



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, November 12, 2019

11:30 AM

Council Chambers

Addendums may be added on Friday.

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

Mayor McComb called the meeting to order at 11:33 a.m.

Mayor McComb recognized military veterans.

B. Invocation to be given by Pastor Jerry Ward, Lighthouse Tabernacle.

Pastor Jerry Ward gave the invocation.

C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Marc Harrod, City Hall Liaison Officer, Corpus Christi Police Department.

Mr. Mark Harrod led the Pledge of Allegiance to the flag of the United States and the Texas Flag.

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 Peter Zanoni, City Attorney Miles K. Risley, and City Secretary Rebecca L. Huerta.

Present: 9 - Mayor Joe McComb, Council Member Roland Barrera, Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Gil Hernandez, Council Member Michael Hunter, Council Member Ben Molina, Council Member Everett Roy, and Council Member Greg Smith

E. Proclamations / Commendations

1. Proclamation declaring November 12, 2019, "Coastal Bend Day of Giving".
Proclamation declaring November 12, 2019, "Corpus Christi Be The Match Day" and November 2019, "National Marrow Awareness Month".
Proclamation declaring November 23, 2019, "Run the Runway 5K Day".
Proclamation declaring November 9-16, 2019, "Flags for Heroes Week".
Proclamation declaring November 10-16, 2019, "National Nurse

Practitioner Week".

The Proclamations were presented.

- F. PUBLIC COMMENT - APPROXIMATELY 12:00 P.M.** 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 Communication department at 361-826-3211 to coordinate. This is a public hearing for all items on this agenda.

Mayor McComb referred to comments from the public. City Attorney Miles K. Risley read the Rules of Decorum for the Council Chambers. City Secretary Rebecca L. Huerta conducted the public comment period.

Reinaldo Figueroa, 221 Lola Johnson Rd., spoke regarding concerns related to agenda Item 5 rezoning property at or near 2110 Laguna Shores Road. The following individuals spoke in support of the Grand Canal and/or the creation of a Tax Increment Reinvestment Zone (TIRZ#4) on North Beach: Juan Cantu, 3302 Surfside Blvd., Day Manley, 6705 Pharaoh Dr., Carolyn Vaughn, 4214 Spring Creek Dr., Chris Kuehn, 7038 Pharaoh Dr., Linda Strong, 4843 Ocean Dr., Carrie Robertson Meyer, 4401 Gulfbreeze Blvd., Diane Gardner, 307 Palmero St., Ron Graban, 202 Surfside Blvd., Sharon Hairgrove, 3562 Santa Fe St., Jean Marie Giegerich, 1009 Furman Ave., Taylor Oldroid, 4825 Everhart Rd., and Marsha Williams, 6006 Strasbourg. John Medina, 4931 Mokry Dr., spoke regarding concerns related to the use of a park in the 78415 zip code. Gloria Scott, 4422 S. Alameda St., spoke in support of re-purposing the Spohn Memorial Hospital building to house homeless individuals. Jonathan Gonzalez, 13753 Cayo Gorda Court, discussed requirements of the Texas Engineering Practices Act; and the condition of the stormwater system on North Beach. Jed Rollins, 401 Adriatic Prkwy., McKinney, TX, Blackard Global, discussed engagement related to media regarding the North Beach project. Jeff Blackard, 401 Adriatic Prkwy., McKinney, TX, spoke regarding the state of the stormwater system on North Beach; the capacity of the stormwater system on North Beach in relation to rainwater; and the cost of the Grand Canal and street repairs needed on North Beach. James Skrobarczyk, 714 Oriole, spoke in support of high density development, a TIRZ#4 and the Grand Canal on North Beach; the Sports and Entertainment Center on the southside and the use of alternative vehicles in the City. Peter Davidson, 1525 S. Shoreline Blvd., thanked the Council for their support of a TIRZ#4 on North Beach; and section-by-section road building and related return on investment. Mark Roach, Portland, TX, spoke regarding concerns related to the Development Services Department. Chad Magill, 641 Texas Ave., spoke regarding paying for the Grand Canal on North Beach; building the Grand Canal first, then elevating the streets on North Beach; and requested that a Council workshop be held allowing for public discussion regarding funding the Grand Canal on North Beach.

