After receipt of the staff report, the City Secretary shall cause a public hearing to be set on this petitioner's request. Notice of such public hearing on the petition must be given by publication in the official newspaper of the City no more than thirty (30) days nor fewer than fifteen (15) days proceeding the date of that set for public hearing on the proposed request. Such notice shall fairly state the action requested giving a description of the property or street affected.

Sec. 86-91. Appraisal. The City Manager or the City Council may, at any time, request and obtain an independent appraisal of the value of the property sought by petitioner to be closed, narrowed or abandoned. Such appraisal may be used to determine what consideration, if any, may be required to be paid by petitioner or anyone else to be benefited by the petitioner's request, should final action be taken by the City Council pursuant to this policy.

Sec. 86-92. Public Hearing. The City Council shall hear evidence as to the reasons why such street, alley, public way or portion thereof should or should not be abandoned, altered, vacated or closed. The City Council may adjourn or continue the public hearing as it alone deems necessary and in the best interest of the public. Upon close of the public hearing, the Council shall either grant or deny the request by petitioner. Such petition, if not acted upon at the meeting at which it appears on the agenda for public hearing, may at such time be passed, tabled or continued on the agenda to any subsequent City Council meeting.

Sec. 86-93. Passage of Ordinance. The Council may grant the petition only by adoption of an ordinance, pursuant to its Charter. However, a three-fourths (3/4) majority of votes of the City Council shall be necessary to adopt an ordinance to abandon, alter, vacate or close the street, alley, public way or portion thereof.

Sec. 86-94. Conditions Precedent to Granting of Petition.

a) The Council shall determine what consideration, if any, shall be paid by the abutting property owners, pursuant to Chapter 272 of the Local Government Code, which may be equal to or less than the fair market value as determined by recent City appraisal obtained pursuant to this policy.

b) The Council may retain utility and/or drainage easements across those portions of the street, alley or other public way, or portion thereof, if it deems such reservation necessary.

c) The Council may require written verification from any or all franchised utilities, including but not limited to electric, gas, telephone or cable, evidencing such utilities' current or

anticipated future use of the street, alley or other public way sought to be closed, narrowed or vacated.

d) Prior to granting the petition, the Council may require all the abutting property owners to execute with the City a written agreement accepting any and all Council-imposed conditions required pursuant to this section.

e) Prior to granting the petition, the Council may require all abutting property owners to execute with the City a written agreement between themselves, stating what interest each claims or will claim, if any, in the underlying fee simple, should the petition be later granted.

Sec. 86-95. City May Act Without Petition. Nothing herein shall be construed so as to limit the City of Rockport's right to close, narrow or abandon any dedicated street, alley, public way or portion thereof in the valid exercise of its police power.

Section 2. **REPEALER**

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

Section 3. **NO RETROACTIVE EFFECT**

The adoption of this policy shall not alter or affect any previous acts or actions that may have been taken by the City Council of the City of Rockport regarding prior street or alleyway closures, it being intended that such policy be prospective and operate only as to future requests made to the City of Rockport to close narrow or abandon any street, alley or other public way.

Section 4. **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 5. **EFFECTIVE DATE**

This ordinance shall be in full force and effect as soon as all necessary publication requirements have been met.

PASSED AND APPROVED on first reading this ***13th*** day of ***JULY*** 1999.

CITY OF ROCKPORT, TEXAS

Glenda Burdick

Glenda Burdick, Mayor

ATTEST:

Irma G. Parker

Irma G. Parker, City Secretary

PASSED, APPROVED AND ADOPTED on second and final reading this 27th day of JULY 1999.

CITY OF ROCKPORT, TEXAS

Glenda Burdick

Glenda Burdick, Mayor

ATTEST:

Irma G. Parker

Irma G. Parker, City Secretary

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

AGENDA ITEM: 20

Deliberate and act on first reading of an Ordinance granting to AEP Texas Inc., its successors and assigns, a non-exclusive Franchise to construct, maintain and operate lines and appurtenances and appliances for conducting electricity in, over, under, and through the streets, avenues, alleys and public places of the City of Rockport, Texas.

SUBMITTED BY: City Manager Vanessa Shrauner

APPROVED FOR AGENDA: VRS

BACKGROUND:

FISCAL ANALYSIS:

RECOMMENDATION: Staff recommends Council approve the first reading of the Ordinance, as presented.

ORDINANCE NO. _____

AN ORDINANCE GRANTING TO AEP TEXAS INC., ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE LINES AND APPURTENANCES AND APPLIANCES FOR CONDUCTING ELECTRICITY IN, OVER, UNDER, AND THROUGH THE STREETS, AVENUES, ALLEYS AND PUBLIC PLACES OF THE CITY OF ROCKPORT, TEXAS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS, AND A MAJORITY OF MEMBERS CONCURRING:

SECTION 1 That AEP Texas Inc., formerly known as AEP Texas Central Company, a corporation organized under the laws of the State of Delaware, its successors and assigns, ("Company") is granted the non-exclusive right, privilege, franchise and authority until December 31, 2038, to acquire, construct, maintain, and operate in, above, under, across, over, and along the streets, alleys, thoroughfares, bridges, and public places ("Public Rights-of-Way"), as the same now exist or may hereafter be laid out in the City of Rockport, State of Texas (the "City"), lines for the transmission and distribution of electric energy and services incidental thereto, either by means of overhead or underground conductors, with all necessary or desirable appurtenances and appliances as currently installed or that may be installed in the future including but not limited to electric substations, underground conduits, poles, towers, wires and transmission and distribution lines, and fiber optic cable and telegraph and telephone wires for audio, video and data communications for use in support of transmission and distribution operations and the electric system and grid and matters appurtenant thereto, all for the purpose of transmitting and distributing electrical energy to the City and its inhabitants, and persons and corporations within and beyond the limits thereof for light, heat, power and any other purpose or purposes for which electric energy is now or may hereafter be used, and to

license or lease space on or within Company's poles, conduit, and appurtenant facilities for the attachment of third-party facilities, and for all other facilities Company deems reasonably necessary for the provision of safe, reliable and economical electric service to the City.

SECTION 2 Poles and towers must be erected so as not to interfere unreasonably with traffic over streets and alleys, and the City may make and impose reasonable requirements fixing the location of poles, towers and conduits, provided that no such requirement may be unreasonably burdensome upon Company or unreasonably interfere with the operation or maintenance of its facilities.

SECTION 3 The City grants to Company permission to cut down, trim, remove and otherwise control using herbicides or tree growth regulators, any trees, branches, vegetation or brush upon and overhanging the Public Rights-of-Way of the City in the vicinity of Company's electric facilities where such trees and other vegetation, in Company's reasonable opinion, may endanger the safety of Company's personnel or interfere with the construction, operation or maintenance of Company's facilities or ingress or egress to, from, or along the Public Rights-of-Way.

SECTION 4 Company shall fully indemnify and save the City harmless from any and all damage, loss, action or cause of action arising in whole or in part from Company's exercise of any of its rights, privileges, franchises and obligations hereunder except to the extent arising out of the City's negligence or willful misconduct.

SECTION 5 For and as full consideration and compensation for this franchise and the rights, privileges and easements granted and conferred thereby and as rental for the use of the Public Rights-of-Way within or that may in the future be within the City, Company must pay the City an amount calculated in accordance with the methodology prescribed by applicable

law, as it exists today in the form and substance of the Texas Public Utilities Regulatory Act (PURA) Section 33.008(b), Texas Utilities Code, currently the product of a factor of $0.002815 per kilowatt hour multiplied times the number of kilowatt hours delivered by Company to retail customers within the City's boundaries as such charge may be revised from time to time in accordance with Section 33.008(b) of the Texas Utilities Code or any other applicable provision of law regarding franchise fee payments. A payment made based on the foregoing applicable law or any change, modification, or replacement thereof will be made each month throughout the term provided for in this ordinance, with each such payment to be made on the first business day of the second month following the month in which the deliveries occurred, for the billing cycle for that month.

