



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, May 15, 2018

11:30 AM

Council Chambers

Public Notice - - THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.

MEMBERS OF THE AUDIENCE WILL BE PROVIDED AN OPPORTUNITY TO ADDRESS THE COUNCIL AT APPROXIMATELY 12:00 P.M. CITIZEN COMMENTS WILL BE LIMITED TO THREE MINUTES. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak to the City Council MUST be submitted a minimum of 24 hours prior to the meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

- A. Mayor Joe McComb to call the meeting to order.**

Mayor McComb called the meeting to order at 11:31 a.m.

- B. Invocation to be given by Deacon Jesse Hinojosa, Diocese of Corpus Christi.**

Deacon Jesse Hinojosa gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Sylvia C. Trevino, Assistant City Manager.**

Assistant City Manager Sylvia C. Trevino led the Pledge of Allegiance.

- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**

City Secretary Rebecca L. Huerta called the roll and verified that a quorum of the City Council and the required Charter Officers were present to conduct the meeting.

Charter Officers:

City Manager Margie C. Rose, City Attorney Miles K. Risley, and City Secretary Rebecca L. Huerta.

Present: 9 - Mayor Joe McComb, Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Michael Hunter, Council Member Debbie Lindsey-Opel, Council Member Ben Molina, Council Member Everett Roy, Council Member Lucy Rubio, and Council Member Greg Smith

E. Proclamations / Commendations

1. Proclamation declaring May 2018, "Amyotrophic Lateral Sclerosis (ALS) Awareness Month".
Proclamation declaring May 2018, "Motorcycle Safety and Awareness Month".
Proclamation declaring May 2018, "Older Americans Month".
Proclamation declaring May 14 - 20, 2018, " National Salvation Army Week".
Proclamation declaring May 17, 2018, "Dr. Hector P. Garcia & Dr. Clotilde P. Garcia, American GI Forum Chapters of Texas, 'Stand Up for Veterans', 7th Annual Scholarship Awards Banquet".
Proclamation declaring May 18, 2018, "Bike to Work/School Day".
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

Mayor McComb presented the proclamations and conducted the swearing-in ceremony for newly appointed board and committee members.

- J. **PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. If you choose to speak during this public comment period regarding an item on the agenda, you may do so. You will not be allowed to speak again, however, when the Council is considering the item. Citizen comments are limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak MUST be submitted a minimum of 24 hours prior to the Meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.**

Mayor McComb deviated from the agenda and referred to comments from the public. Sherry Sells, 5014 Wingfoot, requested that the City Council revisit the Solid Waste Services' guidelines regarding the Americans with Disabilities Act (ADA) assistance related to caregivers. Jack Gordy, 4118 Bray, spoke regarding illegal signs. Shirley Thornton, 1917 Woodcrest, Flour Bluff Citizens Council, spoke regarding piles of debris and bulky trash items not collected by Solid Waste in the Flour Bluff area. Margareta Fratila, 3606 Tripoli, spoke regarding the Water Department and related legal issues. Sylvia Campos, 4410 Fir, spoke regarding petitions being circulated regarding potential budget cuts to libraries and the submission of a letter from the City of Corpus Christi requesting that entities in the City's industrial districts pay their share of taxes. Isabel Araiza, 326 Poenisch, spoke regarding the following topics: Agenda Item 32, an

executive session regarding the evaluation of the City Manager; Agenda Item 27, a proposed regional sports complex; economic development incentives; industrial district agreements; and petitions being circulated regarding opposition to budget cuts to libraries. Julie Rogers, 710 Furman, spoke regarding potential budget cuts to libraries and campaign contributions to City Council members from Flint Hills. Jim Klein, 3501 Monterrey Street, spoke regarding potential budget cuts to libraries. James Skrobarczyk, 710 Oriole Street, spoke regarding the problem with debris in the Flour Bluff area and Agenda item 27, a proposed regional sports complex. Alan Thornburg, 2406 Elizabeth, spoke regarding the Sister City Committee. Carolyn Vaughn, 4214 Spring Creek Drive, spoke regarding the following: stating that she never received contributions from Flint Hills during her campaign; spoke in opposition to Agenda Item 27, a proposed regional sports complex in the London area; and encouraged the City Council to consider the use of Oilbelt/LyondellBasell Park as a location for the regional sports complex. Susie Luna Saldana, 4710 Hakel, spoke regarding the City's budget and prioritizing funding for first responders. Bryan Watson, 5813 Hugo, expressed appreciation to the Police Department for the Jail Diversion Program. Mike Pusley, 3916 Castle Valley Drive, spoke regarding Agenda Item 27, a proposed regional sports complex and invited the City Council to consider development of a regional sports complex near LyondellBasell Park.

