

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, April 11, 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 11th day of April 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 – *Via ZOOM*

Council Member Katy Jackson, 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

Assistant to City Manager Kimberly Henry

City Attorney Roxana Perez - *Via ZOOM for Executive Session*

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

Information Technology Director Bob Argetsinger

Communications Center Director Lee Brown

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, April 11, 2023, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

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

3. Proclamation: Public Safety Telecommunicators Week.

Mayor Jayroe proclaimed the week of April 9-15, 2023, as Public Safety Telecommunicators Week in Rockport, Texas.

Council Member Hale thanked the Public Safety Telecommunicators for everything they do.

4. Proclamation: Joint Proclamation celebrating the “Week of the Young Children.”

Mayor Jayroe proclaimed the week of April 9-15, 2023, as the Week of Young Children in Rockport, Texas.

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.

Jennifer Day, 902 East Cornwall, addressed the Council and thanked the City for the beautification that has been done on Austin Street.

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 March 14, 2023.

7. Deliberate and act on a Resolution amending Resolution Nos. 2023-05 and 2023-06 by replacing and appointing a new alternate judge; providing for severability; finding and determining that the meeting at which this Resolution is passed is open to the public as required by law; and establishing an effective date.

8. Deliberate and act on the Certificate of Appropriateness Application submitted by Rockport Cultural Arts District to place bronze sculptures, created by renowned artist Mr. Steve Russell, on the Northeast corner of Laurel Street and Highway 35 on Navigation District property adjacent to Little Bay.

9. Deliberate and act on the Certificate of Appropriateness Application submitted by Rockport Cultural Arts District to place an Aransas Pathways Informative Kiosk to be located on a portion of Live Oak Street right-of-way adjacent to the sidewalk located at the rear property line of 103 South Magnolia Street.

10. **Deliberate and act on 2nd quarter Report from Rockport Center for the Arts for Fiscal Year 2022-2023 marketing expenditures.**
11. **Deliberate and act on a Resolution amending authorized representatives to Texas Local Government Investment Pool.**
12. **Deliberate and act on a Resolution amending authorized representatives to Texas Range Investment Pool.**

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

MOTION: Council Member Hale moved to approve the Consent Agenda Items, as presented. Council Member Jackson seconded the motion. Motion carried unanimously.

Public Hearings

Mayor Jayroe opened the Public Hearings at 6:39 p.m.

13. **Conduct a Public Hearing to consider a request to rezone property located at 102 Saint Francis Circle; also known as Lot 2, Block 1, Domasco Subdivision, 3.445 acres, City of Rockport, Aransas County, Texas, to B-1 (General Business District) to allow the use of monitored outdoor parking; currently zoned R-1 (1st Single Family Dwelling District).**

Brian Phillips and Tami Domasw, 325 Griffith Drive and 102 Saint Francis Circle, addressed the Council and commented: They are the owners of the property and said they have been trying to buy the property for several years and they want to do something to offset taxes; not taking down native trees; as land owners we can kind of control what goes there; and have been working with all the neighbors except two.

Donny Cruse, 121 Rattlesnake Road and 1875 State Highway 35 Bypass, addressed the Council and voiced support for the rezone request.

Jon Lucas, 344 Griffith Drive, addressed the Council and voiced opposition to the rezone request.

James Riley, 340 Griffith Drive, addressed the Council and voiced opposition to the rezone request.

14. **Conduct a Public Hearing to consider a request to rezone property 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).**

Caleb Glomb, Liberty Hill, addressed the Council and commented: He is the owner and developer of the property; and concerns of increased property values and traffic through the neighborhood were voiced at the Planning and Zoning Commission meeting but those will not be issues.

15. Conduct a Public Hearing regarding the potential sale of the Natural Gas System and opportunity for citizen input.

Simon Pena, Principal Consultant for Pena LLC and Pipeline Safety Compliance, addressed the Council and provided information (below) regarding the City's natural gas system.

Fact Sheet

Exploring the Sale of the City of Rockport Natural Gas System

- Background: The City of Rockport purchased the current natural gas system in 2008. Currently over 43% (approximately 76 miles) of gas line is bare steel or coated steel that will have to be replaced to meet regulatory compliance and ensure public safety.
- Over the past 5 years revenues from gas system sales have struggled to remain in the black because of increased operational costs (repairs & maintenance).
- There has been a marked increase in the sheer regulatory burden from the Railroad Commission making it harder and harder for small municipally owned gas system to remain operating.
- This regulatory burden reaches even further in maintaining a qualified staff to operate our gas system. Larger gas organizations are able to pull from a deeper bench of operators qualified for a multitude of tasks necessary for operations.
- Economies of Scale- larger gas operators can redirect and share, equipment, staff and supplies to various operations.
- A sale of the City's gas system may allow for a redirection of funds to other city projects or departments.

