

# **CITY OF ROCKPORT**

## **MINUTES**

### **CITY COUNCIL REGULAR MEETING**

**6:30 p.m., Tuesday, February 27, 2024**

**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 27<sup>th</sup> day of February 2024, 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  
Council Member Stephanie Rangel, Ward 1  
Council Member Danielle Hale, Ward 2  
Council Member Brad Brundrett, Ward 3

#### **CITY COUNCIL MEMBER(S) ABSENT**

Mayor Pro-Tem Andrea Hattman, Ward 4

#### **STAFF MEMBERS PRESENT** **PRESENT**

City Manager Vanessa Shrauner  
City Attorney Art Rodriguez, Jr.  
Interim City Secretary/Assistant to the City Manager Kimberly Henry  
Director of Public Works and Building & Development Services Mike Donoho  
Director of Information Technology Bob Argetsinger  
Communications Center Director Lee Brown  
Director of Finance Robbie Sorrell  
Interim Police Chief Rusty Pancoast

#### **ELECTED OFFICIALS**

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

#### **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, February 27, 2024, 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. Presentation of Aransas County Harm Reduction Program.**

Patricia Arnold of Aransas County Medical Services Inc. (ACMSI) and Municipal Court Judge Diana McGinnis provided a presentation about opioid awareness and the use of Narcan. All police, fire, and EMS staff have been provided Narcan in case of emergency. They included explanations of other training programs now being offered at the Aransas County Detention Center: Mental Health Awareness, Anger Management, GED, and general Drug Awareness. All resources are available at [www.acmedicalservices.com](http://www.acmedicalservices.com).

**4. Citizens to be heard.**

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

Council Member Brundrett read the Citizen's Participation Form from Patrick Kane of 1123 E. Ceder St. Mr. Kane is opposed to agenda item # 11 for the use of Hotel Occupancy Funds for a Information Center and Restroom facility.

**Consent Agenda**

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

**5. Deliberate and act on approval of City Council Regular Meeting Minutes of February 13, 2024.**

**6. Deliberate and action on a request by the Rockport Center for the Arts to reallocate funds from Sprint Art Fair to the Art Summit event.**

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, as presented. Council Member Rangel seconded the motion. Motion carried unanimously.

## **Public Hearings**

- 7. Conduct a Public Hearing to consider a request to rezone the property located at 202 East Cornwall; also known as East one-half of Lot 8, all of Lot 9, Block 13, Hunter Subdivision, to B-1 (General Business District), currently zoned R2 (2<sup>nd</sup> Single Family Dwelling District).**

Mayor Jayroe opened the Public Hearing at 6:49 p.m.

Community Planner Carey Dietrich stated this request is to provide parking for those individuals using the warehouse on the adjoining property. Mr. Crowley couldn't be at this meeting due to a conflict of events.

Mayor Jayroe closed the Public Hearing at 6:49 p.m.

## **Regular Agenda**

- 8. 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 R2 (2nd Single Family Dwelling District) for property located at 202 East Cornwall; also known as East one-half of Lot 8, all of Lot 9, Block 13, Hunter Subdivision; to B-1 (General Business District); repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

Community Planner Carey Dietrich stated this complies with the Future Land Use Map, there were no complaints against this requested zoning change, and the Planning and Zoning Commission recommended approval of this request.

**MOTION:** Council Member Brundrett moved to pass to a second reading 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 R2 (2nd Single Family Dwelling District) for property located at 202 East Cornwall; also known as East one-half of Lot 8, all of Lot 9, Block 13, Hunter Subdivision; to B-1 (General Business District); repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Rangel seconded the motion. Motion carried unanimously.

- 9. Deliberate and act on second and final reading of an Ordinance authorizing the closing, vacating and abandonment of 0.18 acre of land being a 20-foot wide alleyway lying between Lots 1 through 8 and Lots 9 through 16, Block 134, Manning Addition, City of Rockport, Aransas County, Texas, according to the Plat recorded in Volume 1, Page 7, Plat Records of Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment; authorizing the Mayor to execute a Quitclaim Deed for the 0.18 acre to be closed, vacated and abandoned; and providing for an effective date.**

Interim City Secretary Kimberly Henry stated there were no changes since the last meeting.