F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:

Mayor McComb referred to City Manager's Comments. City Manager Margie C. Rose reported on the following topics:

c. OTHER

1) The City wants to remind residents to continue checking for leaks in their home in anticipation of water pressure increases related to the Holly Road Water Tower. The Rand Morgan Water Town is expected to be on line in about a month. 2) The grand opening of the Ennis Joslin Extension will be held Friday, May 18, 2018 at 10:00 a.m. near 1938 Ennis Joslin Road. 3) City Manager Rose introduced the new Animal Care Services Program Manager Mike Gillis. 4) City Manager Rose recognized Senior Officer Samantha Baldwin as the Corpus Christi Police Officer of the Year and MetroCom Supervisor Steven Bly for his heroic efforts to save the life of a resident.

a. REQUEST FOR QUALIFICATIONS - PROGRAM MANAGER - UPDATE

City Manager Rose provided an overview of the process and timeline regarding the Request for Qualifications process for a Program Manager.

b. STRATEGIC FUTURE ISSUES

None.

G. MINUTES:

2. Regular Meeting of May 8, 2018.

Mayor McComb referred to approval of the minutes.

Council Member Garza made a motion to approve the minutes, seconded by Council Member Guajardo and passed unanimously.

H. BOARD & COMMITTEE APPOINTMENTS:

3. Civil Service Commission
Civil Service Board
Commission on Children and Youth

Mayor McComb referred to board and committee appointments. The following appointments were made:

Civil Service Commission

Council Member Garza made a motion to reinstate Robert W. Judkins, seconded by Council Member Lindsey-Opel and passed unanimously.

Civil Service Board

Council Member Lindsey-Opel made a motion to reinstate Robert W. Judkins, seconded by Council Member Garza and passed unanimously.

Commission on Children and Youth

Council Member Lindsey-Opel made a motion to reappoint Donine Schwartz (At-Large) and Joseph N. Miller (Youth & Family Services), seconded by Council Member Garza and passed unanimously.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 11)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. A council member requested that Item 10 be pulled for individual consideration. There were no comments from the public.

A motion was made by Council Member Garza, seconded by Council Member Lindsey-Opel, to approve the Consent Agenda. The consent agenda items were passed and approved by one vote as follows:

Aye: 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Abstained: 0

4. Resolution authorizing outside city limits water contract for

property at 7085 Jurica Road

Resolution authorizing outside city limits water contract for agricultural use with Sancha Properties, LLC for property at 7085 Jurica Road (County Road 37).

This Resolution was passed on the consent agenda.

Enactment No: 031428

5. Service Agreement for Heavy Equipment Rentals for Public Utilities

Motion authorizing a 12-month service agreement with Herc Rentals Inc., of Bonita Springs, Florida via US Communities, for the rental of heavy equipment for a total amount not to exceed \$236,790.00.

This Motion was passed on the consent agenda.

Enactment No: M2018-081

6. Resolution to participate in AEP's filing at the Public Utility Commission for a Distribution Cost Recovery Factor

Resolution of the City of Corpus Christi, Texas authorizing participation in the Public Utility Commission of Texas Docket 48222 regarding AEP Texas Inc.'s application to amend its distribution cost recovery factors; 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.

This Resolution was passed on the consent agenda.

Enactment No: 031429

7. Approval of By-Laws for the Corpus Christi B Corporation

Motion approving the by-laws of the Corpus Christi B Corporation as approved by the Corporation's Board of Directors on March 19 and April 16, 2018.

This Motion was passed on the consent agenda.

Enactment No: M2018-082

8. Appointing Board Member to the Corpus Christi Housing Finance Corporation and the Corpus Christi Industrial Development Corporation

Motion appointing Council Member Everett Roy as Board Member to the Corpus Christi Housing Finance Corporation and the Corpus Christi Industrial Development Corporation.