The City must notify the Company in writing of newly annexed and de-annexed areas. The notice must include the ordinance number authorizing the action, an appropriate map identifying the areas and documentation of the notice to the State of Texas regarding the annexation or de-annexation. The Company will have no responsibility for commencing payments to the City for kilowatt hours delivered in newly annexed areas until it has received the City's notification. Upon the City's notification and beginning the 91st day after receipt of such notice, Company will commence payments to the City for kilowatt hours delivered in each newly annexed area and will make any appropriate adjustments in payments reflecting over deliveries of kilowatt hours in any prior month resulting from inclusion of kilowatt hours from de-annexed areas in the calculation of the monthly charge. Payments for deliveries in newly annexed areas and adjustments for over deliveries in de-annexed areas must be made back to the effective date of the ordinance.

SECTION 6 References made in this ordinance to the City or Company will include the respective successor or assign of either the City or Company, and all rights, privileges, franchises and obligations contained in this ordinance will bind and benefit each successor or assign, in which event the predecessor of each successor or assign is divested of all such rights, privileges, franchises, or obligations, whether or not so expressed.

SECTION 7 The terms and provisions of this franchise are joint and several, and the invalidity of any part will not affect the validity of the remainder of the franchise.

SECTION 8 This ordinance will take effect from and after the earliest period allowed by law, provided that Company must file its written acceptance of this ordinance within ninety days after its adoption. Once this ordinance takes effect, the electric franchise under which the City has been operating until this time will stand surrendered.

INTRODUCED, READ FOR THE FIRST TIME, APPROVED AND PASSED to the second reading at a regular meeting duly and regularly called and held on the _____ day of December 2023, by the following vote:

AYES:

NAYES:

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

INTRODUCED, READ FOR THE SECOND TIME AND ADOPTED in written form at a regular meeting duly and regularly called and held on the _____ day of _____ 2023, by the following vote:

AYES:

NAYES:

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF ARANSAS §

I, the undersigned, City Secretary of the City of Rockport, Texas, certify that the above and foregoing is a true and correct copy of a franchise ordinance passed, adopted, and approved by the City Council of the City of Rockport, Texas, at a meeting duly and regularly called and held on the _____ day of _____ 2023.

IN TESTIMONY WHEREOF**,** witness my hand and seal of office, this ____ day of _____ 2023.

_____
City Secretary of the
City of Rockport, Texas

ACCEPTANCE OF FRANCHISE

WHEREAS, the City of Rockport, Texas, by Ordinance/Resolution #_____ passed, adopted and approved at a meeting of the City held on the ____ of _____, 2023, granted to AEP Texas Inc., (formerly known as AEP Texas Central Company) a franchise in accordance with applicable law to supply electricity to the City of Rockport, Texas, until December_____, 20__ (the "Franchise Ordinance"); and

WHEREAS, in compliance with the terms of the Franchise Ordinance, AEP Texas Inc. desires to file its written acceptance thereof.

NOW THEREFORE, AEP Texas Inc., a Texas corporation, acting by its duly authorized officer, accepts the Franchise Ordinance and files this acceptance and agrees that it and its successors and assigns, are and shall be entitled to all of the rights, privileges, authority and franchise thereby granted and are and shall be bound by and will comply with all of the duties, liabilities, terms, and provisions of the Franchise Ordinance.

IN WITNESS WHEREOF, AEP Texas Inc. has caused this Acceptance of Franchise to be executed by its duly authorized officer this the _____day of _____, 2023.

AEP Texas, Inc.

By:_____
Gilbert Hughes
VP Texas External Affairs

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

AGENDA ITEM: 21

Deliberate and act on first reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 26 "Businesses" by adding Article III Short Term Rentals; repealing all ordinances to the extent they are in conflict; providing for severability; providing for penalties; and providing an effective date.

SUBMITTED BY: Carey Dietrich - Assistant Director of Building & Development / Community Planner

APPROVED FOR AGENDA: VRS

BACKGROUND: The discussion regarding the registration of short-term rentals has been ongoing for many months. The Building and Development Department conducted workshops with each Ward to discuss the amendment and receive recommendations from the public. Public input was received and City Council discussed the proposed Ordinance at a Workshop on October 24, 2023. The final draft is presented here for review by City Council.

It is believed that we can address most of the issues arising with Short Term Rentals through our existing ordinances, so we have made Appendix A point back to the ordinances in place.

The fee for registration should be adequate to cover the cost of the Rentalscape Short Term Rental ID & Monitoring Program, which is essential to the success of our STR Program, and staff's time to do site inspections at initial registration as well as any renewal registrations. Looking forward, this fee should also cover a code officer to handle increased complaints.

Please see the accompanying "Exhibit A" proposed ordinance revision for more information.

FISCAL ANALYSIS: N/A

RECOMMENDED ACTION: Staff recommends approval of the first reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 26 "Businesses" by adding Article III Short Term Rentals; repealing all ordinances to the extent they are in conflict; providing for severability; providing for penalties; and providing an effective date.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF ROCKPORT CODE OF ORDINANCES CHAPTER 26 "BUSINESSES" BY ADDING ARTICLE III SHORT TERM RENTALS; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on January 9, 2023, the Building & Development Department conducted a workshop for citizens of Ward 2 to review and make recommendations regarding the amendment to Chapter 26;

WHEREAS, on January 12, 2023, the Building & Development Department conducted a workshop for citizens of Ward 3 to review and make recommendations regarding the amendment to Chapter 26;

WHEREAS, on January 17, 2023, the Building & Development Department conducted a workshop for citizens of Ward 4 to review and make recommendations regarding the amendment to Chapter 26;

WHEREAS, on January 26, 2023, the Building & Development Department conducted a workshop for citizens of Ward 1 to review and make recommendations regarding the amendment to Chapter 26;

WHEREAS, on Tuesday, December 12, 2023, at a regular City Council meeting, the City Council conducted a Public workshop to allow citizens to review and make recommendations regarding the amendment to Chapter 26;

WHEREAS, on Tuesday, December 12, 2023, the City Council, after consideration and recommendation by City Staff, determined that the ordinance amendment be approved as provided herein.

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

Section 1. Chapter 26 of the Code of Ordinances of the City of Rockport, Texas is hereby amended as set forth in the attached Exhibit A, incorporated herein.

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

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

Section 4. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby

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

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

Section 6. Failure to comply with any provision of this Ordinance constitutes a class C misdemeanor punishable as provided by the general penalty provisions of section 1-7 of the Rockport Code of Ordinances.

Section 7. This Ordinance shall be effective upon the date of final adoption hereof, and publication of the caption and penalties as required by law.

Section 8. This Ordinance shall become effective upon adoption by second and final reading.

APPROVED and **PASSED** on first reading the 12th day of December, 2023.

CITY OF ROCKPORT:

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

APPROVED, PASSED and ADOPTED on second reading the _____day of _____ 2023.

CITY OF ROCKPORT:

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

"EXHIBIT A"

CHAPTER 26 BUSINESSES

ARTICLE III - SHORT TERM RENTALS

Sec. 26-32 Purpose

The purpose of this Article is to establish regulations for the registration and use of privately owned dwellings as Short Term Rentals, to minimize negative ancillary impact on surrounding properties, to ensure the timely collection and payment of Hotel Occupancy Tax, and to provide for the general welfare of residents and visitors.

Sec. 26-33 Definitions.

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City. The City of Rockport, Texas.

Local Contact Person. The Owner, Operator, or person designated by the Owner or the Operator, who shall be available for the purpose of responding to concerns or requests for assistance related to the Owner's Short Term Rental.

Occupant(s) shall mean the person or persons who have rented the short term rental for a specified period and the daytime visitors of the overnight occupants.

Operator. The Owner or the Owner's authorized representative who is responsible for compliance with this Article while advertising and/or operating a Short Term Rental.

Owner. The person or entity that holds legal or equitable title to the Short Term Rental property.

Short Term Rental (STR). A privately owned dwelling, including but not limited to, a single family dwelling, condominium, duplex, townhouse, mobile home, ***recreational vehicle (RV)*** or any portion of such dwellings, rented by the public for consideration, and used for dwelling, lodging or sleeping purposes for any period less than 30 consecutive days. The term applies regardless of whether the dwelling was originally constructed or zoned as a residential dwelling. The term short term rental does not include:

(1) Multi-family dwelling(s), apartment complex, hotel, motel, dormitory, public or private club, recreational vehicle park, hospital and medical clinic, nursing home or convalescent home, foster home, transitional housing facility, any housing operated or used exclusively for religious, charitable or educational purposes, and any housing owned by a governmental agency and used to house its employees or for governmental purposes.

(2) Rental of a property pending closing of a real estate purchase contract.