**MOTION:** Council Member Brundrett moved to approve the second and final reading of an Ordinance authorizing the closing, vacating and abandonment of 0.18 acre of land being a 20-foot wide alleyway lying between Lots 1 through 8 and Lots 9 through 16, Block 134, Manning Addition, City of Rockport, Aransas County, Texas, according to the Plat recorded in Volume 1, Page 7, Plat Records of Aransas County, Texas; providing for the terms and conditions of such vacation and abandonment; authorizing the Mayor to execute a Quitclaim Deed for the 0.18 acre to be closed, vacated and abandoned; and providing for an effective date. Council Member Rangel seconded the motion. Motion carried unanimously.

**10. Deliberate and act on second and final 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.**

City Manager Vanessa Shrauner suggested the removal of the duplicative wording following Section 6 within the Ordinance itself and within Exhibit A to change the wording of Section 26-35 to read as follows: 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 a room designated and used primarily for sleeping and rest on a bed, air mattress, cot or couch. 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.

Citizen speaking were: George Riekers of 802 E. Market St., Jim Godfrey of 802 E. Market St., Summer Terrell of 5451 Hwy 35 N., and a statement read from Patrick Kane of 1123 E. Cedar St. Statements made included: requesting the agenda item be postponed for more people to attend; request the removal of owner responsibility of tenant actions; appreciate the work and the fact that we can never get everyone to agree 100%; and request the removal of RV rentals from the Ordinance.

Council and Staff discussed that even though RV rentals can't be taxed, this would allow a means to permit and register them. There is nothing within the Ordinance that needs to be changed for clarification.

**MOTION:** Council Member Brundrett moved to approve the second and final reading with amendments as read by City Manager Shrauner 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. Council Member Hale seconded the motion.

City Manager Shrauner explained this will take a little bit of time to phase this program into place. We need to purchase the software and then provide public training.

Mayor Jayroe thanked the staff and public for all of the work that went into the Ordinance. There was a lot of give and take from both sides of this issue.

Mayor Jayroe called for the vote and the motion carried unanimously.

- 11. Deliberate and act on second and final reading of an Ordinance of the City of Rockport, Texas amending Ordinance No. 1911 which adopted the 2023-2024 budget beginning October 1, 2023, and ending September 30, 2024; repealing all prior ordinances in conflict herewith; providing for publication; and providing for an effective date.**

Finance Director Robbie Sorrell stated there were no changes since the last reading.

**MOTION:** Council Member Hale moved to approve the second and final reading of an Ordinance of the City of Rockport, Texas amending Ordinance No. 1911 which adopted the 2023-2024 budget beginning October 1, 2023, and ending September 30, 2024; repealing all prior ordinances in conflict herewith; providing for publication; and providing for an effective date. Council Member Rangel seconded the motion. Motion carried unanimously.

- 12. Deliberate and act on a request by Council Member Ward 3 Brad Brundrett for FY 2023-2024 grant funds from the Hotel Occupancy Tax Fund Account for Oysterfest.**

Mayor Jayroe announced that Council Member Brundrett withdrew his request for this item from the agenda. Council Member Brundrett stated that due to the short time frame they did not believe they could ask for funds at this time.

- 13. Deliberate and act to accept a Certification of Unopposed Candidates by the City Secretary for the May 4, 2024, General Election.**

**Deliberar y actuar para aceptar una Certificación de Candidatos Sin Oposición por parte del Secretario de la Ciudad para las Elecciones Generales del 4 de mayo de 2024.**

Interim City Secretary Kimberly Henry certified that the following individuals are unopposed candidates and thereby Rockport has an uncontested election for May 4, 2024:

Mayor: Tim Jayroe

Council Member Ward 2: Matt Anderson

Council Member Ward 4: Andrea Hattman

**MOTION:** Council Member Hale moved to accept a Certification of Unopposed Candidates by the City Secretary for the May 4, 2024, General Election. Council Member Rangel seconded the motion. Motion carried unanimously.

