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## CITY COUNCIL WORKSHOP & REGULAR MEETING AGENDA

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Notice is hereby given that the Rockport City Council will hold a workshop and regular meeting on Tuesday, October 24, 2023, at **6:00 p.m.** The meeting will be held in person at the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas. **The live stream link to view the meeting is:** <https://www.youtube.com/@rockporttxgov>.

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



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

### Opening Agenda

1. Call Workshop and Regular meeting to order.

### Workshop Agenda

2. Deliberation and discussion regarding a draft Ordinance for Short Term Rentals and registration process.
3. Citizens Comments on proposed short-term rental Ordinance.

### Regular Meeting Agenda

4. Pledge of Allegiance.
5. Proclamation: National 4-H Week.
6. Proclamation: First Baptist Church Sesquicentennial Celebration.
7. Proclamation: Arbor Week.
8. 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.

9. Deliberate and act on approval of City Council Regular Meeting Minutes of September 26, 2023.
10. Deliberate and act on 4<sup>th</sup> quarter report from the Rockport-Fulton Chamber of Commerce for Fiscal Year 2022-2023 marketing expenditures.
11. Deliberate and act on 4<sup>th</sup> quarter Report from Rockport Center for the Arts for Fiscal Year 2022-2023 marketing expenditures.
12. Deliberate and act on request from City of Rockport Tree & Landscape Committee for closing of the 1100 Block of East Main Street between South Austin Street and South Water Street on November 11, 2023, from 10:00 a.m. until 6:00 p.m. for the 1<sup>st</sup> Annual Rockport Arbor Day in the District.
13. Deliberate and act on request from Piecemakers by the Bay Quilt Guild for approval of hanging street banner on Business Highway 35 in front of Walmart from December 26, 2023 to January 27, 2024 to advertise the Cruising the Coast Biennial Quilt Show.
14. Deliberate and act on request from Coastal Bend Fly-In for approval of hanging street banners on Business Highway 35 in front of Walmart and FM 3036 at Palmetto Street from November 1, 2023 to December 12, 2023 to announce the 2023 Fly-In and Exposition.
15. Deliberate and act on approval of City of Rockport holiday observance schedule for 2024.
16. Deliberate and act on a Resolution amending authorized representatives to Texas Local Government Investment Pool (TexPool).
17. Deliberate and act on a Resolution amending authorized representation to the Texas Range Investment Pool.
18. Consideration and possible approval of acceptance of the 2023 FedEx Tree Planting Award from the Arbor Day Foundation.

### **Public Hearings**

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19. Conduct a Public Hearing to consider a request from Brodie Miller for permanent closure/abandonment/vacation of a 16' wide alleyway out of Block No. 13, Bellevue Subdivision, City of Rockport, Aransas County, Texas.
20. Conduct a Public Hearing to consider a request to rezone property located at 1875 State Highway 35 Bypass; also known as S1558 Domasco Subdivision, Block 1, Lot 1 and part 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 (1<sup>st</sup> Single Family Dwelling District)

## **Regular Agenda**

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21. Hear, deliberate, and act to accept the Utility Bill Surcharge Fund Disbursement Report, Annual Reports from Fulton, Lamar, and Rockport Volunteer Fire Departments, and authorize disbursement of funds.
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', by amending Section 102-401 "Surcharge", to increase surcharge fee repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.
23. Deliberate and act on first 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.
24. Deliberate and act on approval of Change Order #7 related to the New City Hall Project.
25. Hear a presentation on the status of the updated and revised "golf cart" ordinance adopted by Rockport City Council just over 12 months ago and amended again in December 2022, which updated several related ordinances and outsourced golf cart and off-highway vehicle permitting from the police department to private vendors.
26. City Manager Report:
  - A. Projects
27. 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**

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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:

28. 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-foot alleyway out of Block No. 13, Bellevue Subdivision, City of Rockport, Aransas County, Texas.

29. Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) *Phong Nguyen et.al. v. City of Rockport Building Standards Commission, Docket No. 23-0151, in the 156<sup>th</sup> Judicial District Court of Aransas County*; and 2) Concho Street & General Land Office (GLO) drainage projects.
30. Section 551.074 Personnel Matters - deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: A) City Secretary Evaluation; and B) 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.

31. Deliberate and act on first 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, 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.

32. Adjournment.

### **Special Accommodations**

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

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

### **Certification**

I certify that the above notice of meeting was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas on Thursday, October 19, 2023, at 11:50 a.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