This Motion was passed on the consent agenda.

Enactment No: M2018-083

9. Appointing Board Member to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation

Motion appointing Council Member Everett Roy as Board Member to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation.

This Motion was passed on the consent agenda.

Enactment No: M2018-084

11. Second Reading Ordinance - Authorizing conveyance of City property to Texas Department of Transportation (TxDOT) (1st Reading 5/8/18)

Ordinance authorizing conveyance of City property to the Texas Department of Transportation for Parcel 322 (0.2076 acres of Lot 1, Lot 7 and Lot 8, Block 1 of Craven Heights - \$29,494.00); and Parcel 321(AC) (access denial at 1208 Peabody Avenue - \$4,000)

This Ordinance was passed on second reading on the consent agenda.

Enactment No: 031431

10. Second Reading Ordinance - Land exchange agreement for Rodd Field Road Expansion Project (Bond 2014, Proposition 2) (Council Priority - Streets) (1st Reading 5/8/18)

Ordinance approving a land exchange agreement between the Nuss Family Partnership, Ltd., GSC Holdings, Ltd. and Wayne Lundquist, Jr. ("Owner") and the City of Corpus Christi, Texas ("City") which calls for Owners to convey their interest in a 1.2969 acre parcel of land at the intersection of Yorktown Boulevard at Rodd Field Road to the City and for the City to convey and abandon its interest in a 1.939 acre tract known as Airline Extension between Yorktown Boulevard and Rodd Field Road, Corpus Christi, Texas.

Mayor McComb referred to Item 10, a land exchange agreement for the Rodd Field Road Expansion Project. City Secretary Rebecca L. Huerta announced that Council Members Garza and Lindsey-Opel were abstaining on this item. Executive Director of Public Works Valerie Gray and council members discussed: the construction schedule; Rodd Field Road being a dangerous

intersection; and the parcel of property being conveyed. There were no comments from the public.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Hunter. This Ordinance was passed on second reading and approved with the following vote:

Aye: 7 - Mayor McComb, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Abstained: 2 - Council Member Garza and Council Member Lindsey-Opel

Enactment No: 031430

N. REGULAR AGENDA: (ITEM 14)

14. Second Reading Ordinance - Type A Grant for Nueces County Courthouse Development Partners, LLC("Courthouse") (Council Priority - Economic Development) (1st Reading 5/8/18)

Ordinance approving a Business Incentive Agreement between the Corpus Christi Business and Job Development Corporation and Nueces County Courthouse Development Partners, LLC, to provide a grant of up to \$3,000,000, for the creation of jobs and infrastructure construction to enhance economic development; appropriating said funds from the Business/Job Development Fund; and amending the budget.

Mayor McComb deviated from the agenda and referred to Item 14. Iain Vasey, Corpus Christi Regional Economic Development Corporation, stated that the purpose of this item is to approve a Type A Business Incentive Agreement grant in an amount not to exceed \$3,000,000, with the Nueces County Courthouse Development Partners, LLC, to renovate the old Nueces County Courthouse. Mr. Vasey provided information regarding: the creation of jobs; the return on investment; and the performance-based measures. Mr. Vasey introduced Jim McCue, Vice President of Coon Restoration. Mike Pusley thanked the City Council, Type A Board, and TIRZ #3 Board for their support of the project.

Council members, Mr. Vasey and Mr. McCue discussed the following: the renovation of the old Nueces County Courthouse being a vision and catalyst for growth for the community; a list of comparable similar projects renovated by Nueces County Courthouse Development Partners, LLC; the tax incentive; and performance-based measures.

Council Member Lindsey-Opel made a motion to approve the ordinance, seconded by Council Member Rubio. This Ordinance was passed on second reading and approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Abstained: 0

Enactment No: 031432

M. PUBLIC HEARINGS: (ITEM 12)

12. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 3902 Cimarron Boulevard.

Case No. 0318-01 Estate of Margaret J. Pasztor:

Ordinance rezoning property at or near 3902 Cimarron Boulevard from "FR" Farm Rural District to the "RM-2" Multifamily 2 District.

Planning Commission and Staff Recommendation (April 4, 2018):

Approval of the change of zoning from "FR" to "RM-2".