DRAFT

Short Term Rental Permit. A permit issued by the City authorizing the use of a privately owned dwelling as a Short Term Rental.

Short Term Rental Unit. One or more habitable rooms forming a single habitable division within a Short Term Rental, or an entire undivided Short Term Rental, which is advertised to be occupied, is occupied, or is intended to be occupied by a single party of Guests under a single reservation and/or single rental payment.

Sec. 26-34 Applicability

(a) The property owner shall designate themselves or an agent to comply with the requirements of this Article on behalf of the owner. The owner or designated agent is sometimes referred to as "operator" herein.
(b) The owner shall not be relieved from any personal responsibility or personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the residential dwelling unit as a short term rental unit, regardless of whether such noncompliance was committed by the owner, operator, authorized agent or representative or the occupants or guests of the occupants.
(c) This article is not intended to provide any owner/operator of residential property with the right or privilege to violate any city zoning (Chapter 118; City of Rockport Code), private conditions, covenants or restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short term rental purposes as defined in this section or to repeal, arrogate, or impair any existing easements, covenants, or deed restrictions.
(d) Abrogation and greater restrictions. Where this article and another ordinance conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
(e) An advertisement promoting the availability of short-term rental property in violation of any provision of this ordinance is prima facie evidence of a violation.
(f) The provisions of this article pertaining to short term rentals shall be reviewed by the city council within one year of the adoption of Ordinance No. _____. Those provisions are subject to amendment or repeal upon such review or at any other time. The adoption of the short term rental provisions of this article shall not be construed to create any enforceable right to the continuation of short term rentals or any right to compensation for loss, damages, costs, or expenses alleged to have been incurred in reliance upon its adoption or suffered as a result of its repeal.

Sec. 26-35 Registration and Permit

a) *Registration Required:* Prior to using a dwelling unit as a short term rental or advertising in any manner the availability of the dwelling unit for short term rental use, the operator must submit the following information on a form and in the manner prescribed by the City Manager or his/her designee:

DRAFT

(1) The name, address, email and telephone number of the Owner and Operator of the subject short term rental unit;

(2) The name, address, email and telephone number of a designated Local Contact Person;

(3) The Local Contact Person is the Operator or person designated by the Operator who is available for the purpose of:

i. Responding to complaints ***presented by the Rockport Police Department*** regarding the condition, operation, or conduct of occupants of the short term rental unit; and

ii. Responding in person or by phone within twenty four (24) hours to all other complaints; and

iii. Taking remedial action in a timely manner to resolve any such complaints;

(4) The name, mailing and physical address of the proposed short term rental unit;

(5) The number of sleeping rooms and applicable occupancy limit of the proposed short term rental unit. For purposes of this section a sleeping room is any enclosed habitable space within a dwelling unit which complies with the minimum room dimension and egress requirements of the adopted International Residential Code (insert section). This shall not be interpreted to include living rooms, family rooms and other similar rooms in which furniture such as fold-down beds or convertible couches are provided on a permanent basis for regular accommodation of residents, temporary or otherwise;

i. Maximum occupancy is two (2) adults per sleeping room, plus an additional ***two (2)*** per dwelling unit. Children shall not be counted in the occupancy calculation. For purposes of this section an adult is an individual twelve (12) years or older at the time of rental.

ii. The maximum occupancy of a short term rental shall be determined at the time a short term rental permit is issued or renewed. That capacity shall not be increased by subsequent construction of any addition to the structure covered by the permit or by construction of any other structure located on the property without an inspection and approval by the Building Official and submission of an amended registration form;

(6) If the applicant does not own the property where the rental unit is located, the applicant must provide written documentation, signed by the property owner before a notary public, authorizing the registrant to operate a short term rental on the premises;

(7) The zoning district classification of the property, to be verified by the Building and Development Services Department;

DRAFT

(8) A diagram showing the proposed layout of the property use and any on-site parking available for the Short Term Rental;

(9) Payment of all fees, established by this article or the City Council and, for registration renewals, proof of collection and payment of Hotel Occupancy Tax due during the preceding registration periods; and

(10) Incomplete applications will not be processed and, as a result, any premises associated with an incomplete application will not be registered in compliance with or as required by this division; and

(11) Any additional information the City Manager or his/her designee determines necessary for the administration of this section.

(b) Prior to issuance of a Short Term Rental Permit, the Operator shall allow an on-site inspection of the Short Term Rental Unit by the Building Official or his/her designee to ensure compliance with the following:

(1) The requirements set forth in Section 26-36(a)(1) through (9) of this Article; and

(2) The requirements set forth in Sections 26-36(b)(1) through (9) of this Article.

Subsequent year registrations must include an affidavit that there are no changes since the last inspection. A live inspection must occur every 5 years.

(c) Any existing short term rental shall have ninety (90) days from adoption of the ordinance from which this article derives to complete the required registration and obtain their short term rental permit.

(d) Transferability. A short term rental permit is not transferable to a new property owner. a new owner must apply for a short term rental permit within sixty (60) days from the closing date of the purchase or any other conveyance of ownership. Failure of a new property owner to apply for permit within sixty (60) days from the closing date may result in the revocation or non- renewal of an existing short term rental permit or the denial of a new short term rental registration.

(e) Any property owner delinquent and/or owing city fees to include but not limited to property taxes, sanitation or utility service fees, and property maintenance fees will be prohibited from registering a short term rental until such time as payment or acceptable resolution is approved by the ***City Manager or his/her designee***.

(f) Registration fee; renewal fee.

(1)The short term rental registration form shall be accompanied by an initial non-refundable per unit registration fee as established by City Council.

(2) The initial registration of the short term rental is valid for twenty four (24) months from the date the completed registration is filed with the city and payment of the

DRAFT

registration fee has been made unless ownership of the short term rental changes at which time a new registration will be required and new permit issued. Subsequent renewal of a short term rental will be on an annual calendar year basis beginning January 1 of each year..

(g) Each short term rental, once properly registered, shall be issued a permit with a unique registration number. The registration number must be included in any and all advertisement for the short term rental including internet booking sites.

Sec. 26-36. Short Term Rental operational requirements.

(a) The Operator shall post the following information in a prominent location within the Short Term Rental Unit, using a form promulgated by the City:

(1) The unique Short Term Rental Permit number assigned to the Short Term Rental Unit;

(2) Operator name and number;

(3) Local Contact Person name and number;

(4) The location of any on-site and off-site parking spaces available for Guests;

(5) The occupancy limits;

(6) Instructions to Guests concerning disposal of garbage and handling of garbage containers;

(7) Depiction of floor plan identifying evacuation routes, including the dwelling's exits, primary evacuation routes and secondary evacuation routes near the front door of the dwelling;

(8) Information to assist guests in the case of emergencies posing threats to personal safety or damage to property, including emergency and non-emergency telephone numbers for police, fire and emergency medical services providers and instructions for obtaining severe weather, natural or manmade disaster alerts and updates;

(9) Notification that the Guests are responsible for compliance with all applicable laws, rules and regulations pertaining to the use and occupancy of the Short Term Rental, and that Guests may be fined by the City for violations of this Article; and

(b) The Operator shall operate a Short Term Rental in compliance with the following:

DRAFT

(1) Zoning regulations prescribed for the zoning district in which such Short Term Rental is located, set forth in Chapter 118 of the Code of Ordinances.

(2) City of Rockport Sign Ordinance, as applicable, set forth in Chapter 6 Article II of the Code of Ordinances.

(3) Maximum occupancy limits prescribed by the Building Official, pursuant to the International Fire Code as adopted in Chapter 46 Article III of the Code of Ordinances.

(4)Parking shall comply with Chapter 98, Article IV of the City's Code of Ordinances

(5) Each Short-Term Rental owner shall provide in the Short-Term Rental working smoke/carbon monoxide detectors in accordance with adopted codes, and at least one working type A fire extinguisher. The premises shall otherwise comply with the applicable Code of Ordinance requirements, including but not limited to all building and fire codes.

(6) City of Rockport Hotel Occupancy Tax Ordinance, set forth in Chapter 94 Article IV of the Code of Ordinances.

(7) City of Rockport Noise and Sound Level Regulation Ordinance, set forth in Chapter 42 Article III of the Code of Ordinances.