This is a choice for our community.

- *A Vote **FOR** the Sale of the gas system allows council the option to solicit bids from perspective gas operators and possibly make for more efficient and safer gas system for our citizens.*

- *A Vote **Against** the option to sale the gas system puts the city in the position of having to seek funding and rate increases to maintain the safety and viability of a municipally owned gas system.*

Discussion was held between Mr. Pena, Council and the City Manager.

Mayor Jayroe closed the Public Hearings at 7:11 p.m.

Regular Agenda

16. Deliberate and act on first 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 (1st 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.

Community Planner Carey Dietrich addressed the Council and explained the rezone request. Ms. Dietrich stated the Future Land Use Map suggests commercial use of this property. Ms. Dietrich said the Planning and Zoning Commission recommends denial of the rezone request.

Discussion was held between the Council and Ms. Dietrich.

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

17. Deliberate and act on first 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.

Community Planner Carey Dietrich addressed the Council and explained the rezone request.

Discussion was held between Ms. Dietrich and Council. Ms. Dietrich said the Planning and Zoning Commission recommends approval of the rezone request.

Discussion was held between Ms. Dietrich and Council.

MOTION: Council Member Jackson moved to approve the first 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. Mayor Jayroe seconded the motion. Motion carried 3:1.

FOR MOTION: Council Member Jackson, Council Member Hale and Mayor Jayroe.

AGAINST MOTION: Council Member Brundrett and Mayor Pro-Tem Hattman.

18. Deliberate and act on first 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.

City Secretary Teresa Valdez stated she had been notified by the Aransas County Elections Administrator there was going to be a change in the person appointed as the alternate judge for the May Special Election. Ms. Valdez explained since the Special Election was ordered by an Ordinance that lists the names of the election judges, it is necessary to amend that Ordinance and list the correct name of the alternate judge.

MOTION: Council Member Brundrett moved to approve the first 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. Council Member Jackson seconded the motion, Motion carried unanimously.

19. Deliberate and act on a Resolution of the City of Rockport, Texas, approving and adopting the City of Rockport Grant Related Financial Management Policies and Procedures, including steps to perform a Grant Related Independent Cost Analysis, and Profit Negotiations for Competitive Procurements Guidelines.

City Manager Vanessa Shrauner stated there had been two findings on one of the City’s grant contracts and the grant administrator assisted staff with preparing the required documentation.

Brief discussion was held between Ms. Shrauner and Council.

MOTION: Council Member Brundrett moved to adopt a Resolution of the City of Rockport, Texas, approving and adopting the City of Rockport Grant Related Financial Management Policies and Procedures, including steps to perform a Grant Related Independent Cost Analysis, and Profit Negotiations for Competitive Procurements Guidelines. Council Member Jackson seconded the motion. Motion carried unanimously.

20. Postponed – February 14, 2023: Deliberate and act on possible approval of an amendment to the existing Republic Services contract.

Mike Reeves, Republic Services Manager, Municipal Services for Coastal Bend & South Texas, addressed the Council and gave a PowerPoint (below) presentation on the services they have been providing the City of Rockport for the last five (5) years.



Municipal Climate Action Plan Synergies

Key Themes

- Reduce GHG**
- Electrify Fleet**
- Water and Land Conservation**
- Smart Waste, Reduce, Recycle**
- New-Build Efficiency**

Key Metrics

- Reduce GHG: 100% reduction in GHG emissions by 2030
- Electrify Fleet: 100% of fleet vehicles are electric by 2030
- Water and Land Conservation: 10% reduction in water consumption by 2030
- Smart Waste, Reduce, Recycle: 10% reduction in waste sent to landfill by 2030
- New-Build Efficiency: 10% reduction in energy consumption by 2030

Electric Vehicle of 3rd-Largest Vocational Fleet in the U.S. Electric Vehicle Strategy Ahead of Plan

- Continuing to push the pace of development across all platform manufacturers
- Able to run full recycling routes on flat terrain today
- Head of plan to mature capabilities and performance
- Significant GHG reductions, as well as benefits for maintenance across the lifecycle
- Potential recruiting and retention benefits via attracting driver talent



Expanding Renewable Biogas

- Republic Services, one of the largest waste-disposal companies in the U.S. announced a major deal that will expand its renewable natural gas (RNG) business on May 3, 2022.
- Partnering with Houston-based RNG producer Archaea Energy, Republic Services will mount a \$1.1 billion joint venture to develop projects at 39 of its landfills in 13 different states.
- Once up and running, the 39 projects are expected to generate more than 12.3 million MMBtu of RNG each year.