Mayor McComb deviated from the agenda and referred to Item 12. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for the construction of an apartment complex with a maximum of 288 apartment units. Ms. Nixon-Mendez stated that the Planning Commission and staff are in favor of the zoning change. John Bell, representative of the applicant Cypress Brook, spoke in support of the recommendation.

Council members and staff discussed the following topics: the opposition letters received from outside the notification area and the reason the proposed rezoning would warrant an amendment to the Future Land Use Map.

Mayor McComb opened the public hearing. There were no comments from the Council or the public. Mayor McComb closed the public hearing.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Lindsey-Opel. This Ordinance was passed on first reading and approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Abstained: 0

R. EXECUTIVE SESSION: (ITEM 30)

Mayor McComb deviated from the agenda and referred to Executive Session Item 30. The Council went into executive session at 1:35 p.m. The Council returned from executive session at 2:30 p.m.

30. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the purchase, exchange, lease, or value of real property rights at or in the vicinity of the

Frost Bank Building and/or 2400 Block of Leopard Street, and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, property rights at or in the vicinity of the aforementioned locations) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

This E-Session Item was discussed in executive session.

L. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Item 30.

N. REGULAR AGENDA: (ITEM 14 - 17)

15. Second Reading Ordinance - Authorization for Issuance of General Improvement Bonds to finance voter-approved Bond 2016 Projects (Council Priority - Streets) (1st Reading 5/8/18)

Ordinance authorizing the issuance of “City of Corpus Christi, Texas General Improvement Bonds, Series 2018”, in an aggregate principal amount not to exceed \$18,350,000; levying a continuing direct annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds; including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrars agreement and a purchase contract; complying with the letter of representations on file with the depository trust company; and providing an effective date.

Mayor McComb deviated from the agenda and referred to Item 15. Director of Financial Services Constance Sanchez stated that Items 15, 16, and 17 were related to the issuance of bonds. The purpose of Item 15 is to authorize the issuance of an amount not to exceed \$18,350,000 of General Improvement Bonds to finance voter-approved Bond 2016 projects. The purpose of Item 16 is to authorize the issuance of Certificates of Obligation in an amount not to exceed \$15,750,000 for projects associated with Bond 2014, facilities, and street improvements associated with the Harbor Bridge replacement project. The purpose of Item 17 is to authorize the issuance of Certificates of Obligation in an amount not to exceed \$7,500,000 for construction of Sector 3C disposal cell at the Cefe Valenzuela Landfill. Noe Hinojosa, Financial Advisor, spoke regarding market value and pricing of the bonds. In response to a council member, Clay Binford, Bond Counsel, explained the verbal award of the bonds and the execution of the purchase contract. There were no comments from the public.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on second reading and

approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Abstained: 0

Enactment No: 031433

16. Second Reading Ordinance - Authorization for Issuance of Certificates of Obligation for Streets and Facilities (Council Priority - Streets) (1st Reading 5/8/18)

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2018A" in an amount not to exceed \$15,750,000 for the purpose of financing costs associated with making permanent public improvements within the City; providing for the payment of said Certificates by the levy of an ad valorem tax upon all taxable property within the City and further securing said Certificates by a lien on and pledge of the pledged revenues of the Solid Waste System; providing the terms and conditions of said Certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said Certificates, including the approval and distribution of an Official Statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement and a purchase contract; complying with the requirements of the letter of representations on file with the depository trust company; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing an effective date.

This item was discussed during the discussion regarding Item 15.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Hunter. This Ordinance was passed on second reading and approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Abstained: 0

Enactment No: 031434

17. Second Reading Ordinance - Authorization for Issuance of Certificates of Obligation for Solid Waste (1st Reading 5/8/18)

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation,

Taxable Series 2018B” in an amount not to exceed \$7,500,000 for the purpose of financing costs associated with making permanent public improvements to the City’s Solid Waste system; providing for the payment of said Certificates by the levy of an ad valorem tax upon all taxable property within the City and further securing said Certificates by a lien on and pledge of the pledged revenues of the Solid Waste System; providing the terms and conditions of said Certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said Certificates, including the approval and distribution of an Official Statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement and a purchase contract; complying with the requirements of the letter of representations on file with the depository trust company; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing an effective date.