(8) City of Rockport Garbage Collection Ordinance, set forth in Chapter 82 Article II of the Code of Ordinances. Accumulation of trash per Chapter 42 Article II division 2.

(9) During any period when a Short Term Rental is occupied or intended to be occupied by Guests, the Local Contact Person shall be available for the purpose of responding to concerns or requests for assistance related to the condition, operation, or conduct of Guests of the Short Term Rental.

Sec. 26-37. Notification of complaints.

Complaints related to the operation of a Short Term Rental, including but not limited to complaints concerning noise, garbage, parking, and disorderly conduct by Guests, shall be reported to the City Code Enforcement office for daytime hours and the Police Department after hours.

Sec. 26-38. Compliance with other laws.

The Owner, Operator, Local Contact Person, and Guests shall comply with all applicable laws, rules and regulations pertaining to the operation, use, and occupancy of a Short Term Rental. The Owner shall not be relieved from any civil or criminal liability for a violation of this Article,

DRAFT

regardless of whether such violation is committed by the Owner, Operator, Local Contact Person, or Guest of the Owner's Short Term Rental.

Nothing in this Article shall be construed to relieve any person or Owner of any other applicable requirements of federal, state, or local law, rules, or regulations. Nothing in this Article shall be construed to provide any property owner with the right or privilege to violate any private conditions, covenants, and restrictions applicable to the Owner's property that may prohibit the use of such Owner's property as a Short Term Rental as defined in this Article.

Sec. 26-39. Compliance and Penalty provision.

(a) It shall be unlawful for any person or entity to violate any provision of this Article. Proof that a violation of this Article occurred at a Short Term Rental shall create a rebuttable presumption that the Owner of said Short Term Rental committed the violation.

(b) Any violation of this Article is a Class C misdemeanor offense, and upon conviction, shall be punished by a fine as set forth in Section 1-7 of the Code of Ordinances.

(c) Prosecution under this Article shall not require the pleading or proving of any culpable mental state.

(d) Penalties provided for in this Article are in addition to any other criminal or civil remedies that the City may pursue under federal, state, or local law.

Sec. 26-40. Permit suspension or revocation; appeal.

Upon conviction of a violation of this Article, the City Manager may suspend or revoke any Short Term Rental Permit issued for the same Short Term Rental where the violation occurred. The City Manager shall notify an Owner of a suspension or revocation under this Section in writing, delivered by Certified Mail, Return Receipt Requested, and mailed to the address of the Owner as set forth on the most recent Short Term Rental Permit application submitted to the City.

An Owner may appeal a notice of suspension or revocation under this Section by filing a written appeal with the City Manager within ten business days following the date said notice was deposited in the U.S. Mail. Following a timely filing of an appeal hereunder, the Owner may present evidence to the City Manager related to the suspension or revocation under this Section. Following the City Manager's final decision on appeal, the Owner may appeal an adverse decision of the City Manager by filing a written appeal with the City Council within five business days following the date of the City Manager's final decision.

DRAFT

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

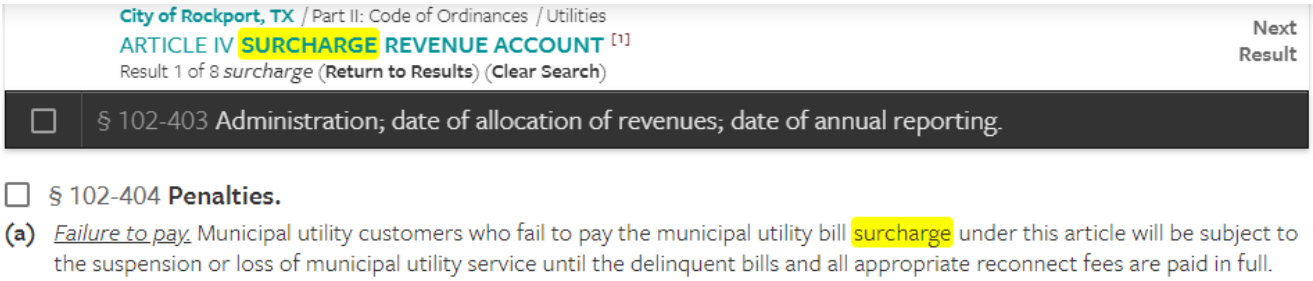
AGENDA ITEM: 22

Deliberate and act on first reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102, "Utilities", Article IV, "Surcharge Revenue Account" Section 102-404 "Penalties", relating to the consequences of opting out; repealing all prior ordinances in conflict herewith; and providing for an effective date.

SUBMITTED BY: Robbie Sorrell, Director of Finance

APPROVED FOR AGENDA: VRS

BACKGROUND: The City of Rockport has operated the surcharge revenue account (a/k/a Fire Fund as defined on the utility bill) as an opt-out program; however, per the Code of Ordinances, the surcharge is mandated under penalty of "suspension or loss of municipal utility service" per below:



At the November 14, 2023, Council meeting, Council was informed of the disconnect and ask staff to prepare an ordinance supporting the practice of voluntary participation and in accordance with PUC Chapter 24, Subchapter F.

FISCAL ANALYSIS: Administrative action, no fiscal impact expected.

RECOMMENDATION: Staff recommends Council approve the first reading of the Ordinance, as presented.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS AMENDING CITY OF ROCKPORT CODE OF ORDINANCES CHAPTER 102 "UTILITIES", ARTICLE IV "SURCHARGE REVENUE ACCOUNT" SECTION 102-404 "PENALTIES" RELATING TO THE CONSEQUENCES OF OPTING OUT; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council learned on November 14, 2023 that the Code of Ordinances mandated collection of the surcharge: "Municipal utility customers who fail to pay the municipal utility bill surcharge under this article will be subject to the suspension or loss of municipal utility service until the delinquent bills and all appropriate reconnect fees are paid in full."

WHEREAS, the City Council asked staff to amend the language to make the ordinance voluntary and in accordance with PUC Chapter 24, Subchapter F.

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

SECTION 1. Chapter 102 "Utilities", Article IV "Surcharge Revenue Account", Section 102-404 "Penalties" of the Rockport Code of Ordinances are hereby amended to wit:

§ 102-404Penalties.

(a) *Failure to pay.* Municipal utility customers who ~~fail~~ opt out of ~~to pay~~ the municipal utility bill surcharge under this article will not be subject to the suspension or loss of municipal utility service ~~until the delinquent bills and all appropriate reconnect fees are paid in full~~.

(b) *Failure to expend properly.* Should any fire department misuse the funds allocated to them under this article the council shall have the option of:

(1) Requiring a repayment of a like amount to the municipal utility bill surcharge revenue account;

(2) Deducting a like amount from the next annual disbursement, with the funds remaining in the municipal utility bill surcharge revenue account; or

(3) Deducting a like amount from the next annual disbursement and adding that amount to the disbursement to the other volunteer fire department.

SECTION 2.

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

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 3.
If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 4.
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 4.
This Ordinance shall become effective upon adoption by second and final reading.

APPROVED on first reading the 12th day of December 2023.

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe,
Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

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

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe,
Mayor

ATTEST:

_____

Teresa Valdez, City Secretary

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

AGENDA ITEM: 23

Postponed – November 14, 2023: Deliberate and act on first reading of an Ordinance of the City Council of the City of Rockport, Texas 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.

SUBMITTED BY: City Manager Vanessa Shrauner

APPROVED FOR AGENDA: VRS

BACKGROUND: In September of this year, City Council approved an increase in water rates for out of City customers. As per the requirements of the Public Utility Commission (PUC), notification to ratepayers is mandatory whenever there is a change in rates. The City duly submitted the necessary notification to our third-party bill processor, with the expectation that it would be included in the bills.

It came to our attention that an entire paragraph was omitted from the notification that was sent with the bills. Attached is the PDF originally submitted to the processor as well as the version that was distributed to the rate payers.

An investigation was held to identify the root cause of this process failure. It was determined that the omission was made by the third-party processor.

As a result, staff presented a proposed Ordinance to Council to repeal the rate increase as it is not valid and additionally, we need to refund the amount of the increase to the out of City rate payers. Council voted to postpone the first reading of the proposed Ordinance until the December 12, 2023 City Council meeting.

FISCAL ANALYSIS: Refund to ratepayers of the increase for the time since the new rate became effective. The dollar amount is unknown as it will go through the time of the second reading of this Ordinance.