- R. BRIEFINGS: (ITEM 34)**

34. Texas Legislature Next Steps Lessons from 86th Legislative Session, Interim Forecast, Preparation for 2020

Mayor McComb deviated from the agenda and referred to Item 34.

The presentation team, consisting of Director of Intergovernmental Relations Tammy Embrey, Brandon Aghamalian, Snapper Carr, Curtis Seidlits and Andrew Keefer, presented information on the following topics: property tax reform passed during the last Texas legislative session; and legislation that passed and did not pass regarding the following Corpus Christi Legislative Priorities: Texas Windstorm Insurance Agency (TWIA); Port of Corpus Christi; annexation; Defense Economic Adjustment Assistant Grants; funding for near non-attainment cities; and hotels, convention centers and tourism. The presentation team also discussed coastal erosion; statewide bills; SB 2 supporters; right-of-way cable franchise fees; SB 29 city advocacy; local strategies; and state strategies.

Council members and the members of the presentation team discussed the following topics: the impact of SB 2; that hotel occupancy taxes (HOT), sales taxes nor fees fall under SB 2; the reasons for animosity toward cities in the state legislature; the timeline for developing the City's legislative priority list for the next state legislative session; how passage of the Flood Infrastructure Fund during this month's statewide constitutional election can benefit the City; and local elected officials continuing to be able to talk to state legislators.

I. BOARD & COMMITTEE APPOINTMENTS:

- 3.** Building Code Board of Appeals (2 vacancies)
 Citizens Advisory Health Board (1 vacancy)
 Corpus Christi Downtown Management District (2 vacancies)
 Landmark Commission (1 vacancy)
 Reinvestment Zone No. 2 Board (9 vacancies)

Mayor McComb deviated from the agenda and referred to Board & Committee Appointments.

Building Code Board of Appeals

Council Member Smith nominated Gary K. Adams (Architect). Council Member Hernandez nominated Kira Bonesteel (Architect). Gary K. Adams (Architect) was appointed with Mayor McComb and Council Members Guajardo, Barrera, Roy and Smith voting for Gary K. Adams and Council Members Hunter, Molina, Garza and Hernandez voting for Kira Bonesteel.

Citizens Advisory Health Board

Council Member Molina made a motion to appoint Tosha James (City), seconded by Council Member Hunter and passed unanimously.

Corpus Christi Downtown Management District

Council Member Molina made a motion to appoint Lesley B. Lomax (Agent, Employee or Tenant, and Property Owner) and Joshua Richline (Agent, Employee or Tenant, and Property Owner), seconded by Council Member Barrera and passed unanimously.

Landmark Commission

Council Member Molina made a motion to reappoint Ira J. Freeman (Architect), seconded by Council Member Garza and passed unanimously.

Tax Reinvestment Zone No. 2 Board

Council Member Garza made a motion to reappoint Roland Barrera (City), Rudy Garza (City), Paulette Guajardo (City), Gil Hernandez (City), Michael T. Hunter (City), Joe McComb (City), Ben Molina (City), Everett Roy (City), and Greg Smith (City), seconded by Council Member Hunter and passed unanimously.

Council Member Garza made a motion to appoint Greg Smith Chairman, seconded by Council Member Molina and passed unanimously.

REGULAR AGENDA: (ITEM 26)**26.**

Ordinance pertaining to North Beach designating a 1,423 acre area within the jurisdiction of the City of Corpus Christi Tax Increment Reinvestment Zone (TIRZ) Number 4; setting a maximum City financial participation of \$20,000,000 via a scaled contribution for a period not to exceed 20 years; establishing a Board of Directors for the TIRZ; and, establishing a preliminary Project and Financing Plan.

Mayor McComb deviated from the agenda and referred to Item 26.

Business Liaison Arlene Medrano provided a review of changes since the last Council meeting on October 29, 2019, including having consolidated 12 projects into 3 categories; and staff recommendation.

A council member asked to change "may" to "shall" in the ordinance wherein reference is made to the Tax Increment Reinvestment Zone Number 4 (TIRZ#4) reimbursing the City for expenses incurred related to the creation and administration of the TIRZ#4.

Council Member Roy made a motion to approve the ordinance, seconded by Council Member Molina.