This item was discussed during the discussion regarding Item 15.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Smith. This Ordinance was passed on second reading and approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Abstained: 0

Enactment No: 031435

M. PUBLIC HEARINGS: (ITEM 13)

13. Public Hearing and First Reading Ordinance - Updating the Urban Transportation Plan deleting two proposed collector streets

Ordinance updating the Urban Transportation Plan by deleting two proposed (C1) Collector streets located north of FM 624 between Calallen High School and County Road 69 and the existing River Canyon Drive (C1) Collector.

Mayor McComb deviated from the agenda and referred to Item 13. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to amend the City’s Urban Transportation Plan map, at the request of Calallen Independent School District, by deleting two proposed collector streets located north of FM 624 between Calallen High School and County Road 69 and the existing River Canyon Drive collector. Calallen Independent School District is proposing to construct an elementary school north of County Road 69 and FM 624.

Council Members and staff discussed the following topics: the adjacent subdivision’s traffic circulation; ingress and egress from the property; and the

reason for deletion of the streets.

Mayor McComb opened the public. There were no comments from the public.
Mayor McComb closed the public hearing.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Abstained: 0

O. FIRST READING ORDINANCES: (ITEM 18 - 19)

18. First Reading Ordinance - Appropriating \$200,000 for Convention Center Content Development

Ordinance appropriating \$200,000 capital contribution from SMG into the Visitor Facility Fund to fund Convention Center content development; and amending the FY18 operating budget.

Mayor McComb referred to Item 18. Assistant to the City Manager Esther Velazquez introduced Matt Blasy, General Manager of the American Bank Center. Ms. Velazquez stated that the purpose of this item is to appropriate \$200,000 to fund Convention Center content development. Mr. Blasy explained that the funding would be used to increase event content and offset costs of the Convention Center. There were no comments from the public. In response to a council member, Mr. Blasy stated that the funds would be used as an incentive to offset costs of events.

Council Member Lindsey-Opel made a motion to approve the ordinance, seconded by Council Member Rubio. This Ordinance was passed on first reading and approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Abstained: 0

19. First Reading Ordinance - Amending Ordinance for the Regional Local Services System/Local Public Health System (RLSS/LPHS) to increase grant program and appropriating funds for the contract period September 1, 2017 through August 31, 2019

Ordinance amending Ordinance No. 031235 regarding the Regional Local Services System/Local Public Health System grant to increase related program income by \$140,000.00 for new estimated total program

income of \$400,000.

Mayor McComb referred to Item 19. Director of Public Health Annette Rodriguez stated that the purpose of this item is to accept an amendment to increase grant program income in the amount of \$140,000 for the contract period of September 1, 2017 through August 31, 2019 for a new estimated total program income of \$400,000. There were no comments from the Council or the public.

Council Member Roy made a motion to approve the ordinance, seconded by Council Member Lindsey-Opel. This Ordinance was passed on first reading and approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEM 20 - 24)

Mayor McComb referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had planned presentations on Items 21 and 22.

20. Resolution Authorizing a One-Year Service Agreement with Two One-Year Options for Custodial Services for Outlying Police Buildings

Resolution authorizing a one-year service agreement with Hilario O. Ortega, Jr., dba A Plus Janitorial and Mowing Services of Corpus Christi, Texas, to perform custodial services for outlying Police buildings for a total amount not to exceed \$85,878.34, with two one-year options for a total potential multi-year amount of \$257,635.02.

This Resolution was recommended to the consent agenda.

21. Service Agreement to Audit Claims Processing of Self-Funded Medical and Pharmacy Plans

Motion authorizing a six-month service agreement, with Claim Technologies Incorporated, of Des Moines, Iowa to perform an audit of the claims processing associated with the self-funded medical and pharmacy plans for an amount not to exceed \$72,193.00.

This Motion was recommended to the consent agenda.

22. Resolution Authorizing Negotiation and Execution of Service Agreements to Provide Third-Party Administration of the City's Self-Funded Employee Benefits

Resolution authorizing negotiation and execution of four, three-year service agreements to provide third-party administration of the City's self-funded employee benefits for a total estimated cost of \$127,400,000, with two one-year renewal options, as shown below:

Blue Cross and Blue Shield of Texas (BCBSTX), a Division of Health Care Service Corporation, of Richardson, Texas, for medical, dental and COBRA plans with an estimated cost of \$97,860,000.