RECOMMENDATION: Staff recommends approval.

From: Jamie Gonzales
To: Vanessa Shrauner
Cc: Robbie Sorrell
Subject: FW: Insert for Rockport
Date: Wednesday, November 8, 2023 4:20:34 PM
Attachments: Utility Rate Notice.pdf

Hi Vanessa!

This is the original email I sent to Data Prose with the attached PDF insert.

From: Jamie Gonzales
Sent: Thursday, September 14, 2023 9:20 AM
To: Craig Wewerka <cwewerka@dataprose.com>
Subject: Insert for Rockport

Good morning, Craig!

We will need an insert with this month's billing statement. I am sending the attached pdf. Will you send me the form to sign to confirm?
My Finance Director also wanted me to ask if you all send a proof?
Please let me know if you have any questions or concerns.
Also, I did have another question, when I send over the file for our billing statements, the information on the back of the bill, do you have the ability to update information or does that have to come through in the file we send to you?

Thank you!

Jamie Gonzales

City of Rockport
Utility Billing Supervisor
402 E Laurel St
Rockport, Tx 78382
(361)729-2213 ext:235
utility3@cityofrockport.com

This e-mail message is intended only for the named recipient(s) above. It may contain confidential information. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this e-mail and any attachment(s) is strictly prohibited. The City of

Greetings, per Texas Water Code, this insert provides written notice of rate changes (effectively dated 9.15.2023) specifically as they apply to ratepayers located outside city limits:

Gas

Sec. 102-532. - Natural gas rates for Town of Fulton.

From: Jamie Gonzales
Sent: Thursday, September 14, 2023 9:20 AM
To: Craig Wewerka <cwewerka@dataprose.com>
Subject: Insert for Rockport

Good morning, Craig!

We will need an insert with this month's billing statement. I am sending the attached pdf. Will you send me the form to sign to confirm?
My Finance Director also wanted me to ask if you all send a proof?
Please let me know if you have any questions or concerns.
Also, I did have another question, when I send over the file for our billing statements, the information on the back of the bill, do you have the ability to update information or does that have to come through in the file we send to you?

Thank you!

Jamie Gonzales

City of Rockport
Utility Billing Supervisor
402 E Laurel St
Rockport, Tx 78382
(361)729-2213 ext:235
utility3@cityofrockport.com

This e-mail message is intended only for the named recipient(s) above. It may contain confidential information. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this e-mail and any attachment(s) is strictly prohibited. The City of Rockport reserves the right to archive and monitor all e-mail communications through its networks. If you have received this e-mail in error, please immediately notify the sender by replying

CITY of ROCKPORT, TEXAS

Est. 1870

Greetings, per Texas Water Code, this insert provides written notice of rate changes (effectively dated 9.15.2023) specifically as they apply to ratepayers located outside city limits:

Gas

Sec. 102-532. - Natural gas rates for Town of Fulton.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to customers within the corporate city limits of the Town of Fulton, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	**$35.08**
Per 1,000 CF	~~$3.34~~	**$3.76**

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

Sec. 102-533. - Natural gas rates for unincorporated areas of Aransas County.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to the unincorporated areas of Aransas County, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	**$35.08**
Per 1,000 CF	~~$3.34~~	**$3.76**

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

Water

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.

Wastewater

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.

Additional information about rates may be found at https://www.cityofrockport.com.

CITY of ROCKPORT, TEXAS

Est. 1870

Sec. 102-532. - Natural gas rates for Town of Fulton.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to customers within the corporate city limits of the Town of Fulton, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	$35.08
Per 1,000 CF	~~$3.34~~	$3.76

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

Sec. 102-533. - Natural gas rates for unincorporated areas of Aransas County.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to the unincorporated areas of Aransas County, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	$35.08
Per 1,000 CF	~~$3.34~~	$3.76

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

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.

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.

Rockport reserves the right to archive and monitor all e-mail communications through its networks. If you have received this e-mail in error, please immediately notify the sender by replying to this e-mail and delete the message and any attachment(s) from your system.

From: Jamie Gonzales
To: Vanessa Shrauner
Cc: Robbie Sorrell
Subject: FW: Insert for Rockport
Date: Thursday, November 9, 2023 3:20:04 PM

This was the response email sent by Data Prose.

From: Craig Wewerka <cwewerka@dataprose.com>
Sent: Thursday, November 9, 2023 10:33 AM
To: Jamie Gonzales <utility3@cityofrockport.com>
Subject: RE: Insert for Rockport

WARNING: This email is from an external source. Do not click links or open attachments without positive sender verification of purpose. Never enter Username, Password or sensitive information on linked pages from this email. If you are unsure about the message, please forward to itstaff@cityofrockport.com for assistance.

Hi Jamie,

It would have been a problem when printed and wasn't caught. The issue happened with our art and if there is an issue it will be caught and corrected in production. In this case it was missed. I spoke with the production supervisor and confirmed it was a mistake by the printer and corrected.

Craig Wewerka
Account Manager
Matrix Imaging Solutions
Direct (972) 462-5437
Toll Free (800) 876-5015

While our company structure is still the same, our email addresses are changing – PLEASE NOTE: my email address is now cwewerka@matriximaging.com

From: Jamie Gonzales <utility3@cityofrockport.com>
Sent: Wednesday, November 8, 2023 4:46 PM
To: Craig Wewerka <cwewerka@dataprose.com>
Subject: FW: Insert for Rockport

Hello Craig!

Sorry to bother you so late in the day.
I have a question regarding this insert notification that was sent a couple of months ago.
It looks like the printed copy that went out to our customers was missing some information.
It was missing the whole Greetings paragraph. Do we know what may have happened during the printing process?
Management is needing this information.

Thank you for any information and help you can provide.

to this e-mail and delete the message and any attachment(s) from your system.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS 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.

WHEREAS, the City Council considered on second reading Ordinance No. 1909 ("Rate Ordinance") that, among other things, approved water rates for out of city customers; and

WHEREAS, the City, as required by law, attempted to notify the out of city ratepayers of the water rate increase; and

WHEREAS, the City has discovered that ratepayers receiving paper notices did not receive sufficient notice of the rate increase, as required by law; and

WHEREAS, the City now seeks to repeal said rate increase and refund the affected ratepayers of the differential related thereto.

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

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Repealer. The Amendment and changes made in the Rate Ordinance to Chapter 102 "Utilities," Article II. "Water Service," Division 3 "Service Charges," Sec. 102-58 "Water rates outside city limits" are hereby repealed and the outside city water rates in effect immediately prior to the adoption of the Rate Ordinance pursuant to Chapter 102 "Utilities," Article II. "Water Service," Division 3 "Service Charges," Sec. 102-58 "Water rates outside city limits" remain in effect as of the date the Rate Order became effective. Thus, Sec. 102-58 "Water rates outside city limits" is returned to read as follows:

> 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	**MINIMUM**	~~**NEW**~~
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	**MINIMUM**	~~**NEW**~~
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.

SECTION 3. Refunds. The City shall refund to the affected ratepayers of the repealer contained in Section 2 hereof a refund of the differential between the amounts collected pursuant to the Rate Order and the amount of the applicable rate just prior to the adoption of the Rate Order. Said refunds shall appear on the affected ratepayers next applicable water bill or in any other manner adequate in law as determined by the City Manager.

SECTION 4. Repealer Clause.

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

SECTION 5. 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 6. Effective Date.

This ordinance shall become effective upon adoption on second reading by the Rockport City Council.

APPROVED on first reading the _____ day of December 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 December 2023.

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

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

AGENDA ITEM: 24

Postponed – November 14, 2023: Deliberate and act on first reading of an Ordinance of the City Council of the City of Rockport, Texas 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.

SUBMITTED BY: City Manager Vanessa Shrauner

APPROVED FOR AGENDA: VRS

BACKGROUND: In September of this year, City Council approved an increase in waste rates for out of city customers. As per the requirements of the Public Utility Commission (PUC), notification to ratepayers is mandatory whenever there is a change in rates. The City duly submitted the necessary notification to our third-party bill processor, with the expectation that it would be included in the bills.

It came to our attention that an entire paragraph was omitted from the notification that was sent with the bills. Attached is the PDF originally submitted to the processor as well as the version that was distributed to the rate payers.

An investigation was held to identify the root cause of this process failure. It was determined that the omission was made by the third-party processor.