There were no comments from the public.

A council member discussed ensuring a position is available on the TIRZ#4's board of directors for Del Mar College.

This Ordinance was passed on second reading and approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

Enactment No: 031927

J. EXPLANATION OF COUNCIL ACTION:**K. CONSENT AGENDA: (ITEMS 4 - 13 and 16 - 23)****Approval of the Consent Agenda**

Mayor McComb deviated from the agenda and referred to the Consent Agenda. A member of the public requested that Item 5 be pulled for individual consideration. Council members requested that Items 14 and 15 be pulled for individual consideration. Council Member Barrera announced he was abstaining on Item 12.

There were no comments from the Council or the public.

A motion was made by Council Member Garza to approve Consent Agenda Items 4, 6-11, 13 and 16 - 23, seconded by Council Member Smith. These consent agenda items were passed and approved by one vote as follows:

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

Second Reading Ordinances - Consent

- 4.** Ordinance closing, abandoning and vacating a 16,500 square foot portion of 6th Street, a portion of public street lying between Buford Avenue and Hancock Avenue, conditioned upon payment of \$28,000 for fair market value of the improved street and execution of an agreement to relocate stormwater infrastructure. (District 1)

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

Enactment No: 031913

- 6.** Ordinance authorizing acceptance of grant from U. S. Department of Justice, Bureau of Justice Assistance, in amount of \$175,175 for FY 2019 Edward Byrne Memorial Justice Assistance Grant Program; and appropriating \$175,175 in Police Grants Fund with \$80,917 of funds distributed to Nueces County and \$13,340 of funds distributed to City of Robstown. The remaining funds of \$80,918 will be used by the City for enhancement of law enforcement efforts.

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

Enactment No: 031915

- 7.** Ordinance approving the purchase of Harris Public Safety communication radios in an amount not to exceed \$3,567,032.20 to be

used by the Corpus Christi Police Department from Dailey and Wells Communications, Inc; appropriating \$1,189,010.73, from the unreserved fund balance of the General Fund initially budgeted in FY 2019 for this purpose but not encumbered; and amending the FY 2019-2020 operating budget to increase expenditures.

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

Enactment No: 031916

8. Ordinance authorizing an agreement with Texas Food and Wine Festival, LLC to allow use of Heritage Park and portions of Fitzgerald Street and Hughes Street for the Corpus Christi Food and Wine Festival Event and related activities on November 23, 2019.

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

Enactment No: 031917

9. Ordinance accepting \$31,105.92 from Epic Y Grade Pipeline, LP and authorizing an amendment to the existing Revocable Easement to allow construction of an additional 12-inch pipeline.

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

Enactment No: 031918

10. Ordinance approving the purchase of twenty-six pickup trucks for a total amount not to exceed \$951,159.04 from Silsbee Ford of Silsbee, Texas via the GoodBuy Purchasing Cooperative to be used by the Utilities Department's staff for daily operations; appropriating \$951,159.04 from the unreserved fund balance in the Water Fund, the Wastewater Fund, and the Storm Water Fund that was previously budgeted in FY 2019 for this purpose but not encumbered; and amending the FY 2019-2020 operating budget to increase expenditures.

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

Enactment No: 031919

11. Ordinance appropriating anticipated revenues from the Texas Department of Transportation (TxDOT) in the amount of \$635,549 and awarding a contract to Mako Contracting, LLC. for construction of sidewalk and lighting improvements for the S.E.A. District Pedestrian Improvement project in the amount of \$794,436.22. The project is located in City Council District 1 and the contract will begin upon issuance of notice to proceed. Funding is approved and available from an 80% TxDOT grant and a 20% match from Street Bond 2016 CIP.

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

Enactment No: 031920

Contracts and Procurement - Consent

13. Motion approving the purchase from GT Distributors, Inc. of Austin, Texas for a total amount not to exceed \$103,155.00, for weapon-mounted Surefire X300 Ultra LED handgun lights to be used by the Police Department to accompany the new Smith and Wesson M&P 9mm service weapons, with funding through the CC Crime Control Fund.

This Motion was passed on the consent agenda.