CAREMARKPCS Health, L.L.C. (CVS), of Northbrook, Illinois, for pharmacy benefits with an estimated cost of \$26,800,000.

Dearborn National Life Insurance Company, of Lombard, Illinois, for life insurance including ADD, optional and supplemental plans with an estimated cost of \$2,060,000.

Ochs Inc., on behalf of Madison National Life Insurance Company, Inc. (Ochs), of Madison, Wisconsin, for long term disability with an estimated cost of \$680,000.

This Resolution was recommended to regular agenda.

23. Purchase and Installation of Playground Equipment at Lt. Alexander Park

Motion authorizing the purchase and installation of playground equipment at Lt. Alexander Park from GameTime by Total Recreation Products, Inc. of Cypress, Texas via BuyBoard for a total amount not to exceed \$76,273.62.

This Motion was recommended to the consent agenda.

24. Resolution Approving a Homebuyer Assistance Program Agreement between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi

Resolution approving an agreement between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi in the amount of \$320,000 for the Type A Affordable Housing Program.

This Resolution was recommended to the consent agenda.

Q. BRIEFINGS: (ITEMS 25 - 28)

25. Corpus Christi Regional Economic Development Corporation (CCREDC) Quarterly Update to City Council (Q1 2018)

Mayor McComb referred to Item 25. Iain Vasey, Corpus Christi Regional Economic Development Corporation (EDC), stated that the purpose of this item is to provide the EDC quarterly update. Mr. Vasey presented the following information: the 2018 business attraction summary; business retention expansion; recent successes and pending projects; employment by sector; the investor summary; the housing market outlook related to Corpus Christi housing affordability and cumulative impact on housing needs; and the objectives and results of the San Patricio and Nueces Counties Community Survey 2018.

A council member thanked Texas A&M University - Corpus Christi for their assistance regarding the survey.

26. Corpus Christi Regional Economic Development Corporation (CCREDC) Economic Development Summit Update

Mayor McComb referred to Item 26. Iain Vasey, Corpus Christi Regional Economic Development Corporation (EDC), stated that the purpose of this item is to provide an update on the topics discussed at the Economic Summit Workshop held on January 23, 2018. Mr. Vasey provided a brief overview of the EDC's follow-up work regarding: incentive policies; community growth management; utilities & water related to future industrial and employer demand; housing; and small businesses.

Council members and Mr. Vasey discussed the following topics: small business and minority businesses; affordable housing; the benefits of economic development incentives to the community; and the voter-approved sales tax for economic development.

27. A Proposed Regional Sports Complex as a Private/Public Partnership

Mayor McComb referred to Item 27. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to provide a briefing regarding the proposed regional sports complex. Mr. Ellington introduced the partners with SQH Sports & Entertainment, LLC (SQH) including: Bert Quintanilla, Derrick Hegmon, and Brent Stazer. Mr. Ellington presented the following information: the initial agreement terms; the sports complex area map; the restrictions on the property related to the special floodway; the current proposed sports complex site plan; the SQH team; the economic benefits of the sports complex; the community benefits; the regional sports complex improvements; other commercial improvements; and performance milestones. The second reading regarding the SQH ground lease agreement is scheduled for the May 22, 2018 Council meeting.

Following Mr. Ellington's presentation, council members, staff and the SQH team discussed the following topics: the date the Request for Proposal (RFP) regarding the regional sports complex was released; the language in the RFP regarding the financial statement from the previous two years and how SQH could have produced such financial statements when the business began in March 2014; if the RFP process would need to be redone because the original plan has significantly changed; a request for SQH to provide a list of sports management experience; the RFP not being mandatory for the lease of real property; case law regarding the maximum term allowed for a lease agreement; the appraised value of the property; consideration that the

property be used for residential; the experience of the SQH organization; the City not receiving revenue from the proposed regional sports complex; a request by a council member regarding financial sustainability; the timeline of the regional sports complex project; a timeline of the work and funding already provided by SQH to move the project forward; how the additional acreage became part of the plan; the financial and performance milestones in the contract; the contract being prepared as part of a negotiation between the City and SQH; the City not receiving its fair share of the asset; if the original scope of the project included a commercial element; the difference between the original concept and the current proposed contract; what the additional land will be used for; the public area; the price offered by SQH for the sale of the land; the plan for the Oso Parkway Extension; the benefits to the community; whether the current lease is in effect; and the ramifications of not approving the replacement lease.