As a result, staff presented a proposed Ordinance to Council to readopt the water rates. Additionally, I had lowered the base rate increase and increased the conservation rate to provide relief to the aggrieved and fixed income out of district rate payers.

Council voted to postpone the first reading of the proposed Ordinance until the December 12, 2023 City Council meeting.

FISCAL ANALYSIS: Rates reflect cost of service.

RECOMMENDATION: Staff recommends approval.

From: Jamie Gonzales
To: Vanessa Shrauner
Cc: Robbie Sorrell
Subject: FW: Insert for Rockport
Date: Wednesday, November 8, 2023 4:20:34 PM
Attachments: Utility Rate Notice.pdf

Hi Vanessa!

This is the original email I sent to Data Prose with the attached PDF insert.

From: Jamie Gonzales
Sent: Thursday, September 14, 2023 9:20 AM
To: Craig Wewerka <cwewerka@dataprose.com>
Subject: Insert for Rockport

Good morning, Craig!

We will need an insert with this month's billing statement. I am sending the attached pdf. Will you send me the form to sign to confirm?
My Finance Director also wanted me to ask if you all send a proof?
Please let me know if you have any questions or concerns.
Also, I did have another question, when I send over the file for our billing statements, the information on the back of the bill, do you have the ability to update information or does that have to come through in the file we send to you?

Thank you!

Jamie Gonzales

City of Rockport
Utility Billing Supervisor
402 E Laurel St
Rockport, Tx 78382
(361)729-2213 ext:235
utility3@cityofrockport.com

This e-mail message is intended only for the named recipient(s) above. It may contain confidential information. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this e-mail and any attachment(s) is strictly prohibited. The City of

Greetings, per Texas Water Code, this insert provides written notice of rate changes (effectively dated 9.15.2023) specifically as they apply to ratepayers located outside city limits:

Gas

Sec. 102-532. - Natural gas rates for Town of Fulton.

From: Jamie Gonzales
Sent: Thursday, September 14, 2023 9:20 AM
To: Craig Wewerka <cwewerka@dataprose.com>
Subject: Insert for Rockport

Good morning, Craig!

We will need an insert with this month's billing statement. I am sending the attached pdf. Will you send me the form to sign to confirm?
My Finance Director also wanted me to ask if you all send a proof?
Please let me know if you have any questions or concerns.
Also, I did have another question, when I send over the file for our billing statements, the information on the back of the bill, do you have the ability to update information or does that have to come through in the file we send to you?

Thank you!

Jamie Gonzales

City of Rockport
Utility Billing Supervisor
402 E Laurel St
Rockport, Tx 78382
(361)729-2213 ext:235
utility3@cityofrockport.com

This e-mail message is intended only for the named recipient(s) above. It may contain confidential information. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this e-mail and any attachment(s) is strictly prohibited. The City of Rockport reserves the right to archive and monitor all e-mail communications through its networks. If you have received this e-mail in error, please immediately notify the sender by replying

CITY of ROCKPORT, TEXAS

Est. 1870

Greetings, per Texas Water Code, this insert provides written notice of rate changes (effectively dated 9.15.2023) specifically as they apply to ratepayers located outside city limits:

Gas

Sec. 102-532. - Natural gas rates for Town of Fulton.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to customers within the corporate city limits of the Town of Fulton, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	**$35.08**
Per 1,000 CF	~~$3.34~~	**$3.76**

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

Sec. 102-533. - Natural gas rates for unincorporated areas of Aransas County.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to the unincorporated areas of Aransas County, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	**$35.08**
Per 1,000 CF	~~$3.34~~	**$3.76**

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

Water

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.

Wastewater

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.

Additional information about rates may be found at https://www.cityofrockport.com.

CITY of ROCKPORT, TEXAS

Est. 1870

Sec. 102-532. - Natural gas rates for Town of Fulton.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to customers within the corporate city limits of the Town of Fulton, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	$35.08
Per 1,000 CF	~~$3.34~~	$3.76

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

Sec. 102-533. - Natural gas rates for unincorporated areas of Aransas County.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to the unincorporated areas of Aransas County, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	$35.08
Per 1,000 CF	~~$3.34~~	$3.76

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

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.

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.

Rockport reserves the right to archive and monitor all e-mail communications through its networks. If you have received this e-mail in error, please immediately notify the sender by replying to this e-mail and delete the message and any attachment(s) from your system.

From: Jamie Gonzales
To: Vanessa Shrauner
Cc: Robbie Sorrell
Subject: FW: Insert for Rockport
Date: Thursday, November 9, 2023 3:20:04 PM

This was the response email sent by Data Prose.

From: Craig Wewerka <cwewerka@dataprose.com>
Sent: Thursday, November 9, 2023 10:33 AM
To: Jamie Gonzales <utility3@cityofrockport.com>
Subject: RE: Insert for Rockport

WARNING: This email is from an external source. Do not click links or open attachments without positive sender verification of purpose. Never enter Username, Password or sensitive information on linked pages from this email. If you are unsure about the message, please forward to itstaff@cityofrockport.com for assistance.

Hi Jamie,

It would have been a problem when printed and wasn't caught. The issue happened with our art and if there is an issue it will be caught and corrected in production. In this case it was missed. I spoke with the production supervisor and confirmed it was a mistake by the printer and corrected.

Craig Wewerka
Account Manager
Matrix Imaging Solutions
Direct (972) 462-5437
Toll Free (800) 876-5015

While our company structure is still the same, our email addresses are changing – PLEASE NOTE: my email address is now cwewerka@matriximaging.com

From: Jamie Gonzales <utility3@cityofrockport.com>
Sent: Wednesday, November 8, 2023 4:46 PM
To: Craig Wewerka <cwewerka@dataprose.com>
Subject: FW: Insert for Rockport

Hello Craig!

Sorry to bother you so late in the day.
I have a question regarding this insert notification that was sent a couple of months ago.
It looks like the printed copy that went out to our customers was missing some information.
It was missing the whole Greetings paragraph. Do we know what may have happened during the printing process?
Management is needing this information.

Thank you for any information and help you can provide.

to this e-mail and delete the message and any attachment(s) from your system.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS 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.

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

SECTION 1. Water Rates. Chapter 102 "Utilities," Article II. "Water Service," Division 3 "Service Charges," Sec. 102-58 "Water rates outside city limits" is hereby amended to wit:

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	**MINIMUM**	**NEW**
¾	~~$29.95~~	**$32.86**
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~~ **$9.10** 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~~ **$10.60** 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~~ **$12.04** 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, 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	**MINIMUM**	**NEW**
¾	~~$29.95~~	**$33.06**
1	~~$36.21~~	**$39.84**
1½	~~$67.62~~	**$73.41**
2	~~$104.68~~	
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.

SECTION 2. Repealer Clause.

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 December 15, 2023 and reflected on the February 1, 2024 billing.

APPROVED on first reading the _____ day of December 2023.

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

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

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

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

AGENDA ITEM: 25

Postponed – November 14, 2023: Deliberate and act on first reading of an Ordinance of the City Council of the City of Rockport, Texas 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.

SUBMITTED BY: City Manager Vanessa Shrauner

APPROVED FOR AGENDA: VRS

BACKGROUND: In September of this year, City Council approved an increase in wastewater rates for out of city customers. As per the requirements of the Public Utility Commission (PUC), notification to ratepayers is mandatory whenever there is a change in rates. The City duly submitted the necessary notification to our third-party bill processor, with the expectation that it would be included in the bills.

It came to our attention that an entire paragraph was omitted from the notification that was sent with the bills. Attached is the PDF originally submitted to the processor as well as the version that was distributed to the rate payers.

An investigation was held to identify the root cause of this process failure. It was determined that the omission was made by the third-party processor.

As a result, staff presented a proposed Ordinance to Council to repeal the rate increase as it is not valid and additionally, we need to refund the amount of the increase to the out of City rate payers. Council voted to postpone the first reading of the proposed Ordinance until the December 12, 2023 City Council meeting.

FISCAL ANALYSIS: Refund to ratepayers of the increase for the time since the new rate became effective. The dollar amount is unknown as it will go through the time of second reading of this ordinance.

RECOMMENDATION: Staff recommends approval.

From: Jamie Gonzales
To: Vanessa Shrauner
Cc: Robbie Sorrell
Subject: FW: Insert for Rockport
Date: Wednesday, November 8, 2023 4:20:34 PM
Attachments: Utility Rate Notice.pdf

Hi Vanessa!