Enactment No: M2019-185

16. Resolution authorizing a three-year supply agreement with J.Q & G Incorporated, dba OB Traffic, of Roanoke, Virginia in an amount not to exceed \$226,500.00 for the purchase of up to 30 traffic signal cabinets, for Street Operations effective upon issuance of notice to proceed, with FY 2020 funding in the amount of \$75,500.00 available through the Street Fund.

This Resolution was passed on the consent agenda.

Enactment No: 031923

17. Motion authorizing a two-year supply agreement with Wilnat Inc., dba Koons Gas Measurement of Tulsa, Oklahoma in an amount not to exceed \$139,750.00 to purchase residential gas regulators, effective upon issuance of notice to proceed, with FY 2020 funding in an amount of \$58,229.17 available through the Gas Fund.

This Motion was passed on the consent agenda.

Enactment No: M2019-187

18. Motion authorizing three, three-year supply agreements for a total amount not to exceed \$862,332.75, with an agreement with each of the following vendors: T&W Tire, LLC, of Oklahoma City, Oklahoma, in the amount of \$296,030.00 for the purchase of tires for refuse trucks for Solid Waste; Southern Tire Mart, LLC, of Columbia, Mississippi in the amount of \$158,202.00 for the purchase of tires for Tahoe police vehicles; and, The Goodyear Tire & Rubber Company, of Akron, Ohio in the amount of \$408,100.75 for the purchase of tires for police pursuit vehicles, effective upon issuance of notice to proceed, with FY 2020 funding in an amount of \$287,444.25 available through the Fleet Maintenance Fund.

This Motion was passed on the consent agenda.

Enactment No: M2019-188

19. Motion authorizing two purchases for a total amount of \$180,293.42; one with Computer Solutions, of San Antonio, Texas in an amount of

\$121,793.42 for network equipment, and second with Dell EMC, of Round Rock, Texas in an amount of \$58,500.00 for 60 All-in-One Desktop computers; to be used by the community of Corpus Christi at the public libraries and increase broadband capability, effective upon issuance of a purchase order, with funding available in the CDBG Grants fund.

This Motion was passed on the consent agenda.

Enactment No: M2019-189

General Consent Items

- 20.** Motion authorizing a Joint Funding Agreement with the United States Geological Survey (USGS), U.S. Department of the Interior, for USGS to maintain automated river gauging stations that record stream flows and water quality parameters associated with the Frio and Nueces Rivers and associated tributaries, which is data the City uses daily to manage releases from the City's reservoir system and for water treatment operations, whereby the USGS contributes \$28,950.00 and the City contributes \$166,350.00.

This Motion was passed on the consent agenda.

Enactment No: M2019-190

- 21.** Resolution authorizing execution of Interlocal Cooperation Agreement with Del Mar College for improvements associated with Del Mar College's new campus located at Yorktown Boulevard and Rodd Field Road in District 5 including a new pedestrian/bicycle bridge and trail, designated turn lanes and driveway cuts, and enhanced landscaping with irrigation.

This Resolution was passed on the consent agenda.

Enactment No: 031924

- 22.** Resolution amending and reaffirming the City of Corpus Christi's Investment Policy and Investment Strategies for Fiscal Year 2019-2020.

This Resolution was passed on the consent agenda.

Enactment No: 031925

- 23.** Resolution authorizing Amendment No. 1 to Chapter 380 Economic Development Agreement between the City of Corpus Christi, Texas, voestalpine Texas LLC, and the Port of Corpus Christi Authority of Nueces County, Texas, relating to the development of property.

This Resolution was passed on the consent agenda.

Enactment No: 031926

12. Ordinance authorizing the execution of the Second Addendum to the Water Supply Agreement with the Beeville Water Supply District, subject to release of all claims by Beeville Water Supply District and City of Beeville against the City of Corpus Christi and subject to withdrawal of all administrative proceedings filed by Beeville Water Supply District and City of Beeville against the City of Corpus Christi in the Public Utility Commission of Texas and subject to payment of all amounts determined by the City Manager to be owed pursuant to the existing contract between the parties after waiver of \$162,809.85 of Future Water Resources Reserve Fund charges that were contested and withheld by said District and authorizing the City Manager to make the aforesaid waiver.

Mayor McComb deviated from the agenda and referred to Item 12.

There were no comments from the Council or the public.