City Manager Margie C. Rose stated that staff would prepare responses to the City Council's questions and schedule the second reading when ready.

28. Lease Agreement for Helicopter Air Tours at The Water's Edge

Mayor McComb referred to Item 28. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to provide information regarding a lease agreement with Espejo Helicopter, LLC for helicopter air tours at the The Water's Edge Park. Mr. Ellington presented the following information: the contract terms; the location of the proposed helicopter site; and the services to be provided.

Council members and staff discussed the following topics: provisions in the agreement related to protecting the surrounding ambiance; remaining in contact with users of The Water's Edge Park; provisions related to encroachment of air space regarding the Port of Corpus Christi; the limits of liability; approval for park use requiring approval from the Director of Parks and Recreation; and safety concerns.

R. EXECUTIVE SESSION: (ITEMS 29, 31 AND 32)

Mayor McComb referred to Executive Session Items 29, 31 and 32. The Council went into executive session at 5:36 p.m. The Council returned from executive session at 8:24 p.m.

29. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to dissolved oxygen standards, the wastewater collection and treatment system, and state and federal environmental regulation of water.

This E-Session Item was discussed in executive session.

31. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to water supplies for industrial and other development, desalination, potential interlocal agreements with water districts and other governmental entities involving

water or other utility services, including potential grants for desalination facilities, utility rate regulation, reuse, provisions of the Texas Utility Code, TCEQ Regulations, EPA regulations, and other laws and regulations, potential agreements for the economic development agreement(s) with business prospects that are considering the construction, expansion, and/or ownership of industrial facilities that will be consumers of water and/or wastewater services, and potential creation of entities that could provide or assist in the provision of the aforementioned services, **and pursuant to Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforesaid business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s), including, but not limited to, potential contracts for the provision of water to said business prospect(s).

This E-Session Item was discussed in executive session.

- 32. Executive session pursuant to Texas Government Code § 551.074** (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.

Mayor McComb referred to Item 32. City Manager Margie C. Rose read the following statement:

"Dear Mayor and Council:

I would like to begin by saying "Thank you" for a wonderful 16 years of service with the City of Corpus Christi as Assistant City Manager, Deputy City Manager and City Manager. I have truly enjoyed my time here serving the citizens of Corpus Christi. As a Professional City Manager who has been in City Management for more than 30 years, I have always strived to be the best in the positions I have held. However, as a professional you should know when it is time to make a transition. I feel that the time has come for me to make that transition.

Therefore, I hereby tender my resignation, effective Wednesday, May 16, 2018 and exercise Section 10 - Termination, subsection (d) and Section 11 - Severance of my Employment Agreement.

Thank you for allowing me to be a part of this community. I wish you and the citizens of Corpus Christi the very best."

The following motion was considered:

Motion to accept the resignation of City Manager Margie C. Rose, effective May 16, 2018 and provide for 6 months severance (plus compensation for unused vacation leave) to the City Manager in accordance with Section 11 of the Employment Agreement of the City Manager, with such severance conditioned

on a release as provided in Section 12 of said agreement.

Mayor McComb made a motion to approve the motion, seconded by Council Member Lindsey-Opel. This Motion was passed and approved with the following vote:

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Nay: 1 - Council Member Guajardo

Abstained: 0

Enactment No: M2018-085

Mayor McComb referred to Item 32 and announced that the City Council would return to executive session on this item. The Council went into executive session at 8:27 p.m. The Council returned from executive session at 8:53 p.m. and the following motion was considered:

Motion to appoint Keith Selman as Interim City Manager and set a base salary of \$200,000 per year plus \$7,200 per year car allowance during such period as Interim City Manager.

Mayor McComb made a motion to approve the motion, seconded by Council Member Lindsey-Opel. This Motion was passed and approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Abstained: 0

Enactment No: M2018-085

S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

None.

T. ADJOURNMENT

The meeting was adjourned at 8:56 p.m.