Introducing our Environmental Services Group

- Residential hazardous waste collection events (household hazardous waste, Drums, electronic waste, universal waste, chemical)
- Commercial encumbrance cleanups
- Infrastructure bid (federally funded, grant programs)
- Emergency response / cleanups
 - SO2 and over-50% chemicals, asbestos, etc.
 - Sanitary waste / remediation of asbestos projects
 - ECO-remediation (pharmaceuticals, chemical, metal, oil, etc.)
 - Commercial cleaning / asbestos abatement
 - Asbestos cleanups
- Disaster response (hazardous waste after hurricanes, wildfires, other natural disasters)



Attributes of Successful EV Rollouts

Monitoring the Sweet Spot for EV Rollouts

Vehicle Performance:

- Ability to complete full route (100% vs. 75%)
- Range
- Charging time
- Charging infrastructure
- Charging speed
- Charging cost
- Charging reliability

Infrastructure Requirements:

- Ability to support making plans for EV infrastructure
- Proximity to power grid
- Partnership / incentives with local power provider

Economics:

- Cost per truck
- Maintenance savings
- Incentives available (federal, state or local)
- Ability to meet impact to existing contract

Municipal EV deployments will hit the "sweet spot" if these 4 factors.

Understanding the Market

Limited Current Plastic Circularity



Understanding the Market

Enabling CPGs to Meet Growing Commitments

Brand commitments and legislation will place a premium on post-consumer content.

Understanding Plastic Circularity

The First Plastic Polymer Centers in America

Market size represents number of manufacturers, many are geographically far from others, but looking toward to quality plastic community.

Locations: 1.4M tons of plastic produced annually in the US. Major market centers in the US are in the Northeast, Midwest, and South.

Challenges: Limited current plastic circularity, high cost of recycled plastic, and limited availability of recycled plastic.

Investment and Social Impact Strategy

Giving Back to Communities Where We Live and Work

Program	Cycle	Project Types
Republic Services Charitable Foundation	Annual RFP	Large-scale (>\$100K - \$500K grants) funded from the foundation
Community Grants Program	Open year-round	Smaller grants to the 50 or more CPG manufacturers, waste management, etc.
Employee Engagement	Open year-round	Community events, charity events, RFP grant projects, etc.

Relevant / Overview Overview & Key 2021-22 FY / CL W/F

- 5.5M Tons of Waste
- 1,440 Companies Served
- \$12,183,400 Revenue
- 69 Facilities
- \$5,333,854 Cost of Community Grants
- 2,581 Community Grants



Discussion was held between Mr. Reeves and Council.

MOTION: Council Member Brundrett moved to approve the amendment to the existing Republic Services Contract. Council Member Jackson seconded the motion. Motion carried unanimously.

**21. City Manager Report:
A. Projects.**

City Manager Shrauner said the only project report she has will be in Executive Session.

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 Jackson reported on Ward 1 weekend activities: Rockport Center for the Arts, VFW and the Railroad Depot. Council Member Jackson stated the Aransas County Childrens Coalition Daycare Center does a great job not only in daycare but also education.

Council Member Hale reported she had attended the State of the State Luncheon with Governor Abbott last week, and she also attended the Stormwater Advisory Committee Meeting.

Mayor Pro-Tem Hattman reported she had attended a Chamber of Commerce workshop, and she virtually attended the Stormwater Advisory Committee Meeting. Mayor Pro-Tem Hattman stated she had also attended the Rockport Country Club Homeowners Association annual meeting. Mayor Pro-Tem Hattman reported the drainage project in the Country Club is almost complete.

Mayor Jayroe reported he was honored to speak at the Rockport Country Club Homeowners Association annual meeting. Mayor Jayroe said he had attended the State of the State Luncheon.

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: Concho Street & General Land Office (GLO) drainage projects.**
- 24. 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.**
- 25. Section 551.074 Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit: City Attorney.**

At 8:03 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: Concho Street & General Land Office (GLO) drainage projects; 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; and Section 551.074 Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit: City Attorney.

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 9:05 p.m., Mayor Jayroe reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

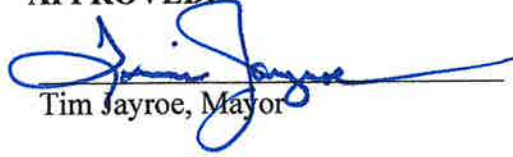
No action was taken.

26. Adjournment.

At 9:05 p.m., Council Member Brundrett moved to adjourn. Motion was seconded by Council Member Jackson. Motion carried unanimously.



APPROVED:


Tim Jayroe, Mayor

ATTEST:


Teresa Valdez, City Secretary