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

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 1 - Council Member Barrera

Enactment No: 031921

5. Zoning Case No. 0719-02 B&A Terra Firma Development, LLC: (District 4) Ordinance rezoning property at or near 2110 Laguna Shores Road from the "RE" Residential Estate District to the "RS-15" Single Family 15 District. Requires 3/4 Vote for zoning change.

Mayor McComb referred to Item 5.

Mayor McComb stated that this item is being reconsidered because Flour Bluff Independent School District indicated they will support a change of zoning to RS-15 instead of RS-6.

Mayor McComb called for comments from the public. Rebecca Root, 325 Lola Johnson Rd., spoke in opposition to the change in zoning to RS-15 and spoke regarding: potential for flooding existing properties if the subject land is developed; the uniqueness of the properties on Lola Johnson Rd.; and wetlands. Charlene Rombs, 230 Lola Johnson Rd., spoke in opposition to the change in zoning to RS-15 and spoke regarding the history of City Council votes regarding rezoning the subject property; FBISD's support for RS-15; and the ethics and integrity of the City Council and City staff, which Mayor McComb and Ms. Rombs discussed. Jenny Ashmore, Lola Johnson Rd., spoke in opposition to the change in zoning to RS-15 and spoke regarding wetlands being on both sides of Local Johnson Rd; and needing to fill in wetlands in order to develop the subject property. Miguel Saldana, 4555 Moonlake Ridge,

with Saldana Consulting and representing the applicant, spoke regarding FBISD being in favor of RS-15, but opposing RS-6; that the wetlands discussed by residents today are not designated wetlands; and the loss of land the applicant has incurred due to an Army Corps of Engineers' wetland designation.

Council Member Molina 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 Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

Enactment No: 031914

S. EXECUTIVE SESSION: (ITEMS 35 - 36)

Mayor McComb deviated from the agenda and referred to Executive Session Items 35 and 36. The Council went into executive session at 2:37 p.m. The Council returned from executive session at 3:10 p.m.

- 35. 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 contractual obligations pursuant to the lease of property to SQH Sports & Entertainment, Inc. near the intersection of State Highway 286 and Weber Road and areas adjacent thereto and pursuant to Texas Government Code § 551.072 to discuss and deliberate the lease and value of the aforementioned real property owned by the City when deliberation in 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.**
- 36. 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 annexation, disannexation, and potential development agreement(s) with entities that are considering the construction, expansion, and/or ownership of industrial facilities (including, but not limited to proposed Gulf Coast Growth Ventures' chemical manufacturing facility in San Patricio County and recently annexed industrial facilities in San Patricio County, including but not limited to Voestalpine) 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).

This E-Session Item was discussed in executive session.

L. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Items 35 and 36.

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

Mayor McComb referred to City Manager's Comments. City Manager Peter Zaroni reported on the following topics:

a. OTHER

1) The amount pledged by City employees over the years and during this year's United Way Campaign. 2) Provided a homelessness and workforce housing update. 3) Announced a homelessness-related walk-in-their-shoes event, sponsored by Metro Ministries, where participants will walk from Metro Ministries to City Hall on November 9, 2019. 4) The City has been awarded a grant from the National Park Services' Trails and Conservation Program to study the design of a potential eco-park on the north end of North Beach. Related workshops will take place from 3:00 p.m. - 6:00 p.m. on November 21 and 6:00 p.m. - 8:00 p.m. on November 22, 2019, at the Texas State Aquarium.

H. MINUTES:

2. Regular Meeting of October 29, 2019 and Joint Workshop Session of October 24, 2019.

Mayor McComb referred to Item 2.

A motion was made by Council Member Garza, seconded by Council Member Molina, that the Minutes be passed. The motion carried by a unanimous vote.

N. REGULAR AGENDA: (ITEMS 27 - 28)

27. Resolution authorizing execution of an Interlocal Cooperation Agreement with the Nueces County for their 100% increment participation in the North Beach Tax Increment Reinvestment Zone No. 4 for a period ending December 31, 2039

Mayor McComb referred to Item 26.

City Manager Peter Zaroni stated that the purpose of this item is to approve an Interlocal Agreement with Nueces County for their 100% participation in Tax Increment Reinvestment Zone Number 4 (TIRZ#4).