This is the original email I sent to Data Prose with the attached PDF insert.

From: Jamie Gonzales
Sent: Thursday, September 14, 2023 9:20 AM
To: Craig Wewerka <cwewerka@dataprose.com>
Subject: Insert for Rockport

Good morning, Craig!

We will need an insert with this month's billing statement. I am sending the attached pdf. Will you send me the form to sign to confirm?
My Finance Director also wanted me to ask if you all send a proof?
Please let me know if you have any questions or concerns.
Also, I did have another question, when I send over the file for our billing statements, the information on the back of the bill, do you have the ability to update information or does that have to come through in the file we send to you?

Thank you!

Jamie Gonzales

City of Rockport
Utility Billing Supervisor
402 E Laurel St
Rockport, Tx 78382
(361)729-2213 ext:235
utility3@cityofrockport.com

This e-mail message is intended only for the named recipient(s) above. It may contain confidential information. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this e-mail and any attachment(s) is strictly prohibited. The City of

Greetings, per Texas Water Code, this insert provides written notice of rate changes (effectively dated 9.15.2023) specifically as they apply to ratepayers located outside city limits:

Gas

Sec. 102-532. - Natural gas rates for Town of Fulton.

From: Jamie Gonzales
Sent: Thursday, September 14, 2023 9:20 AM
To: Craig Wewerka <cwewerka@dataprose.com>
Subject: Insert for Rockport

Good morning, Craig!

We will need an insert with this month's billing statement. I am sending the attached pdf. Will you send me the form to sign to confirm?
My Finance Director also wanted me to ask if you all send a proof?
Please let me know if you have any questions or concerns.
Also, I did have another question, when I send over the file for our billing statements, the information on the back of the bill, do you have the ability to update information or does that have to come through in the file we send to you?

Thank you!

Jamie Gonzales

City of Rockport
Utility Billing Supervisor
402 E Laurel St
Rockport, Tx 78382
(361)729-2213 ext:235
utility3@cityofrockport.com

This e-mail message is intended only for the named recipient(s) above. It may contain confidential information. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this e-mail and any attachment(s) is strictly prohibited. The City of Rockport reserves the right to archive and monitor all e-mail communications through its networks. If you have received this e-mail in error, please immediately notify the sender by replying

CITY of ROCKPORT, TEXAS

Est. 1870

Greetings, per Texas Water Code, this insert provides written notice of rate changes (effectively dated 9.15.2023) specifically as they apply to ratepayers located outside city limits:

Gas

Sec. 102-532. - Natural gas rates for Town of Fulton.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to customers within the corporate city limits of the Town of Fulton, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	**$35.08**
Per 1,000 CF	~~$3.34~~	**$3.76**

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

Sec. 102-533. - Natural gas rates for unincorporated areas of Aransas County.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to the unincorporated areas of Aransas County, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	**$35.08**
Per 1,000 CF	~~$3.34~~	**$3.76**

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

Water

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.

Wastewater

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.

Additional information about rates may be found at https://www.cityofrockport.com.

CITY of ROCKPORT, TEXAS

Est. 1870

Sec. 102-532. - Natural gas rates for Town of Fulton.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to customers within the corporate city limits of the Town of Fulton, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	$35.08
Per 1,000 CF	~~$3.34~~	$3.76

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

Sec. 102-533. - Natural gas rates for unincorporated areas of Aransas County.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to the unincorporated areas of Aransas County, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	$35.08
Per 1,000 CF	~~$3.34~~	$3.76

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

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.

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.

Rockport reserves the right to archive and monitor all e-mail communications through its networks. If you have received this e-mail in error, please immediately notify the sender by replying to this e-mail and delete the message and any attachment(s) from your system.

From: Jamie Gonzales
To: Vanessa Shrauner
Cc: Robbie Sorrell
Subject: FW: Insert for Rockport
Date: Thursday, November 9, 2023 3:20:04 PM

This was the response email sent by Data Prose.

From: Craig Wewerka <cwewerka@dataprose.com>
Sent: Thursday, November 9, 2023 10:33 AM
To: Jamie Gonzales <utility3@cityofrockport.com>
Subject: RE: Insert for Rockport

WARNING: This email is from an external source. Do not click links or open attachments without positive sender verification of purpose. Never enter Username, Password or sensitive information on linked pages from this email. If you are unsure about the message, please forward to itstaff@cityofrockport.com for assistance.

Hi Jamie,

It would have been a problem when printed and wasn't caught. The issue happened with our art and if there is an issue it will be caught and corrected in production. In this case it was missed. I spoke with the production supervisor and confirmed it was a mistake by the printer and corrected.

Craig Wewerka
Account Manager
Matrix Imaging Solutions
Direct (972) 462-5437
Toll Free (800) 876-5015

While our company structure is still the same, our email addresses are changing – PLEASE NOTE: my email address is now cwewerka@matriximaging.com

From: Jamie Gonzales <utility3@cityofrockport.com>
Sent: Wednesday, November 8, 2023 4:46 PM
To: Craig Wewerka <cwewerka@dataprose.com>
Subject: FW: Insert for Rockport

Hello Craig!

Sorry to bother you so late in the day.
I have a question regarding this insert notification that was sent a couple of months ago.
It looks like the printed copy that went out to our customers was missing some information.
It was missing the whole Greetings paragraph. Do we know what may have happened during the printing process?
Management is needing this information.

Thank you for any information and help you can provide.

to this e-mail and delete the message and any attachment(s) from your system.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS 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.

WHEREAS, the City Council considered on second reading Ordinance No. 1910 ("Rate Ordinance") that, among other things, approved wastewater rates for out of city customers; and

WHEREAS, the City, as required by law, attempted to notify the out of city ratepayers of the wastewater rate increase; and

WHEREAS, the City has discovered that ratepayers receiving paper notices did not receive sufficient notice of the rate increase, as required by law; and

WHEREAS, the City now seeks to repeal said rate increase and refund the affected ratepayers of the differential related thereto.

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

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Repealer. The Amendment and changes made in the Rate Ordinance to Chapter 102 "Utilities," Article III. "Wastewater Service," Division 4 "Service Charges," Sec. 102-267 "Wastewater rates outside city limits" and Sec. 102.269 "Rates if not on city water" are hereby repealed and the outside city wastewater rates in effect immediately prior to the adoption of the Rate Ordinance pursuant to Chapter 102 "Utilities," Article III. "Wastewater Service," Division 4 "Service Charges," Sec. 102-267 "Wastewater rates outside city limits" and Sec. 102-269 remain in effect as of the date the Rate Order became effective. Thus, Sec. 102-267 "Wastewater rates outside city limits" and Sec. 102.269 "Rates if not on city water" are returned to read as follows:

Sec. 102-267. - Wastewater rates outside 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 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. 102-269. 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 City Limits	Outside the City Limits	~~NEW Outside City Limits~~
Residential/Single-family	$46.38	$55.89	~~**$70.98**~~
Nonresidential/non-single family	$52.79	$63.58	~~**$80.75**~~
Commercial operations (car washes/laundry), minimum*	$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.

SECTION 3. Refunds. The City shall refund to the affected ratepayers of the repealer contained in Section 2 hereof a refund of the differential between the amounts collected pursuant to the Rate Order and the amount of the applicable rate just prior to the adoption of the Rate Order. Said refunds shall appear on the affected ratepayers next applicable bill or in any other manner adequate in law as determined by the City Manager.

SECTION 4. Repealer Clause.

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

SECTION 5. 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 6. Effective Date.

This ordinance shall become effective upon adoption on second reading by the Rockport City Council.

APPROVED on first reading the _____ day of December 2023.

CITY OF ROCKPORT, TEXAS

_____

Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

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

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

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

AGENDA ITEM: 26

Postponed- November 14, 2023: Deliberate and act on first reading of an Ordinance of the City Council of the City of Rockport, Texas amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article III. "Wastewater Service", Division 4. "Service Charges" by amending wastewater 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.

SUBMITTED BY: City Manager Vanessa Shrauner

APPROVED FOR AGENDA: VRS

BACKGROUND: In September of this year, City Council approved an increase in wastewater rates for out of city customers. As per the requirements of the Public Utility Commission (PUC), notification to ratepayers is mandatory whenever there is a change in rates. The City duly submitted the necessary notification to our third-party bill processor, with the expectation that it would be included in the bills.

