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## CITY COUNCIL AGENDA

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Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, April 25, 2023, at 6:30 p.m. The meeting will be held in person at the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas. **The live stream link to view the meeting is:** <https://www.youtube.com/@rockporttxgov>.

Public participation is valued and citizens wishing to express their views on any topic or agenda item can electronically submit a citizen participation form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code to the right, or if attending the meeting in person register before the meeting begins. Using the same form, citizens can also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The comments will be read and summarized in the minutes of the meeting.



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

### Opening Agenda

1. Call meeting to order.
2. Pledge of Allegiance.
3. Presentation: Promotion in Police Department – Officer Timothy Sawicki.
4. Proclamation: Municipal Clerks Week April 30 – May 6, 2023.
5. Citizens to be heard.

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

### Consent Agenda

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

6. Deliberate and act on approval of City Council Meeting Minutes of April 11, 2023.
7. Deliberate and act on a Resolution of the City of Rockport, Texas, finding that AEP Texas Inc.'s application to amend its distribution cost recovery factors to increase distribution rates within the City should be denied, authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the company and legal counsel.

8. Deliberate and act on 2<sup>nd</sup> quarter report from the Rockport-Fulton Chamber of Commerce for Fiscal Year 2022-2023 marketing expenditures.
9. Deliberate and act on request from South Rockport Neighbors to close Concho Street in front of the Public Safety Center on May 15, 2023, from 10:30 a.m. until 12:30 p.m. for the annual Peace Officer's Memorial Day services.
10. Deliberate and act on the purchase of equipment to replace two existing circular grit collectors and two grit screw drive units at the Wastewater Treatment Plant. (WWTP).
11. Deliberate and act to award a contract for a pressure test to be conducted on the segment of 2" gas supply line that runs between the City's natural gas supplier and the City's North Gate Regulator Station.
12. Deliberate and act on second and final reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land located at 102 Saint Francis Circle; also known as Lot 2, Block 1, Domasco Subdivision, 3.445 acres, City of Rockport, Aransas County, Texas, from R-1 (1<sup>st</sup> Single Family Dwelling District) to B-1 (General Business District) to allow the use of monitored outside parking; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.
13. Deliberate and act on second and final reading of an Ordinance amending Article 4 of the City of Rockport Zoning Ordinance Number 1027 by changing the zoning of land located at 1806 Highway 35 North; also known as Villa Del Palmas, Units A, B, C and D, City of Rockport, Aransas County, Texas to R-6 (Hotel/Motel District) to allow the use of short-term rentals; currently zoned R-5 (2nd Multi-Family Dwelling District) repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.
14. Deliberate and act on second and final reading of an Ordinance amending Ordinance No. 1894 by replacing and appointing a new alternate judge; providing for severability; finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law; and establishing an effective date.

### **Public Hearing**

15. Conduct a Public Hearing to consider a request to revert back to original Planned Unit Development (PUD) as described in Ordinance No. 1385 for property located at 1724 FM 3036; also known as La Salle Estates P.U.D., City of Rockport, Aransas County, Texas, which is a Planned Unit Development (PUD) single use overlay district containing 80 attached single-family dwellings (townhouses) along with such features and amenities; currently zoned P.U.D. with R-5 use (Second Multi-Family Dwelling District).

### **Regular Agenda**

16. Hear a presentation regarding the Motor Vehicle Crime Prevention Authority Grant (MAG) being used to fund a program with Flock Safety, Inc. for six (6) fixed pole-mounted automatic license plate cameras in and around the City.

17. 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 Planned Unit Development (P.U.D) with R-5 (2<sup>nd</sup> Multi-Family Dwelling District) use for property located at 1724 FM 3036; also known as La Salle Estates P.U.D., City of Rockport, Aransas County, Texas, to Planned Unit Development (P.U.D.) Single Use Overlay District containing 80 attached single-family dwellings (townhouses) along with such features and amenities; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.
18. Deliberate and act on a request for a Utility Services Agreement by and between City of Rockport, Texas, a home-rule municipality (the “City”), and Rockport Landing GP, LLC, a Texas Domestic Limited Liability Company (“Developer”), regarding the City’s provision of water, wastewater and natural gas service and any associated facilities for the provision of said utilities, on the land owned by the Developer.
19. Deliberate and act on a request for a Utility Services Agreement by and between City of Rockport, Texas, a home-rule municipality (the “City”), and Milo Holdings, LLC, a Texas Domestic Limited-Liability Company (“Developer”) regarding the City’s provision of water, wastewater and natural gas service and any associated facilities for the provision of said utilities, on the land owned by the Developer.
20. Deliberate and act on supplemental request for Hotel Occupancy Tax Funds from Airplanes & Coffee for Warbirds Over South Texas, to be held at the Aransas County Airport on May 27 and 28, 2023.
21. Deliberate and act on appointing Messer, Fort & McDonald, PLLC to serve as legal counsel for the City of Rockport.
22. City Manager Report:
  - A. Projects.
23. Reports from Council.

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

### **Executive Session**

City Council will hold an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

24. Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Concho Street & General Land Office

(GLO) drainage projects.

25. 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: consider the possible purchase of real property.

### **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.

26. Adjournment.

### **Special Accommodations**

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

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

### **Certification**

I certify that the above notice of meeting was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas on Friday, April 21, 2023, at 12:45 p.m. and on the City's website at [www.cityofrockport.com](http://www.cityofrockport.com). I further certify that the following News Media were properly notified of this meeting as stated above: *The Rockport Pilot* and *Corpus Christi Caller Times*.

  
Teresa Valdez, City Secretary