There were no comments from the Council or the public.

Council Member Smith made a motion to approve the resolution, seconded by Council Member Molina. This Resolution was passed and approved with the

following vote:

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

Enactment No: 031928

28. Appointment of Reinvestment Zone No. 4 Board of Directors

Mayor McComb referred to Item 28.

Reinvestment Zone No. 4 Board

Council Member Smith made a motion to appoint Roland Barrera (City), Gil Hernandez (City), Michael Hunter (City), Joe McComb (City), Ben Molina (City), Greg Smith (City), Rudy Garza (City), Paulette Guajardo (City), and Everett Roy (City), seconded by Council Member Barrera and approved unanimously.

Council Member Molina made a motion to appoint Tom Schmid (Director of Texas State Aquarium) and Steve Banta (Director of USS Lexington), seconded by Council Member Garza and approved unanimously.

Council Member Barrera made a motion to appoint Barbara Canales (Nueces County - Appointed by City), seconded by Council Member Garza and approved unanimously.

Council Member Garza made a motion to appoint Everett Roy Chairman, seconded by Council Member Hunter and approved unanimously.

O. RECESS CITY COUNCIL MEETING:

Mayor McComb recessed the meeting at 3:22 p.m. to hold a meeting of the Tax Increment Reinvestment Zone Number 4 (TIRZ#4).

P. RECONVENE THE CITY COUNCIL MEETING:

Mayor McComb reconvened the meeting at 3:52 p.m.

K. CONSENT AGENDA: (ITEMS 14 - 15)

- 14.** Motion authorizing a one-year rental agreement with Herc Rentals Inc., of Corpus Christi, Texas, for on-call rental of mini-excavators and attachments used daily by Water Utilities Department for emergency repairs and construction of water and wastewater infrastructure, for a total amount not to exceed \$180,726.00, effective upon issuance of a notice to proceed, with funding through the Water and Wastewater Funds.

Mayor McComb referred to Item 14.

In response to a council member's questions, Director of Water Utilities Kevin Norton stated that the intent of this rental agreement is allow the City to rent mini excavators to allow City crews to continue working while City-owned

units are repaired; and that Water Utilities' requirement is 22 units.

There were no comments from the public.

Council Member Garza made a motion to approve the motion, seconded by Council Member Molina. This Motion was passed and approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

Enactment No: M2019-186

- 15.** Resolution authorizing a five-year service agreement with Pump Solutions, Inc. of New Caney, Texas for a total amount not to exceed \$125,884.00 for maintenance and repairs for three Amacan pumps at the Rincon Bayou Pump Station, effective upon issuance of notice to proceed, with funding in FY2020 in an amount of \$74,061.00 through the Water Fund.

Mayor McComb referred to Item 15.

A council member and Director of Water Utilities Kevin Norton discussed the following topics: if the pumps are tracked in Maximo; asset life cycle management; the life span and age of existing pumps; staggering the purchase of pumps; and that one pump will be overhauled as part of this service agreement.

There were not comments from the public.

Council Member Smith made a motion to approve the resolution, seconded by Council Member Garza. This Resolution was passed and approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

Enactment No: 031922

M. PUBLIC HEARINGS: (ITEMS 24 - 25)

- 24.** Ordinance authorizing a Water Arterial Transmission and Grid Main Line Extension Construction and Reimbursement Agreement with Braselton Custom Homes, LTD to extend a water transmission and grid main line for a planned residential subdivision located on CR-33 with a completion date of May 30, 2021;and appropriating \$1,233,230.25 from the Water Arterial Transmission and Grid Main Trust Fund to reimburse the Developer per agreement. (District 3)

Mayor McComb referred to Item 24.

Director of Development Services Al Raymond recommended the following amendment to Item 24: to amend the ordinance to remove the \$65,000 transfer from the Water Distribution Main Trust Fund to the Water Arterial Transmission and Grid Main Trust Fund and to amend the reimbursement agreement to limit the reimbursement to \$1,233,230.25, and to amend the appropriation from the Water Arterial Transmission and Grid Main Trust Fund from \$1,485,130.25 to \$1,233,230.25.