- 14. Deliberate and act on approval of an Ordinance of the City of Rockport declaring unopposed candidates in the May 4, 2024, City General Election, elected to office; cancelling the Saturday, May 4, 2024 Mayor At-Large, Council Member Ward 2, and Council Member Ward 4 Elections; and finding and declaring that the meeting at which this Ordinance is adopted was open to the public, that the public notice of time, place and the subject matter of the public business to be considered was posted as required by law, including this Ordinance.**

**Deliberar y actuar sobre la aprobación de una Ordenanza de la Ciudad de Rockport que declare elegidos para el cargo a los candidatos sin oposición en las Elecciones Generales de la Ciudad del 4 de mayo de 2024; cancelar las elecciones del sábado 4 de mayo de 2024 para alcalde general, miembro del consejo del distrito 2 y miembro del consejo del distrito 4; y encontrar, declarar que la reunión en la que se adopta esta Ordenanza estaba abierta al público, que el aviso público de la hora, el lugar y el tema del asunto público a considerar se publicó según lo exige la ley, incluida esta Ordenanza.**

**MOTION:** Council Member Hale moved to pass to the second and final reading an Ordinance of the City of Rockport declaring unopposed candidates in the May 4, 2024, City General Election, elected to office; cancelling the Saturday, May 4, 2024 Mayor At-Large, Council Member Ward 2, and Council Member Ward 4 Elections; and finding and declaring that the meeting at which this Ordinance is adopted was open to the public, that the public notice of time, place and the subject matter of the public business to be considered was posted as required by law, including this Ordinance. Council Member Rangel seconded the motion. Motion carried unanimously.

#### **15. City Manager Report:**

City Manager Shrauner introduced Interim Police Chief Rusty Pancoast to the Council and Public.

##### **A. Update on 2022 Audit**

Ms. Shrauner announced that the 2022 Audit is nearing completion and thanked the Council for their patience. Within the Audit there will be a list of concerns that explains the long process.

##### **B. Update on Gas Study**

We are finalizing the valuation of the gas system, and staff will review the finished product before we begin the RFP process.

##### **C. Updates on Utility Rate Study**

The staff's production of information to the contractor has begun.

##### **D. Upcoming Training for Boards/Commissions/Council**

March 27, 2024 there will be an all day training course for Boards/Commissions. The Council Members are welcome to attend.

#### **16. Reports from Council.**

At this time, the City Council will report/update on activities in respective Wards, and all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; 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 stated she attended a meeting with the Rockport Center for the Arts recently and that was very informative. Also, she is really excited about the upcoming Lady Bug Launch scheduled for March 9, 2024, at the Railroad Depot. Get there early or you miss out on the goodies.



Council Member Hale thanked the Police Department for their recent traffic study in her Ward to find out there wasn't a speeding concern as originally suspected.

Council Member Brundrett stated he and the Mayor recently met with the Key Allegro HOA where they discussed both the STR Ordinance and the Golf Cart Ordinance. He thanked everyone for their recent thoughts and concerns for his son who was involved in a pedestrian/vehicle accident and got to experience his first helicopter ride. He is doing well and bouncing back like a typical kid.

Mayor Jayroe stated he recently attended the Memorial for Bobby Jackson who was a retired teacher from here in Rockport. Bobby was a well-known, respected, and appreciated Texas History Teacher and loved by all of the students that went through his classes for the way he brought history to life for his students.

#### **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:

**17. 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) City Hall; 2) Concho Street & General Land Office (GLO) drainage projects; and 3) Data Pros Settlement.**

**18. Section 551.074 Personnel Matters - deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Secretary.**

At 7:21 p.m., Mayor Jayroe convened the City Council into executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in: Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) City Hall; 2) Concho Street & General Land Office (GLO) drainage projects, and Data Pros Settlement; and Section 551.074 Personnel Matters - deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Secretary.

#### **Open Session**

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

At 8:06 p.m., Mayor Jayroe reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

Council Member Brundrett made a motion to authorize the Mayor to negotiate a conditional contract for City Secretary pending a satisfactory background check. The motion was seconded by Council Member Hale. The motion was approved unanimously.

**19. Adjournment.**

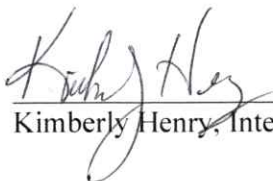
At 8:07 p.m., Council Member Brundrett moved to adjourn the meeting. Motion was seconded by Council Member Rangel. Motion carried unanimously.



**APPROVED:**

  
Tim Jayroe, Mayor

**ATTEST:**

  
Kimberly Henry, Interim City Secretary