It came to our attention that an entire paragraph was omitted from the notification that was sent with the bills. Attached is the PDF originally submitted to the processor as well as the version that was distributed to the rate payers.

An investigation was held to identify the root cause of this process failure. It was determined that the omission was made by the third-party processor.

As a result, staff presented a proposed Ordinance to Council to readopt the wastewater rates.

Council voted to postpone the first reading of the proposed Ordinance until the December 12, 2023, City Council meeting.

FISCAL ANALYSIS: Rates reflect cost of service.

RECOMMENDATION: Staff recommends approval.

From: Jamie Gonzales
To: Vanessa Shrauner
Cc: Robbie Sorrell
Subject: FW: Insert for Rockport
Date: Wednesday, November 8, 2023 4:20:34 PM
Attachments: Utility Rate Notice.pdf

Hi Vanessa!

This is the original email I sent to Data Prose with the attached PDF insert.

From: Jamie Gonzales
Sent: Thursday, September 14, 2023 9:20 AM
To: Craig Wewerka <cwewerka@dataprose.com>
Subject: Insert for Rockport

Good morning, Craig!

We will need an insert with this month's billing statement. I am sending the attached pdf. Will you send me the form to sign to confirm?
My Finance Director also wanted me to ask if you all send a proof?
Please let me know if you have any questions or concerns.
Also, I did have another question, when I send over the file for our billing statements, the information on the back of the bill, do you have the ability to update information or does that have to come through in the file we send to you?

Thank you!

Jamie Gonzales

City of Rockport
Utility Billing Supervisor
402 E Laurel St
Rockport, Tx 78382
(361)729-2213 ext:235
utility3@cityofrockport.com

This e-mail message is intended only for the named recipient(s) above. It may contain confidential information. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this e-mail and any attachment(s) is strictly prohibited. The City of

Greetings, per Texas Water Code, this insert provides written notice of rate changes (effectively dated 9.15.2023) specifically as they apply to ratepayers located outside city limits:

Gas

Sec. 102-532. - Natural gas rates for Town of Fulton.

From: Jamie Gonzales
Sent: Thursday, September 14, 2023 9:20 AM
To: Craig Wewerka <cwewerka@dataprose.com>
Subject: Insert for Rockport

Good morning, Craig!

We will need an insert with this month's billing statement. I am sending the attached pdf. Will you send me the form to sign to confirm?
My Finance Director also wanted me to ask if you all send a proof?
Please let me know if you have any questions or concerns.
Also, I did have another question, when I send over the file for our billing statements, the information on the back of the bill, do you have the ability to update information or does that have to come through in the file we send to you?

Thank you!

Jamie Gonzales

City of Rockport
Utility Billing Supervisor
402 E Laurel St
Rockport, Tx 78382
(361)729-2213 ext:235
utility3@cityofrockport.com

This e-mail message is intended only for the named recipient(s) above. It may contain confidential information. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this e-mail and any attachment(s) is strictly prohibited. The City of Rockport reserves the right to archive and monitor all e-mail communications through its networks. If you have received this e-mail in error, please immediately notify the sender by replying

CITY of ROCKPORT, TEXAS

Est. 1870

Greetings, per Texas Water Code, this insert provides written notice of rate changes (effectively dated 9.15.2023) specifically as they apply to ratepayers located outside city limits:

Gas

Sec. 102-532. - Natural gas rates for Town of Fulton.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to customers within the corporate city limits of the Town of Fulton, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	**$35.08**
Per 1,000 CF	~~$3.34~~	**$3.76**

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

Sec. 102-533. - Natural gas rates for unincorporated areas of Aransas County.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to the unincorporated areas of Aransas County, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	**$35.08**
Per 1,000 CF	~~$3.34~~	**$3.76**

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

Water

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.

Wastewater

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.

Additional information about rates may be found at https://www.cityofrockport.com.

CITY of ROCKPORT, TEXAS

Est. 1870

Sec. 102-532. - Natural gas rates for Town of Fulton.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to customers within the corporate city limits of the Town of Fulton, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	$35.08
Per 1,000 CF	~~$3.34~~	$3.76

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

Sec. 102-533. - Natural gas rates for unincorporated areas of Aransas County.

There shall be charged and collected by the city from all residential and commercial customers of natural gas supplied by the city to the unincorporated areas of Aransas County, as now or hereafter established, the amount of money based on customers usage (in cubic centimeters), as set forth in the following schedule of rates and charges:

Demand Rate	~~$30.08~~	$35.08
Per 1,000 CF	~~$3.34~~	$3.76

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

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.

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.

Rockport reserves the right to archive and monitor all e-mail communications through its networks. If you have received this e-mail in error, please immediately notify the sender by replying to this e-mail and delete the message and any attachment(s) from your system.

From: Jamie Gonzales
To: Vanessa Shrauner
Cc: Robbie Sorrell
Subject: FW: Insert for Rockport
Date: Thursday, November 9, 2023 3:20:04 PM

This was the response email sent by Data Prose.

From: Craig Wewerka <cwewerka@dataprose.com>
Sent: Thursday, November 9, 2023 10:33 AM
To: Jamie Gonzales <utility3@cityofrockport.com>
Subject: RE: Insert for Rockport

WARNING: This email is from an external source. Do not click links or open attachments without positive sender verification of purpose. Never enter Username, Password or sensitive information on linked pages from this email. If you are unsure about the message, please forward to itstaff@cityofrockport.com for assistance.

Hi Jamie,

It would have been a problem when printed and wasn't caught. The issue happened with our art and if there is an issue it will be caught and corrected in production. In this case it was missed. I spoke with the production supervisor and confirmed it was a mistake by the printer and corrected.

Craig Wewerka
Account Manager
Matrix Imaging Solutions
Direct (972) 462-5437
Toll Free (800) 876-5015

While our company structure is still the same, our email addresses are changing – PLEASE NOTE: my email address is now cwewerka@matriximaging.com

From: Jamie Gonzales <utility3@cityofrockport.com>
Sent: Wednesday, November 8, 2023 4:46 PM
To: Craig Wewerka <cwewerka@dataprose.com>
Subject: FW: Insert for Rockport

Hello Craig!

Sorry to bother you so late in the day.
I have a question regarding this insert notification that was sent a couple of months ago.
It looks like the printed copy that went out to our customers was missing some information.
It was missing the whole Greetings paragraph. Do we know what may have happened during the printing process?
Management is needing this information.

Thank you for any information and help you can provide.

to this e-mail and delete the message and any attachment(s) from your system.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKPORT, TEXAS AMENDING THE CITY OF ROCKPORT CODE OF ORDINANCES CHAPTER 102 "UTILITIES", ARTICLE III. "WASTEWATER SERVICE", DIVISION 4. "SERVICE CHARGES" BY AMENDING WASTEWATER 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.

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

SECTION 1. Wastewater Rates. Chapter 102 "Utilities", Article II. "Wastewater Service", Division 4 "Service Charges," Sec. 102-267 "Wastewater rates outside city limits" and Sec. 102-269 "Rates if not on City Water" are hereby amended to reflect new wastewater rates for out of City ratepayers to wit:

Sec. 102-267. Wastewater rates outside 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 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		**$41.52**
1		**$51.87**
1 1/2		**$62.27**
2		**$82.99**
3		**$165.99**
4 or larger		**$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. 102-269. 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 City Limits	Outside the City Limits	NEW – Outside City Limits
Residential/Single-family	$46.38	~~$55.89~~	**$70.98**
Nonresidential/non-single family	$52.79	~~$63.58~~	**$80.75**
Commercial operations (car washes/laundry), minimum*	$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.

SECTION 2. Repealer Clause.

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 December 15, 2023 and reflected on the February 1, 2024 billing.

APPROVED on first reading the _____ day of December 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 December 2023.

CITY OF ROCKPORT, TEXAS

_____
Tim Jayroe, Mayor

ATTEST:

_____
Teresa Valdez, City Secretary

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

AGENDA ITEM: 27

Presentation on Concho Street Drainage Project.

SUBMITTED BY: City Manager Vanessa Shrauner

APPROVED FOR AGENDA: VRS

BACKGROUND:

FISCAL ANALYSIS: N/A

RECOMMENDATION: N/A