Director Raymond stated that the purpose of this item is to execute a water arterial and transmission grid main extension, construction and reimbursement agreement with Braselton Custom Homes, LTD for the installation of 4,850 linear feet of 16-inch water arterial grid main line and to appropriate from the Water Arterial and Grid Main Transmission Grid Main Trust Fund an appropriation of \$1,233,230.25 to reimburse the developer.

Director Raymond presented information on the following topics: aerial map; vicinity map; and staff's recommendation of approval.

Council members, City Manager Peter Zanoni, Director Raymond and Contracts/Funds Administrator Michael Johnston discussed the following topics: that current projects would move forward under current trust fund procedures; a timeline for changes to the trust funds; and looping of the water line in the planned subdivision; future extensions of the water line; the area the new water line will serve; the number of homes to be constructed in the subdivision, by phase; the size of the water main; and that a 1-inch legacy line will become obsolete with the installation of the larger water main.

Council Member Smith made a motion to amend the ordinance to remove the \$65,000 transfer from the Water Distribution Main Trust Fund to the Water Arterial Transmission and Grid Main Trust Fund and to amend the reimbursement agreement to limit the reimbursement to \$1,233,230.25, and to amend the appropriation from the Water Arterial Transmission and Grid Main Trust Fund from \$1,485,130.25 to \$1,233,230.25, seconded by Council Member Molina.

A council member discussed the impact of this item on growth, expanding residential development and increase to the City's tax base.

In response to a question from a council member, Bart Braselton, Braselton Custom Homes, LTD, discussed the total number of homes in the development; the build out time; the price range of the homes; the total value at build out; and the importance of the trust fund in development.

Council members discussed the following topics: development in the area of the planned subdivision; police and fire service in the planned development and the possible use of developer trust funds for related costs; discouraging the use of septic systems and water wells in the area to be developed; and existing arrangements for fire service with London Independent School District and residents in the area.

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

The motion to amend the ordinance passed unanimously (Council Members Hunter and Garza - abstained).

Council Member Barrera made a motion to approve the ordinance as amended, seconded by Council Member Guajardo.

Mayor McComb closed the public hearing.

This Ordinance was passed on first reading as amended and approved with the following vote:

Aye: 7 - Mayor McComb, Council Member Barrera, Council Member Guajardo, Council Member Hernandez, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 2 - Council Member Garza and Council Member Hunter

25.

Ordinance amending Section 53-109 of the City Code which allows golf carts in certain areas by adding neighborhood electric vehicles and off-highway vehicles as an allowable mode of transportation within the city, specifically North Padre Island, Mustang Island, and North Beach; and providing for a penalty.

Mayor McComb referred to item 25.

Assistant City Manager Keith Selman discussed the following topics: that during the last legislative session, the Texas legislature provided a mechanism for neighborhood electric/off-highway vehicles to be utilized on public roadways; the Island Strategic Action Committee's review of this topic; safety equipment in neighborhood electric/off-highway vehicles; locations where golf carts are currently allowed and where neighborhood electric/off-highway vehicles will be allowed; mirroring, in the ordinance, the related state statute; the requirement in the ordinance that individuals must wear a seat belt, if the neighborhood electric/off-highway vehicle is equipped with seat belts; and a requirement that the ordinance be displayed on rented neighborhood electric/off-highway vehicles.

Mayor McComb opened the public hearing.

A council member and Assistant City Manager Selman discussed the safety record of golf carts.

Carrie Robertson Meyer discussed the use of golf carts on North Beach.

A council member discussed the use of neighborhood electric/off-highway vehicles in master planned communities.

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

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

Q. FIRST READING ORDINANCES: (ITEMS 29 - 33)

- 29.** Ordinance to amend the 40-year Lease Agreement with SQH Sports & Entertainment, Inc., which was originally authorized on October 18, 2016 for the lease of approximately 67.69 acres of unimproved land near State Highway 286 and FM 43 (Weber Road) for a regional youth sports complex, with the amendment to provide for extension of the performance milestones in the lease and notice of default.

Mayor McComb referred to Item 29.

Assistant City Manager Keith Selman discussed the following topics: project milestones; and new timelines that are the subject of the proposed amendment to the existing lease agreement.

There were no comments from the Council or the public.

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

Aye: 8 - Mayor McComb, Council Member Barrera, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 1 - Council Member Garza

- 30.** Ordinance disannexing approximately 540.79 acres of land located in the La Quinta corridor from the City of Corpus Christi, Texas pursuant to an amendment to a Chapter 380 economic development incentive agreement with the Port of Corpus Christi Authority and voestalpine Texas, LLC; adjusting the City boundaries accordingly; providing for severance, publication, and an effective date.

Mayor McComb referred to Item 30.

City Attorney Miles K. Risley stated that the purpose of this item is to disannex approximately 540 acres in the La Quinta corridor, which is tied to the 380 agreement with the Port of Corpus Christi Authority and voestalpine Texas, LLC.

There were no comments from the Council or the public.

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

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

- 31.** Ordinance amending the FY2019-2020 Operating Budget, adopted by Ordinance No. 031870, to create a temporary provisional Fire Captain position within the Fire Department complement.

Mayor McComb referred to Item 31.

Fire Chief Robert Rocha stated that the purpose of this item is to amend the FY2019-2020 operating budget, adopted by the City Council, to create a temporary provisional fire captain position within the Fire Department complement; recently, an arbitrator reinstated a Fire Captain back to his position, which was vacated in January 2018, after he was terminated; the vacancy created in January 2018 has since been filled; such a provisional position is being requested for the most recently promoted fire captain, until such time that a new vacancy occurs, or until the end of FY2019-2020; and that, due to two announced retirements for the position of Fire Captain, it is anticipated that the provisional position will be needed for approximately 2 months.

A council member and Fire Chief Rocha discussed the background necessitating this item; and the sources of funding for related back pay to the reinstated Fire Captain.

There were no comments from the public.

This Ordinance was passed and approved on first reading with the following vote:

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

- 32.** Ordinance accepting and appropriating Airport Grant #58 in the amount of \$9,445,368; awarding a contract in the amount of \$6,884,574.42 with Airfield Contracting, a Joint Venture between Head, Inc. of Columbus, Ohio and Jackson Construction Services, LLC, of Jacksboro, Texas for the total base bid and additive alternates 1 and 2 for the Corpus Christi International Airport (CCIA) Rehabilitate Terminal Apron Phase III and East General Aviation Apron Phase IV projects, effective upon issuance of notice to proceed, with funding available in the Airport Capital program by acceptance of the grant and; transferring \$1,049,486 as a 10% grant match from the unreserved fund balance of the Airport Operational Fund.

Mayor McComb referred to Item 32.

Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to accept the grant from the Federal Aviation Administration; award the construction contract to Airfield Contracting; transfer funds, out of the fund reserve, to cover the City's 10% match for the grant; and award the base bid, plus alternates 1 and 2 for the fourth of a five-phase effort to rehabilitate part of

the terminal apron and the general aviation apron.

There were not comments from the Council or the public.

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

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

- 33.** Ordinance abandoning and vacating a 10-foot wide by approximately 180-feet in length (1,800 sq. ft.) portion of an existing drainage easement out of Lots 3 & 4, Block 1, Padre Island - Corpus Christi Section E located at 15045 & 15041 Aruba Drive. (District 4)

Mayor McComb referred to Item 33.

Director of Development Services Al Raymond stated that the purpose of this ordinance is to abandon and vacate a 10-foot wide by approximately 180-foot long portion of an existing drainage easement out of Lots 3 and 4, Block 1, Padre Island, Corpus Christi, Section E, located at 15045 and 15041 Aruba Dr.

Director Raymond presented information on the following topics: vicinity map; aerial overview; and staff's recommendation for approval.

Director Raymond stated that this was an easement on paper, that was never improved, does not impact subsequent development and that the easement is not required for stormwater drainage along this portion of Aruba Drive.

A council member discussed that this makes one lot out of two; and the potential value of the property after this action is taken.

There were no comments from the public.

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

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

S. EXECUTIVE SESSION: (ITEM 37)

- 37. 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 legislation recently approved by or potentially being sought in the Texas Legislature**

and/or U.S. Congress related to municipal matters.

This E-Session Item was withdrawn by staff.

T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Council Future Agenda Items. No items were discussed or identified.

U. ADJOURNMENT

The meeting was adjourned at 4:47 p.m.